

Notice of Meeting

CABINET

Tuesday, 19 July 2016 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Darren Rodwell (Chair); Cllr Saima Ashraf (Deputy Chair) and Cllr Dominic Twomey (Deputy Chair); Cllr Sade Bright, Cllr Laila Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, 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 meeting held on 28 June 2016 (Pages 3 - 10)**
4. **Budget Monitoring 2016/17- April to May (Month 2) (Pages 11 - 38)**
5. **Corporate Plan 2016/17 (Pages 39 - 70)**
6. **Ambition 2020 and Growth Commission Proposals - Outcome of Public Consultation (Pages 71 - 149)**
7. **Medium Term Financial Strategy 2017/18 to 2020/21 Update (Pages 151 - 165)**
8. **Gascoigne Estate (East) Regeneration Proposals - Phase 2 (Pages 167 - 185)**

Appendix 4 to the report is in the exempt section of the agenda at Item 21.

9. Delivery of Low Cost Homes for Sale on the Gurdwara Way / Whiting Avenue site, Barking Town Centre Housing Zone (Pages 187 - 197)

10. Barking Town Centre Housing Zone: Crown House (Pages 199 - 207)

Appendices 1 and 2 to the report are in the exempt section of the agenda at Item 22.

11. Draft Parking Strategy 2016 - 2026 (Pages 209 - 228)

12. Regulatory Services Enforcement Policy 2016 - 2020 (Pages 229 - 246)

13. Regional Adoption Agency (Pages 247 - 252)

14. Proposed Expansion of Robert Clack School of Science (Pages 253 - 259)

15. Education Land Transfers (Pages 261 - 271)

16. Procurement of Demolition Contractor for Phases 2a and 3a, Gascoigne Regeneration (Pages 273 - 279)

17. Contract for the Provision of Short Break Activities for Disabled Children and their Families (Pages 281 - 293)

18. Debt Management Performance and Write-Offs 2015/16 (Quarter 4) (Pages 295 - 319)

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

20. 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 items below are in the private part of the agenda as they relate to commercially confidential information which is exempt from publication under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

21. Appendix 4: Gascoigne Estate (East) Regeneration Proposals - Phase 2 (Pages 321 - 324)

**22. Appendices 1 and 2 - Barking Town Centre Housing Zone: Crown House
(Pages 325 - 327)**

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

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Our Vision for Barking and Dagenham

One borough; one community; London's growth opportunity

Encouraging civic pride

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

Enabling social responsibility

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

Growing the borough

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth

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MINUTES OF CABINET

Tuesday, 28 June 2016
(7:00 - 8:20 pm)

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

6. Declaration of Members' Interests

There were no declarations of interest.

7. Minutes (24 May 2016)

The minutes of the meeting held on 24 May 2016 were confirmed as correct.

8. Revenue and Capital Final Outturn 2015/16

Further to Minute 3 of the last meeting, the Cabinet Member for Finance, Growth and Investment introduced a report on the final revenue and capital outturn position for the 2015/16 financial year.

The Cabinet Member confirmed that the position remained unchanged from the provisional outturn reported to the last meeting, with the exception of the incorporation of £0.1m of revenue transactions of Barking & Dagenham Reside Limited into the Council's accounts following external advice from the Council's external auditor and a further £0.04m from Barking & Dagenham Reside (Abbey Road).

Arising from the discussions, officers confirmed that the funding for the Creative Industries project within the Capital Programme related to the Ice House Quarter refurbishments, where 7 of the 11 units had now been taken up.

Cabinet **resolved** to:

- (i) Note the final outturn position for 2015/16 of the Council's revenue budget, as detailed in paragraph 2.1 of the report;
- (ii) Agree to transfer the surplus of £0.14m generated by Barking and Dagenham Reside Ltd and Barking and Dagenham Reside (Abbey Road) to an earmarked reserve, as detailed in paragraph 2.3 of the report;
- (iii) Note the final outturn position for the Housing Revenue Account, as detailed in paragraph 2.2 of the report; and
- (iv) Note the final outturn position for 2015/16 of the Council's capital budget and approve the re-profiled budget for 2016/17, as detailed in paragraphs 4.1 and 4.2 and Appendix A of the report.

9. Corporate Delivery Plan - End of Year (2015/16) Performance Summary

The Cabinet Member for Corporate Performance and Delivery introduced the 2015/16 end of year report in respect of the key performance indicators and priority projects agreed as part of the Corporate Delivery Plan as well as progress against the LGA Peer Challenge Implementation Plan.

The Cabinet Member advised that future performance monitoring reports would have a new, more dynamic format that focused on the top 40 key performance indicators and key tasks for each Cabinet Member portfolio.

Cabinet **resolved** to:

- (i) Note the closedown report for the LGA Peer Review Implementation Plan update;
- (ii) Note the final summary of progress on the Corporate Priority Projects; and
- (iii) Note the performance against the key performance indicators during 2015/16.

10. Right to Invest - Tenant Shared Ownership Scheme

Further to Minute 107 (9 March 2016), the Cabinet Member for Finance, Growth and Investment presented a report on the outcome of the public consultation on the Council's plans to introduce a non-statutory Tenant Shared Ownership Scheme.

The Cabinet Member explained that the Tenant Shared Ownership Scheme, known as 'Right to Invest', was aimed at Council tenants who aspired to become homeowners but were unable to secure a mortgage to buy their property outright. The scheme would counter some of the effects of the Government's 'pay to stay' and other proposals under the Housing and Planning Act 2016 by enabling Council tenants who may have had to leave their homes because of the new legislation to now hold a stake in their property and continue to contribute to their local community. It was also noted that the new scheme may also reduce the number of Council properties lost to the Right To Buy.

The Cabinet Member advised that there had been a limited but positive response to the public consultation and he referred to the summary of responses at Appendix 2 to the report. Cabinet Members spoke in support of the innovative scheme and noted that it had also been endorsed by the new Mayor of London.

Cabinet **resolved** to:

- (i) Note the outcome of the public consultation carried out in respect of the Tenant Shared Ownership Scheme as detailed in the report and summarised in Appendix 2 to the report;
- (ii) Adopt the Tenant Shared Ownership Policy as set out in Appendix 1 to the report;

- (iii) Authorise the Strategic Director for Growth and Homes, in consultation with the Cabinet Member for Finance, Growth and Investment, to agree the implementation date of the scheme and related policy; and
- (iv) Authorise the Director of Law and Governance, or an authorised delegate on her behalf, to negotiate and execute all necessary legal agreements and other documentation on behalf of the Council.

11. Heritage Strategy 2016-2020

The Cabinet Member for Community Leadership and Engagement presented the draft Heritage Strategy which set out the vision for the Borough's heritage to be at the heart of the community and to make a recognised positive contribution to improving the lives of the people who live, work and visit the Borough.

The Cabinet Member explained that the Strategy would be a key component in raising civic pride and that it sought to achieve the outcomes identified by both Ambition 2020 and the Growth Commission. The Strategy was set around eight key heritage focus areas and nine priority action themes and included a detailed action plan covering the full four-year period.

Cabinet Members commended the Strategy and the work of the staff within the service, referring to the rich history of the Borough and the many local events that were arranged throughout the year. It was noted that Valence House had been included in The Guardian newspaper's "Best 50 free things to do in east and south London" city guide. The Leader commented that civic pride came from the Borough's past and he felt that the Strategy promoted that excellently. The Cabinet Member for Community Leadership and Engagement concluded by suggesting that the Strategy document would act as a great guide for new residents and visitors to the Borough.

Cabinet **resolved** to approve the Barking and Dagenham Heritage Strategy 2016 - 2020, as set out at Appendix 1 to the report.

12. Ethical Care Charter

The Cabinet Member for Social Care and Health Integration presented a report on the Ethical Care Charter, launched by the UNISON Union, which sought to establish a minimum baseline for the safety, quality and dignity of care by ensuring fair conditions for homecare workers.

The Charter covered aspects such as service user needs, remuneration, contracts, training and continuity of service. The Cabinet Member referred to the Council's positive position on each aspect, with minimum 30 minute appointments, providers paying at least the National Living Wage and the majority paying the London Living Wage and a survey of service users showing that over 92% were satisfied with the home care service that they received over the last three months. Cabinet Members were also pleased to note that the Council was addressing the issue of zero-hour contracts and that robust training and monitoring arrangements were in place.

Cabinet Members placed on record their appreciation of UNISON for initiating and

promoting the Charter and of the work of the Cabinet Member, the Strategic Director and her staff to ensure that Barking and Dagenham's home care services were fit for purpose.

Cabinet **resolved** to agree that the Council signs up to the principles outlined in the UNISON Ethical Care Charter for the commissioning of homecare.

13. Treasury Management Annual Report 2015/16

The Cabinet Member for Finance, Growth and Investment introduced the Treasury Management Annual Report for 2015/16 which set out the key areas of performance during the year.

The Cabinet Member referred to the higher than predicted investment and interest earnings in 2015/16 but explained that the recent 'Brexit' vote was likely to mean that, going forward, interest rates would fall below the Council's predicted level and, therefore, impact negatively on interest earnings. The immediate impact of 'Brexit' had, however, provided an opportunity to secure additional long-term funding at low rates of interest, with £20m having been borrowed from the Public Works Loan Board (PWLB) in the days immediately following the EU Referendum which was on top of £30m borrowed earlier in the month.

In response to questions, the Cabinet Member advised that the funding previously secured via the European Investment Bank was secure although the 'Brexit' vote may impact on the success of any future applications for EIB funding. The Cabinet Member also confirmed that the Council's cash balance would reduce as the major Capital Programme and Ambition 2020 projects were implemented.

Cabinet **resolved to recommend the Assembly** to:

- (i) Note the Treasury Management Annual Report for 2015/16;
- (ii) Note that the Council complied with all 2015/16 treasury management indicators;
- (iii) Approve the actual Prudential and Treasury Indicators for 2015/16;
- (iv) Approve the amendments to the counterparty limits as set out in section 4.4 of the report;
- (v) Note that the Council borrowed £50m from the PWLB in June 2016 to fund capital expenditure; and
- (vi) Maintain the delegated authority to the Strategic Director for Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Investments, to continue to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to take into account the additional cash holdings resulting from borrowing from the European Investment Bank and the PWLB.

14. Contract for Provision of Personal Protective Equipment (PPE) and Corporate Uniform

The Cabinet Member for Finance, Growth and Investment introduced a report on the proposed procurement of a new contract to provide personal protective equipment (PPE) and corporate uniform, to enable the Council to continue to meet its obligations under the Health and Safety at Work Act 1974.

Cabinet **resolved** to:

- (i) Approve the proposals for the procurement of a contract for Personal Protective Equipment (PPE) and Uniform in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Strategic Director for Customer, Commercial and Service Delivery, in consultation with Cabinet Member for Finance, Growth and Investment, the Strategic Director for Finance and Investment and the Director of Law and Governance, to conduct the procurement and award the contracts for the initial term and, if required, the period of extension to the successful bidder(s).

15. Director of Public Health Annual Report 2015/16 "Focusing on what matters: Opportunities for improving health"

The Cabinet Member for Social Care and Health Integration introduced the Director of Public Health's Annual Report for 2015/16 which focussed on issues of concern and opportunities to improve the health of the local community.

The Cabinet Member advised that the concept of "preventing the preventable" was a key component of the report and the creation of the Accountable Care Organisation, in partnership with Havering and Redbridge Councils, would be the primary tool for transforming the delivery of health and Council care services in the future. The report also reflected on the negative impact that the Government's austerity measures continued to have on the health and social wellbeing of local people and the actions that would help to improve life expectancy rates.

In response to the question, the Director of Public Health commented that he considered the greatest achievement during 2015/16 to be the utilisation of the full Public Health Grant allocation on a range of projects that extended beyond direct health services and which helped to achieve real outcomes for local people, such as tackling domestic violence and helping individuals and families to avoid eviction from their homes.

Cabinet Members commended the report and made a number of observations which included:

- The importance of encouraging individuals, and particularly those from the black and minority ethnic communities, to talk to health and other professionals about their concerns early on;
- The need to raise awareness through education and training of ways for individuals to improve their health and recognise the symptoms of illness;
- The lower life expectancy and healthy life expectancy rates for residents of

Barking and Dagenham, even in comparison with London Boroughs with similar demographics.

Cabinet **resolved** to approve the publication of the Director of Public Health's Annual Report for 2015/16, as attached at Appendix 1 to the report.

16. Establishment of Council-owned Energy Services Company - B&D Energy Ltd

Further to Minute 115 (24 March 2015), the Cabinet Member for Finance, Growth and Investment presented a report on the detailed plans for the creation of a Council-owned Energy Services Company (ESCO), to be known as 'B&D Energy Limited'.

The Cabinet Member referred to the main aspects and advantages of the ESCO, which were to:

- catalyse investment and funding for a wide range of energy-related investment opportunities that may not otherwise be available;
- act as expert project developer and asset manager to optimise the use of existing and new energy assets;
- assume technical, contract and performance risk related to energy projects and energy services;
- supply heat, hot water and, subject to regulatory restrictions, electricity to residential and commercial customers;
- develop community-owned energy enterprises;
- work with a wide range of external partners to develop schemes, drawing on private sector expertise for the benefit of the Council and community; and
- compliment the Council's holistic approach to tackling domestic carbon emissions, fuel poverty and providing affordable warmth.

The Cabinet Member outlined the costs associated with the establishment of the ESCO and the working capital required to support the initial projects under the Barking Town Centre District Heating Scheme, which represented the first of four proposed District Heating Schemes. The Cabinet Member also clarified the position regarding the interest rate assumptions in the financial modelling and that the ESCO's operations would not be supported by Government funding.

Cabinet Members spoke in support of the proposals and the Leader commented that B&D Energy Limited would be the largest scheme of its kind across London, supporting the Council's aim to be recognised as "the Green capital of the Capital".

Cabinet **resolved** to:

- (i) Agree the establishment of an Energy Services Company as a Company Limited by Shares, as group holding company for the purposes of producing and supplying low and zero carbon heat, power, energy efficiency and related services to the Council, schools and the community including residential and commercial consumers;
- (ii) Agree that the company be named 'B&D Energy Limited';

- (iii) Agree the establishment of a Special Purpose Vehicle(s) as required by B&D Energy Limited to develop, own and procure the construction, management and maintenance of heat and energy assets on a project by project basis for the purposes of risk management, financing and operational efficiency;
- (iv) Agree the following strategic aim and objectives of B&D Energy Limited:
 - (a) The strategic aim of B&D Energy Limited is to develop and deliver the Council's strategic energy and carbon reduction objectives;
 - (b) The objectives of B&D Energy Limited are to:
 - deliver affordable heat, low carbon and renewable energy projects
 - reduce fuel poverty
 - create wider social and economic benefits for the community
 - generate income
- (v) Approve the initial B&D Energy Limited Business Plan at Appendix 1 to the report;
- (vi) Agree that a business plan be submitted to Cabinet for approval by the B&D Energy Limited Board on an annual basis thereafter or such other frequency as may be required for the approval of specific projects;
- (vii) Agree that B&D Energy Limited shall be established to provide heat and power to the following initial projects as the first element of the Barking Town Centre District Heating Scheme:
 - Gascoigne East regeneration area
 - Greatfields School Academy
 - Axe Street residential and mixed use development
 - Barking Town Hall and Abbey Leisure Centre
- (viii) Agree that the Council borrow £3.0m to on-lend to B&D Energy to fund the initial projects set out in (vii) above;
- (ix) Agree the provision of cash flow support of £1.7m from the Invest to Save reserve to establish B&D Energy Limited and to provide working capital;
- (x) Agree that B&D Energy shall develop District Energy Schemes for the following projects as set out in the Business Plan:
 - Barking Town Centre District Heating Scheme
 - Dagenham Civic Centre District Energy scheme including the Civic Centre, Becontree Leisure Centre and Ship & Anchor and Becontree regeneration schemes;
 - Heath Ward South West;
 - Village Ward West;
 - Thames Eastern End Thames View

- Chadwell Heath
 - Village ward East
- (xi) Approve the following nominations as company executive directors of B&D Energy Limited and to delegate authority and responsibility to implement the B&D Energy business plan to:
- Strategic Director for Finance and Investment
 - Strategic Director for Growth and Homes
 - Strategic Director for Customer, Commercial and Service Delivery
- (xii) Delegate authority to the Strategic Director for Finance and Investment to approve the selection and appointment of non-executive director(s) to provide sector expertise and support to the executive directors, in order to help deliver the objectives of B&D Energy Limited;
- (xiii) Delegate authority to the Strategic Director for Finance and Investment, in consultation with the Director of Law and Governance and the Cabinet Members for Economic and Social Development and Finance, Growth and Investment, to negotiate terms and agree the corporate, loan and contract documents to fully implement and effect the project(s); and
- (xiv) Delegate authority to the Director of Law and Governance, or an authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council.

(Part of this item was considered after the resolution had been passed to exclude the public and press from the remainder of meeting under the provisions of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), as the information related to the financial and business affairs of the Council and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.)

CABINET**19 July 2016**

Title: Budget Monitoring 2016/17 - April to May 2016 (Month 2)	
Report of the Cabinet Member for Finance, Growth & Investment	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Steve Pearson, Group Accountant, Corporate Finance	Contact Details: Tel: 020 8227 5215 E-mail: steve.pearson@lbbd.gov.uk
Accountable Divisional Director: Kathy Freeman, Finance Director	
Accountable Strategic Director: Jonathan Bunt, Strategic Director of Finance and Investment	
<p>Summary</p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the two months to the end of May 2016, projected to the year end.</p> <p>At the end of May 2016, there is a projected overspend of £4.8m, the main elements being in Children's Social Care (£3.3m), Leisure (£0.3m) and Homelessness (1.0m). There are pressures in a number of other service areas but all are currently forecast to be managed.</p> <p>The total service expenditure for the full year is currently projected to be £155.1m against the budget of £150.3m. Together with funding for Ambition 2020 and savings implementation, the projected year end overspend will reduce the General Fund balance to £16.0m at year end, which is above the recommended minimum level of £15.0m set by the Strategic Director of Finance and Investment. 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.</p> <p>The Capital Programme budget stands at £197.2m and is currently forecast to spend to budget.</p>	
Recommendation(s)	
The Cabinet is recommended to:	
(i) Note the projected outturn position for 2016/17 of the Council's General Fund revenue budget at 31 May 2016, as detailed in paragraphs 2.1, 2.4 to 2.13 and Appendix A of the report;	
(ii) Note the progress against the agreed 2016/17 savings at 31 May 2016, as detailed in paragraph 2.14 and Appendix B of the report;	
(iii) Note the overall position for the HRA at 31 May 2016, as detailed in paragraph 2.15	

of the report;

- (iv) Note the projected outturn position for 2016/17 of the Council's capital budget as at 31 May 2016, as detailed in paragraph 2.16 and Appendix C of the report;

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 (GF) 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 2016/17 budget, setting out risks to anticipated savings and action plans to mitigate these risks. The format of the report reflects the new interim management structure of the Council and contains detailed tables of the service divisions that make up the new directorates.
- 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 Strategic Director of Finance & Investment has recommended a minimum level of £15.0m for the General Fund balance and the revenue outturn for 2015/16 led to a General Fund balance of £21.1m. The table below shows the available reserves at the authority's disposal to cover the cost of implementing savings proposals and the Ambition 2020 programme:

Projected Level of Reserves	£'000	£'000
Current GF balance		21,115
Other available reserves		4,538
Total available reserves		25,653
<u>Calls on reserves:</u>		
Implementation of savings proposals	(2,832)	
Ambition 2020	(2,000)	
		<u>(4,832)</u>
Revised Level of Reserves		20,821

- 1.4 Any costs of the Ambition 2020 programme in excess of the £2m shown above will be met from capital receipts. Whilst these receipts can only normally be used to fund capital expenditure, the government is allowing their use for transformational projects during the period 2016 to 2019.

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.

Council Summary 2016/17	Net Budget £000	Full year forecast at end May 2016 £000	Over/(under) spend Forecast £000
Directorate Expenditure			
Service Development & Integration	107,051	110,646	3,595
Customer, Commercial & Service Delivery	30,575	30,761	186
Growth & Homes	5,800	6,800	1,000
Law & Governance	436	436	-
Finance & Investment	1,583	1,583	-
Central Expenses	4,869	4,869	-
Total Service Expenditure	150,314	155,095	4,781

	Balance at 1 April 2016 £000	Forecast Balance at 31 March 2017 £000
General Fund	21,115	16,040*
Housing Revenue Account	8,736	8,736

* The forecast general fund balance includes the reserve drawdowns to fund Ambition 2020 and savings proposals, plus the projected budget overspend shown above.

2.2 Comments of the Strategic Director of Finance & Investment

The projected overspend of £4.781m shown in the table above represents a significant risk to the authority's financial position and if it cannot be managed would reduce the GF balance to £16.040m, which is still above the target balance of £15.0m. It should however be noted that there is currently a funding gap of £2.3m for the 2017/18 budget, which, elsewhere on the agenda of this meeting, is recommended to be met from balances and will result in a further reduction of the GF balance to £13.740m, which is below the target balance. The Strategic Director of Finance & Investment has a responsibility under statute to ensure that the Council maintains appropriate balances at all times

The main elements of the projected overspend are as follows:

- Children's Complex Needs & Social Care - £3.3m
- Leisure - £0.3m
- Environmental Services - £0.2m
- Homelessness - £1.0m

The current forecast overspend within Children's Social Care represents the greatest area of risk to delivering a balanced budget for 2016/17. Last year, Cabinet received reports from Children's Services setting out options for reducing expenditure. These were partially successful and the overall overspend in Children's Social Care reduced to £4.8m by year end. The SAFE programme within Children's Social Care is ongoing with a focus on reducing the level of expenditure. The ability of that plan to deliver savings, which will be monitored at a detailed level, will strongly influence any decisions on a spend freeze or other measures to reduce the in year overspend.

The historic trend for all services is for the final outturn position to be better than that projected throughout the year though this predominantly occurs as a result of active management decisions and close monitoring of the pressure areas. It is essential that this occurs again in 2016/17 and the delivery of services within the approved budget is given equal status as other projects and programmes within the Council.

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 Service Development & Integration

Division	Full year Budget 2016/17	Period 2 Projection	Variance
	£000	£000	£000
Adults Care & Support			
Delivery	31,032	31,032	0
Commissioning	7,155	7,155	0
Mental Health	3,558	3,558	0
Adults Support Services	1,460	1,460	0
Sub-total Adults Care & Support	43,205	43,205	0
Children's Care & Support			
Delivery	38,826	42,121	3,295
Commissioning	8,647	8,647	0
Sub-total Children's Care & Support	47,473	50,768	3,295
Education	4,175	4,175	0
Public Health (Net)	0	0	0
Community Safety & Offender Management	1,501	1,501	0
Leisure	884	1,184	300
Divisional Support - Children's	9,813	9,813	0
Directorate Total	107,051	110,646	3,595

The Service Development and Integration Directorate is, at this early stage in the financial year, forecast to overspend by £3.595m by year end. The most significant area of overspend is Children's Care and Support which is forecasting an

overspend of £3.295m against a budget of £38.826m. This position assumes the currently identified target SAFE programme savings will be achieved by year end though the expectation for the programme is to continue to identify options to achieve a balanced budget for the service.

There is also a potential pressure on income in Leisure of £0.300m. The services are reviewing all areas of spend and income to mitigate this position as the year goes on. There are pressures within Adult Social Care which the service is working to mitigate or manage through a call on departmental reserves at year end.

A challenging savings target of £3.866m has been built into the 2016/17 budget. These savings are largely in the process of being delivered or already implemented. However, current forecasts indicate under delivery of £0.088m (see appendix B for further details). Where under delivery has been identified, the Department is actively working to manage the resulting pressure.

2.5 Adult Care and Support

The service delivery arm of Adult Social Care and support is currently reflecting an overall budget pressure of £2.356m primarily due to a £2.384m estimated cost pressure of purchasing adult social care across all client groups. The service received additional funding in the 2016/17 budget of circa £0.948m from the ring – fenced 2% Adult Social Care precept but cost pressures still remain. These include a provision for a number of high cost transition cases from Children’s Services, demographic growth and pressures arising from fee increases as a result of the impact of the national minimum wage and encouraging market stabilisation requirements under the Care Act 2014. There is a small net underspend arising from in year vacancies in the service block of £0.028m.

These budgets will continue to be monitored closely throughout the year as activity levels fluctuate. At this stage it is assumed that this pressure would be managed in year through mitigation, part of which is the major review of care packages and placement costs in learning disabilities but a call on the departmental reserves may also be required.

Mental Health is forecasting a pressure of £0.157m due to the number of residential placements. The service is currently managed in partnership with the North East London NHS Foundation Trust (NELFT) under a Section 75 agreement and NELFT colleagues continue to work towards managing the admission and discharge process. It should be noted that an increase in net placements over the remainder of the year would increase the pressure on this budget.

2.6 Children’s Care and Support

Significant demand pressures within the Complex Needs and Social Care and Support (CNSC) division have continued from 2015/16 into the current financial year. At the start of the financial year the service faced a potential pressure of £9.465m on its budget. To mitigate this pressure, savings proposals totalling £5.911m were identified by the service and agreed by the Corporate Performance Group. It should be noted that even with the full achievement of these proposals there is still currently a £3.555m funding gap to resolve. The table below shows the projected outturn position:

Children's Care and Support – Forecast Outturn

	2016-17 Budget	2016-17 Outturn Forecast	Projected Variance
Care and Support			
Staffing	14,939	14,939	0
Placements	22,970	22,485	(485)
Transport	1,928	1,928	0
Legal	437	437	0
NRPF	1,008	1,008	0
UASC	1,098	1,323	225
Funding Gap	(3,555)	0	3,555
Total Care and Support	38,826	42,121	3,295

At this stage it is anticipated that the SAFE programme will fully deliver the target savings of £5.911m and exceed the original target on placements. The number of unaccompanied asylum seeking children (UASC) the Council supports has increased however which has resulted in an additional pressure of £0.225m on the budget.

2.7 Progress on Reductions

Good progress has already been made towards achieving the targeted reductions particularly in placements where costs have been reduced significantly from the anticipated levels at the start of the year.

The Service has made particular progress in containing the cost of LAC placements. Whilst the reduction in costs is welcome it should be noted that this is a volatile budget and could be subject to future increased statutory demand requirements.

There has also been progress on reducing staffing costs by the freezing of a number of posts and careful vacancy management. The main saving on staffing however will be the reduction of agency costs through the recruitment of permanent social workers and as yet limited progress has been made in that area.

The service has reduced the cost originally predicted for the project team and recruitment by using more permanent staff to support the programme and bringing the social worker recruitment process back in house.

2.8 Dedicated School Grant (DSG)

The DSG is a ring fenced grant to support the education of school-age pupils within the borough. The 2016/17 DSG allocation is £235.6m, covering Individual Schools budgets, High Needs and Early Years services.

2.9 Customer Commercial & Service Delivery

Division	Full year Budget 2016/17	Period 2 Projection	Variance from Budget
	£'000	£'000	£'000
Environmental Services	17,810	17,996	186
Elevate Client Unit	12,645	12,645	0
Management costs	120	120	0
Total General Fund	30,575	30,761	186

The projection to year end for this area is an overspend of £0.186m. There are potential pressures within other budgets, however, it is expected that they will be managed within the service.

Environmental Services is forecasting a pressure predominantly a result of savings that are not being delivered (£0.186m) which is made up as follows:

Service Area	£'000
Green garden waste	110
School crossing patrols	76
Total	186

The collection of green garden waste was scheduled to end in September 2015 and deliver a £0.22m saving in 2016/17. This service is now expected to continue to September 2016 which has resulted in a £0.11m pressure in the current year budget. Sponsorship of school crossing patrols has been sought but has not been as successful as anticipated, resulting in the pressure shown above.

There is currently a pressure on staffing budgets of £0.938m. This is a result of staff over establishment in Direct Services (Clean & Green). The service is currently formulating a plan to mitigate this pressure and staffing costs are expected to be within budget by year end.

The Elevate Client Unit is also currently forecast to break even at the year end. There is a risk to this position from potential Service Provider Change Notices due to Elevate's scale and scope pressures within their Revenue & Benefits service. These will not be quantified until after the first quarter of this financial year. In 2015/16 there was a pressure on the budget due to court summonses being cancelled. There is a further risk of approximately £0.5m that this will occur again, however mitigation is in place to improve controls around the cancellations of summonses.

Operational HR is forecast to break even at year end, however, there is risk that not enough schools will choose to buy the service. This will need to be managed by the department in order to come in on budget.

2.10 Growth & Homes

Division	Full year Budget 2016/17	Period 2 Projection	Variance
	£'000	£'000	£'000
Culture & Recreation	4,230	4,230	0
Regeneration	809	809	0
Housing strategy	(99)	(99)	0
Homelessness	774	1,774	1,000
Growth & Homes	86	86	0
Total General Fund	5,800	6,800	1,000

The projection to year end is an overspend of £1.0m within Homelessness. The majority of this budget is driven by the number of people presenting, and being accepted, as statutorily homeless. Potential pressures have been identified within the other budgets, however, it is expected that they will be managed within the service areas.

Culture & Recreation is forecast to breakeven at year end, however, there is a pressure of £47k due to the extension of the Volunteer programme until September 2016 but this is being offset by underspends in the libraries and will be managed by the department in order to deliver a breakeven position.

Homelessness is currently forecasting a pressure of £1.0m at the year end. This is due to the net cost of placing people in accommodation provided by private sector landlords, which is currently the largest source of temporary accommodation. The pressure is a result of nightly rates above the recoverable amount being paid to landlord agents in the form of incentives in order to secure properties, which would otherwise be lost to other boroughs. Performance bonuses are also paid to agents for providing seven or more properties. Although the total cost of using private sector landlord properties is forecast at approximately £1.000m, if these properties are not secured, the cost to the Council would be even greater as a result of increased use of B&B accommodation.

There were 30 Bed and Breakfast placements at the end of May 2016 which is a reduction of 21 from the April position. The projected average number of placements in B&B for the year stands at 24 which is close to the budgeted number of 21. This position however could be affected by the potential impact of Boundary Road hostel renovation works on the numbers. There is a risk that full closure maybe required and the Council will subsequently need to find alternative accommodation for the 27 households currently occupying these units. The impact of welfare reform continues to be monitored. Temporary accommodation arrears have increased by £170k (5%) this financial year, and, the current level of bad debt provision will not provide sufficient coverage, resulting in a risk to the budgeted position of £0.29m. The position will be closely monitored throughout the year. Former Tenant Arrears are being outsourced to Agilysis via Elevate for collection and it is anticipated that some arrears will be recovered, reducing the pressure on the provision required.

There continues to be a high level of security in place at the homeless hostels to enable the safeguarding of staff and residents following a number of incidents in previous years. There is currently a potential overspend of £0.27m, however the current security provision is being continuously reviewed to mitigate this risk in 2016/17.

A significant element of risk is outside the services direct control, however, an action plan is being developed to support mitigation. Mitigating action includes reviewing income opportunities, holding vacant posts, reviewing how services are being delivered in order to find more efficient ways of providing ,ensuring recharges and income collection is up to date and maintaining spend restraint across the service.

Regeneration (Including Housing strategy)

The Regeneration and Economic Development teams are currently projected to spend to budget by the end of the financial year with no specific issues or pressures at this relatively early stage in the financial year.

The main risk to achieving the break even position is the in respect of recovering the budgeted level of income which is derived mainly from Planning Application and Local Land Charge fees. To date, however, income levels are in line with those of previous years and, therefore, there are no current concerns.

2.11 Law & Governance

Directorate Summary	2016/17 Budget £000	2016/17 Forecast £000
Net Expenditure	436	436
Projected over(under)spend		0

This directorate is projected to spend to budget.

2.12 Finance & Investment

Directorate Summary	2016/17 Budget £000	2016/17 Forecast £000
Net Expenditure	1,583	1,583
Projected over(under)spend		0

This directorate is projected to spend to budget.

2.13 Central Expenses

Directorate Summary	2016/17 Budget £000	2016/17 Forecast £000
Net Expenditure	4,869	4,869
Projected over(under)spend		0

This budget covers treasury management costs (interest paid on loans and received on investments), budgets to cover the costs of redundancy and doubtful debts and a small contingency to cover any unforeseen pressures.

Currently expenditure and income is forecast to be on budget though the additional investment interest budget is challenging to achieve in a very low interest environment without a significant increase in the risk taken on placing cash deposits.

2.14 In Year Savings Targets – General Fund

The delivery of the 2016/17 budget is dependent on meeting a savings target of £12.9m. 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.

Directorate Summary of Savings Targets	Target £000	Forecast £000	Shortfall £000
Customer, Commercial & Service Delivery	2,790	2,604	186
Growth & Homes	971	371	600
Service Development & Integration	3,866	3,778	88
Finance & Investment	5,227	5,137	90
Total	12,854	11,890	964

2.15 Housing Revenue Account (HRA)

The HRA is currently forecast to breakeven as shown in the table below:

	£'000	£'000	£'000
Rents	(90,538)	(90,818)	(280)
Non Dwellings Income	(807)	(750)	57
Other Income	(19,285)	(19,403)	(118)
Interest Received	(336)	(336)	0
	(110,966)	(111,307)	(341)
Repairs & Maintenance	17,093	17,844	751
Supervision & Maintenance	42,572	42,078	(494)
Rent Rates and Other	700	700	0
Bad Debt Provision	2,772	2,772	0
Interest Charges	10,059	10,059	0
Corporate & Democratic Core	685	685	0
	73,881	74,138	257
Revenue Contribution to Capital	37,085	37,169	84

Income

Income is expected to be over-achieve by £0.341m.

The main areas of variation from budget are:

- Additional rental income £0.280m from lower than expected void levels, partially offset by lower rental income from HRA decants used for Temporary Accommodation
- Lower than expected garage income £0.057m due to a lower than expected level refurbished garages which carry a higher rental charge.
- Lower than expected service charge income of £0.100m due to the Housing Management decision to suspend Concierge charges at Thaxted House. This is offset by an equivalent savings in payments to the security contractor.
- Higher commission levels (£0.218m) resulting from higher payments to the water supplier.

Expenditure

Expenditure budgets are expected to be overspent by £0.257m .

- The main areas of forecast overspend are in the Repairs and Maintenance Service, which is currently forecast to overspend by £0.751m. Whilst this is a pressure, this is a significant reduction from 2015/16 based on expected reduction in staffing costs in 2016/17 from the on-going voluntary redundancy process and service management efficiencies.
- Supervision and Management is expected to underspend by £0.137m due to Housing Management staff saving (£0.394m) from the on-going voluntary redundancy process and service management savings from the suspension of the concierge service at Thaxted House (£0.100m).

HRA Balance

It is expected that HRA balances will remain at £8.7m. There is a budgeted contribution to capital resources of £35.5m which will increase by £0.084m based on the net underspend reported above.

There is a risk to the above position from a court decision against LB of Southwark, which is subject to appeal currently, in respect of resale of Water supply and the associated commission (to cover admin costs of circa £1.2m in 2016/17). Should the appeal fail this may result in the repayment of commission to tenants. The service is currently seeking legal advice on this matter.

2.16 Capital Programme 2016/17

The Capital Programme forecast against budget as at the end of May 2016 is as follows:

	2016/17 Revised Budget £'000	Actual Spend to Date £'000	2016/17 Forecast £'000	Variance against Budget £'000
Service Development & Integration	56,503	12,638	56,503	0
Customer, Commercial & Service Delivery	7,811	133	7,811	0
Finance & Investment	4,297	595	4,297	0
Growth & Homes	54,669	5,891	54,669	0
Subtotal - GF	123,280	19,257	123,280	0
HRA	74,000	3,781	74,000	0
Total	197,280	23,038	197,280	0

The detailed scheme breakdown is shown in Appendix C.

The programme is shown in the new directorate format. All schemes are currently forecasting to spend to budget. The main elements of the programme are as follows:

Service Development & Integration - The main element in the programme is the school expansion programme (£46.8m).

Customer, Commercial & Service Delivery - This includes IT projects (£3.7m) and various environmental projects (£4.1m).

Finance & Investment - The main element in the programme is the corporate accommodation strategy (£4.1m).

Growth & Homes - The largest project is the Gascoigne estate renewal (£37m).

HRA - The main expenditure is on new build schemes (£25.6m) and investment in existing stock (£38.6m).

2.17 Financial Control

At the end of May, 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 report has been circulated to the Corporate Performance Group for review and comment. 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.

Public 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** – Capital Programme

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GENERAL FUND REVENUE MONITORING STATEMENT

May 2016/17

Appendix A

Directorate	Revised Budget £000	Forecast Outturn £000	Forecast Variance £000
<u>Service Development & Integration</u>			
<u>Service Delivery</u>			
Adults Care & Support	31,032	31,032	-
Children's Complex Needs & Social Care	38,826	42,121	3,295
Mental Health	3,558	3,558	-
Adults Mgt & Support Services	1,460	1,460	-
<u>Commissioning</u>			
Adults Care & Support	7,155	7,155	-
Children's Commissioning & Safeguarding	8,647	8,647	-
Education	4,175	4,175	-
Public Health	-	-	-
Community Safety & Offender Management	1,501	1,501	-
Leisure	884	1,184	300
Divisional Support - Children's	9,315	9,315	-
SAFE programme expenditure	498	498	-
	107,051	110,646	3,595
<u>Children's Services - DSG</u>			
Schools	185,603	185,603	-
Early Years	16,549	16,549	-
High Needs	27,958	27,958	-
Non Delegated	1,820	1,820	-
Growth Fund	3,250	3,250	-
School Contingencies	462	462	-
DSG/Funding	(235,642)	(235,642)	-
	-	-	-
<u>Customer, Commercial & Service Delivery</u>			
Environment Services	17,810	17,996	186
Elevate Client Unit	12,645	12,645	-
Operational HR	-	-	-
Management Costs	120	120	-
	30,575	30,761	186
<u>Growth & Homes</u>			
Housing Strategy	(99)	(99)	-
Homelessness	774	1,774	1,000
Regeneration & Economic Development	809	809	-
Culture & Recreation	4,230	4,230	-
Management Costs	86	86	-
	5,800	6,800	1,000
<u>Law & Governance</u>			
Legal & Democratic Services	436	436	-
HR Business Partners	-	-	-
	436	436	-
<u>Finance & Investment</u>			
Corporate Finance & Assets	1,583	1,583	-
Strategy & Programmes	-	-	-
	1,583	1,583	-
<u>Other</u>			
Central Expenses	(6,151)	(6,151)	-
Levies	11,020	11,020	-
	4,869	4,869	-
TOTAL	150,314	155,095	4,781

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Directorate Savings Targets: progress at Period 2**Customer Commercial & Service Delivery**

Reference	Detail	Current Position (Also state if programme is required to deliver savings)	Target £'000	Forecast £'000	Variance £'000
ES004	Removal or self funding for School Crossing Patrols from 23 primary school locations across the borough	We will need to identify potential sponsors and risk assess each location for potential road safety works. We expect the saving to be delivered by a mix of stopping services and sponsorship. Sponsorship is not forthcoming despite efforts of trying to achieve. The options now available due to the budget already halved is to issue notice to all staff on Cat B+C sites (no cover from beginning of new school term in September 2016) and arrange for engineering solutions to be put into all Cat A sites with the removal of the whole service July 2017	82	6	76
ES006	To increase zones and the sale of permits in line with the Parking Strategy	This work now forms part of a wider Parking Improvement Board. Work is being undertaken with the Ambition 2020 team for setting of fees and charges	125	125	0
ES010B	Prestart payment to drivers	Savings will be fully delivered by yr2	17	17	0
ES012	Cease green garden waste collection	Savings was based upon fully chargeable service in place from September 2015, but as a result of delays in implementing this, it was assumed that charging would take effect from April 2016. However, service provision is expected to continue (not as a chargeable service) until September when the service will be fully withdrawn. The chargeable option is no longer being pursued	110	0	110

ES015	Redesign of street cleansing operations	Service redesign is already delivered. Savings are available for yr1 and on track for yr2.	40	40	0
ES018	Achieve revenue budget savings by transferring the Councils current repair and maintenance responsibilities for allotments to the Allotment Society	Surveys are ongoing and arrangements to cancel existing licences are being made for April. The main risk is that societies will not accept leases and transferred responsibilities because remedial works in 2015/6 are not undertaken due to budget restriction and disagreement with societies.	17	17	0
ES020	Increases in income expected from future regulatory activity.	These savings will build on those to be delivered in yr1. It is too early to assess whether income improvements will be made. A programme of service transformation is being developed and will require service restructure and some adoption of policy and powers.	125	125	0
ES030	Parking review opportunity	Initial business cases are being developed to support debt recovery and cashless/paperless parking. The impact of legislation changes governing the use of CCTV came into force in April 2015; the service did come in on budget however it was clear that there was a need for increased capacity within the parking service for more officers on-street. A review of the service is underway and a reactive team is being developed.	450	450	0
CEX/SAV/45a (CCSD)	Review of corporate accommodation strategy	Corporate funding to be used	600	600	0
CEX/SAV/51 (CCSD)	School uniform grants	The issuing free school uniforms grants has been discontinued.	64	64	0

CEX/SAV/56 (CCSD)	B&D Direct - Customer Services Channel Shift	Delivered by reducing Elevate Target Cost.	324	324	0
CEX/SAV/61 (CCSD)	Council Tax - invest to collect more	Investment in place but delivery to be monitored.	391	391	0
CEX/SAV/63 (CCSD)	ICT End User Technologies	Delivered by reducing Elevate Target Cost.	400	400	0
CEX/SAV/64 (CCSD)	Client Team reduction	Delivered by post being deleted.	45	45	0
Total	CC&SD		2,790	2,604	186

Growth & Homes

Reference	Detail	Current Position	Target	Forecast	Variance
			£'000	£'000	£'000
HGF001	Expand Council hostel portfolio to accommodate temporary placements instead of using expensive B&B accommodation.	There is currently a delay to the transfer of an additional hostel which was assumed in the budget to be available from December 2016 but is now likely to be available in April 2017.	600	0	600
ACS/SAV/24	School library service to be full cost recovery and Home Library Service to be delivered by volunteers.	Achieved	59	59	0
ACS/SAV/27	Valence and Thames View libraries – community management	This saving was dependent on the option that the libraries would be in a trust as this is no longer the case, the service is working on alternative options to deliver the saving	125	125	0
ACS/SAV/29a	Broadway Theatre - transfer to College	Achieved	40	40	0
CEX/SAV/05	Reduction in Planning Policy Posts with amalgamation of roles	Achieved	25	25	0
CEX/SAV/04a	Reduction in staff costs in Development Planning & Strategic Transport	Achieved	42	42	0
CEX/SAV/08	Increased income in Employment & Skills	Achieved	80	80	0
Total	Growth & Homes		971	371	600

Service Development & Improvement

Ref:	Detail	Current Position (please also state if a project is required to deliver the savings)	Target £000	Forecast £000	Variance £000
ACS/SAV/06a	Personalisation of Learning Disability Day Services and consequential closure of The Maples.	Achieved	127	127	0
ACS/SAV/10	Care and support in the home focused on people with doubling up of care staff as a result of high needs	Achieved	45	45	0
ACS/SAV/11	Review of passenger transport for adults	The Maples Day centre has now closed thereby reducing the Adults passenger transport requirement. PTS are reviewing their costs in order to achieve this saving.	400	400	0
ACS/SAV/12a	Generalist Advice and Hate Crime Incident Reporting reductions	Achieved	280	280	0
ACS/SAV/12f	The Foyer Supported Living for 18-24 year olds	On track to be delivered.	92	92	0
ACS/SAV/12i	Bevan House supported living for vulnerable families	On track to be delivered.	97	97	0
ACS/SAV/31	Leisure centres - Management and reception staff	On track to be delivered.	150	150	0
ACS/SAV/32	Leisure centres - extraordinary increase in net income	An income shortfall is currently reported against leisure income and an action plan is being worked on to reduce the shortfall.	88	0	88
ACS/SAV/36	Options appraisal for leisure and cultural services	As a result of delays to the trust, this saving will be managed corporately in the financial year.	750	750	0

CHS/SAV/26	Children's Centres, part of policy paper re frontline service delivery (use of libraries, developing hubs approach etc. and use of assets Closure of a number of centres	On target	400	400	0
CHS/SAV/27	Youth Service - reconfigure to voluntary sector provision with £100k budget	On target	200	200	0
CHS/SAV/34	Reduction in CIN (c20 year 1, c120 year 2, c60 year 3) due to impact of Troubles Families agenda	Superseded by SAFE programme savings.	300	300	0
CHS/SAV/30	CAMHS - reduce to statutory minimum for year 1 and then delete service	On target but high risk at tier 2	150	150	0
CHS/SAV/35	Review children's social care costs to identify areas for spend reduction	Superseded by SAFE programme savings.	500	500	0
CHS/SAV/36	This proposal is to reduce funding to the Integrated Early Help QA Service	On target	120	120	0
CHS/SAV/25a	Reduction in support to quality Childcare and early years provision	Budget/saving removed via training, development and marketing centralisation	167	167	0
Total	Service Development & Improvement		3,866	3,778	88

Finance & Investment

Ref	Detail	Current Position	Target	Forecast	Variance
			£000	£000	£000
CEX/SAV/26	Minimum Revenue Provision accounting	Achieved	2,850	2,850	0
CEX/SAV/27	Investment income - rate change	On target to be achieved	500	500	0
CEX/SAV/77 (CEX)	Business Support review	Not yet delivered.	90	0	90
CEX/SAV/78 (F&I)	Reduction in middle management	Delivered.	300	300	0
CEX/SAV/42 (F&I)	Energy team	CEX/SAV/42 & 54b delivered through VR of 2 posts.	25	25	0
CEX/SAV/45 (CCSD)	Maritime House	Delivered as lease terminated.	125	125	0
CEX/SAV/53 (CCSD)	Business rate relief	Policy has been re-written to deliver this.	50	50	0
CEX/SAV/72 (Corporate)	Freeze salary increments	On target to be achieved	500	500	0
CEX/SAV/73 (Corporate)	Reduce redundancy multiplier	On target to be achieved	667	667	0
CEX/SAV/54b (F&I)	Energy and utility efficiencies	CEX/SAV/42 & 54b delivered through VR of 2 posts.	60	60	0
CEX/SAV/54f (F&I)	Pay Pension Fund contributions on 1 April instead of monthly	Delivered.	60	60	0
Total	Finance & Investment		5,227	5,137	90

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Capital Programme 2016/17

Project No	Project Name	Revised 2016/17 Budget	Actuals	2016/17 Forecast	Variance
Service Development & Improvement					
Adult & Community Services					
Adult Social Care					
FC00106	Private Sector HouseHolds	1,064,000	92,280	1,064,000	0
FC02888	Direct Payment Adaptations Grant	400,000	48,495	400,000	0
FC03049	Adult Social Care Cap Grant	237,288	22,115	237,288	0
FC03061	Social Care IT Replacement System	1,000,000	0	1,000,000	0
Culture & Sport					
FC03060	BLC - Replacement Flooring	171,000	0	171,000	0
FC02870	Barking Leisure Centre 2012-14	310,617	184,364	310,617	0
FC03029	Broadway Theatre	500,000	0	500,000	0
FC03032	Parsloes Park - Artificial Turf Pitches & Master Planning	19,540	5,375	19,540	0
					0
Total For Adult & Community Services		3,702,445	352,629	3,702,445	0
Children's Services					
Primary Schools					
FC02736	Roding Primary School (Cannington Road Annex)	129,789	0	129,789	0
FC02745	George Carey CofE (formerly Barking Riverside) Primary School	23,376	450	23,376	0
FC02784	Manor Longbridge (former UEL Site) Primary School	303,310	2,818	303,310	0
FC02799	St Joseph's Primary - expansion	4,279	0	4,279	0
FC02861	Eastbury Primary (Expansion)	163,857	0	163,857	0
FC02865	William Bellamy Primary (Expansion)	44,499	653	44,499	0
FC02919	Richard Alibon Expansion	53,770	1,435	53,770	0
FC02920	Warren/Furze Expansion	250,000	6,689	250,000	0
FC02923	Rush Green Expansion	115,902	35,245	115,902	0
FC02924	St Joseph's Primary(Barking) Extn 13-14	15,072	0	15,072	0
FC02956	Marsh Green Primary 13-15	882,218	126,400	882,218	0
FC02957	John Perry School Expansion 13-15	17,395	2,445	17,395	0
FC02960	Sydney Russell (Fanshawe) Primary Expansion	4,382,500	965,113	4,382,500	0
FC02979	Gascoigne Primary -Abbey Road Depot	7,724,339	2,901,521	7,724,339	0
FC02998	Marks Gate Junior Sch 2014-15	100,000	15,431	100,000	0
FC03014	Barking Riverside City Farm Phase II	391,429	563	391,429	0
FC03041	Village Infants - Additional Pupil Places	1,311,417	65,386	1,311,417	0
FC03053	Gascoigne Primary - 5fe to 4fe	600,000	2,390	600,000	0
Secondary Schools					
FC02953	All Saints Expansion 13-15	112,233	0	112,233	0
FC02954	Jo Richardson expansion	350,000	1,167	350,000	0
FC02959	Robert Clack Expansion 13-15	3,500,000	121,368	3,500,000	0
FC02977	Barking Riverside Secondary Free School (Front Funding)	20,000,000	7,600,689	20,000,000	0
FC03018	Eastbury Secondary	2,800,000	(626,219)	2,800,000	0
FC03020	Dagenham Park	2,831,458	2,890	2,831,458	0
FC03054	Lymington Fields All through School	200,000	5,000	200,000	0
FC03019	Eastbrook School	440,000	437,861	440,000	0
FC03022	New Gascoigne Secondary School	100,000	8,997	100,000	0
Other Schemes					
FC02826	Conversion of Heathway to Family Resource Centre	19,323	0	19,323	0
FC02906	School Expansion SEN projects	164,138	4,848	164,138	0
FC03042	Additional SEN Provision	250,000	1,270	250,000	0
FC02909	School Expansion Minor projects	87,344	1,287	87,344	0
FC02972	Implementation of early education for 2 year olds	691,482	17,572	691,482	0
FC02975	Barking Abbey Artificial Football Pitch	55,415	0	55,415	0
FC02978 / FC03010 / FC03051	School Modernisation Fund	2,058,746	185,566	2,058,746	0
FC03013	Universal infant Free School Meals Project	5,862	0	5,862	0
FC03043	Pupil Intervention Project (PIP)	276,759	9,267	276,759	0
9999	Devolved Capital Formula	917,396	(6,314)	917,396	0
FC03057	Youth Zone	1,000,000	166,000	1,000,000	0
Children Centres					
FC03063	Extension of Abbey CC Nursery	125,000	0	125,000	0
FC03033	Upgrade of Children Centres	290,853	226,284	290,853	0
FC02217	John Perry Children's	5,123	0	5,123	0
FC02310	William Bellamy Children Centre	6,458	0	6,458	0
Total For Children's Services		52,800,742	12,285,474	52,800,742	0
Total for Service Development & Improvement		56,503,187	12,638,103	56,503,187	0

Project No	Project Name	Revised 2016/17 Budget	Actuals	2016/17 Forecast	Variance
Customer, Commercial & Service Delivery					
Environmental Services					
FC03064	Street Light Replacing	976,005	0	976,005	0
FC03030	Frizlands Phase 2 Asbestos Replacement	381,146	7,415	381,146	0
FC02964	Road Safety Impv 2013-14 (TFL)	236,000	16,642	236,000	0
FC02886	Parking Strategy Imp	280,000	800	280,000	0
FC02542	Backlog Capital Improvements	394,830	22,087	394,830	0
FC03065	Highways Improvement Programme	705,190	0	705,190	0
FC02982	Controlled Parking Zones (CPZ's) 2013-15	330,000	0	330,000	0
FC02999	Rippleside Cmtry prov 2014-15	0	(10,400)	0	0
FC03011	Structural Repairs & Bridge Maintenance	383,001	9,662	383,001	0
FC03012	Environmental Asset Database Expansion	0	699	0	0
FC03031	Highways & Environmental Design	0	23,800	0	0
FC03067	Abbey Green Works 2016-17	56,000	0	56,000	0
PGSS					
FC03026	BMX Track	226,136	0	226,136	0
FC03034	Strategic Parks (Parks Infra £160k and Play facility £20k)	125,518	0	125,518	0
Total For Environmental Services		4,093,826	70,705	4,093,826	0
ICT					
FC03068	ICT End User Computing	1,356,000	0	1,356,000	0
FC02738	Modernisation and Improvement Capital Fund (formerly One B & D ICT Main Scheme)	256,457	(24,643)	256,457	0
FC02877	Oracle R12 Joint Services	307,465	11,433	307,465	0
FC03052	Elevate IT Investments	1,000,000	75,331	1,000,000	0
FC03059	Customer Services Channel Shift	797,070	0	797,070	0
Total For ICT		3,716,992	62,121	3,716,992	0
Total For Customer, Commercial & Service Delivery		7,810,818	132,826	7,810,818	0
Finance & Investment					
Asset Strategy					
FC02587	Energy Efficiency Programme	128,753	0	128,753	0
FC02565	Implement Corporate Accommodation Strategy	4,168,714	594,572	4,168,714	0
Total For Asset Strategy		4,297,467	594,572	4,297,467	0
Finance & Investment		4,297,467	594,572	4,297,467	0

Project No	Project Name	Revised 2016/17 Budget	Actuals	2016/17 Forecast	Variance
Growth & Homes					
Regeneration					
FC03027	Establishment of Council Owned Energy Services Company	100,000	0	100,000	0
FC02969	Creative Industries	310,586	0	310,586	0
FC02898	Local Transport Plans (TFL)	46,000	97,264	46,000	0
FC02962	Principal Road Resurfacing 2013-14 Tfl	446,000	11,043	446,000	0
FC02963	Mayesbrook Neighbourhood Improvements (DIY Streets) 2013-14 (TFL)	0	4,776	0	0
FC02995	Ballards Road/ New Road 2014/15	0	8,436	0	0
FC02996	Barking Town Centre 2014/15 (Tfl)	620,800	336,590	620,800	0
FC02997	A12 / Whalebone Lane (Tfl)	0	1,354	0	0
FC03023	Bus Stop Accessibility Improvements	138,000	0	138,000	0
FC03025	Gale St Corridor Improvements	325,000	143	325,000	0
FC03028	Chadwell Heath Crossrail Complementary Measures (CCM)	811,650	3,575	811,650	0
FC03050	Clockhouse Avenue - Freehold Purchase	37,016	10	37,016	0
FC03072	Purchase of Sacred Heart Convent, 191 Goresbrook Road, Dagenham - to convert to homeless provision	3,000,000	2,788,750	3,000,000	0
FC02841	Borough Cycle Programme	133,000	0	133,000	0
FC03069	Barking Station improvements (Tfl)	900,000	0	900,000	0
FC03055	Barking Riverside Trans Link	9,790,000	0	9,790,000	0
Total For Regeneration		16,658,052	3,252,362	16,658,052	0
General Fund Housing					
FC03070	Boundary Road Hostel	875,250	0	875,250	0
FC02990	Abbey Road Phase II New Build	360,000	0	360,000	0
FC02986	Gascoigne Estate	36,775,406	2,638,939	36,775,406	0
Total For General Fund Housing		38,010,656	2,638,939	38,010,656	0
Total For Growth & Homes		54,668,708	5,891,301	54,668,708	0
Grand Total for Non HRA		123,280,180	19,256,802	123,280,180	0

Project No	Project Name	Revised 2016/17 Budget	Actuals	2016/17 Forecast	Variance
HRA					
	Estate Renewal				
FC02820	Boroughwide Estate Renewal	8,000,000	2,400,679	8,000,000	0
	Sub-Total: Estate Renewals	8,000,000	2,400,679	8,000,000	0
	New Build schemes				
FC02917	Abbey Road Creative Industries Quarter	0	2,500	0	0
FC02931	Leys New Build Development (HRA)	8,550,000	552,358	8,550,000	0
FC03071	Modular Construction Programme	1,000,000	1,000	1,000,000	0
FC03009	Leys Phase II	6,000,000	32,855	6,000,000	0
FC02961	Goresbrook Village Housing Development 13-15	0	2,250	0	0
FC02970	Marks Gate Open Gateway Regen Scheme	414,997	597,253	414,997	0
FC02973	Infill Sites	1,784,100	0	1,784,100	0
FC02988	Bungalows	515,864	4,477	515,864	0
FC02989	Ilchester Road New Build	0	49,795	0	0
FC03056	Burford Close	600,000	0	600,000	0
FC03058	Kingsbridge Development	3,000,000	96,000	3,000,000	0
FC02991	North Street	3,750,000	0	3,750,000	0
	Sun-Total: New Builds	25,614,961	1,338,567	25,614,961	0
	Investment in Stock				
FC00100	Aids & Adaptations	860,000	0	860,000	0
FC02933	Voids	5,000,000	216,689	5,000,000	0
FC02934	Roof Replacement Project	116,139	37,224	116,139	0
FC03048 / FC02938	Fire Safety Works	1,642,300	(55,759)	1,642,300	0
FC02943	Asbestos Removal (Communal Areas)	900,000	660	900,000	0
FC02950	Central Heating Installation Inc. Communal Boiler Replacement Phase II	1,600,000	26,274	1,600,000	0
FC02939	Conversions	450,000	1,688	450,000	0
FC02984	Block & Estate Management	0	12,815	0	0
FC02983	Decent Homes Central	6,900,000	197,561	6,900,000	0
FC03002 / FC03047	Decent Homes South	8,087,900	(177,399)	8,087,900	0
FC03001 / FC03046	Decent Homes North	5,900,000	(21,928)	5,900,000	0
FC03003	Decent Homes (Blocks)	76,000	(113,605)	76,000	0
FC03004	Decent Homes (Sheltered)	33,200	(34,401)	33,200	0
FC03005	Decent Homes Small Contractors	0	(5,000)	0	0
FC03007	Window Replacement Scheme	6,500	(10,500)	6,500	0
FC03036	Decent Homes Support - Liaison Teams/Surveys	90,000	0	90,000	0
FC03037	Energy Efficiency	500,000	(13,300)	500,000	0
FC03038	Garages Refurbishment	450,000	(19,657)	450,000	0
FC03039	Estate Roads & Environmental	750,000	(1,139)	750,000	0
FC03040	Communal Repairs & Upgrades	650,000	0	650,000	0
FC03045	External Fabrics - Blocks	3,200,000	1,138	3,200,000	0
FC03074	Estate Public Realm Improvements	800,000	0	800,000	0
FC03075	Door Entry Systems	100,000	0	100,000	0
FC03076	Window Replacements	100,000	0	100,000	0
FC03077	Internal Works	423,000	0	423,000	0
	Sub-Total: Investment in Stock	38,635,039	41,217	38,635,039	0
	Housing Transformation				
FC03073	Housing Transformation Programme	1,750,000	0	1,750,000	0
Total For HRA		74,000,000	3,780,463	74,000,000	0
Total for Capital Programme 2016/17		197,280,180	23,037,265	197,280,180	0

CABINET

19 July 2016

Title: The Corporate Plan 2016/17	
Report of the Cabinet Member for Community Leadership and Engagement	
Open Report	
Wards Affected: All	Key Decision: Yes
Report Author: Sal Asghar, Interim Strategy and Performance Manager	Contact Details: Tel: 020 8227 3734 E-mail: salauoddin.asghar@lbbd.gov.uk
Accountable Director: Tom Hook, Strategy and Programmes Director	
Accountable Strategic Director: Jonathan Bunt, Strategic Director for Finance and Investment	
<p>Summary:</p> <p>This report sets out how the Corporate Plan 2016/17 will enable the Council to monitor progress of the delivery of its vision and priorities.</p> <p>This Corporate Plan is a key one-year document that ensures the Council has a co-ordinated approach to delivering the vision and priorities, and makes best use of the resources.</p> <p>The Key Tasks (page 23-25 of the Corporate Plan) have been identified in consultation with Cabinet Members and represent tasks that are integral to the delivery of the overall priorities and running of the Council. Key Performance Indicators (KPIs) have also been developed to monitor performance of services (page 26-27 of the Corporate Plan).</p> <p>Progress against the Key Tasks and KPIs will be reported quarterly to Corporate Performance Group (CPG) and Cabinet and every six months to the Public Accounts and Audit Select Committee (PAASC).</p>	
<p>Recommendation(s)</p> <p>The Cabinet is asked to recommend the Assembly to approve the Corporate Plan 2016/17 as attached at Appendix 1 to the report.</p>	
<p>Reason(s)</p> <p>Although it is not a statutory requirement to produce a Corporate Plan, it is good governance to frame the vision for the borough and agree the Council's policy priorities to inform decision making and allocation of resources.</p>	

1. Introduction

- 1.1 The Council's vision and priorities were developed and agreed by Assembly in September 2014. The Corporate Plan is an important part of ensuring the Council has a clear focus on delivering the vision and priorities for Barking and Dagenham. The Plan allows the Council to make best use of limited resources in areas that will make the greatest difference in achieving the overall vision and priorities.
- 1.2 The Corporate Plan 2016/17 is integral to the Council's overall performance framework and 'golden thread' which links the vision and priorities through to the key tasks, performance indicators, business plans, team work programmes and individual objectives in appraisals.
- 1.3 The Plan has been developed in order to ensure that the Council's contribution to achieving the priorities is proactive, co-ordinated, resourced in line with the MTFS and monitored so that Members and residents can see progress.

2 Monitoring and Reporting

- 2.1 The Corporate Plan also sets out the Key Tasks and Key Performance Indicators (KPIs) that the Council intends to monitor, in order to track progress and ensure successful delivery of the vision and priorities.
- 2.2 Progress against Key Tasks and KPIs will be reported to and monitored quarterly to Corporate Performance Group (CPG) and Cabinet. They will also be reported six-monthly to Public Accounts and Audit Select Committee (PAASC).

3 Consultation

- 3.1 The Strategy and Performance Team have worked closely with the Corporate Performance Group (CPG) to inform the approach of the Corporate Plan.

4 Financial Implications

Implications completed by: Kathy Freeman, Divisional Director Finance

- 4.1 There are no specific financial implications as a result of this report; however in light of current financial constraints it is imperative that Officers ensure that the Key Tasks and KPIs are delivered within existing budgets. These budgets will be monitored through the existing monitoring process to identify and address potential issues and also any benefits as a result of improved performance on a timely basis.

5 Legal Implications

Implications completed by: Dr. Paul Feild Senior Corporate Governance Solicitor

- 5.1 Assembly agreed the vision and priorities in September 2014. The responsibility for implementing them rests with Cabinet. The delivery of these will be achieved through the tasks set out in the Corporate Plan and monitored quarterly. As this report is for noting, there are no legal implications.

6 Other Implications

- 6.1 **Risk Management** – There are no specific risks associated with this report. The Corporate Plan and ongoing monitoring will enable the Council to identify risks early and initiate any mitigating action. The Council's business planning process describes how risks are mitigated by linking with the corporate risk register.
- 6.2 **Contractual Issues** – Any contractual issues relating to delivering activities to meet borough priorities will be identified and dealt with in individual project plans.
- 6.3 **Staffing Issues** – There are no specific staffing implications.
- 6.4 **Customer Impact** – The vision and priorities give a clear and consistent message to residents and partners in Barking and Dagenham about the Council's role in place shaping and providing community leadership.
- 6.5 **Safeguarding Children** - The priority **Enabling social responsibility** encompasses activities to safeguard children in the borough and is delivered through the Local Safeguarding Children Board and Children's Trust.
- 6.6 **Health Issues** - The priority **Enabling social responsibility** encompasses activities to support the prevention and resolution of health issues in the borough and is delivered through the Health and Wellbeing Board.
- 6.7 **Crime and Disorder Issues** - The priority **Encouraging civic pride** encompasses activities to tackle crime and disorder issues and will be delivered through the Community Safety Partnership.

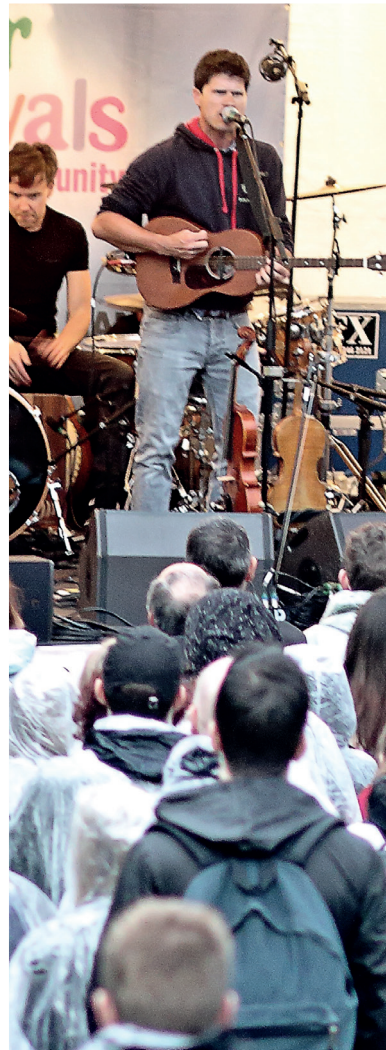
Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix 1: Corporate Plan 2016/17**

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Corporate Plan 2016/17





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4	Foreword by the Leader
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Foreword - Leader of the Council



Our borough has changed radically over the last decade and continues to change. We have to respond. We have a long and proud record of providing public services for our community, including good quality housing, schools and care for people from the cradle to the grave.

Since 2010 we have sustained deep cuts in government support. We have already shown that we can do more with less, but austerity is set to continue, and by 2020 we will be spending half of what we had in 2010; this means finding another £63 million in savings.

We face a simple choice: we can do nothing and continue to cut services, or we can find new ways of delivering them. That is our challenge.

We also find ourselves in a unique position as London's growth opportunity. This means an additional 35,000 homes over the next 20 years and a population increase of around 75,000. Growth will happen whether we want it or not. However, there is no guarantee this will benefit local residents; that we will have enough schools, or that jobs will be created. We see the Council's role as harnessing this growth and the borough's potential for the benefit of all, to ensure no one is left behind.

We are not where we could and should be. In areas such as employment, skills, educational attainment, and health, outcomes for residents is well below London averages, and we should all have higher expectations.

Our ambition is to make Barking and Dagenham a stronger, more prosperous place to live, with opportunity for all. To achieve our ambition we need to change the way the Council is run. We need to be less traditional, more innovative and flexible and develop a new relationship with our partners and the communities we serve.

We will be working to make sure that our services are efficient, that we deliver what we say we will and that we listen to our residents. We need to increase the opportunities for them to have their say; we need to do more to work in partnership with community and voluntary organisations to provide services; and we need to enable residents to become less reliant on us.

This level of change demands a different kind of leadership and a different kind of Council. This journey will take time and this plan reflects that by ensuring we continue to focus on the delivery of the vision and priorities through this period of change.

The Corporate Plan is a key document to ensure the Council has a coordinated approach to delivering its vision and priorities, and makes best use of the resources available.

We will combine the enduring core values of the public sector, with the community involvement and flexibility of the voluntary sector, and the commercial-mindedness of the private sector.



Cllr Darren Rodwell
Leader of Barking and Dagenham

Vision and Priorities

Our vision and priorities represent a shared understanding of what we're seeking to achieve for the borough. They set out our role in place shaping and enabling community leadership within the context of a significantly reducing budget. They have been developed to reflect the changing relationship between the Council, partners and the community.

Our vision for the borough:

One borough; one community; London's growth opportunity

Our priorities:

Encouraging civic pride

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

Enabling social responsibility

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

Growing the borough

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth

Well run organisation

- A digital Council, with appropriate services delivered online
- Promote equalities in the workforce and community
- Implement a smarter working programme, making best use of accommodation and IT, allowing Members and staff to work flexibly to support the community
- Continue to manage finances efficiently, looking for ways to make savings, generate income, and be innovative in service delivery

For more detail on the vision and priorities please visit the Council's website www.lbbd.gov.uk/visionandpriorities.



Credit: PicturePlus.co.uk



What we've achieved 2014 to 2016



Investment in new homes and jobs worth over **£1 billion** over the next 20 years



Launch of the **Shared Ownership Scheme** for tenants

£35 million

Vicarage Fields **redevelopment** agreed

100% of Children's Centres **Good or Outstanding**



Gender Equality Charter launched



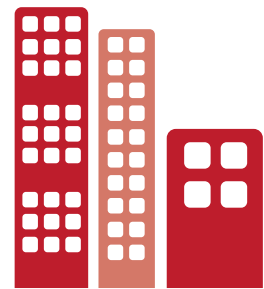
Decent Homes programme has **improved 1,500 homes**



Coventry University to open a campus in Dagenham Civic Centre

Work started on **421**

of the 1,575 **new flats** on the Gascoigne Estate



£7.4 million to install low energy street lights



7,800 landlords registered, driving forward improvements in the private rented sector

Dog DNA Pilot scheme has reduced level of mess in three of the borough's parks



Dagenham Library voted **library of the year** nationally

Barking & Dagenham - Our Borough

Over the last 15 years our borough has become one of the fastest-changing communities in Britain.

The population of Barking and Dagenham rose from 164,000 in 2001 to 186,000 in 2011, and an estimated 201,979 in 2015 (ONS mid year estimates 2015). National statistics forecast a population of 220,000 by 2020, and up to 275,000 by 2037.

Change is everywhere, but the Council remains committed to ensuring equality of opportunity for all and establishing a 'one borough' sense of community.

The population is much more diverse than 15 years ago – since 2001 the proportion of the population from minority ethnic backgrounds has increased from 15% to 50%. That proportion is projected to increase to 62% over the next 25 years. We are proud to be a diverse and inclusive borough.

Like other London boroughs, there is also rapid movement of people: between 2012 and 2014 approximately 50,000 new residents came to the borough, and roughly the same number left, meaning that the 'turnover' was almost a quarter of the total population.

The age profile of the population is also changing. The borough has the fourth highest proportion of people aged 10 to 19 in the country and has seen an increase in the 20 to 29 age group of just under a quarter.

We are a young, rapidly growing and increasingly diverse borough. Our aspirations need to reflect that.

List of sources for infographic on page 9:

- Office of National Statistics 2015 Mid-Year Estimates (Number of residents; Age range of residents; Average age of residents)
- Office of National Statistics 2011 Census (BME population; Born abroad; Most common birthplace; English not first language)
- Office of National Statistics Annual Population Survey October 2014 to September 2015 (Have no qualifications)
- Department of Work and Pensions September 2015 (Unemployment, Employment, Benefits Claimants)
- Land Registry 2016 (Median house price)
- Metropolitan Police Service March 2015 to February 2016 (Crimes)
- Department for Education 2014 (GCSE results)
- Office of National Statistics 2012 to 2014 (Births)
- Office of National Statistics 2014 (Life expectancy)

201,979
Residents
7th smallest population in London

54,912
under 16s

Highest proportion in London and the UK

126,143
16s to 64s

4th lowest proportion in London

20,924
over 65s

10th lowest proportion in London

33
average age

Lower than London average (35.9)

59.5
male healthy life expectancy

Below London average (64)

54.6
female healthy life expectancy

Below London average (64.1)

58.1%
achieving 5 A* to C GCSEs

Below London average (61.5%)

15.4%
have no qualifications

Above London average (7.8%)

79.4
births per 1000 women of childbearing age

Above London average (63.3)

80.1
crimes per 1000 people

Around London average (79.3)

£326,461
median house price

Below London average (£530,368)

18.5%
English not first language

Below London average (22.1%) for aged 3+

10.5%
unemployment

Above London average (6.4%)

64.9%
employment

Below London average (72.3%)

14.9%
DWP benefits claimants

Above London average (10.7%)

49.3%
BME population

Below London average (55.1%)

30%
born abroad

Below London average (36.7%)

4.7%
Nigeria most common birthplace outside the UK, followed by India and Pakistan

Our Budget

By 2020 the cuts in funding mean that the Council will have roughly half the amount of money that we had to spend in 2010. At the same time, the pressures caused by the growing population and more complex needs mean that we will need an additional £50 million to meet rising demands. Overall we estimate that, if we did nothing, there would be a shortfall in our budget of £63 million by 2020/21.

Figure 1. Shows the budget pressures through to 2020/21.

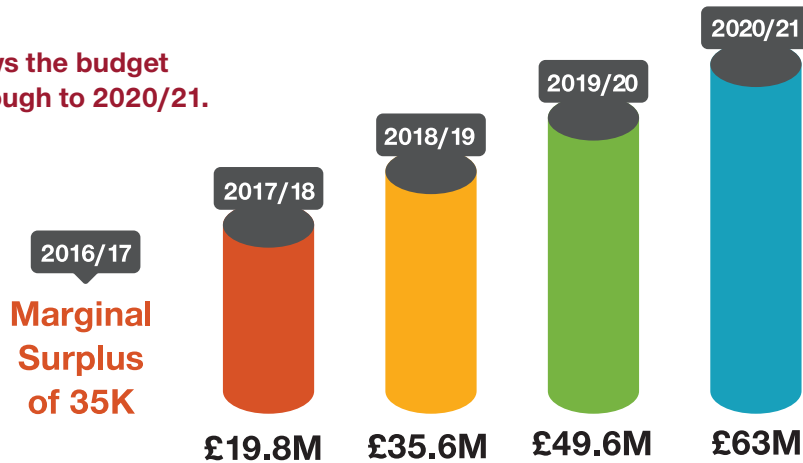


Figure 2. Where our money comes from

As you can see below, your Council Tax is only a part of the money we receive and use to fund the many services that we provide to you.

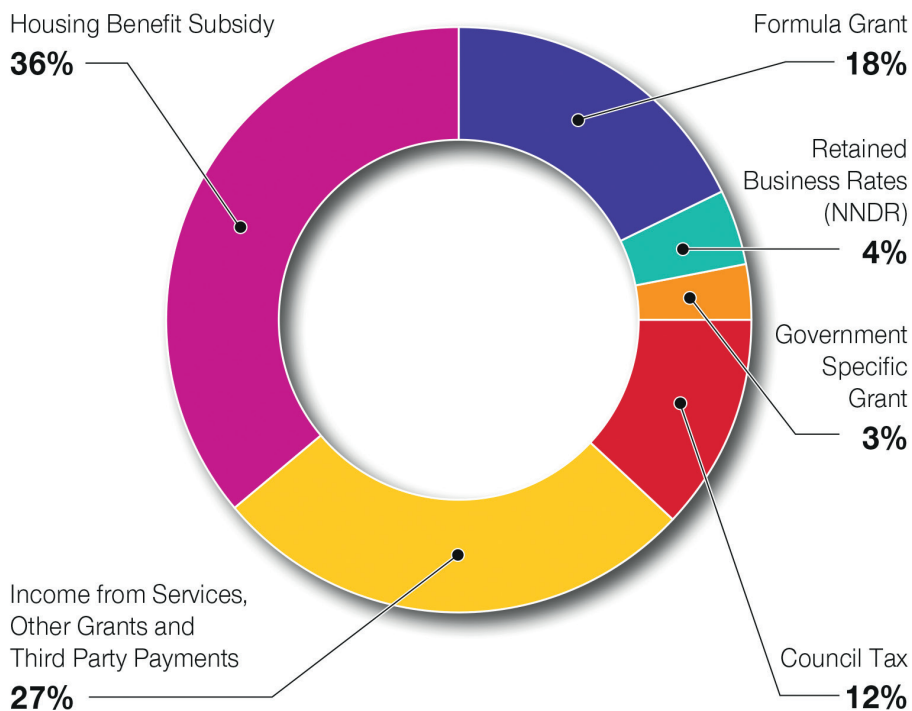
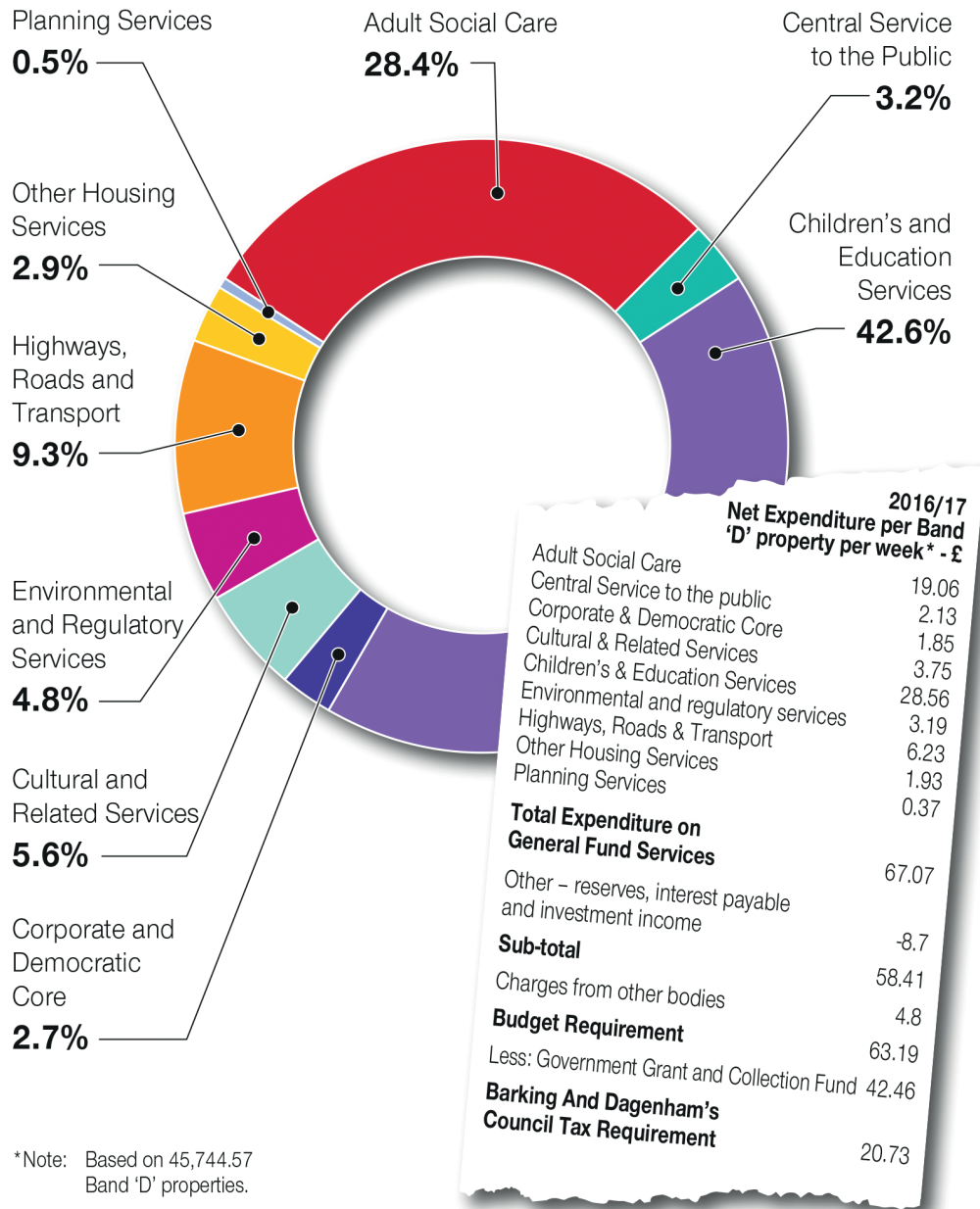


Figure 3. Where your money goes



National Policy Context

The Government is also implementing reforms in national policy and legislation that will have a major impact on Council services, residents and local businesses. They include:

- Reform of the housing and planning systems.
- Welfare reform, including a reduction in the cap on household benefits, and a freeze on working age benefits.
- Reform of adult social care, and health and social care integration.
- Promoting 'devolution deals' at regional or sub-regional levels.
- Proposals for all schools to become academies.

Those changes will have a major impact on many of the traditional approaches of the Council and the services people are accustomed to receiving.

The combined impacts of austerity, population change and government policy mean that we can no longer afford to meet the needs of our residents by spending more money on the kinds of services we currently provide.

Instead we need to re-focus what we do so that we identify the root cause of need and tackle it, so that people have a better chance of living more independently. Our job must be to build resilience so that people are better able to help themselves.

The European Union (EU) Referendum

The EU referendum on 23rd June 2016 marked a significant point in Britain's history with the Country voting to leave the EU. The immediate impact of this decision was visible through the effect on the stock market and the value of the pound. But the decision may have far reaching consequences in a number of areas, the exact impact of which is still uncertain. The Council will continue to monitor the ramifications of 'Brexit' and any resulting implications for local government. The Council is clear that we will continue to ensure our residents are supported and 'No one is left behind'.

Expectations and Outcomes

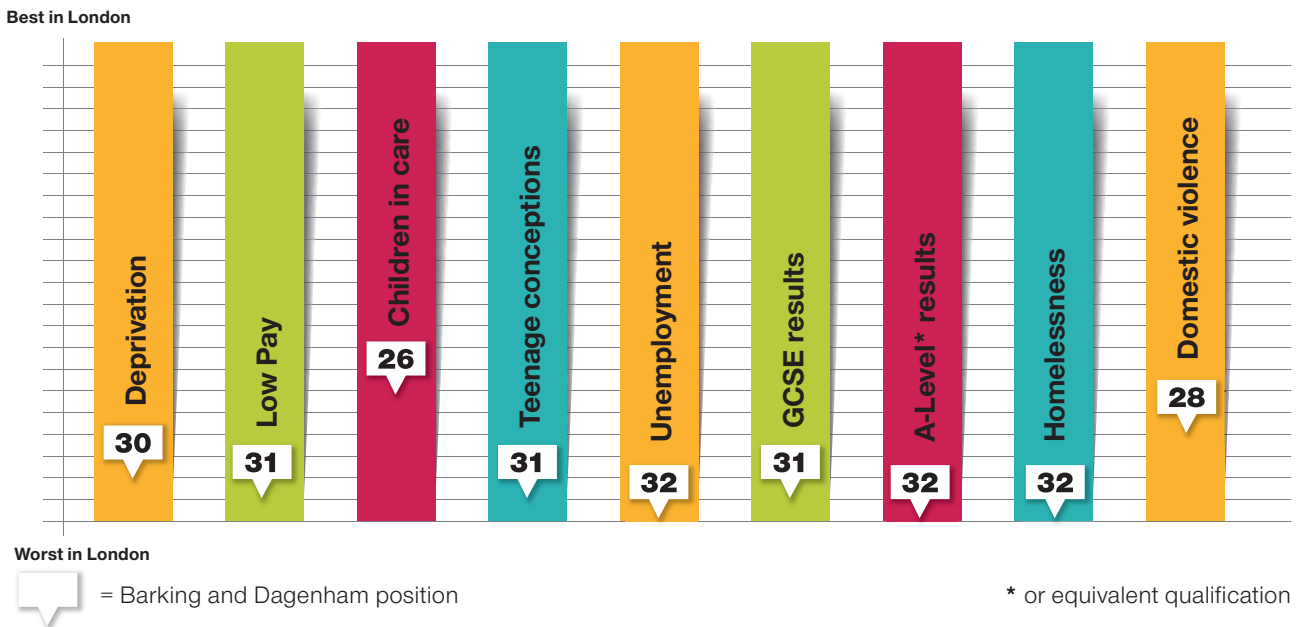
We also need to change because what we have done in the past is not good enough in meeting what our residents need and expect.

In the recent residents survey 70% of our residents said that they were satisfied with the area, compared to 86% for London residents generally. Only 53% said that the Council listens to, or acts on, the concerns of local residents. Lack of confidence in Council services undermines the trust of local people.

Our residents are at the bottom of too many London league tables. People in our borough die earlier, have poorer health, and lower levels of education and skills than in most other London boroughs. Too many are insufficiently skilled, too many are in low paid work, too many struggle to find suitable accommodation to live in.

On many measures of health and well-being, our residents have significantly worse health outcomes than national averages – including lower life expectancy, and higher rates of obesity, diabetes, and smoking prevalence.

Figure 4. How did Barking and Dagenham compare to other London boroughs in 2015?



Our Response

In summer 2015, the leadership of the Council launched two major pieces of work:

- A panel of independent experts – the Growth Commission - to review the Council's ambition to be London's growth opportunity, and to recommend how to maximise the contribution of the Borough and our people to the London economy. Their report was published in February and can be viewed online: www.lbbd.gov.uk/growthcommission
- We set up our 'Ambition 2020' programme within the Council to re-examine every aspect of what the Council does and how we are organised visit www.lbbd.gov.uk/transformation

Our Principles

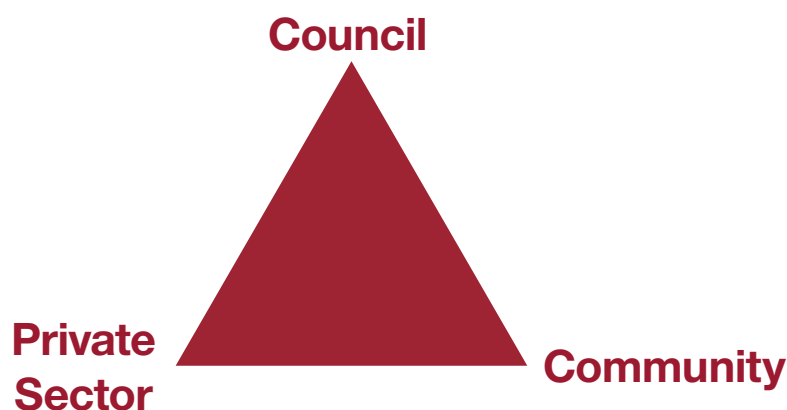
The findings of the independent Growth Commission will help us to establish a blueprint for transforming the borough over the next 20 years and beyond. Building on what the Commission proposed, we have committed ourselves to a set of principles.

We will:

- Develop with partners a 20-year vision for the borough, backed by a series of measurable goals.
- Support the renewal of civic culture through much more active involvement of local people and communities, organised and empowered to support and challenge the public and private sectors.
- Develop the housing offer in the borough to reflect London's diversity-including social housing for rent, affordable sub-market stock, a well-regulated private rented sector and a substantially increased stock of owner-occupied housing.
- Increase a vibrant local business community providing a home for local entrepreneurs and businesses, large and small from around the world.
- Leave no-one behind, ensuring that everyone has the opportunity to fulfil their potential and benefit from the borough's growth.
- Ensure that the local community and businesses, as well as the Council and other public sector organisations, each play an appropriate leading role.
- Benchmark everything the Council does against the excellence that is part of the best of the Borough's history in housing and manufacturing.
- Take decisions based on the very best available evidence.

Our approach

Our Council will combine the enduring core values of the public sector, with the community involvement and flexibility of the voluntary sector, and the commercial-mindedness of the private sector.



Our fundamental values of public service, integrity, and social justice will continue to underpin everything the Council does. But we need the full involvement of local people to build relationships of trust, and the flexibility to respond in ways which help to break the cycle of dependence. We have to be more commercially-minded and entrepreneurial so that our services can be financially self-sufficient wherever possible.

In short, we must transform our organisation to work in a very different way. Our Council of the future will need to excel at five things:

- **Providing consistently outstanding customer service** – We need to improve how customers get access to information and services and find innovative ways to enhance the customer experience and build trust whilst reducing demand and therefore cost.
- **Shaping a place that people choose to live in** – That means creating and maintaining areas that are attractive and affordable. That includes excellent schools, a safe and clean environment, culture and leisure facilities, and heritage.
- **Being commercially minded and financially self-sufficient** – Making our Council commercially astute, with the capability to innovate and to maximise income, and a constant drive to improve our efficiency and productivity.
- **Building public engagement, greater responsibility and civic pride** – This includes a focus on clean streets and enforcement, holding private sector landlords to account for the condition of property they own, and running a wide and varied Council events programme promoting a sense of community and attracting people to the borough.
- **Reducing service demand** – A coordinated approach to reducing demand through early and effective intervention including key services such as social care, housing and integrated health.

We have proposed a new operating model for the Council, moving away from an organisation which is designed around professional service silos, to one that is designed around what we need to achieve for our residents. Consultation with residents and stakeholders will be ongoing through 2016/17.

Transforming the Council

Our transformation programme began in summer 2015, designed to create a sustainable organisation that can live within its means; tackle the challenges the borough faces, respond to the Growth Commission findings and deliver our Council's vision.

The starting point was the challenge of finding £63 million in savings over the next 4 years, on top of the £90 million savings which we have had to find since 2010.

Traditionally, local authorities reduce spending by department. We managed to do that between 2010 and 2014. But we cannot continue to do that. Other local authorities also outsource or privatise services and dramatically reduce the size of the workforce. We have no desire to take those paths.

We will no longer have separate functional departments or directorates. We will shape our organisation around the needs of people, the place, and our goals.

The delivery of services will be undertaken by a range of 'Service Delivery Blocks'. Some of them we propose should be in-house, and some should be at arm's length, so that they are able to generate the income to become self-funding and to re-invest.

Figure 5. Arm's length service delivery blocks



Figure 6. In-house service delivery blocks





Our Values

The Council has developed values which will be embedded across the organisation and will underpin all Council activity. These values have been developed by staff and represent how the Council aims to conduct its business.

DRIVE

Deliver our best every day – and do what we have promised

Respond in a prompt, positive way to our community's needs

Inspire others with our attitudes and actions

Value people for who they are and what they can do

Engage with others to improve our resilience and flexibility

Our Performance

Reorganising Member portfolios to reflect future provision

We propose to establish a new operating model for the Council, moving away from an organisation which is designed around professional service silos, to one that is designed around what we need to achieve for our residents. In order to deliver this approach we have redesigned Member portfolios around functions rather than the traditional service based approach. This will allow Members to champion the transformation and continue to provide residents with the support they require. The new Member portfolios are:

- Community Leadership and Engagement
- Equalities and Cohesion
- Environment and Street Scene
- Enforcement and Community Safety
- Social Care and Health Integration
- Educational Attainment and School Improvement
- Finance, Growth and Investment
- Economic and Social Development

Monitoring and reporting

The key tasks and KPIs identified for 2016/17 will be monitored at a number of different meetings ensuring underperformance is tackled and that the process leads to service improvement. The portfolio holder Corporate Performance and Delivery will be responsible for performance management of the corporate plan objectives and organisational health measures. The key tasks and KPIs will be reported quarterly to:

- Corporate Performance Group
- Portfolio holder meeting
- Cabinet
- Public Accounts and Audit Committee

Developing a 'Borough Manifesto'

Over the next 12 months, we will lead the development of the 'Barking and Dagenham Borough Manifesto'. The manifesto will be developed in conjunction with partners and the community and will set out a 20-year vision for the borough. The vision for the borough needs to be shared and have collective agreement with everyone committing to play their part.

We will ensure that our progress in delivering the 'Borough Manifesto', and the other recommendations, is reviewed and reported publicly on an annual basis. Once agreed, the key targets in the 'Borough Manifesto' will provide the framework for managing our performance and the accountability of others for achieving them.

Resident survey

We are committed to having an evidence led approach to decision making, one which takes into account the views of residents. That is why we commissioned a resident survey in late 2015 to understand the views of residents and gauge resident satisfaction with Council services. The survey is a useful tool for the Council to identify areas for improvement and where to focus resources. This evidence based approach will ensure that the limited resources the Council has at its disposal are spent in areas that really matter and will make the greatest difference to residents. We will commit to running the survey annually to ensure the views of residents help shape services and lead to improvement.

Equalities

During the course of the year we will develop an Equality Strategy for the borough. This will set out our strategic objectives ensuring that we support and celebrate our diverse and changing population and that all people who live, work, study and visit our borough are treated equally and enjoy equal opportunities.

We will work to eliminate discrimination in Barking & Dagenham based on age, gender, sexuality, disability, religion & belief, ethnicity, gender reassignment, marriage & civil partnership, and pregnancy & maternity.

The Council's approach to equalities is embedded in the decisions we make as an organisation and is fully integrated into our decision-making processes and business planning.

Changes to policies and services are analysed in order to assess the potential equalities impacts and risks before final decisions are taken.

We will use the information we hold about residents to break down by protected characteristics wherever such analysis helps to improve our services and intervene in a more intelligent manner.





What we will deliver in 2016/17

Encouraging civic pride

Build pride, respect and cohesion across our borough

1. Through extensive consultation develop a Borough Manifesto setting out a vision for Barking and Dagenham in 2035
2. Publish an Equality Strategy for the borough that seeks to support and celebrate our diverse borough
3. Promote and embed the Gender Equality Charter and Women's Empowerment Month
4. Ensure Members and staff are appropriately trained in equalities issues
5. Celebrate our diverse heritage by promoting the donate a flag initiative
6. Develop a programme to make the Council an exemplar equalities employer

Promote a welcoming, safe, and resilient community

7. Create a single programme of events for the Council and community showcasing the best of the borough
8. Revitalise the Council's approach to engagement and consultation
9. Develop new partnership arrangements for the borough

Build civic responsibility and help residents shape their quality of life

10. Consult on and publish a borough-wide parking strategy
11. Create a new self-funding Enforcement Service using data and insight to target interventions and maximise impact (subject to public consultation)
12. Ensure the Council's Private Sector Licensing Scheme is working effectively and maximise enforcement activity using existing powers against rogue landlords
13. Progress the Civic Pride agenda through a series of behavioural change campaigns
14. Publish a new Waste Strategy and review the refuse service to meet strategic aims including a waste reduction campaign that seeks to increase Reduce, Reuse, Recycling awareness

Promote and protect our green and public open spaces

15. Develop a street and open space cleanliness and community pride campaign that improves civic pride and resident's perceptions of the borough
16. Develop a needs based targeted approach to street and open space cleanliness
17. Establish a Highways Improvement Strategy and funded programme with the intention of improving conditions and perceptions of the quality of roads and pavements
18. Implement a programme of work to reduce street clutter

Narrow the gap in attainment and realise high aspirations for every child

19. Seek to ensure all young people are in education, employment or training and work with partners to get more young people to go on to study at 18
20. Ensure all young people achieve good GCSE and 'A' level results

What we will deliver in 2016/17

Enabling social responsibility

Support residents to take responsibility for themselves, their homes and their community

21. Bring forward and consult on proposals to establish a Community Solutions service solving the root cause of demand, not servicing the symptom (subject to public consultation)
22. Develop plans for a reinvigorated community and voluntary sector

Protect the most vulnerable, keeping adults and children healthy and safe

23. Develop joined up initiatives to deliver additional support to vulnerable residents during periods of severe weather
24. Bring forward transformation proposals for children and adults social care, disability services (subject to public consultation)
25. Recognising the significant pressures, ensure that a balanced budget is delivered, through improving the recruitment and retention of social workers, remodelling children's transport options, targeted public health grant and ESCRS implementation
26. Ensure that a range of accommodation options are available to support the delivery of day care
27. Ensure that there is an organisational focus on safeguarding vulnerable adults and children and young people through appropriate governance, an updated Domestic and Sexual Violence Strategy and a focus on child sexual exploitation

Ensure everyone can access good quality healthcare when they need it

28. Implement a range of behavioural change campaigns to help tackle issues such as obesity, smoking, substance misuse, teen pregnancy and low take up of vaccinations
29. Explore the development of an Accountable Care Organisation with health partners

Ensure children and young people are well-educated and realise their potential

30. Ensure every child attends a 'good' or 'outstanding' school, focusing on the schools that are currently 'requires improvement'
31. Create 500 new school places for September 2016 and 300 for September 2017
32. Work with schools to improve teacher recruitment and retention
33. Ensure a focus on the needs of vulnerable children in all areas of education including those with Special Educational Needs (SEN) and those looked after

Fully integrate services for vulnerable children, young people and families

34. Ensure that the troubled families approach is successfully embedded to provide holistic and preventative solutions
35. Implement the recommendations of the Youth Justice Board (YJB) and Her Majesty Inspector of Prisons (HMIP) inspection with regard to the Youth Offending Service
36. Ensure corporate parenting responsibilities are being successfully undertaken

What we will deliver in 2016/17

Growing the borough

Build high quality homes and a sustainable community

37. Ensure the agreement and publication of a new Local Plan for the borough, taking forward regeneration plans and ensuring high quality build for all new developments

Develop a local, skilled workforce and improve employment opportunities

38. Develop and implement an Employment and Skills Strategy

Support investment in housing, leisure, the creative industries and public spaces to enhance our environment

39. Publish and implement a new Heritage Strategy
40. Take forward proposals for the reinvigoration of Abbey Green and the development of an East London Heritage Museum
41. Develop a new HRA business plan and capital investment programme
42. Deliver the Youth Zone for Parsloes Park

Work with London partners to deliver homes and jobs across our growth hubs

43. Implement plans for new homes across the borough including schemes in:
 - Barking Town Centre
 - Riverside
 - Chadwell Heath
 - Ford Stamping Plant

Enhance the borough's image to attract investment and business growth

44. Develop and take forward transport and infrastructure developments to support and drive growth including:
 - the A13 Tunnel
 - Crossrail
 - Barking Station upgrade
 - Barking Riverside links
 - C2C stopping at Dagenham East
 - Lower Roding crossing
 - Thames crossing
45. Take forward Growth Commission proposals relating to business through the development of a Business Development Strategy

Cross-cutting deliverables underpinning wider delivery

46. Ensure that the 2016/17 budget is delivered and a MTFs (Medium Term Financial Strategy) agreed
47. Set a balanced budget for 2017/18
48. Ensure the delivery of the Council's transformation programmes (subject to public consultation)
49. Maximise income collection through rents, Council Tax and the commercialisation of appropriate services
50. Develop and implement a new Customer Access Strategy

Cabinet Member Portfolio	Key Performance Indicators 2016/17
Community Leadership and Engagement	1 The number of active volunteers 2 The percentage of respondents who believe the Council listens to concerns of local residents * * with additional responsibility for all Resident's Survey indicators 3 Impact/Success of events evaluation
Equalities and Cohesion	4 The percentage of Council employees from BME communities 5 The percentage of residents who believe that the local area is a place where people from different backgrounds get on well together
Environment and Street Scene	6 The weight of fly tipped material collected 7 The weight of waste recycled per household 8 The weight of waste arising per household
Enforcement and Community Safety	9 ASB incidents reported to the Council 10 MOPAC 7 - Burglary, robbery, criminal damage, theft from person, theft of motor vehicle, theft from motor vehicle, violence with injury 11 The number of properties brought to compliance by private rented sector licensing 12 The percentage of fixed penalty notices paid/collected
Social Care and Health Integration	13 The number of leisure centre visits 14 The total Delayed Transfer of Care (DTOC) Days in month (per 100,000) 15 Admissions into permanent care 16 91 days at home after discharge 17 Number of smoking quitters aged 16 and over through cessation service 18 Percentage uptake of MMR (measles, mumps and rubella) vaccination (2 doses) at 5 years old 19 The number of children and adult referrals to healthy lifestyle programmes 20 Those aged 45-60 who receive Health Check including cardio and lung function test 21 Number of children subject to child protection plans 22 Care Leavers in employment, education or training 23 Number of turned around troubled families

Cabinet Member Portfolio	Key Performance Indicators 2016/17
<p>Educational Attainment and School Improvement</p>	<p>24 The percentage of 16 to 18 year olds who are not in education, employment or training (NEET)</p> <p>25 The percentage of pupils achieving 5 GCSE grades A*-C (including Maths and English)</p> <p>26 The percentage of schools rated as 'good' or 'outstanding'</p>
<p>Finance, Growth and Investment</p>	<p>27 The number of new homes completed</p> <p>28 Of the number of new homes completed, how many will be sub-market?</p> <p>29 The number of new homes that have received planning consent</p> <p>30 The time taken to process Housing Benefit/Council Tax Benefit change events</p> <p>31 The percentage of Member enquiries responded to within deadline</p> <p>32 The average number of days lost due to sickness absence</p> <p>33 The percentage of staff who are satisfied working for the Council</p> <p>34 The current revenue budget account position (over or under spend)</p>
<p>Economic and Social Development</p>	<p>35 Repeat incidents of domestic violence (MARAC)</p> <p>36 The percentage of economically active people in employment</p> <p>37 Average number of households in Bed and Breakfast accommodation over the year</p> <p>38 The number of households in Temporary Accommodation over the year</p> <p>39 Percentage satisfaction of customers who have received a service provided by the Council</p> <p>40 Mitigation of welfare reform changes on specific number of residents</p>

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London bus at Heathway, Dagenham

An aerial photo of Dagenham

Seth Lakeman at the Barking Folk Festival 2016

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A view of Barking Town Hall clock tower



**INVESTORS
IN PEOPLE** | Bronze

CABINET

19 July 2016

Title: Ambition 2020 Transformation Programme – Response to Consultation	
Report of the Leader of the Council	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Paul Pugh, Strategy Unit	Contact Details: E-mail: paul.pugh@lbbd.gov.uk
Accountable Director: Meena Kishinani, Programme Director, Ambition 2020	
Accountable Strategic Director: Chris Naylor, Chief Executive	
<p>Summary</p> <p>This report seeks Cabinet agreement to proposals to re-shape the Council and the way in which services are provided through the Ambition 2020 transformation programme.</p> <p>By Minute 118 of the meeting on 19 April 2016, Cabinet agreed to public consultation on the elements of the Ambition 2020 programme which comprised two Design Principles that related to core functions and workforce and organisational development alongside 15 Service Design Proposals which set out the proposals for the future delivery of services. The public consultation took place between 20 April and 16 June and the response from the public was generally supportive of the proposals.</p> <p>In parallel with public consultation, there has been extensive engagement with staff. This report summarises the views expressed by staff through road shows, briefings and surveys.</p>	
<p>Recommendation(s)</p> <p>Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Consider the responses to the public consultation, which are summarised in Appendix 1 to this report; (ii) Note the feedback from staff in response to the staff road shows and briefings, which is summarised in Appendix 2; (iii) Confirm the future shape of the Council and that officers should implement the service design proposals as set out in the consultation document, and note that where necessary proposals will be referred to Cabinet for further approval of key decisions in accordance with the Council's constitution and scheme of delegation; and (iv) Note that further consultation with staff and Unions will take place as each service design proposal is developed in accordance with the Council's procedure for managing change. 	

Reason(s)

To assist in the achievement of the Council's vision of "One borough; one community; London's growth opportunity" and the delivery of its priorities in the context of the Medium Term Financial Strategy.

1. Introduction and Background

- 1.1 In April 2016, the Cabinet agreed to a public consultation exercise about the proposals in the 'Ambition 2020' transformation programme to re-examine every aspect of what the Council does and how we are structured to deliver the Council's vision and priorities. Cabinet agreed to consider the responses to consultation, and to take decisions about the next steps, in July 2016.
- 1.2 The consultation document, 'We all have a part to play – Transforming our borough and how our council works', was published on 20 April.

2. Proposal and Issues

- 2.1 A detailed report on the response to consultation is at Appendix 1. A total of 198 responses were received from individuals, with an additional seven written responses from organisations. The results have been analysed in detail, and each comment has been counted and reviewed.
- 2.2 Overall 89% of respondents indicated that they agreed or partially agreed with the proposals (54% agreed, 35% partially agreed). Just under 8% of respondents did not agree, with 4% 'Don't know.'
- 2.3 In addition to that overall positive support, 186 of the respondents provided general comments. Respondents highlighted a number of key themes which have been categorised into the following areas:
 - 23% Providing support/positive comments on the proposals
 - 22% Encouraging civic pride and enabling social responsibility
 - 19% Concern over future service delivery
 - 19% Other comments
 - 12% Staffing arrangements
 - 12% Require further information
 - 11 % Greater inclusion of residents
 - 11% Agree the need for change
 - 9% Concern about the Council's track record and current service delivery
- 2.4 Respondents generally recognised the borough's potential and the need for change, notably in the perceptions of the borough and of the Council. There was support for bringing a sense of pride in the borough and with people taking responsibility. Cleanliness and social responsibility were highlighted as key parts of this. The Council's previous record in delivery, together with the current quality of customer service, were raised as key concerns. Respondents were keen that there should be more opportunity for the community to be involved in decision-making. A

range of issues was raised about future service delivery - in particular around stretching services too far, ensuring the elderly, disabled and vulnerable were not disadvantaged, requiring further detail on the individual proposals, and the Council's ability to turn the plans into reality.

- 2.5 Paragraph 3.3 below, and Appendix 1, pages 9 -12, set out the points raised by members of the public in relation to individual elements of the proposed new service design.
- 2.6 Section 4 of Appendix 1 summarises the points raised by those organisations and stakeholders who responded formally to the consultation. Feedback on the proposals was received from the Council for Voluntary Service (CVS), Refugee and Migrant Forum of Essex & London (RAMFEL), Citizen's Advice Bureau (CAB), Harmony House, LAGMAR (Barking) Ltd, L&Q, Future M.O.L.D.S Communities. In addition, a meeting was held with the Barking and Dagenham Youth Forum ensure the views of young people were also captured.
- 2.7 Overall, partners were supportive of the proposals and keen to play their part but raised a number of concerns. They included concerns about the language used in the Ambition 2020 consultation booklet. Some felt that terms such as 'Customer' and 'Account Manager' were not appropriate; and that references to 'resilience' might imply that the Council would abdicate responsibility. Partners were keen to receive more detail on the proposals and how they will work. Some questioned whether the Council had considered its statutory equality duties (see paragraph 7.4 below).

3. Options Appraisal

- 3.1 The responses to public consultation demonstrate broad appreciation of the need for change, and broad support for the direction of travel and service design proposals. Many of the comments raise questions about how the proposals should be implemented, while expressing support for the principles. In the responses about the service design proposals, there is a substantial majority of support for the proposals.
- 3.2 There were, however, some frequently raised concerns which will need to be addressed in the next phases. The key issues are:
 - Capability and service delivery – A common concern was that, while recognising the need for change, the financial pressures will damage the quality of services. That is a recognised risk which all the service design proposals are intended to mitigate.
 - Track record and service quality – Many respondents were critical of the Council's current service delivery, particularly in relation to customer service, which leads them to doubt future capability. The transformation programme acknowledges the shortcomings in current services as part of the case for change; and the responses to consultation have reinforced those arguments. We recognise also that the programme will require the development of new capabilities and skills.
 - Impact on vulnerable residents - The responses about the proposals for people-focused services consistently raised concerns about the potential impact on vulnerable or elderly residents if services are reduced, or if access to services is through routes with which service users are uncomfortable or unfamiliar – for example, digital only access. The development of Community Solutions, and Care and Support, will ensure that resources are focused more effectively and help to

address the root causes of problems for families and individuals. The work on improving customer access will reflect the needs of all service users; and that will be supported by a 'digital inclusion campaign' to improve access and skills for residents who currently have limited internet access.

- Civic pride and social responsibility – There was strong support for action to improve civic pride and address anti-social behaviour. That indicates that the proposed improvements to enforcement, street cleansing, and refuse should be priorities for early implementation within the transformation programme.
- Information and involvement – Some respondents were keen to receive more information about particular proposals (although there were also responses about there being too much information and/or complexity). It will be essential for each of the transformation projects to incorporate public and stakeholder engagement. We propose also to publish a transformation 'roadmap' which would set out for the public, stakeholders and staff a timetable for the development and implementation of the programme over the next 4 years.
- Leisure service - The proposal to transfer the management and operation of the service to a not-for-profit operator received the largest proportion of responses disagreeing with the proposal. Of the 60 respondents who commented on the proposal, 14 (23%) disagreed; although the majority of respondents agreed or partially agreed with the proposal, with some arguing for privatisation of the service. There were concerns about the potential future quality, cost, and choice of services if the services were not run directly by the Council. The detailed options appraisal of the service has provided strong evidence that transferring the management to an established operator will allow considerable efficiencies and offer the greatest potential to expand and improve services. A detailed proposal, which will take account of respondents' concerns, will be submitted to Cabinet in the Autumn. That will include how standards, choice and quality can be maintained and improved through the Council's oversight and management of any contract with an external operator.

3.3 In addition to the commonly raised concerns, the table below sets out our consideration of, and response to, the key points on each service design proposal.

Service design proposal	Key points from consultation	Council's consideration
Community Solutions	<ul style="list-style-type: none"> • Early intervention enabling self-sufficiency received positively • Maintain duty of care and delivery of statutory services • Protect the most vulnerable • Work with voluntary and community partners • Develop staff expertise and skills • Some concern over terminology used such as 'customer' and 'account manager' • I.T. systems viewed as critical success factor 	<p>We have considered the feedback and feel the 'Community Solutions' proposal will help protect the most vulnerable by tackling the root cause of problems, by intervening early, in a joined up way, using multi-disciplinary teams and working with the voluntary and community sector. The terminology will be amended taking on board feedback.</p>
Care and Support	<ul style="list-style-type: none"> • Overall agreement that the services are needed • Ensure elderly and vulnerable are not put at risk due to changes • Concerns regarding current service and high work loads of social 	<p>The Council has considered the feedback and feel that the proposal will help protect the elderly and vulnerable through bringing together a cluster of services for those who need</p>

	<p>workers</p> <ul style="list-style-type: none"> • Develop social worker skills • Importance of partnership working with care and education providers 	<p>support. There will be a single disability service for those with life-long disabilities. The proposals will ensure that social work professionals are utilised more effectively, enabling them to carry out functions specific to their expertise. The service will work with Community Solutions to reduce demand and will play a key role in any future devolution proposals with health service partners.</p>
Access for Customers	<ul style="list-style-type: none"> • Praise the vision and acknowledge the need for change • Current customer service levels highlighted as consistently poor • Poor customer experiences • Concerns that digital approach will see customer service levels fall • How will 'Digital by Design' affect the elderly and vulnerable? 	<p>The transformation programme acknowledges the shortcomings in current services as part of the case for change; and the responses to the consultation have reinforced those arguments. We also recognise that although many residents can access services online, not everyone will be able to do so. Support will be available online, by telephone via the contact centre, through staff at various locations across the borough, and through face to face appointments with staff.</p>
Enforcement Service	<ul style="list-style-type: none"> • Support for improving civic pride • ASB, parking and fly-tipping are a great concern • Council not dealing with the issues • 'Get tough', but not for profit • Clear rules and education 	<p>There was considerable support for enforcement to deal with issues such as fly-tipping, parking, and ASB. The Council recognises that although the service will generate income the main focus is to change behaviour in order to tackle these issues and send a clear message to those who behave irresponsibly. There was strong support for encouraging people to take pride the area and behave responsibly.</p>
My Place	<ul style="list-style-type: none"> • A small number of comments received • Further clarity and information requested • Concerns about current service levels • Should the Council be competing with local businesses? 	<p>Having considered the limited feedback on this proposal we feel that 'My Place' will allow for better property management of the Council's own stock and in the open market for landlords and developers. We also believe that through 'My place' commissioning the refuse and street cleansing service significant improvement in efficiency and improvement in</p>

		the local environment can be achieved.
Refuse and street cleansing	<ul style="list-style-type: none"> • The track record and current service levels are a real concern • Frustration with the lack of pride taken by some residents • Does prevention mean a reduction in service provision? • Stronger enforcement needed 	Feedback from respondents supports the need for change. There is concern over current service delivery and current standards of cleanliness in the borough which the Council recognises as part of the case for change.
Parks and open spaces	<ul style="list-style-type: none"> • An invaluable resource that needs protecting • Strong ideas on how parks can be used more effectively • Concerns around staffing levels • Mixed views on exploiting commercial potential 	The majority of respondents agreed with the proposal. There was concern about 'exploiting the commercial potential' would lead to less access for the public or for charges to use them. We believe that tapping into the commercial potential for parks will not affect access to the parks nor do we plan to charge to access parks. We believe the proposal will help parks become destinations of choice and particularly improve access for the disabled thereby improving standards for all users across our communities.
Heritage Service	<ul style="list-style-type: none"> • Strong support that the history and heritage of the borough be promoted • Concern over fees to access the service • Continue to engage with residents 	There was very strong support for the proposal overall with respondents agreeing that the history and heritage of the borough should be promoted. Residents raised concerns over whether being commercial would mean an increase in fees to access the service. We will ensure that fees for accessing services will remain fair and being commercial will be more about exploiting opportunities for making better use of the historic venues and our heritage.
Be First	<ul style="list-style-type: none"> • Support the need for change • Specific queries and suggestions • Clarity of funding arrangements required – how can profit be brought back in to the Council? 	There were limited comments on this proposal. Some respondents raised specific queries and asked for more detailed information on the proposal. This will be addressed as part of the next stage where a more detailed business case will be developed. We believe through establishing 'Be First' the Council will be able to accelerate the pace and scale of

		economic, infrastructure and housing development in the borough in line with the Council's vision and 20 year goals. Ownership by the Council will ensure that revenues are retained.
Home Services	<ul style="list-style-type: none"> • Positive comments on the proposal • Strong support for an in-house service • Current service should not be affected by intention to be more commercial • Support for a 'bank' of skilled workers available to the community 	Respondents generally supported the proposal. There was concern about the current service and whether this would deteriorate by becoming more commercial and expanding the customer base. We believe that the significant work that will go into making the service more commercial will help drive up performance of the service and lead to improvements. We have taken on board the suggestion about the service being made available to wider members of the community and future development will allow for that.
BDT Legal	<ul style="list-style-type: none"> • Small response rate • Mixed views on how proposals will be achieved • Efficient I.T. systems will be required • Service to be available for community use 	A very low number of responses were received on this proposal. Many of the comments received were positive and generally supportive of the proposal. Some respondents suggested making the legal service available to the community.
Traded Services	<ul style="list-style-type: none"> • A logical and a positive way forward • Staff require commercial knowledge and expertise • Concern over previous implementation of service models e.g. Meals on wheels 	A low number of comments were made on this proposal. Having considered feedback we believe that a social enterprise model owned by the Council, that offers a range of support functions for schools is the best way forward.
Leisure Services	<ul style="list-style-type: none"> • Support given provided service levels are maintained • Questions around the impact on costs and staff expertise • Continuation of joint working around health is important • Some resistance to 'out sourcing' the service 	See paragraph 3.2 above

3.4 The public consultation document stated the Council's intention to consider the responses to consultation and to reach firm decisions in July. Taking account of the overall public support for the proposals, and subject to Cabinet being satisfied by the proposed response to the key issues in paragraphs 3.2 and 3.3 above, it is recommended that Cabinet should now confirm the future shape of the Council, and confirm that officers should implement the service design proposals which were set out in the consultation document under the following headings:

- Community Solutions
- Care and Support
- Access for Customers
- Enforcement Service
- My Place
- Refuse and Street Cleaning
- Parks and Open Spaces
- Heritage Service
- Be First
- Home Services
- BDT Legal
- Traded Services
- Leisure Services

3.5 Where necessary, proposals will be referred to Cabinet for further approval in accordance with the Council's constitution and scheme of delegation.

4. Staff engagement and feedback

4.1 The purpose of this report is to enable Cabinet to decide the next steps in the light of formal public consultation. Although not part of formal public consultation, there has also been extensive engagement of staff across the Council. Over 2000 staff attended road shows where they were briefed by the Leader or Deputy Leader, and the Chief Executive. Appendix 2 summarises the staff engagement which has taken place since April 2016, and the feedback which staff have provided.

4.2 Of those staff who responded to the invitation to provide feedback, many reported that they were inspired by the roadshow and were clear about the need for change. Many felt that this type of transformation was overdue, and that the ideas were uplifting. As well as the need for change, many commented on the challenges ahead, including the need to have the right people and systems.

4.3 Many staff wanted understandably to know what the proposals would mean for them, their service, their profession and their job. There were questions raised about where particular services will fit in the proposed new service blocks. There were requests for more information about how TUPE will apply and a small number of points about the impact on pay and conditions.

4.4 Trades union representatives were briefed on the proposals and the impact on the workforce. Most representatives indicated in discussion that they were broadly supportive of the general approach, although they would want to consider in due course how their members would be affected. Most have not provided any further comments. The GMB union, however, provided a series of extensive comments and indicated that they did not support the proposals to establish service arms length

delivery blocks owned by the Council. They questioned the reasons for, and benefits of, setting up such services as arm's length bodies; and the potential impact on staff terms and conditions. We consider that all those issues will be fully addressed in the detailed appraisal of the options for each body.

- 4.5 The issues raised by staff, and those raised by the trades unions, will be addressed in the next phase of the transformation programme, which will entail detailed design for each service, and substantiation of the detailed costs and benefits. Any restructuring will be subject to formal consultation with affected staff and trades unions, in line with the Council's well-established agreed policies and procedures.

5. Financial Implications

Implications completed by: Kathy Freeman, Finance Director

- 5.1 This report presents the feedback from the public consultation and staff engagement. It also sets out the next steps for the Ambition 2020 programme, seeking approval for officers to implement the service design principles.
- 5.2 The Council's Medium Term Financial Strategy elsewhere on the agenda, reports the progress in reviewing and challenging the original forecast saving presented by the outline business cases (OBCs). The original OBCs indicated that Ambition 2020 could deliver net savings of £49.5m by 2020/21, against the budget gap of £63m.
- 5.3 Following review and scrutiny of the work streams, the Programme is now able to deliver savings of £45.5m by 2020/21, against a revised budget gap of £66m, following revisions to the assumptions to the MTFS.
- 5.4 As the officers work through implementing the service design proposals, detailed analysis will be undertaken to further refine the savings deliverable against the Programme.

6. Legal Implications

Implications completed by: Fiona Taylor, Director of Law & Governance

- 6.1 Cabinet decided in April to commence an eight week period of public consultation beginning on 20 April and ending on 16 June. Consultees were provided with the detailed proposals and options put forward under the Council's Ambition 2020 proposals.
- 6.2 This report sets out the public responses to the consultation proposals. Appendix 1 provides Cabinet with the detail of those responses. It is important that Cabinet consider the responses in Appendix 1 ahead of making their decision on the recommendations as set out. Appendix 2 sets out workforce feedback after a series of staff engagement sessions through staff road shows and briefings. This is informal staff engagement and any staff affected by future proposals will be consulted in accordance with agreed staffing procedures. Members are asked to consider these responses and decide whether detailed design proposals for the services (as set out in Appendix 1) should now commence. Once complete, individual service design proposals will return to the Cabinet (if appropriate) for key decisions in accordance with the Council's Constitution.

7. Other Implications

7.1 **Risk Management** - The transformation programme will entail significant change to every area of Council business. Robust governance and programme management are in place to manage those risks.

7.2 **Contractual Issues** - None at this stage.

7.3 **Staffing Issues** - Of the current workforce – approximately 3500 full-time equivalent posts – about 1000 posts would transfer into the proposed wholly owned models, owned by the Council and contribute to new income generation. Some reduction in the overall size of the workforce will be necessary, and as a result of the proposed reforms, the size of the workforce will reduce by about 550 FTE posts.

7.4 **Corporate Policy and Customer Impact** - The proposed changes will have a major impact on many of the traditional approaches of the Council and the services people are accustomed to receiving. The combined impacts of austerity, population changes and government policy mean that we can no longer afford to meet the needs of our residents in this traditional way on the type of services we currently provide. Instead we need to re-focus what we do so that we identify the root cause of need, so that people have a better chance of living more independently.

A high-level Equality Impact Assessment was part of the papers considered by Cabinet in April 2016. As each of the service design proposals is developed, a specific impact assessment will be prepared.

7.5 **Safeguarding Children** - We intend to move from separate departments to coordinated and integrated services for residents who need help. Current services often work in functional silos, tackling single issues and failing to address the underlying reasons why the person may be looking for help. The combination of rising demands and financial pressures means that we have to re-think our approach. We propose to bring together the cluster of services for those individuals or families who either need our continuing support or require an intervention to safeguard those who are at risk.

There will be a re-designed adult social care service; a re-designed children's social care service; and a new disability service. Our aim is to enable and support more adults to live in their own homes for longer, and more children and young people to live at home with their families.

7.6 **Health Issues** - Similar considerations apply to the impact of the proposals on health. On many measures of health and well-being, our residents have significantly worse health outcomes than national averages – including lower life expectancy, and higher rates of obesity, diabetes, and smoking prevalence. By re-designing the way in which services are provided by the council and our partners, focusing more on the root causes of poor outcomes, we aim to improve those outcomes.

7.7 **Crime and Disorder Issues** - Many of the proposals – particularly new approaches to working with partners, and the proposed 'Community Solutions', 'My Place', and enforcement services – should improve the prevention of, and response to, crime and disorder.

7.8 **Property / Asset Issues** - The proposals include a more effective approach to managing the Council's existing assets – 'My Place' – and, separately, the development of a capital investment programme.

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

List of appendices:

Appendix 1 – Response to public consultation

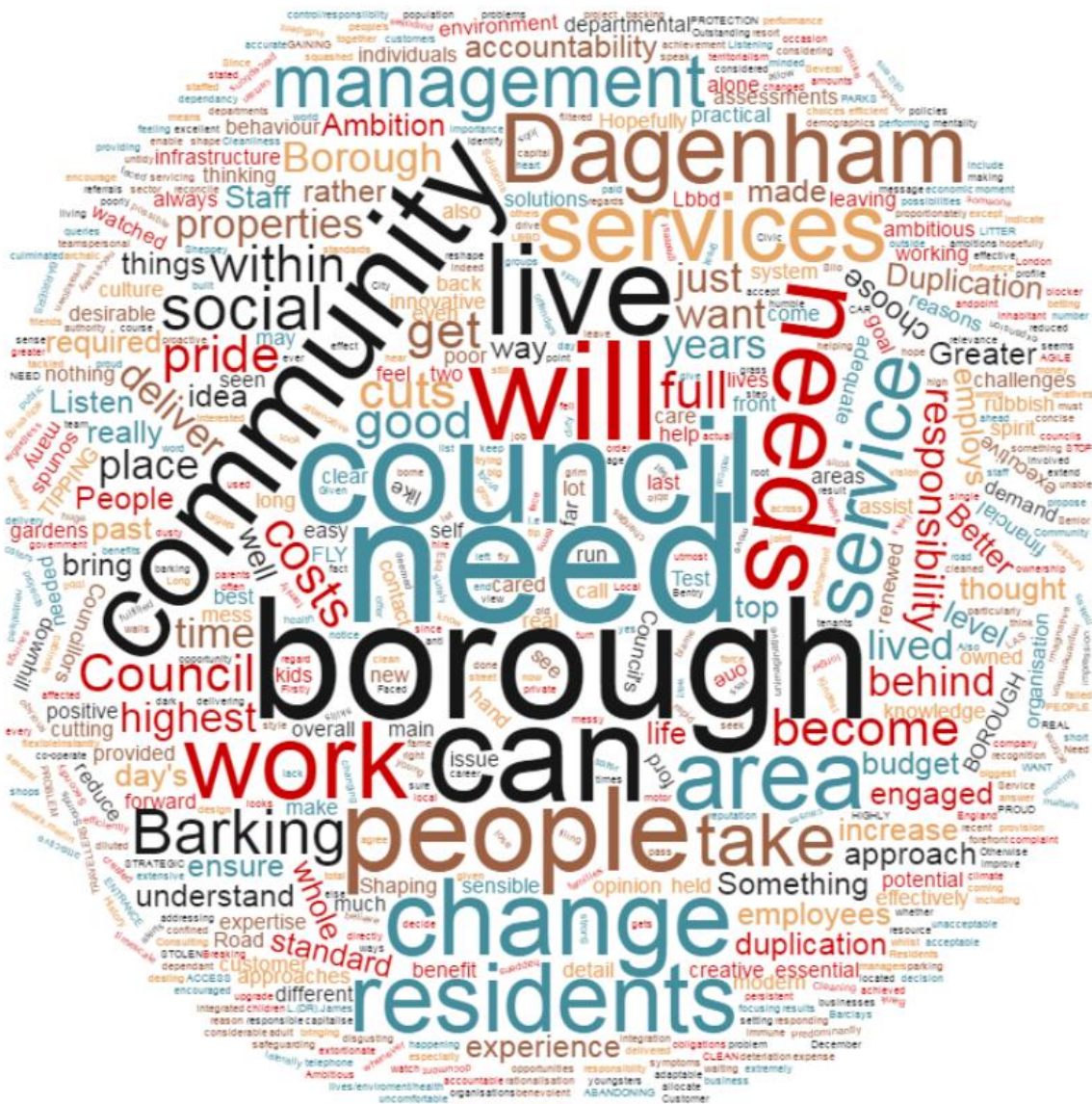
Appendix 2 - Staff engagement and feedback

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‘We all have a part to play’

Consultation Findings

Summer 2016



Final report – 23rd June 2016

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1. Project overview

1a. Background

The borough and the Council are undergoing fundamental change.

The borough is not where it could and should be in areas such as employment, skills, educational attainment, or health. Our performance is well below London averages – and residents tell us they have higher expectations. At the same time, the borough has huge potential – there is a great prize if we can realise our ambition to be London's growth opportunity.

The Council has already sustained the deepest cuts in government support in the last few years, and further government cuts mean that the Council will face a shortfall of £63 million, a third of our remaining budget by 2020.

We face a simple choice: do nothing and continue to cut services, or find new ways of delivering them.

The Council has set out the next steps in achieving the growth vision, and the response to the report of the independent Growth Commission, which was published in February 2016. We welcome the principles and key actions recommended by the Commission. We have also set out proposals for re-shaping the Council and how we provide services.

The proposals are: 'transforming our borough and transforming our Council' and are subject to consultation as we want the views of residents, partners, those who do business in the borough and those who will be affected by the proposals before deciding on whether to go ahead.

The key findings are set out in this report and will influence our final decisions in late summer.

1b. The consultation and response

The consultation was carried out over an 8 week period from the 20th of April to the 16th of June 2016.

Consultation engagement methods

Key stakeholders letters

- Letters to MPs from the Leader of the Council
- Letters to partnerships/key stakeholders – Growth Commission stakeholders, Health and Wellbeing Board, Children's Trust, Community Safety Partnership, Safeguarding Children's Board, Safeguarding Adults Board, Local plan stakeholders, Enterprise and Cultural partnerships members.

Promotion through partners and existing networks:

- Council for Voluntary Service (CVS) informed and then reminded contacts about the consultation and drop in sessions
- Volunteers and Health Champions were informed through existing networks
- BAD (Barking and Dagenham) Youth Forum meeting

Key partners meeting

- 6th June – Key partners meeting (Presentation, video and discussion)

Drop in sessions

- 13th May - Drop in sessions: Barking Learning Centre, 9-12noon and Dagenham Library 2-5pm (Video and discussion)
- 9th June – Drop in session, Barking Learning Centre 6-8pm (Presentation, video and discussion)

Media

- Full page feature in the **MJ** based on an interview Chris Naylor had with the Editor
- Full page feature with the **Post** based on briefing with the Leader – at the start of the consultation
- Reminder in the **Post** 2 weeks before the closing date
- Article in the **Enquirer** announcing the consultation
- **Time FM** news piece based on release
- **Time FM** – Leader's weekly phone in – he promoted the consultation

One Borough newsletter

- April 29 issue of the newsletter was dedicated to Ambition 2020
- 27 May issue – two weeks to go reminder

Social media

Facebook Leader's Page

- 6 June: 10 more days to go
- 18 May – transforming our borough
- 4 May – transforming our borough

Council Homepage

- Reminder - 15 June
- Six more days – 9 June
- 10 more days – 6 June
- Have your say – 6 June
- Public consultation – May 13
- Public meeting – 12 May
- Transforming our borough – 4 May
- Your chance to have your say – 29 April
- Online Consultation opened - 20th April

Twitter

Council

- Tell us your views at the BLC – 9 June
- Have your say – 2 June
- Have your say drop-in – 13 May (re-tweeted by Divisional Director)
- Chief Executive discusses ambitious transformation plan with Andy Burnham MP – 12 May
- Tweet of MJ article – 11 May
- Have your say – 29 April

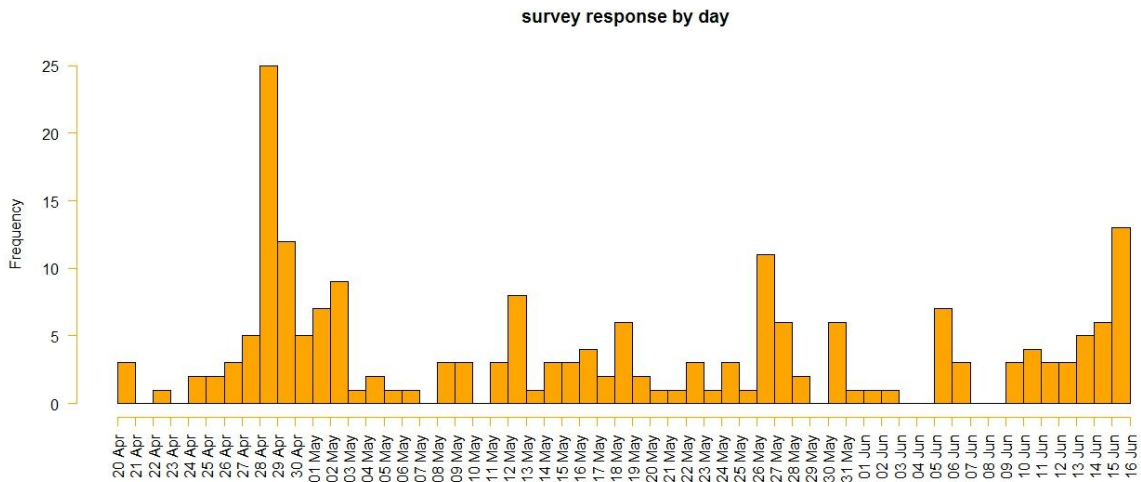
Leader's Twitter

- Proposals to transform the borough – 13 May
- Have your say – 13 May
- Chief Executive discusses ambitious transformation plan with Andy Burnham MP – 12 May
- We all have a part to play – 4 May

Events

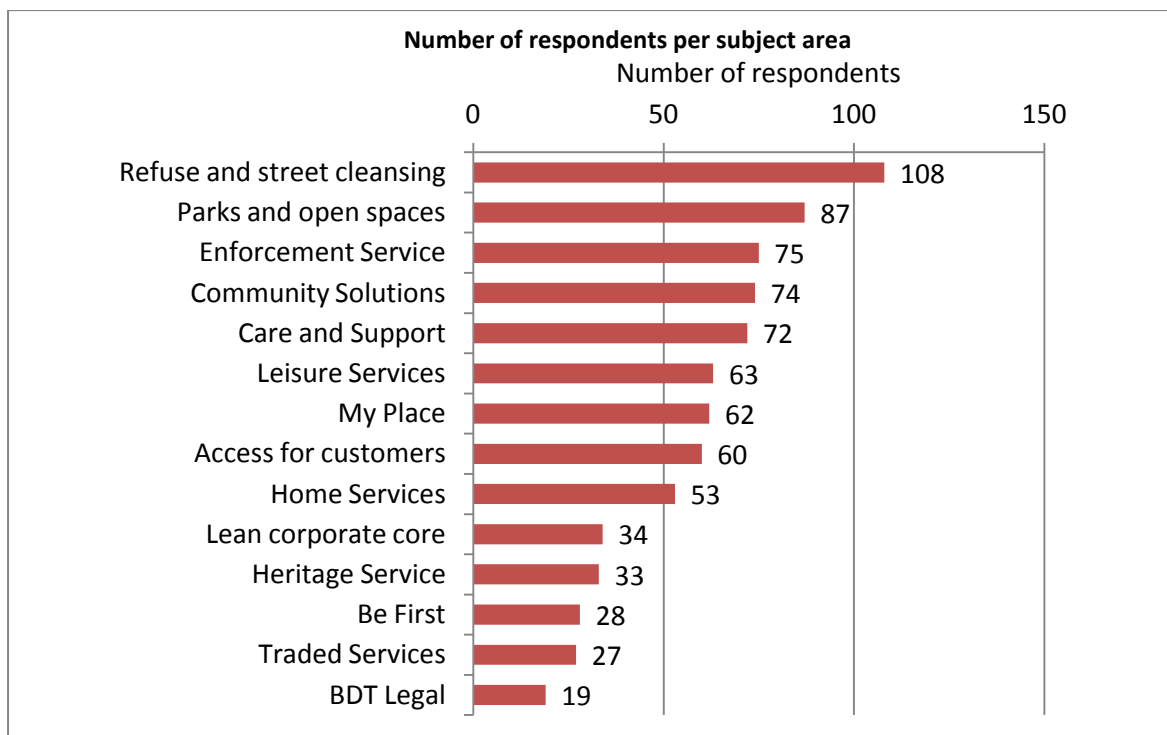
- Folk Festival 11th-12th June - Engaged with residents and provided booklets

The survey response per day



In total 198 valid responses were received. 5 hard copy feedback forms, 1 by twitter, 2 by email, 6 by full response on email and 1 at an event (see 4c). All others responses were through the online consultation portal.

Respondents were invited to select which service delivery blocks they would like to make comments on. They could choose as many areas as they wished. For this reason certain subjects proved to be substantially more popular than others with 'Refuse and Street cleansing' being the most commented on and 'BDT Legal', the least.



In addition to the online and hard copy booklet 'we all have a part to play' consultation, a series of 'drop in' sessions were held in both Barking and Dagenham where the community could meet Council officers to express their views face to face. These were then captured in the overall feedback and are included in the final consultation results.

The Chief Executive and Ambition 2020 Team have been engaging with staff on the proposed changes under A2020. A separate online survey has been established to capture staff views.

1c. Interpretation of the data

For each section where comments were invited, the total number of respondents contributing and the total number of comments they made is shown.

As respondents were able to provide more than one comment, the totals will add up to more than 100%. Charts therefore show the percentage of respondents making each specific comment.

It is important to note that this consultation is not designed to be a statistically representative survey as respondents were self selecting, rather than being part of a random sample. In addition, some responses in the online survey were received by organisations, rather than individuals and so represent collective views. Numbers and proportions shown are provided to give an indication of the frequency of each generalised comment rather than necessarily being statistically representative of the whole population.

2. Executive Summary

2a. Summary of main findings

The Council proposes significant changes to the way it runs services and achieves its growth vision for the borough. The community and key stakeholders were asked to consider the proposals and feedback any comments over a period of 8 weeks (20th April -16th June).

A total of 198 responses were received. Further responses from key stakeholders were submitted by email, the key points of which are noted in Appendix 1.

The results have been analysed in detail with each comment being counted and reviewed.

Overall comments on A2020

Over half of respondents agreed with proposals 53.89%, with 34.20% partially agreeing. A small percent of respondents do not agree 7.77% or indicated they don't know 4.15%.

Out of 198 respondents 193 provided overall comments. Respondents highlighted a number of key themes which have been categorised into the following areas:

- 37% Other comments
- 27% Providing support/positive comments on the proposals
- 17% Concern over future service delivery
- 16% Encouraging civic pride and enabling social responsibility
- 16% Agree the need for change
- 11% Require further information
- 10% Staffing arrangements
- 9% Concern of track record and current service delivery
- 9 % Greater inclusion of residents

Respondents generally recognise the boroughs potential and the need for change, notably in how the borough and Council are perceived. There is support for developing a sense of pride in the borough and with people taking responsibility. Addressing cleanliness and key social issues are highlighted as a key part of this.

The Council's previous record of delivery together with the current quality of customer service are raised as areas of key concern. Respondents are keen that there is more opportunity for the community to be more involved in decision making. A range of issues are raised in relation to future service delivery in particular around stretching service too far, ensuring the elderly, disabled and vulnerable are not disadvantaged, requiring further detail on the individual proposals and the Council's ability to turn the plans into reality.

Comments on service delivery blocks

Community Solutions

56% Agree, 34.67% Partially, 5.33% No, 4.00% Don't know

On the whole, respondents feel that the approach makes sense. A holistic and early intervention approach which enables residents to be self-sufficient and build resilience is received positively. This approach must still ensure the Council continues to provide its duty of care and delivery of statutory services, especially to the most vulnerable. Working with voluntary and community partners, staff skills, expertise and joined up IT is crucial to the success of this proposal.

Care and Support

58.57% Agree, 31.43% Partially, 7.14% No, 2.86% Don't know

Overall, respondents agree with the need for the service and make positive comments. There is concern that the elderly and vulnerable should not be put at risk due to the changes. Concerns are raised over incidents of current poor service and high work loads of social workers. Skills of social workers and partnership working with care and educational providers are mentioned as important.

Access for customers

49.15% Agree, 37.29% Partially, 10.17% No, 3.39% Don't know

Overall, respondents praise the vision and acknowledge the need for change. Current customer service levels are highlighted as consistently poor, in particular around long waiting times to speak to someone on the phone, being on hold for long and generally poor customer service. Many cite examples of poor customer experience and feel moving to a digital approach may make things worse. Many respondents also question the 'Digital by Design' premise and suggest that this will affect the elderly and vulnerable who do not have access to the internet.

Enforcement service

62.16% Agree, 24.32% Partially, 8.11% No, 5.41% Don't know

There is significant support and many positive comments by respondents around improving civic pride. Anti-social behaviour (ASB), parking and in particular fly-tipping is seen as a big problem in the borough. The Council is not seen to be

dealing with these issues adequately. Respondents are keen that the Council 'get tough', so long as a fair approach is taken rather than as a means to generate income. Some respondents do not agree with a target and profit driven approach. Respondents agree that one department will make it easier for residents to report issues (anonymously if possible), but feedback is important. Some feel rules should be set out on what is acceptable behaviour and education of the public is needed.

My place

42.62% Agree, 32.79% Partially, 9.84% No, 14.75% Don't know

Overall, respondents want more information and clarity on this proposal. A small number of comments were made on this proposal that were very wide-ranging. These included fairness of competing with local businesses, conflicts of interests, poor current service levels and inclusion of residents in the new service through a committee.

Refuse and street cleaning

49.04% Agree, 41.35% Partially, 6.73% No, 2.88% Don't know

Overall respondents were concerned about the track record and current levels of service in this area, in particular the cleanliness and untidiness of the borough. The need to encourage civic pride is prominent. A high number of respondents are frustrated with other residents' lack of regard for the borough. The Council is encouraged to do more to get residents to behave more responsibly when it comes to the environment.

Parks and Open spaces

70.24% Agree, 21.43% Partially, 7.14% No, 1.19% Don't know

Respondents highlight that parks and open spaces are an invaluable resource and make suggestions as to how parks could be used more effectively. Levels and skills of staff are raised as a concern. Respondents are mixed in their views on commercialisation.

Heritage service

77.42% Agree, 16.13% Partially, 0.00% No, 6.45% Don't know

Respondents were keen that the history and heritage of the borough are promoted to increase participation, promote the boroughs identity and its reputation. There is strong support to encourage civic pride, whilst preserving heritage. Some respondents were concerned over the fees to access the service.

Be first

57.69% Agree, 23.08% Partially, 3.85% No, 15.38% Don't know

Respondents overall support the need for change, support the proposals or provide positive comments. A number of specific queries and suggestions are raised around future service delivery including the need for regeneration to meet local needs better. A number of respondents want to understand better the funding arrangements, viability, and how profit can be brought back in to the Council by this arrangement.

Home services

44% Agree, 34% Partially, 14% No, 8% Don't know

Respondents made a range of positive statements on this proposal and agree the need for change overall. Overall respondents feel the service should stay in house. A wide range of specific issues were raised by individuals. A few were keen that current service was not affected by the intention to be more commercial. There is support for the Council having a 'bank' of skilled workers that are available for the community to use. One respondent raised that there should be decent wages and quality checks on those carrying out the work.

BDT legal

41.18% Agree, 35.29% Partially, 17.65% No, 5.88% Don't know

There are a small number of responses to this service delivery block. A number of positive comments are received overall but mixed views on how the service proposals are achieved. Comments include the legal expertise being increased and better use of IT systems to do some of the work, or if having too much expertise would make it not viable. One respondent feels using a specialist law firm instead an in-house Council legal team should be considered. Respondents feel that it would be a good idea if the public were able to buy services from BDT Legal.

Traded services

44% Agree, 44% Partially, 4% No, 8% Don't know

Overall, respondents feel that the proposals set out under Traded Services are logical and a positive way forward. Two respondents agree with a social enterprise model and one comments on whether this should be run by the private sector instead. Some respondents question whether staff have the right commercial knowledge and expertise to operate effectively in this service and if the Council can deliver this based on past experiences.

Leisure Services

33.33% Agree, 30% Partially, 23.33% No, 13.33% Don't know

There is a majority view that the service is excellent and should continue to be run by the Council. There are some mixed views on the appropriate way forward. Many respondents are concerned with a negative impact on delivery, standards, costs and staff expertise if a profit driven organisation takes over. A wide range of specific comments were made on a range of areas including some respondents who feel the local community should be stakeholders in the contract review. Working in partnership around health is noted as key by a number of respondents.

Lean corporate core

39.39% Agree, 24.24% Partially, 15.15% No, 21.21% Don't know

Respondents are keen to ensure staffing arrangements are suitable in the core, whether this is around staff numbers, quality, expertise, effectiveness, or use of consultants. The number of Councillors is raised as something that can be reviewed. Safety of personal data is noted as an issue.

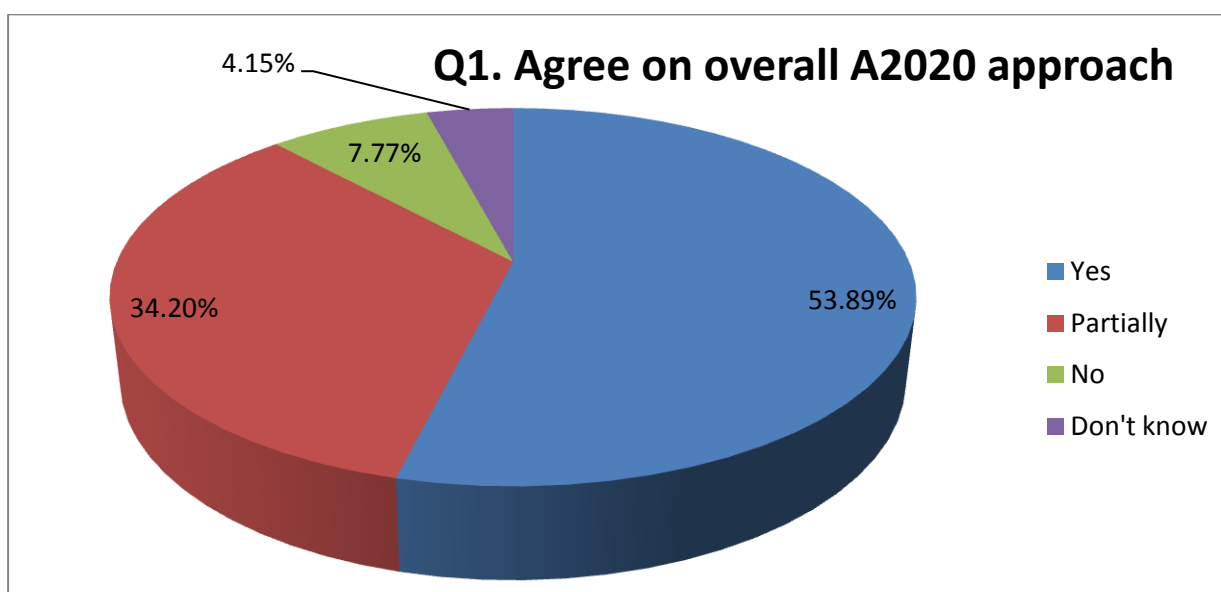
3. Consultation findings

3a. Overall approach of Ambition 2020

Question 1a and 1b: Do you agree with the overall approach set out in Ambition 2020? Please include any overall comments you have on Ambition 2020.

There were 193 responses to this question

	% Total	% Answer	Count
Yes	52.53%	53.89%	104
Partially	33.33%	34.20%	66
No	7.58%	7.77%	15
Don't know	4.04%	4.15%	8
[No Response]	2.53%	-	5
Total	100.00%	100.00%	198



Key themes from comments:

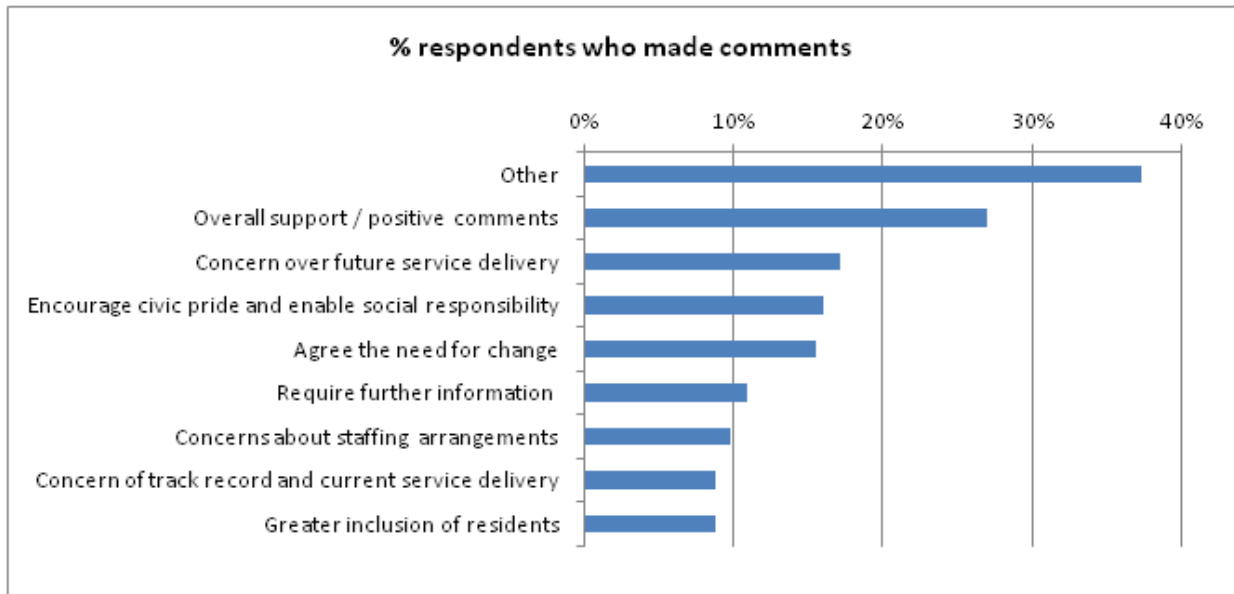
Comments made: 193 respondents made 292 comments

Overall comments on A2020	Total number of comments	% comments	% respondents who made comments
Agree the need for change	30	10%	16%
Concerns about staffing arrangements	19	7%	10%
Concern over future service delivery	33	11%	17%

Concern of track record and current service delivery	17	6%	9%
Require further information	21	7%	11%
Greater inclusion of residents	17	6%	9%
Encourage civic pride and enable social responsibility	31	11%	16%
Overall support / positive comments	52	18%	27%
Other	72	25%	37%
Total comments received	292	100%	151%

Total respondents for this question

193



Question 1a&b. Overall comments on Ambition 2020

Other

A wide range of individual comments covering a variety of issues were noted. Examples include respondents feeling that there should be full fibre optic broadband across the borough to attract businesses, recycling needing to improve, customer access should remain face to face rather than move online and the need to get the right infrastructure in place. Others feel that the Council should ensure that it imaginatively implements its ideas, and some feel that the proposals to improve the borough will push up house prices making it unaffordable for local residents to stay in the borough. A number of respondents were concerned that the Council is cutting services paid for by them as the tax payer and the Council will be offering less services in the future but with residents still paying the same amount. One resident feels that the Council has not set out any clear targets, deadlines, or deliverables and that the consultation document is too strategic and difficult to understand.

Overall support/positive comments

Many respondents praise the ambition, scope and innovation of Ambition 2020, stating that it will provide the necessary changes to enable growth and development. Although positive, many respondents stress the need to retain talent, attract investment and ensure that the borough's most vulnerable are still able to access services. Respondents believe that LBBB has the potential to change dramatically for the better.

Concern over future service delivery

Many respondents feel that the reduction in overall spending will mean that vital services will not be delivered to those who need them most. There is concern that elderly and disabled residents are likely to be disproportionately affected by cuts and by making more services available online. Respondents also state that reductions in funding and commercialisation will hinder an already stretched Council, and the ability to turn the Council's plans in to reality.

Encourage civic pride and enable social responsibility

LBBB is seen as an area with great potential which has the foundations to achieve its ambition. Respondents feel that a sense of community needs to be developed as well as a sense of pride in the area so people look after it and each other. Many want people to take responsibility for their actions to ensure the area can improve. Respondents from the voluntary sector emphasised the need for the Council to work closely with them as partners to achieve their goals. The lack of cleanliness as well as social issues affecting the borough are seen as critical issues that have to be addressed if the borough is going to progress. Social issues such as ASB and littering were given as examples that undermined civic pride.

Agree with need for change

Respondents generally recognise the borough's potential and state that there is a real need for change within the borough if this potential is to be realised. There is an acknowledged need to change the perceptions of the borough and to change perceptions of what the Council is willing and able to provide. Respondents feel that the Council needs to modernise and embrace new ways of working.

Require further information

Ambition 2020 is acknowledged to be important but many feel the written consultation documents and presentations require more detail to allow for proper consideration of the issues. Some respondent's ask how things will be achieved, how service delivery will be affected and the impact it will have on residents. Other respondents feel that they do not know enough to comment.

Concerns about staffing arrangements

Respondents express concerns over the quality of customer service currently provided. Performance management of staff to improve quality is also raised. A few respondents criticise the amount of money managers are paid as being too high and consultancy costs are seen as being an issue.

Concern of track record and current service delivery

It is generally recognised that LBBD has bold and ambitious plans but some respondents feel that the Council has a record of not delivering. Examples of current poor performance and bad experiences are provided by some respondents. Some believe that nothing will change and that the Council does not care about them or their views.

Greater inclusion of residents

Respondents believe that the community should be more vocal and more influential in decision making. Some people feel that the Council makes decisions regardless of what people want. The feedback suggests that local people need to be more involved in the decision making process.

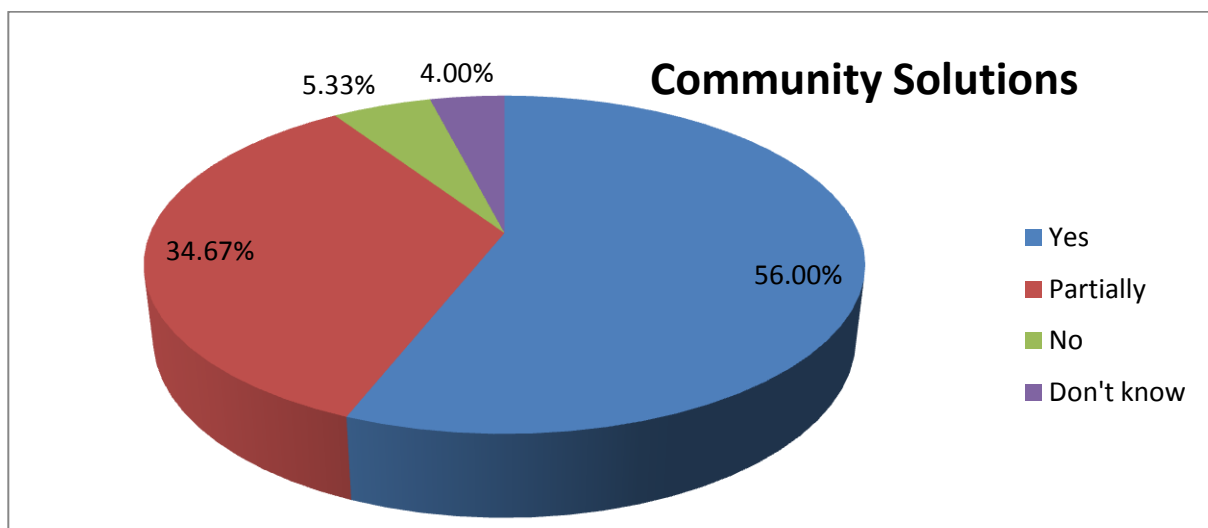
3b. Service delivery blocks

1. Community Solutions

Do you agree with the Community Solutions proposals overall?

There were 75 responses to this question

	% Total	% Answer	Count
Yes	21.21%	56.00%	42
Partially	13.13%	34.67%	26
No	2.02%	5.33%	4
Don't know	1.52%	4.00%	3
[No Response]	62.12%	-	123
Total	100.00%	100.00%	198

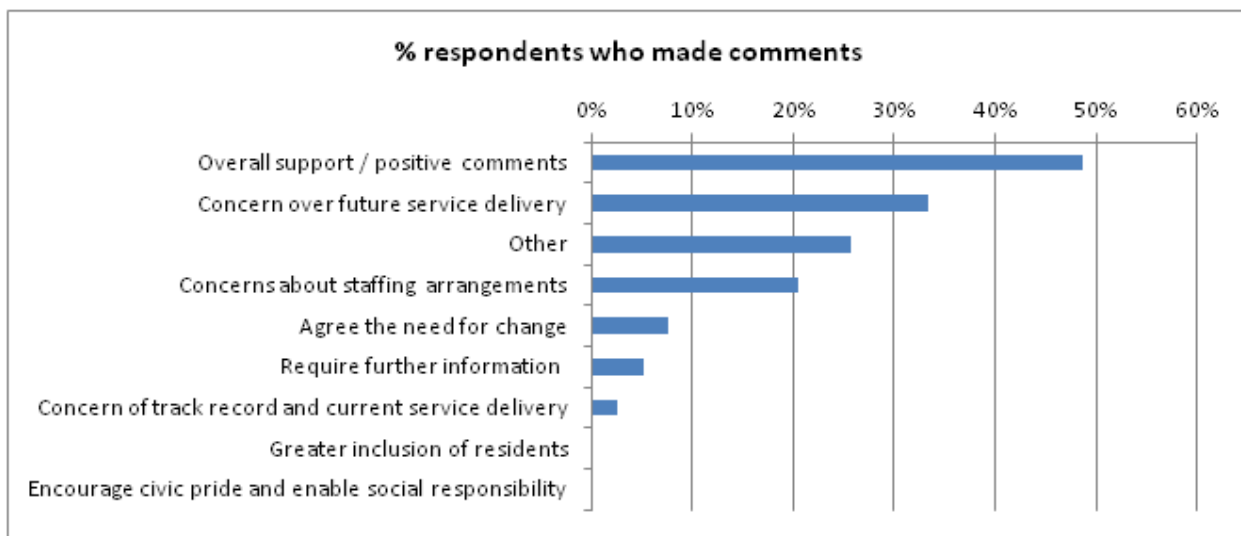


Comments made: 39 respondents made 56 comments

Community Solutions	Total number of comments	% comments	% respondents who made comments
Agree the need for change	3	5%	8%
Concerns about staffing arrangements	8	14%	21%
Concern over future service delivery	13	23%	33%
Concern of track record and current service delivery	1	2%	3%
Require further information	2	4%	5%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	19	34%	49%
Other	10	18%	26%
Total	56	100%	144%

Total respondents for this question

39



Overall support/positive comments

On the whole, respondents feel that the approach set out under Community Solutions makes sense and will help reduce the amount of resources spent on complex needs by tackling root causes early. A service which enables residents to be self-sufficient and build resilience is received positively, as long as the Council continues to provide its duty of care and delivery of statutory services, especially to the most vulnerable.

Concern over future service delivery

Some respondents feel that a single service will result in a lack of expertise from Council Staff and a 'lowest common denominator' approach will be applied to complex problems as a result. There is also concern about the outcome of the service where there isn't a 'one to one' approach in dealing with individual issues. One respondent raises concern over spending resident's money wisely and not on services they have to fund themselves.

Other

Respondents feel that there needs to be a more effective working relationship in place with the **voluntary and community sector**. The Council should appreciate the services provided by volunteers and smaller voluntary and community organisations and should map these services

Concerns about staffing arrangements

Ensuring that staff receive adequate training to enhance their skill-set is mentioned by some respondents as an important measure for providing an effective service that deals with so many different issues in one place. In addition, the need for joined up IT systems is considered fundamental to the successful operation of Community Solutions.

Agree with need for change

Respondents are keen that a holistic and early intervention based approach is taken to tackle issues and deal with customers in a way that avoids them being passed from 'pillar to post'. Respondents support the notion of closer working with the voluntary sector to achieve the proposals set out under Community Solutions.

Require further information

Respondents ask for more information about how it will work. One respondent questions the proposal and whether by asking residents to do more for themselves the Council is passing the buck.

Concern of track record and current service delivery

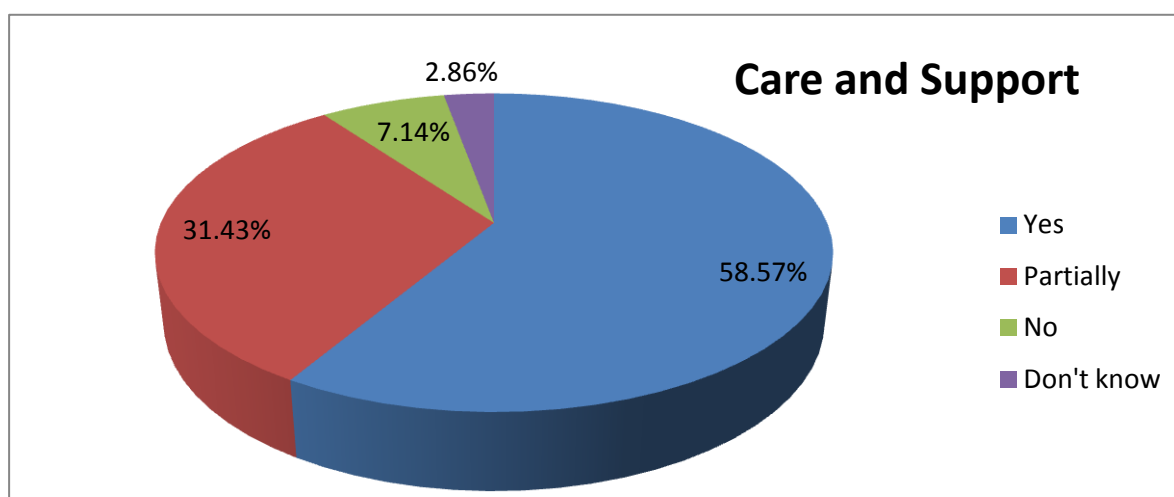
Respondents criticise the Council for currently having processes that are not joined up, and for lacking a central system that updates all records about a resident across multiple services when changes occur.

2. Care and Support

Do you agree with the Care and Support proposals overall?

There were 70 responses to this question

	% Total	% Answer	Count
Yes	20.71%	58.57%	41
Partially	11.11%	31.43%	22
No	2.53%	7.14%	5
Don't know	1.01%	2.86%	2
[No Response]	64.65%	-	128
Total	100.00%	100.00%	198

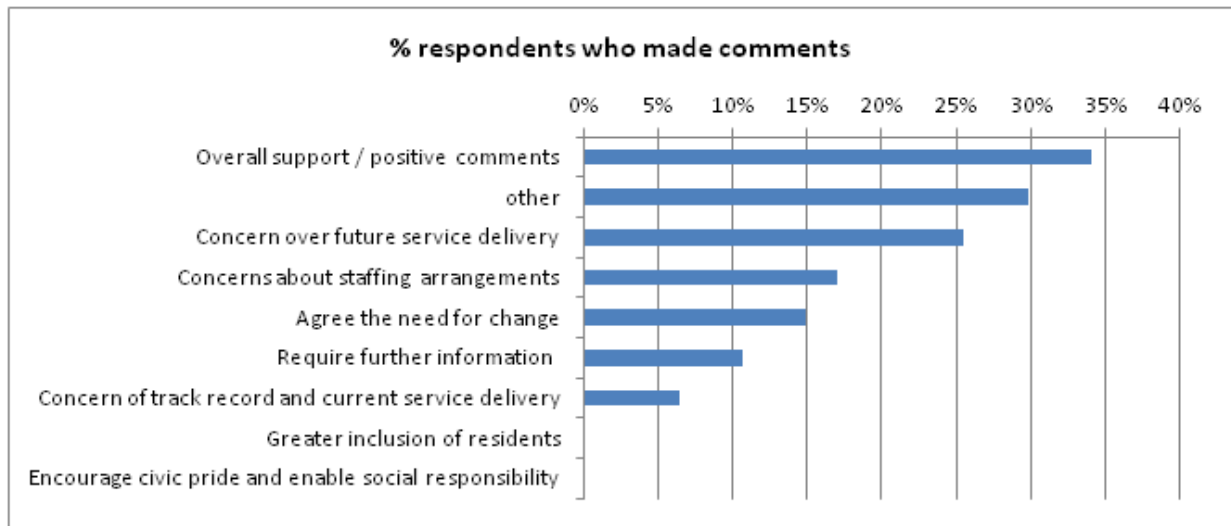


Comments made: 47 respondents made 65 comments

Care and Support	Total number of comments	% comments	% respondents who made comments
Agree the need for change	7	11%	15%
Staffing arrangements	8	12%	17%
Concern over future service delivery	12	18%	26%
Concern of track record and current service delivery	3	5%	6%
Require further information	5	8%	11%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	16	25%	34%
other	14	30%	30%
Total comments received	65	78%	138%

Total respondents for this question

47



Overall support/positive comments

Some respondents praise the initiative, drive for efficiency and aims to improve accessibility. The Council is consistently praised for the scale and scope of ambition, but respondents report their reservations over whether the plans are achievable. Respondents are positive about proposals, providing they are feasible and that they provide the necessary safety net for the vulnerable.

Other

Respondents feel that the Council needs to protect the most vulnerable because they risk being left behind by reforms and cuts in services. Some voice concerns about an already stretched service and whether people who lack their own support networks or access to IT would be adequately supported when more services are made available online. Consistency of social workers is seen as important especially for dementia patients. Ensuring that the service is user focussed and designed from the user's perspective was also highlighted.

Concern over future service delivery

A number of respondents questioned whether the proposal would allow the Council to continue to deliver these important services. There was concern that the most vulnerable would be most affected.

Concerns around staffing arrangements

A common concern was the workload of social workers as well as the high turnover of staff. Respondents felt that social workers were already stretched and questioned whether the proposal would impact further on workload. One respondent questioned the quality of social workers drawing on their own personal experience.

Agree with need for change

Respondents accept that the borough is in need of significant overhaul and culture shift. Services need to be extended and reformed to be more efficient and more tailored to the individuals they help. A change in structure and approach is viewed as necessary with some respondents drawing on their own negative experiences of accessing care services. Underlying problems in families that affect children are cited as being a future area of focus.

Require further information

Respondents in this category had some questions about how the proposal will work in reality. One respondent questioned whether by smaller services the Council meant less social workers.

Concern of track record and service delivery

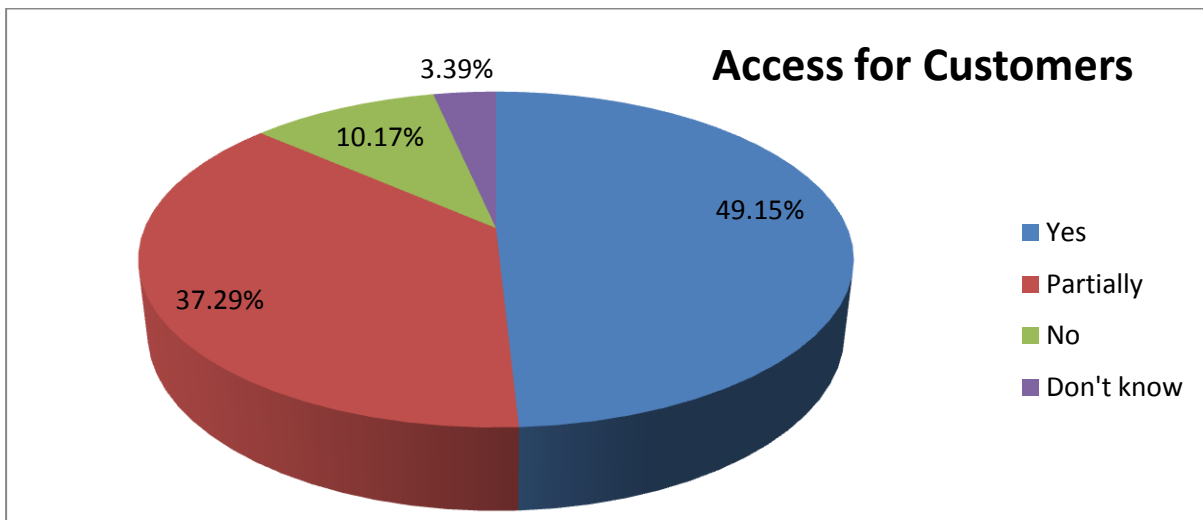
One respondent cited a previous poor service received from a social worker.

3. Access for customers

Do you agree with the Access for Customers proposals overall?

There were 59 responses to this question

	% Total	% Answer	Count
Yes	14.65%	49.15%	29
Partially	11.11%	37.29%	22
No	3.03%	10.17%	6
Don't know	1.01%	3.39%	2
[No Response]	70.20%	-	139
Total	100.00%	100.00%	198

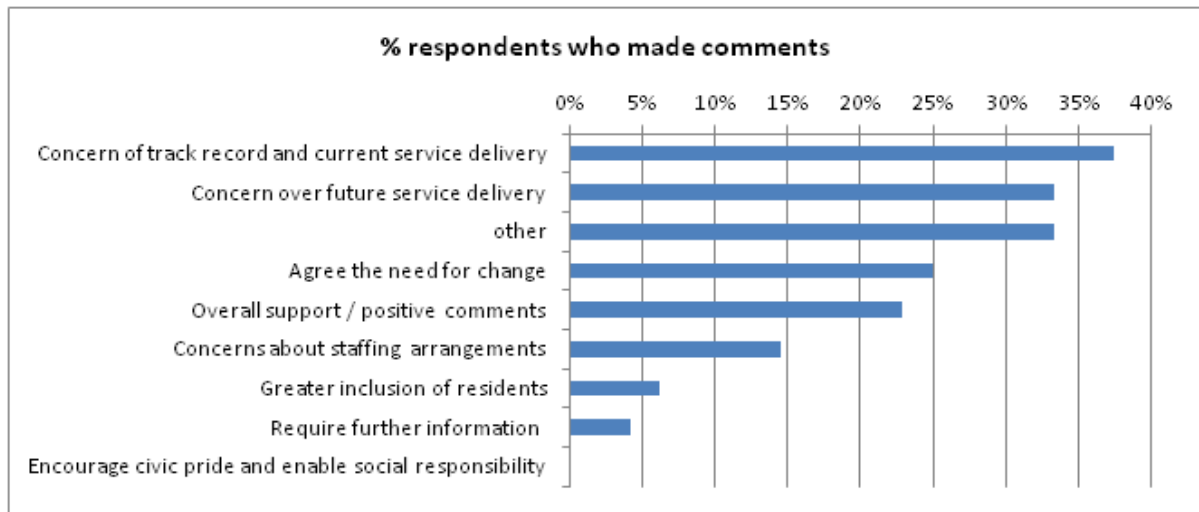


Comments made: 48 respondents made 85 comments

Access for Customers	Total number of comments	% comments	% respondents who made comments
Agree the need for change	12	14%	25%
Staffing arrangements	7	8%	15%
Concern over future service delivery	16	19%	33%
Concern of track record and current service delivery	18	21%	38%
Require further information	2	2%	4%
Greater inclusion of residents	3	4%	6%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	11	13%	23%
other	16	19%	33%
Total comments received	85	81%	177%

Total respondents for this question

48



Concern of track record and current service delivery

A large proportion of respondents were critical of the Council’s current service delivery. Accessing Council services is too difficult with many criticising how difficult it currently is to speak to someone over the phone. Long waiting times (30-40min) with no way to check status is cited by many as a reason for a very frustrating customer experience. One respondent notes that emails are not responded to and responses to letters is lengthy and having to use the complaints system to get answers/responses. Respondents suggest staff, training (including speaking clearly/accents) and technology (including voice recognition) make the experience worse.

Concern over Future service delivery

Respondents note on many occasions that you cannot make all residents use ‘digital by design’. There are many in the borough without access to computers/online, and who are not, or do not wish to be computer literate. This proposal may make it more difficult for them to access face to face and telephone services. One respondent notes that some residents are concerned about ‘doing something wrong’ online, particularly in relation to online security and fraud. A couple of respondents raise the issue of how face to face access to services can be delivered. That they should be available across the borough, particularly for the elderly and those with mental health issues. One respondent wants to understand if the Council has the right contractual relationships with areas run by Elevate to be able to provide future delivery.

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Other:

Respondents criticise some of the Council's services as slow and difficult to use. Some people feel that 'Digital by Design' risks adversely impacting elderly and vulnerable people who will have considerably reduced access. Some respondents feel that some residents may require greater digital skills to be able to interact online with the Council. Some respondents questioned the percentage of people the Council say have access to the internet. One respondent mentioned privacy notices and that the Council should use the data collected for specified purposes.

Agree with the need for change

Respondents draw on their own experiences of receiving poor customer service and acknowledge that change is needed as the current position is not acceptable. The service and customer access needs to improve.

Overall support/Positive feedback

Respondent's praise the overall vision and ambition of the proposal but are sceptical about whether it will improve standards. Respondents who do support the proposals do so subject to caveats such as having accessible services for those who do not have access to the internet e.g, the elderly.

Concerns around staffing arrangements

Many respondents felt that the contact centre was inadequately staffed as they had experiences long waiting times and that the Council needs to recruit more staff to answer calls.

Greater inclusion of residents

Respondents would like to be better informed by the Council. The Council needs to do a better job of keeping residents up to date and providing feedback. One respondent felt that residents cannot change anything nor have their voice heard.

Require further information

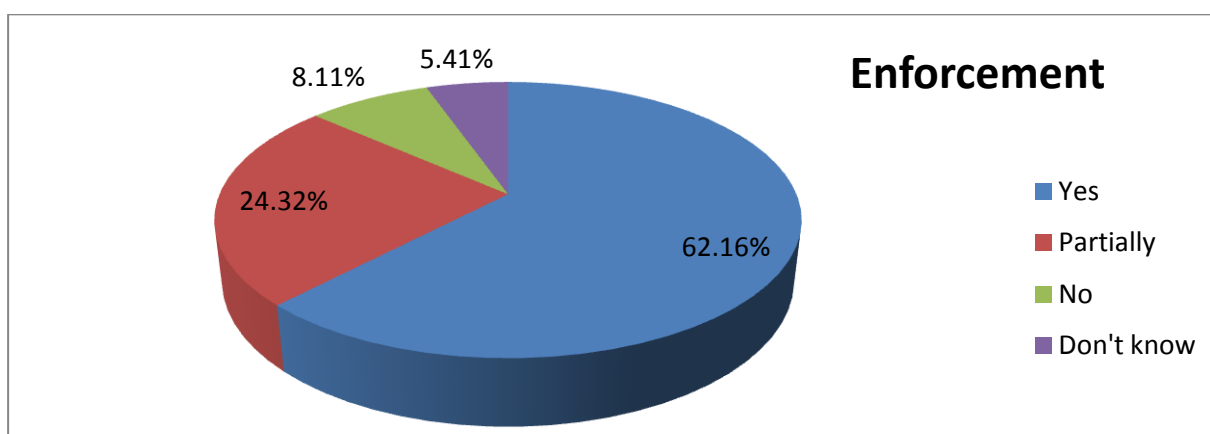
Requirements for further information include the Council's plans for ensuring how those residents without digital access (including the elderly and disabled) will not be left behind and marginalised by online service proposals. Another respondent asks where adult integrated care referrals will be captured in the new service?

4. Enforcement Service

Do you agree with the Environment Service proposals overall?

There were 74 responses to this question

	% Total	% Answer	Count
Yes	23.23%	62.16%	46
Partially	9.09%	24.32%	18
No	3.03%	8.11%	6
Don't know	2.02%	5.41%	4
[No Response]	62.63%	-	124
Total	100.00%	100.00%	198

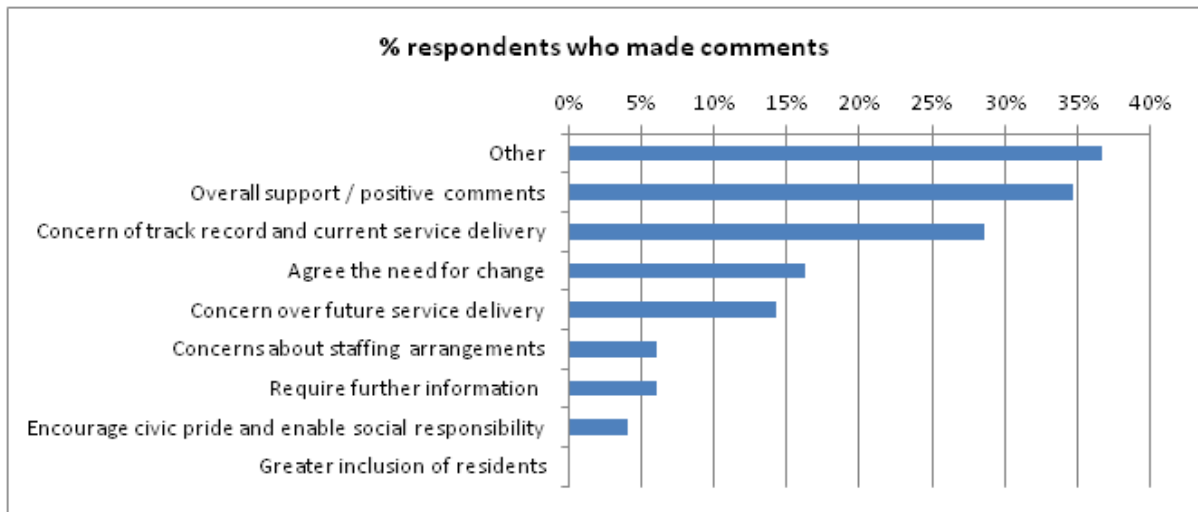


Comments made: 49 respondents made 72 comments

Enforcement	Total number of comments	% comments	% respondents who made comments
Agree the need for change	8	11%	16%
Staffing arrangements	3	4%	6%
Concern over future service delivery	7	10%	14%
Concern of track record and current service delivery	14	19%	29%
Require further information	3	4%	6%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	2	3%	4%
Overall support / positive comments	17	24%	35%
Other	18	25%	37%
Total comments received	72	100%	147%

Total respondents for this question

49



Other

One respondent felt that residents should be able to report anonymously. Another felt that their ASB complaint was passed between departments and should be dealt by one person. One respondent felt that more visible enforcement officers would help reduce the perception of crime.

Overall supportive / positive comments

There is general support for the Council to 'get tough' on enforcement to send a strong message to those who behave irresponsibly. However, there is concern that the enforcement service needs to remain fair in its approach (not revenue raising for the sake of it to hit profit driven targets). Many respondents provide examples of irresponsible behaviour by others and agree the Council should target such behaviour.

Concern of track record and current service delivery

There is a sense amongst respondents that ASB, particularly fly-tipping is a bigger problem than ever in the borough and that the current Enforcement Service is ineffective in dealing with issues. Some respondents mention that they play their part by reporting issues but the Council doesn't do it's bit by responding to the report. Some respondents raise concerns about the current impact of parking restrictions on local businesses.

Agree the need for change

Respondents feel that one enforcement department for all ASB should make it easier to report and deal with issues.

Concern over future service delivery

Many of the respondents who are concerned over the future raise 'over zealous enforcement' and enforcement becoming a 'cash cow' as concerns. Some people feel that it is important for a feedback process to be made part of the reporting process so those reporting incidents can be kept up to date with progress.

Staffing arrangements

Some respondents voice concerns over enough enforcement staff being employed to undertake more robust enforcement activity.

Require further information

Respondents feel that there should be clear rules on what is acceptable and what is not, e.g - noise levels and time, littering, anti-social behaviour, nuisance behaviour. Respondents articulate support for robust and effective enforcement against those who are not considerate but require further information about how it will work.

Encourage civic pride and enable social responsibility

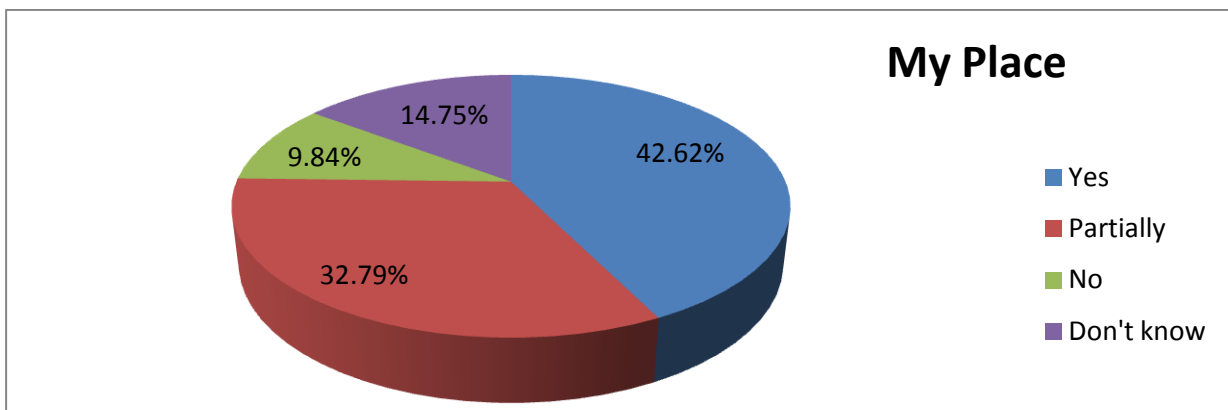
Respondents support robust and effective enforcement against those who are not considerate to fellow residents and the local area. They also state that when the borough is clean they feel a sense of pride in their area and that keeping the area clean, as well as enforcing against those who are non-compliant will be the key to the borough's future success. It is considered important that focus is also given to educating the public and changing their behaviour, not just enforcing against them.

5. My place

Do you agree with the My Place proposals overall?

There were 61 responses to this question

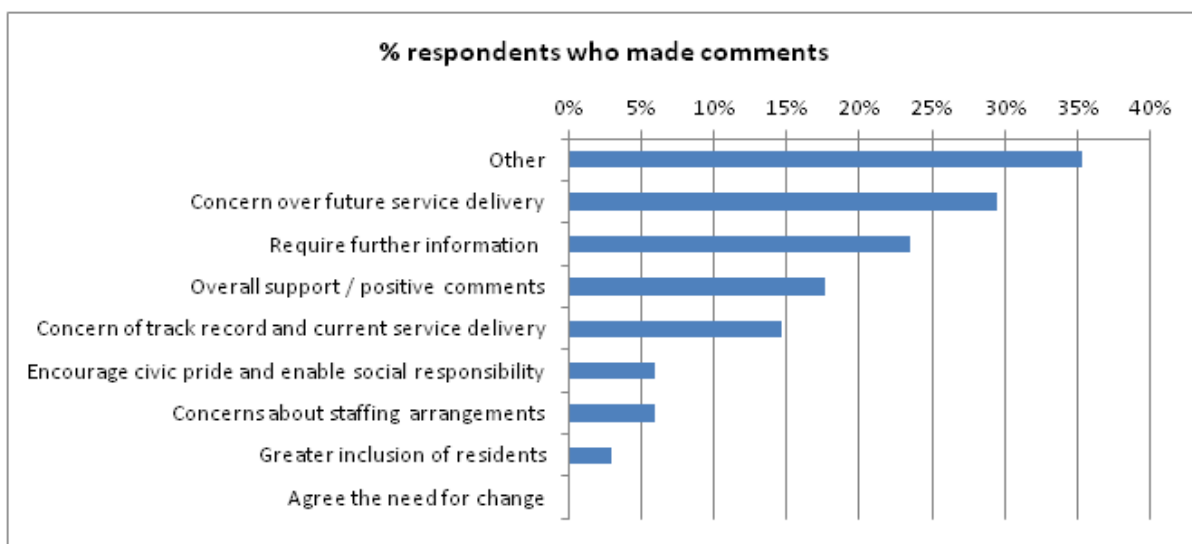
	% Total	% Answer	Count
Yes	13.13%	42.62%	26
Partially	10.10%	32.79%	20
No	3.03%	9.84%	6
Don't know	4.55%	14.75%	9
[No Response]	69.19%	-	137
Total	100.00%	100.00%	198



Comments made: 34 respondents made 46 comments

My Place	Total number of comments	% comments	% respondents who made comments
Agree the need for change	0	0%	0%
Staffing arrangements	2	4%	6%
Concern over future service delivery	10	22%	29%
Concern of track record and current service delivery	5	11%	15%
Require further information	8	17%	24%
Greater inclusion of residents	1	2%	3%
Encourage civic pride and enable social responsibility	2	4%	6%
Overall support / positive comments	6	13%	18%
Other	12	26%	35%
Total comments received	46	100%	135%

Total respondents for this question 34



Other

One respondent emphasises the importance of monitoring and quality assurance of the proposal. One respondent questions what the Council means by exploiting commercial potential of parks and are concerned about whether this means less access to parks or parts of the park closed off for private events. Some respondents do not agree with offering Council houses only to employed residents.

Concern over future service delivery

A range of individual's raise issues around future service delivery. There is a concern about the Council competing with local businesses and respondents wanting to know how much of the service will be contracted out. One respondent questions whether there is a conflict of interest and whether Private Landlords will want to have a local authority manage a property and pay a fee for management to the same organisation responsible for Council tax collection and licensing of landlords. One respondent felt the Council should not consider being commercial as it currently does a poor job of managing its own housing stock.

Require further information

Some respondents ask for clarity and further details. For example, one respondent asks for details about how the proposal will impact organisations that currently offer this service. One resident wants to know the overall pros and cons of the proposals. One respondent comments that the proposal is described in 'management speak'.

Overall support / positive comments

A one stop shop for provision is encouraged by one respondent. Another supports the Council offering services to landlords and few respondents welcoming using the Council to manage properties.

Concern of track record and current service delivery

One respondent feels that the Council does not provide effective services to existing Council stock and another notes current problems with the environment such as litter.

Encourage civic pride and enable social responsibility

One private landlord feel s/he does everything necessary to provide a safe and clean place to live but tenants do not respect the environment. One respondent complains of dumped mattresses and other rubbish and feels that anti-social behaviour should lead to enforcement.

Staffing arrangements

Individual comments highlight the use of too many consultants and that Caretakers and Estate Managers are ignoring problems such as fly tips and eyesore garden issues.

Greater inclusion of residents

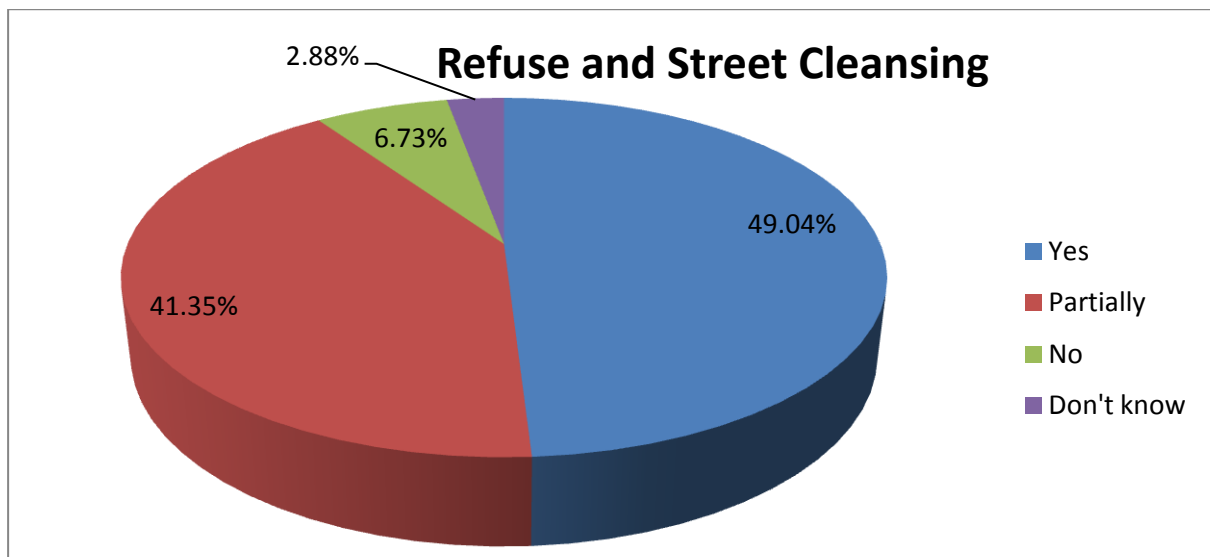
One respondent is keen that a committee of residents is set up to influence decision making.

6. Refuse and street cleaning

Do you agree with the Refuse and Street Cleaning proposals overall?

There were 104 responses to this question

	% Total	% Answer	Count
Yes	25.76%	49.04%	51
Partially	21.72%	41.35%	43
No	3.54%	6.73%	7
Don't know	1.52%	2.88%	3
[No Response]	47.47%	-	94
Total	100.00%	100.00%	198

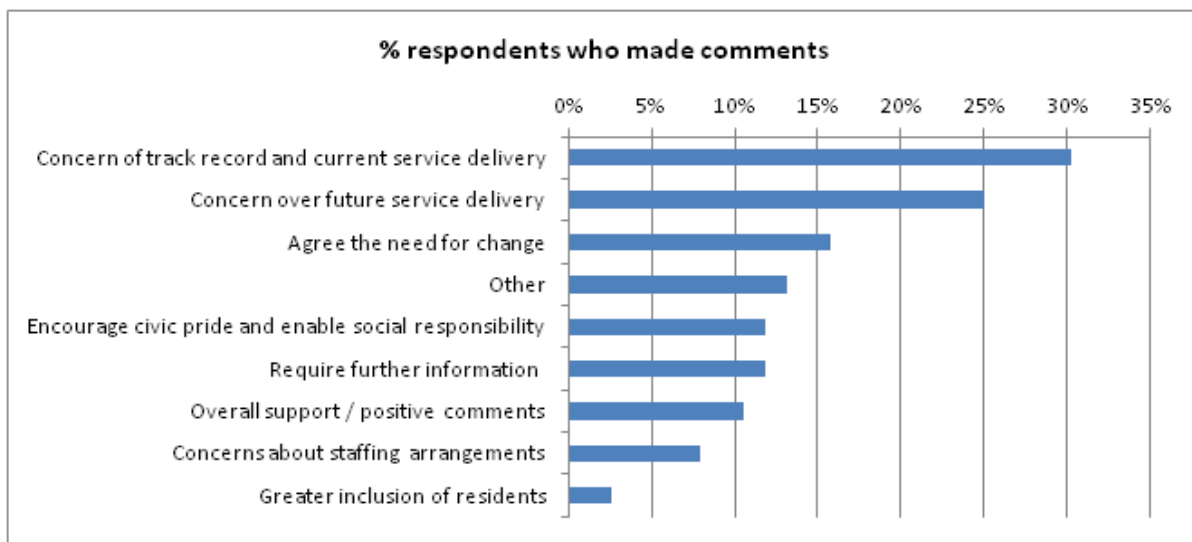


Comments made: 76 respondents made 98 comments

Refuse	Total number of comments	% comments	% respondents who made comments
Agree the need for change	12	12%	16%
Staffing arrangements	6	6%	8%
Concern over future service delivery	19	19%	25%
Concern of track record and current service delivery	23	23%	30%
Require further information	9	9%	12%
Greater inclusion of residents	2	2%	3%
Encourage civic pride and enable social responsibility	9	9%	12%
Overall support / positive comments	8	8%	11%
Other	10	10%	13%
Total comments received	98	100%	129%

Total respondents for this question

76



Concern of track record and current service delivery

Respondents in this category are unhappy with the current service and the current state of cleanliness in the borough. Respondents generally are frustrated with how untidy the borough is and question whether given the Council's current performance, anything will change. Many respondents provide examples of how they encounter fly-tips in their area very frequently.

Concern over future service delivery

Respondents express concern over whether the proposals will lead to a reduction in service. Comments include concern over whether there will be less frequent waste and recycling collections and whether streets will be cleaned with the same frequency.

Agree the need for change

Respondents in this category agree that the Council needs to change the way it operates. Typical comments express frustration with the current levels of waste and cleanliness in the borough and respondents agree that continuing with the status quo is not an option.

Other

A strong theme was respondents feeling that the Council needs to do more to educate residents about what can and cannot be recycled. There is concern over the lack of awareness amongst residents and that communications campaigns from the Council are needed to raise awareness. There is also concern over the lack of items that can be recycled compared to other boroughs. Many items which can be recycled in other boroughs cannot in B&D. Several comments also mention that refuse collections should remain weekly.

Encourage civic pride and enable social responsibility

A high number of respondent's are frustrated with other residents rather than the Council, acknowledging that educating residents will be a difficult task. There are many comments suggesting that the behaviour of some residents is unacceptable. The need to encourage civic pride is prominent in the comments. The Council is encouraged to do more to get residents to behave more responsibly when it comes to the environment.

Require further information

Respondents in this category require further information. A common perception/concern amongst respondents is that the reference to focusing on prevention and enforcement was the Council's way of proposing to reduce waste collection. This was received negatively.

Overall support / positive comments

Respondents in this category were supportive of the Council's approach. There is support for keeping the service in-house rather than outsourcing as well as support for enforcement against those who behave irresponsibly.

Staffing arrangements

Respondent's voice concerns over the capability of current staff with comments about staff not doing a good job at clearing rubbish or collecting bins. There is also a comment suggesting more staff are needed to improve the current poor level of cleanliness in the borough as the current standards are not good enough.

Greater inclusion of residents

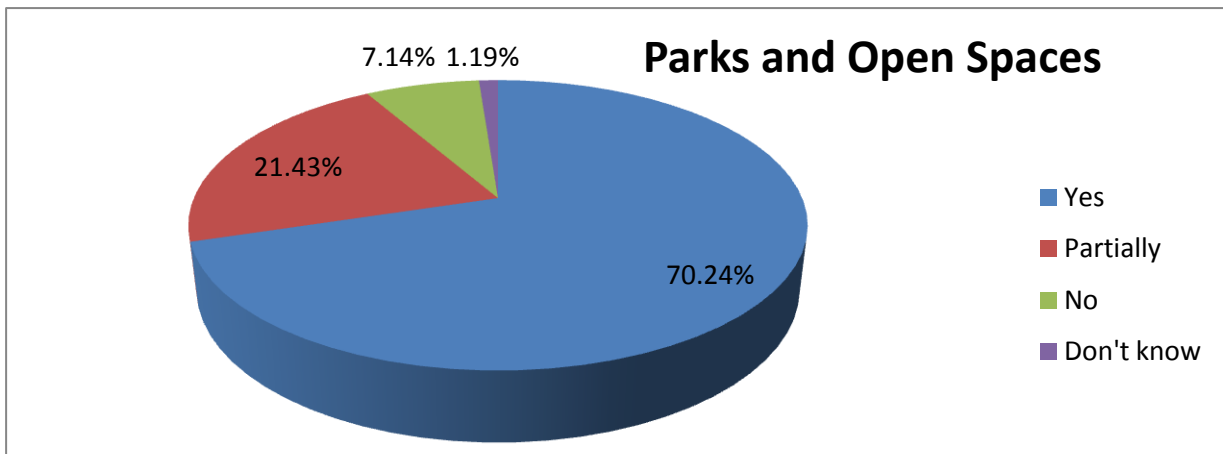
One respondent feels that the Council should do more to engage the public in waste prevention, and another believes that involving residents in a Council run 'Freecycle' initiative is a positive way to reduce waste.

7. Parks and open spaces

Do you agree with the Parks and Open Spaces proposals overall?

There were 84 responses to this question

	% Total	% Answer	Count
Yes	29.80%	70.24%	59
Partially	9.09%	21.43%	18
No	3.03%	7.14%	6
Don't know	0.51%	1.19%	1
[No Response]	57.58%	-	114
Total	100.00%	100.00%	198

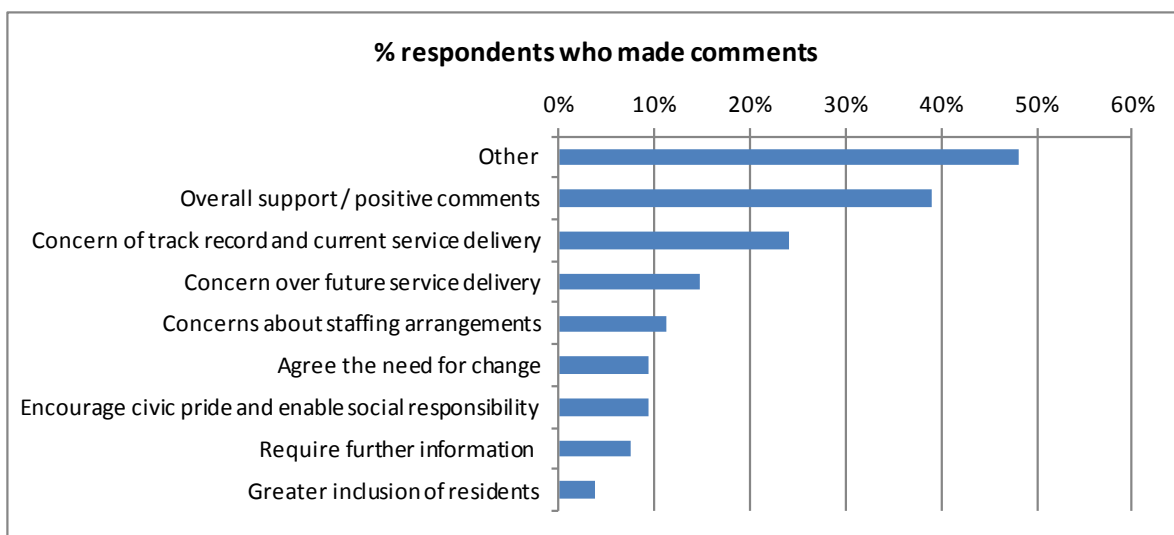


Comments made: 54 respondents made 90 comments

Parks and Open Spaces	Total number of comments	% comments	% respondents who made comments
Agree the need for change	5	6%	9%
Concerns about staffing arrangements	6	7%	11%
Concern over future service delivery	8	9%	15%
Concern of track record and current service delivery	13	14%	24%
Require further information	4	4%	7%
Greater inclusion of residents	2	2%	4%
Encourage civic pride and enable social responsibility	5	6%	9%
Overall support / positive comments	21	23%	39%
Other	26	29%	48%
Total	90	71%	167%

Total respondents for this question

54



Other

A wide range of suggestions are provided which are captured in the comments made for the themes below.

Overall supportive / positive comments

Respondents want to see the parks maintained, but need to include activities which will ensure they are used and appreciated by residents.

Concern of track record and current service delivery

Some respondents feel that the borough's parks are areas that have been forgotten, have been allowed to fall in to disrepair, and are under-staffed and not monitored. Anti-social behaviour is big issue and the priority for these respondents is ensuring that ASB is tackled under a new Parks and Open Spaces Service.

Concerns future service delivery

There is both concern and agreement to exploiting the commercial potential of parks. Whilst some welcome private investment as a way of modernising parks and their facilities, some respondents are concerned that private uses will be to the detriment of traditional uses (sitting, walking, reading etc). They also feel that private companies will put profit above resident's and their needs. There are several suggestions on potential uses for the borough's green spaces in the future. Many centre around uses for children, like employing play leaders in parks during school holidays, improving playground areas and facilitating more social and sporting events for all ages. Respondents are keen that there will be clear separation of activities in parks. The main concerns resident's raise are generally around ensuring parks are well maintained and free of anti-social behaviour.

Staffing arrangements

The main concerns regarding staff are around having the right number of skilled staff to patrol parks and run park activities. It is felt that the service can grow by developing skills in house by keeping on apprentices after their training

Encourage civic pride and enable social responsibility

It is felt that the borough's parks if looked after properly are fundamental for promoting civic pride and bringing communities together. There are many suggestions for how parks could be used more effectively for the community, such as allowing the community to grow fruit and vegetables for those on low incomes, local events, and sports and social events for people of all ages.

Agree the need for change

The borough's parks are highly regarded and respondents are very protective of them. There is a strong objection to any of the borough's parks being used for housing development. Many respondents feel that the borough's green spaces need protecting, but that they should be utilised more widely for the benefit of the community. Respondents feel that parks are the key to a happy borough and an invaluable resource for dog walkers, children, for exercise and relaxation. Respondents are mixed in their views on commercialisation

Require further information

One respondent would like to understand the costs involved, if people will be charged to enter parks and about access when events are on. A question was raised on whether skills would be developed in-house to deliver this and if there would be new roles available.

Greater inclusion of residents

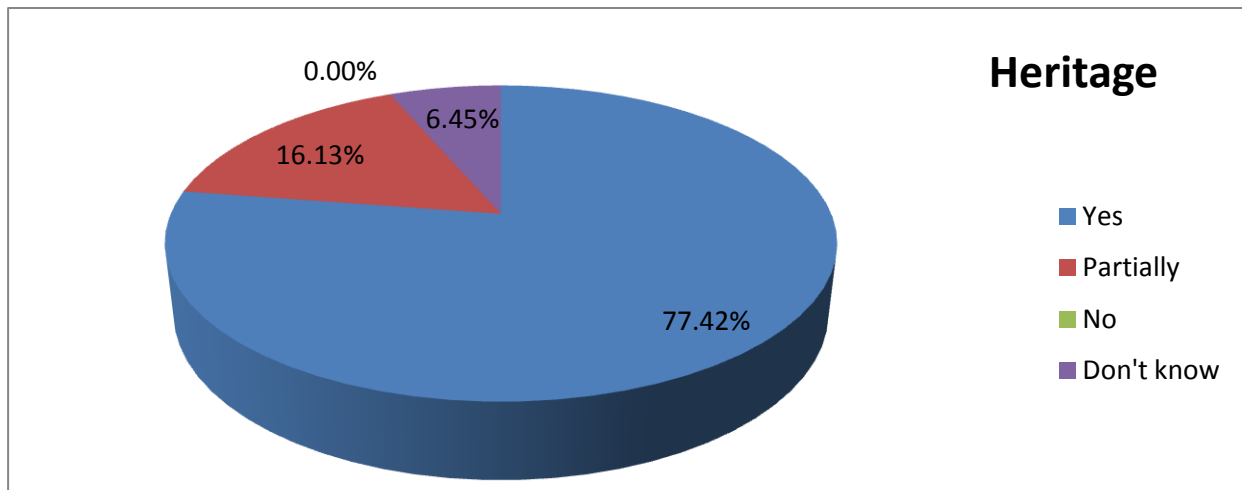
Some respondents feel that good quality parks and open spaces are important and should be for community use. One respondent felt that volunteers can be used for conservation of parks.

8. Heritage Service

Do you agree with the Heritage Service proposals overall?

There were 31 responses to this question

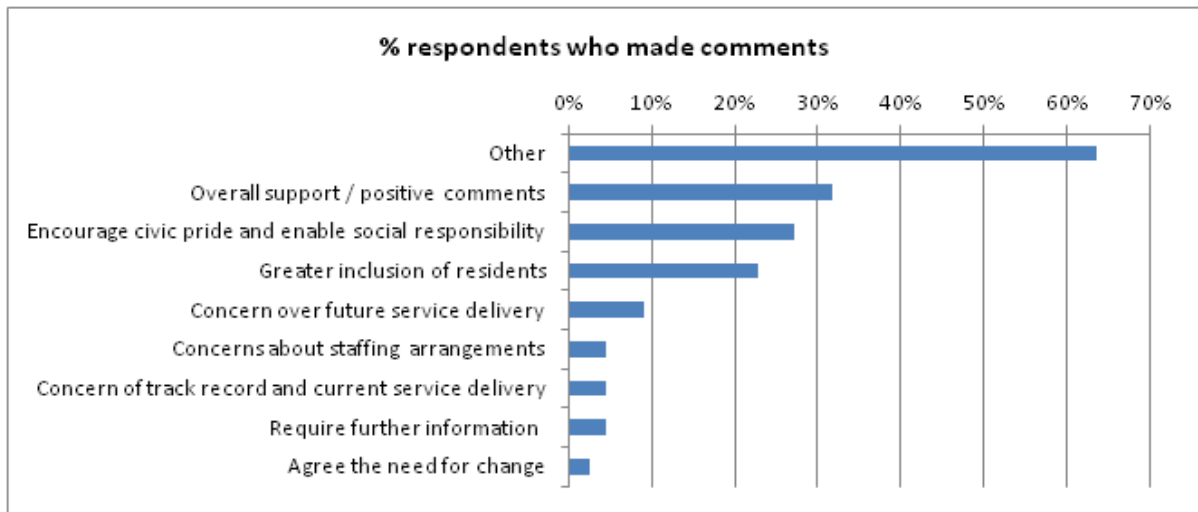
	% Total	% Answer	Count
Yes	12.12%	77.42%	24
Partially	2.53%	16.13%	5
No	0.00%	0.00%	0
Don't know	1.01%	6.45%	2
[No Response]	84.34%	-	167
Total	100.00%	100.00%	198



Comments made: 22 respondents made 38 comments

Heritage	Total number of comments	% comments	% respondents who made comments
Agree the need for change	1	3%	3%
Staffing arrangements	1	3%	5%
Concern over future service delivery	2	5%	9%
Concern of track record and current service delivery	1	3%	5%
Require further information	1	3%	5%
Greater inclusion of residents	5	13%	23%
Encourage civic pride and enable social responsibility	6	16%	27%
Overall support / positive comments	7	18%	32%
Other	14	37%	64%
Total comments received	38	100%	171%

Total respondents for this question 22



It should be noted that a small number of comments were made on this proposal.

Other:

Respondents feel that the borough’s rich historic past should be promoted to boost the borough’s identity and reputation to attract visitors. Many respondents are supportive of maintaining a heritage service. A number of respondents support the idea of more volunteering opportunities, but one respondent feels that volunteers can be unreliable. Working to promote heritage in the borough’s schools was considered a good way of engaging young people, and there was a general consensus that the proposals should not lead to high costs for residents wishing to enjoy heritage services.

Overall support/positive comments

Respondents generally were supportive of the proposals and felt that local history and heritage were important. It was also felt that historic buildings such as Eastbury Manor House need to be maintained.

Encourage civic pride and enable social responsibility

Respondents state that there needs to be an increase in the number of heritage events and that these need wider publication to increase participation. Respondents believe history and heritage are important and help encourage civic pride. Respondents stress the need to preserve, work with partners and improve accessibility of heritage facilities.

Greater inclusion of residents

Respondents are keen to encourage further engagement of residents in heritage, which would reduce costs. In particular ensuring more people are aware of volunteering activities, particularly for the younger and older people.

Concern over future service delivery

Residents are concerned that the Heritage service will be exploited in order to make a profit. Two respondents feel that the fees for accessing heritage services should not increase as a result of the pursuit of income generation.

Staffing arrangements

One respondent welcomes the use of volunteers as Heritage staff as a way of protecting the longevity of the service.

Concern of track record and current service delivery

Holding more heritage events like group walks etc during and weekends is welcomed by one respondent who feels that the current arrangements alienate working people from the boroughs heritage related activity.

Require further information

A few respondents questioned whether fees would increase and one felt that footfall will reduce if charges are increased.

Agree the need for change

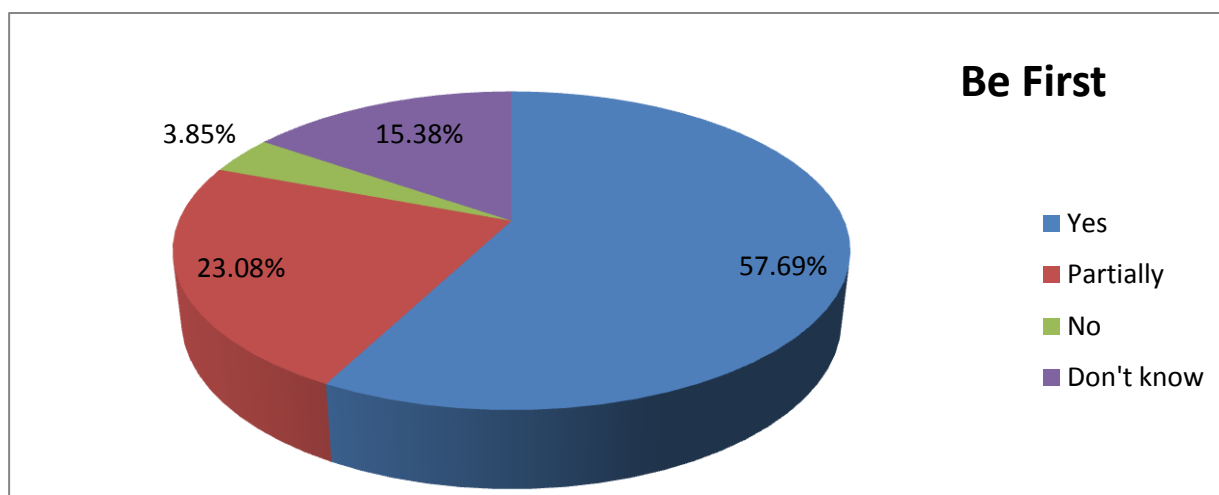
One respondent believes that the changes will lead to the borough's heritage gaining a higher profile and agrees that by engaging residents better the Heritage service can increase volunteering in order to reduce costs for the service.

9. Be First

Do you agree with the 'Be First' proposals overall?

There were 26 responses to this question

	% Total	% Answer	Count
Yes	7.58%	57.69%	15
Partially	3.03%	23.08%	6
No	0.51%	3.85%	1
Don't know	2.02%	15.38%	4
[No Response]	86.87%	-	172
Total	100.00%	100.00%	198

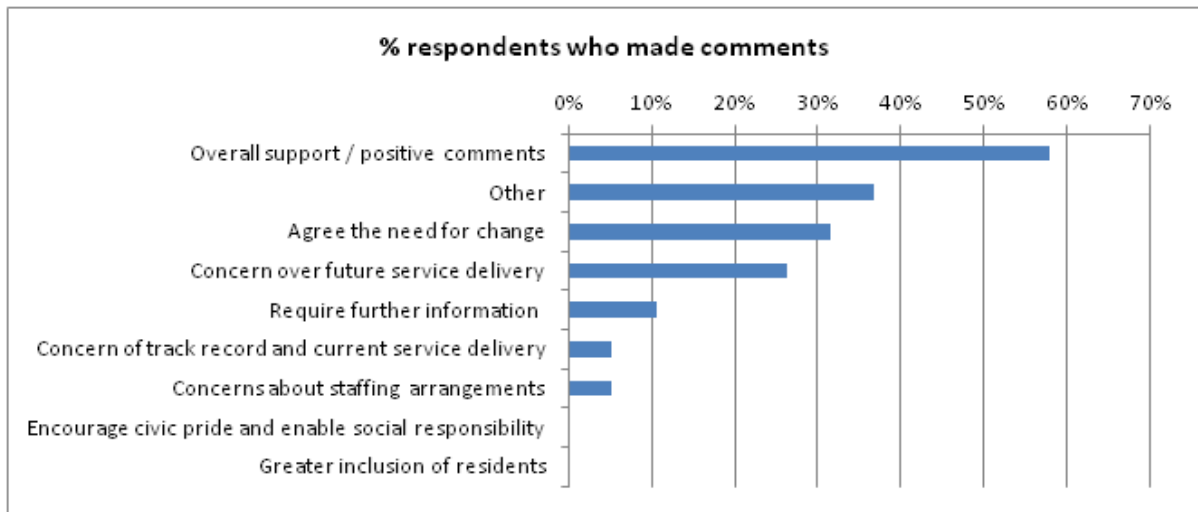


Comments made: 19 respondents made 33 comments

Be First	Total number of comments	% comments	% respondents who made comments
Agree the need for change	6	18%	32%
Staffing arrangements	1	3%	5%
Concern over future service delivery	5	15%	26%
Concern of track record and current service delivery	1	3%	5%
Require further information	2	6%	11%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	11	33%	58%
Other	7	21%	37%
Total comments received	33	100%	174%

Total respondents for this question

19



It should be noted that a small number of comments were made on this proposal.

Overall supportive / positive comments

General overall support with respondents noting it is 'An obvious and sensible move' and 'sounds good and will change the way the borough is today'.

Other

A number of respondents are interested in how this proposal will be funded and how it will be viable. One respondent is keen to understand how social enterprises and tax work. Whilst still supporting this proposal, respondents are keen to understand how profit will be brought back into the Council and the borough. One respondent thinks that funds for enterprise should not come from public funds. Another respondent warns against the risk of gentrification and regeneration not benefitting local people.

Agree the need for change

Respondents agree with the need to build more housing but there are some reservations about 'squeezing' them alongside existing housing.

Concern over future service delivery

A few residents are concerned about proposals to develop properties on 'infill sites' around the borough, claiming that it will eat in to the borough's green space and make the area unattractive.

Require further information

A few respondent's feel that they would like to understand the approach in more detail, and ask questions like, 'will these proposals lead to the provision of more social housing?' One respondent is concerned that the proposals are not written in plain English and are therefore not easy to understand. One respondent asks for

more information on how income will be directed back in to the Council and if, the new 'company' will be responsible for building Council houses.

Concern of track record and current service delivery

One resident is concerned about the London wide approach to regeneration with too many 'vanity projects' and too little development serving community needs.

Staffing arrangements

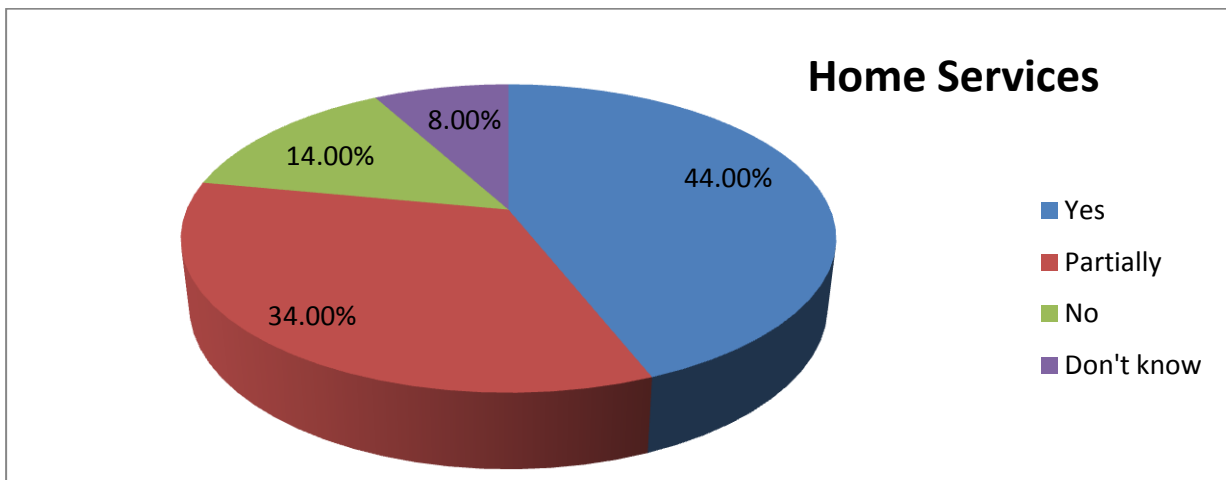
One respondent queried whether Councillors will have the capability to act as company directors and how external consultants will be used to provide effective challenge.

10. Home services

Do you agree with the Home Services proposals overall?

There were 50 responses to this question

	% Total	% Answer	Count
Yes	11.11%	44.00%	22
Partially	8.59%	34.00%	17
No	3.54%	14.00%	7
Don't know	2.02%	8.00%	4
[No Response]	74.75%	-	148
Total	100.00%	100.00%	198

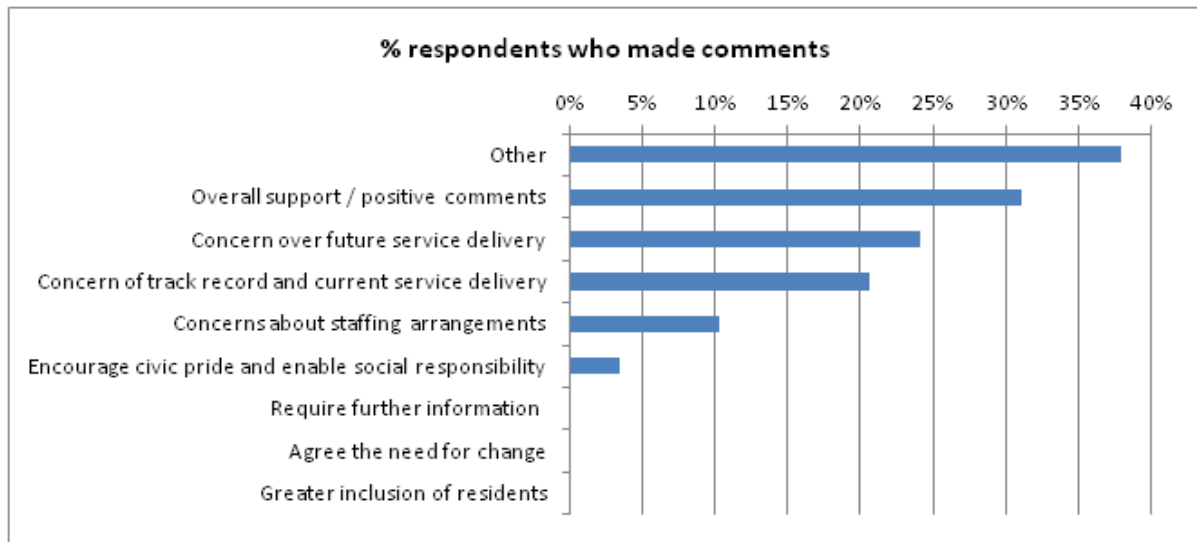


Comments made: 29 respondents made 37 comments

Home	Total number of comments	% comments	% respondents who made comments
Agree the need for change	0	0%	0%
Staffing arrangements	3	8%	10%
Concern over future service delivery	7	19%	24%
Concern of track record and current service delivery	6	16%	21%
Require further information	0	0%	0%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	1	3%	3%
Overall support / positive comments	9	24%	31%
Other	11	30%	38%
Total comments received	37	70%	128%

Total respondents for this question

29



Other

Respondents are clear that new housing needs to be affordable for local people and that rents are set in line with resident's earnings. Some feel that the new Home Service should have the power to enforce strongly against illegal HMO's and rogue landlords. Others believe that trades should offer fair prices to the elderly and vulnerable home owners in the borough, and one respondent asks the Council to include the voluntary sector groups that offer skilled tradesmen services to be taken in to account in the proposals.

Overall supportive / positive comments

There are a number of positive comments on this proposal including: 'Innovative', 'seems effective', 'like the idea of a social enterprise', 'looks great', 'this would be a really good idea', 'sounds good in principle' and 'seems fairly straightforward'. A number of homeowners indicated an appetite for using the Council service instead of some of the private contractors

Concern over future service delivery

Many respondents feel that the service should stay in house. One respondent would like to ensure that there isn't a reduction in service when non-Council customers/incomes are generated. One respondent highlights the issue of fairness in setting up in direct competition with local businesses. Another mentions that the Council can hardly provide a decent service at present and so suggests that commercialising the service will only make it worse.

Concern of track record and current service delivery

One respondent highlights that scrutiny of current Housing service is needed so that it is reformed before the Council even starts thinking about commercialising it. One respondent feels that the current service offered by the repairs team is poor and cites a personal experience of a long wait for a repair job.

Staffing arrangements

A respondent raised concern over the Council employing foreign workers and suggested employing British workers and paying them a fair wage. Another respondent praised the Council workers and suggested having a bank of skilled workers e.g. electricians, plumbers etc that were available for the public to use.

Encourage civic pride and enable social responsibility

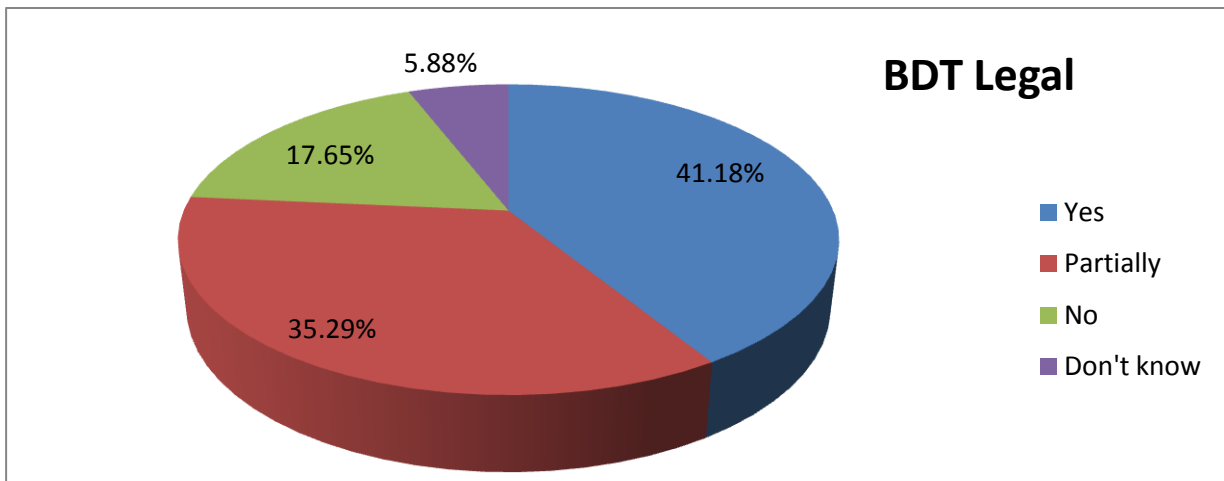
One respondent believes that those moving into the borough do not have pride in their area and old values have disappeared with the indigenous population.

11. BDT Legal

Do you agree with the BDT proposals overall?

There were 17 responses to this question

	% Total	% Answer	Count
Yes	3.54%	41.18%	7
Partially	3.03%	35.29%	6
No	1.52%	17.65%	3
Don't know	0.51%	5.88%	1
[No Response]	91.41%	-	181
Total	100.00%	100.00%	198

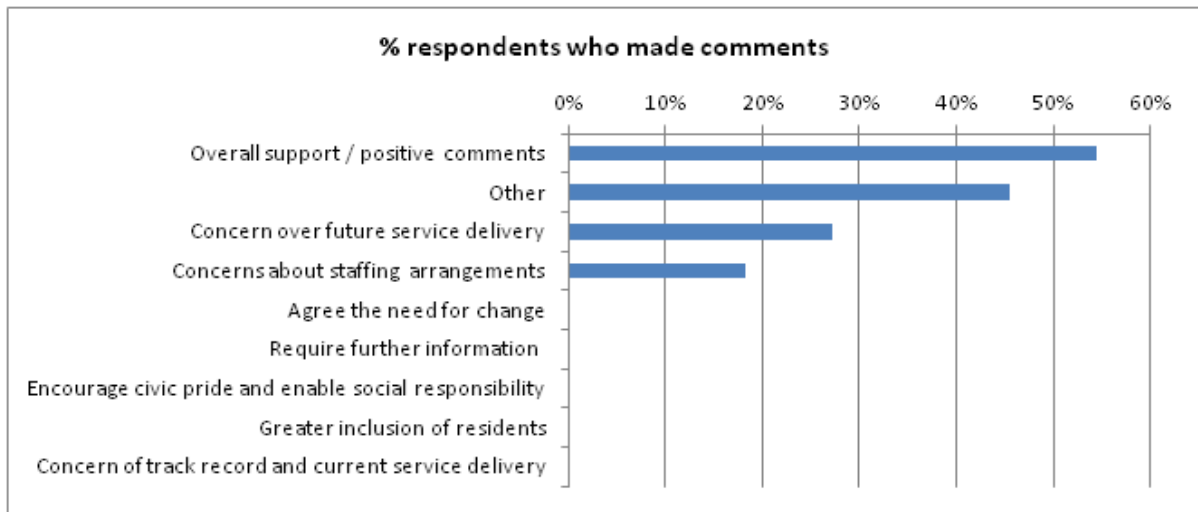


Comments made: 11 respondents made 16 comments

BDT Legal	Total number of comments	% comments	% respondents who made comments
Agree the need for change	0	0%	0%
Staffing arrangements	2	13%	18%
Concern over future service delivery	3	19%	27%
Concern of track record and current service delivery	0	0%	0%
Require further information	0	0%	0%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	6	38%	55%
Other	5	31%	45%
Total comments received	16	69%	145%

Total respondents for this question

11



It should be noted that a small number of comments were made on this proposal.

Overall supportive / positive comments

Positive comments include 'it seems an efficient, sensible way forward' and 'good to help in other boroughs'. One suggestion is to also provide legal services for residents to boost income (as the Council does for MOTs). One respondent proposes using IT to sift through legal information, collecting data on cases leading to intelligent systems resolving complex legal issues.

Other

Respondents feel that it would be a good idea if the public were able to buy services from BDT Legal.

Concern over future service delivery

One respondent questions the future delivery vehicle for delivering Legal Services. Concerns include the proposals being too large and expensive to cover all areas of expertise and therefore less commercially viable, and the fairness of setting up in direct competition with local firms. One respondent suggests using a specialist firm instead of having an in-house Council legal team.

Staffing arrangements

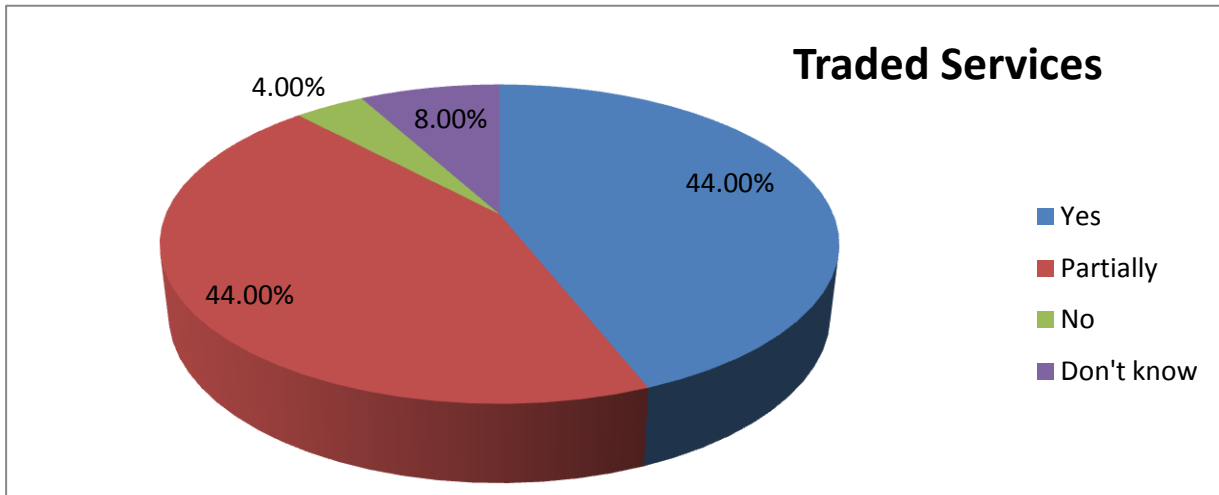
Respondents are keen that legal expertise is increased, not diminished.

12. Traded Services

Do you agree with the Traded Services proposals overall?

There were 25 responses to this question

	% Total	% Answer	Count
Yes	5.56%	44.00%	11
Partially	5.56%	44.00%	11
No	0.51%	4.00%	1
Don't know	1.01%	8.00%	2
[No Response]	87.37%	-	173
Total	100.00%	100.00%	198

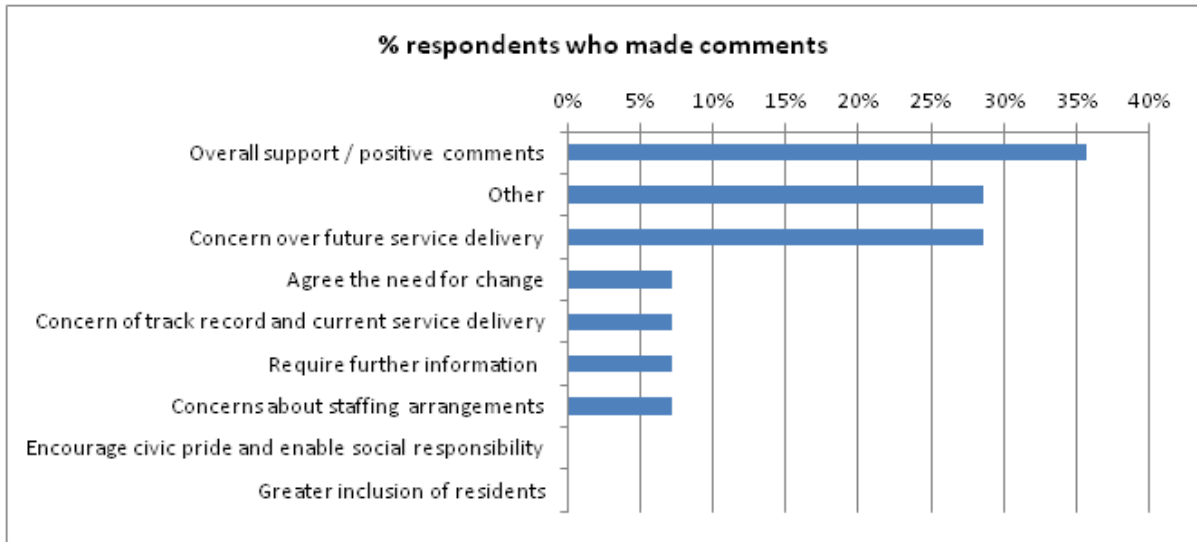


Comments made: 14 respondents made 17 comments

Traded Services	Total number of comments	% comments	% respondents who made comments
Agree the need for change	1	6%	7%
Staffing arrangements	1	6%	7%
Concern over future service delivery	4	24%	29%
Concern of track record and current service delivery	1	6%	7%
Require further information	1	6%	7%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	5	29%	36%
Other	4	24%	29%
Total comments received	17	76%	121%

Total respondents for this question

14



It should be noted that a small number of comments were made on this proposal.

Overall support/positive comments

Some respondents support the proposals. Comments include 'seems like a good idea', 'logical way forward', and 'proposals are good' as examples

Other

One respondent likes the idea of a social enterprise, and another feels that it would be better for the private sector to run the service. Allowing the ability for customer's to opt out as well as opt in is cited as an important success requirement of the service, and one respondent feels that traded services will enhance the Council's reputation as a business minded entity.

Concern over future service delivery

One respondent criticises the proposals for being ambiguous and not detailed enough to give an accurate insight in to how they will work. Another respondent is against the proposals, stating that maximising income could lead to schools paying too much for services.

Agree the need for change

One respondent agrees that public sector not private should be providing services especially relating to Children.

Concern of track record and current service delivery

One respondent is sceptical of how this will succeed when there has been a history of being unable to implement similar service models, citing Meals on Wheels as an example.

Require further information

One respondent raises a number of questions and asks for further information on the proposal

Staffing arrangements

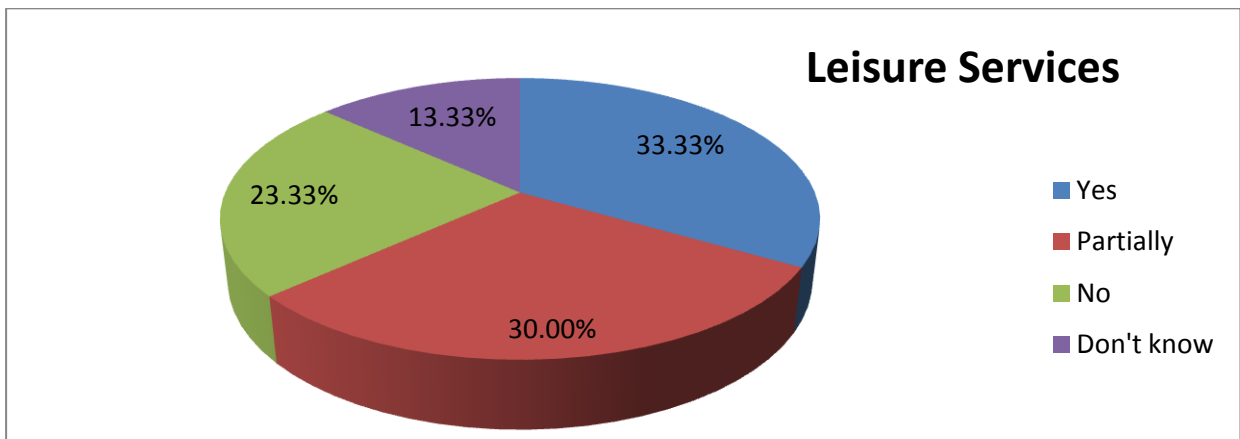
One respondent questions whether staff have the right commercial knowledge and expertise to operate effectively in this service.

13. Leisure Services

Do you agree with the Leisure Services proposals overall?

There were 60 responses to this question

	% Total	% Answer	Count
Yes	10.10%	33.33%	20
Partially	9.09%	30.00%	18
No	7.07%	23.33%	14
Don't know	4.04%	13.33%	8
[No Response]	69.70%	-	138
Total	100.00%	100.00%	198

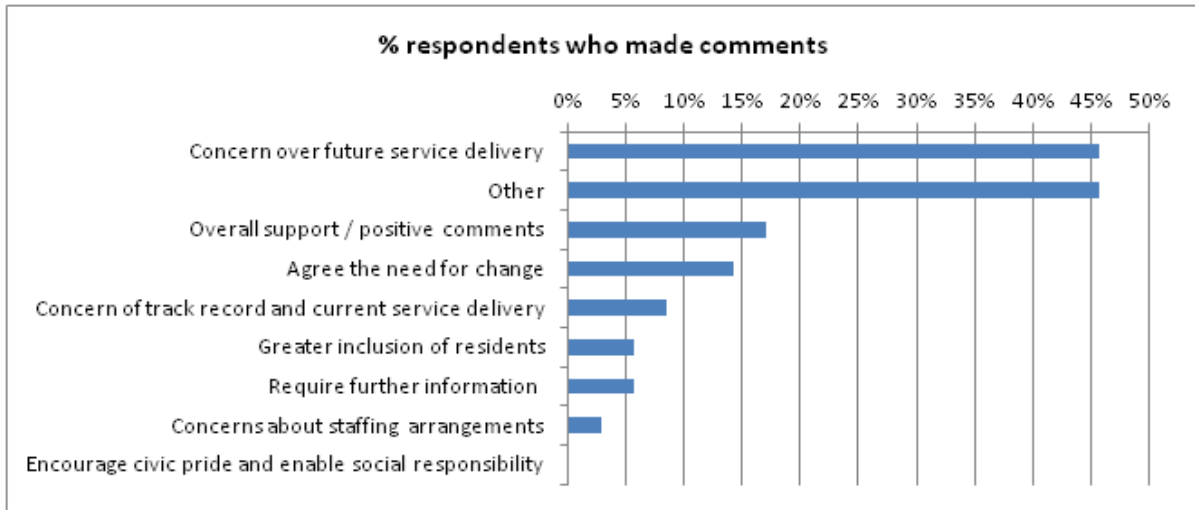


Comments made: 35 respondents made 51 comments

Leisure Services	Total number of comments	% comments	% respondents who made comments
Agree the need for change	5	10%	14%
Staffing arrangements	1	2%	3%
Concern over future service delivery	16	31%	46%
Concern of track record and current service delivery	3	6%	9%
Require further information	2	4%	6%
Greater inclusion of residents	2	4%	6%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	6	12%	17%
Other	16	31%	46%
Total comments received	51	100%	146%

Total respondents for this question

35



Please note that there is a sense that many of the comments made in this section are from current Leisure employees.

Concern over future service delivery

Many respondents are concerned with the future delivery of a non Council run Leisure Service. The fear is that a new provider will be more preoccupied with profit than standards and that the quality of the services currently provided will suffer as a result. Respondents are critical of the level of standards any future contract monitoring process will command. Many are concerned about how costs might be affected when a new Leisure provider is in place, and there is a desire that the Council retains some control on setting costs to ensure they stay at a reasonable level. Some respondents only support proposals on the basis that costs will not be affected in the future. There is concern that choice will be removed and replaced with popular profit making services that are not to the liking of everybody. Some respondents feel that the local community should be stakeholders in the contract review process to ensure quality of service delivery. One respondent stresses that careful consideration must be given to the continuation of joint working between the new Leisure service and the Council to join up around health and other non financial initiatives which benefit the community. Others echo this point by stating that any new model must be able to operate at a partnership level with other private and social enterprises and the voluntary sector.

Other

Some respondents believe that the service should be completely privatised with the profits being re-invested in the borough, and others state that the new service should be run like a hospital trust along with libraries. There is a sense amongst some respondents that it is disappointing the service cannot remain 'in house' when it has high quality leisure assets that have enabled the service to generate a good level of income.

Overall supportive / positive comments

Generally, those in favour of the proposals for Leisure Services, are only supportive on the premise that standards will not deteriorate and that costs will not increase income.

Agree the need for change

There is a majority view that the service is excellent and should continue to be run by the Council. Some respondents feel that the financial driven motives for the new Leisure Service model are unfair when it has been providing a high level of service to the community.

Concern of track record and current service delivery

Some respondents feel that the current gym facilities need updating and that the new proposals will help improve these.

Greater inclusion of residents

One respondent felt that residents should be involved in monitoring the performance of contractors delivering services

Require further information

Some respondents feel that they need more information to be able to comment further. Others want more information on exactly which Leisure services will be affected by the new proposals.

Staffing arrangements

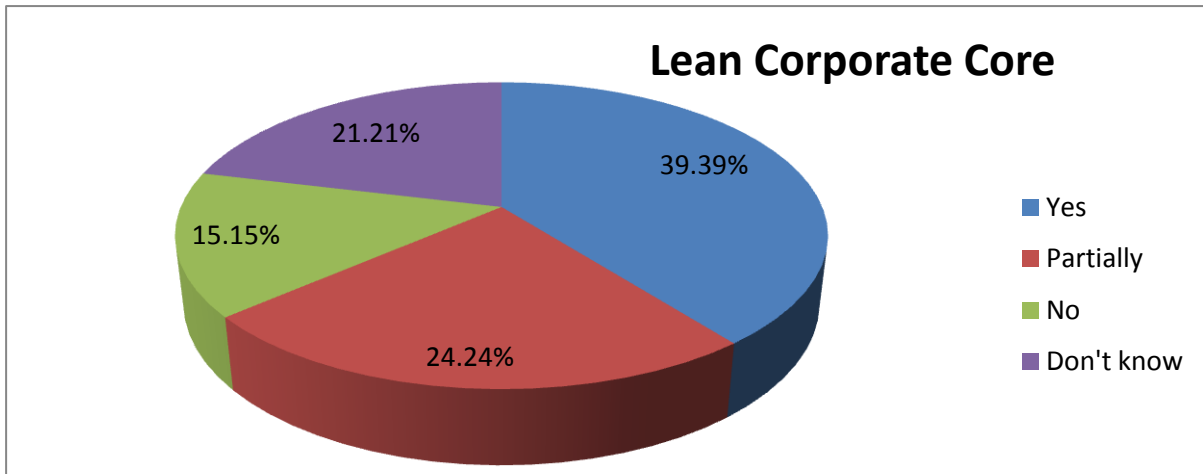
One respondent raised the need to ensure that the new operator was an experienced Leisure service provider.

14. Lean corporate core

Do you agree with the Lean Corporate Core proposals overall?

There were 33 responses to this question

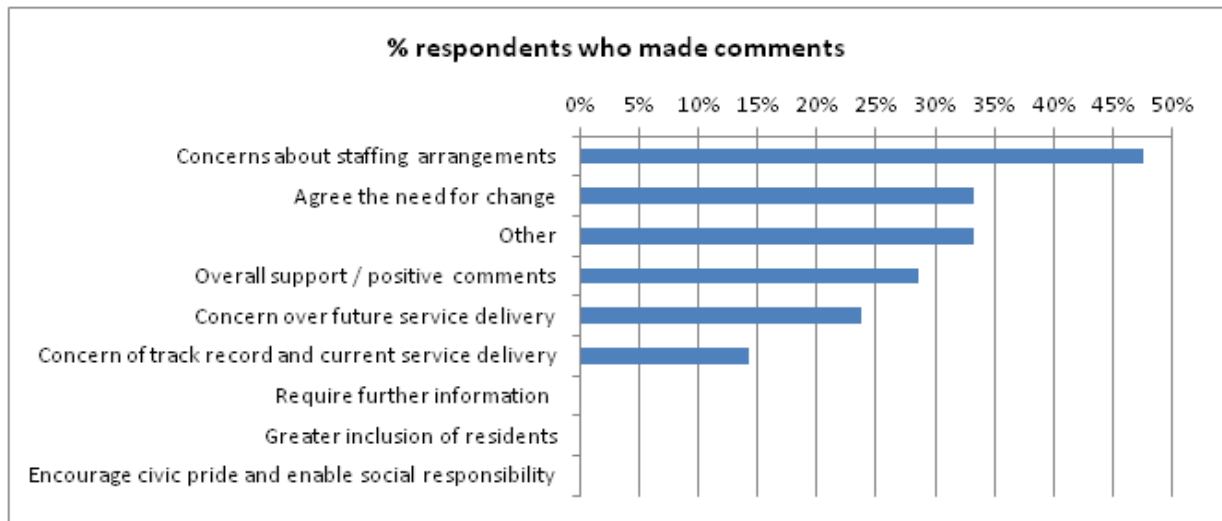
	% Total	% Answer	Count
Yes	6.57%	39.39%	13
Partially	4.04%	24.24%	8
No	2.53%	15.15%	5
Don't know	3.54%	21.21%	7
[No Response]	83.33%	-	165
Total	100.00%	100.00%	198



Comments made: 21 respondents made 38 comments

Core	Total number of comments	% comments	% respondents who made comments
Agree the need for change	7	18%	33%
Staffing arrangements	10	26%	48%
Concern over future service delivery	5	13%	24%
Concern of track record and current service delivery	3	8%	14%
Require further information	0	0%	0%
Greater inclusion of residents	0	0%	0%
Encourage civic pride and enable social responsibility	0	0%	0%
Overall support / positive comments	6	16%	29%
Other	7	18%	33%
Total comments received	38	100%	181%

Total respondents for this question 21



Staffing arrangements

In the feedback given, the quality of staff is a recurring theme and people offer opinions ranging from staff pay to staff effectiveness. Respondents also question the level of management necessary as well as whether the number of Councillors can be reduced to provide cost effectiveness and responsiveness. Losing staff expertise is something respondents feel concerned about.

Agree the need for change

Respondents generally support the logic of operating with a lean corporate core. Those that don't are cautious about stretching an already thin function. Some respondents feel that having three Councillors per ward is something that can be reduced to save money.

Other

The fees charged by consultants are criticised by respondents, whilst others query whether the changes will produce efficiencies and save money. One respondent asks the Council to learn from its past mistakes of failed IT contracts, and to ensure that it inspires confidence in its residents by handling their personal data safely. Another respondent states that if the Council must be digitally efficient, then it should not ignore its residents who don't have access to the internet.

Overall supportive / positive comments

Residents are largely supportive of the core changes outlined under Ambition 2020, with some respondents praising the logic of the vision.

Concern over future service delivery

Retaining organisational knowledge of longer serving staff is something that some respondents feel should be carefully considered. Some respondents are concerned over the safety of their personal data, and security and the motives of new service

providers. Some are cautious about how accessible services will be for all residents when services are mainly provided digitally.

Concern of track record and current service delivery

Ensuring that modern IT systems are in place to support the work of the lean corporate core is voiced by some respondents as critical to more efficient ways of working.

3c. Number of contact details provided

109 number of respondents indicated they would be happy to received further information regarding 'Transforming our borough and Transforming how our Council works' by leaving an email address. This equates to 55% of respondents.

4. Feedback from other key stakeholders

A number of partners and stakeholders provided a formal response via email. Feedback on proposals have been received from a number of partners including the Community and Voluntary Sector (CVS), Refugee and Migrant Forum of Essex & London (RAMFEL), Citizen's Advice Bureau (CAB), Harmony House, LAGMAR (Barking) Ltd, L&Q, Future M.O.L.D.S Communities and the Good Youth Forum. In addition a meeting was held with the BAD Youth Forum.

Overall partners are supportive of proposals and are keen to play their part but did raise a number of concerns:

- There is some concern over the language used by the Council in the Ambition 2020 consultation booklet. Some feel that terms such as 'Customer' and 'Account Manager' are not appropriate and the Council should consider re-wording
- There is concern over the term 'resilience' with some asking for clarity around what this means and whether a more suitable phrase should be used instead. There is concern that this may be a phrase used by the Council to abdicate responsibility and may leave some residents who need help without the support they need.
- Some partners feel that the proposals lack sufficient information and more detail is needed on the proposals and how it will work.
- Some question whether despite being at an early stage, the Council has considered it's equality duty
- There is concern that customer access through digital channels will impact on those who do not access the internet, namely the elderly, vulnerable e.g. those with learning difficulties and those whose first language is not English.
- There are some reservations over arms length organisations and the move towards commercialisation. Some are concerned that the service received by residents may be affected and also whether the charges for accessing services such as Leisure will go up as a result.

CVS

- Community solutions: The Council should use the expertise of the sector to inform the design of the community solutions service
- Enforcement: The Council needs to provide a rapid and visible response to reports for residents to increase confidence in the Enforcement service
- Leisure: Outsourcing may not be in the best interest of residents
- Access for customers: The Council needs to consider that not everyone uses the internet. In particular the elderly, vulnerable e.g. those with a learning difficulty is provided as an example
- There is some concern about payment by results
- The language used in the 'We all have a part to play' document is difficult to understand and could have been simpler
- A number of proposals provide insufficient information and require more detail
- The use of terminology such as 'customer' and 'account manager' is questioned and the implications of this in terms of the type of relationship the Council expects. It is suggested that something more suitable should be used
- There is concern over use of the term 'resilience' and whether it is a deflection from the real issues. It is suggested that the Council should provide a clear definition of the term

RAMFEL

- Raise concern over the use of the term 'resilience' and feel the concept is flawed as it relies on an inherent belief that all individuals have equal access and opportunity to the tools needed to ensure independence and self-sufficiency. Resilience seems to imply abdication of responsibility by the Council
- Very enthused by the radical change offered by community solutions
- Care and Support: Council need to ensure front line staff are aware better informed and aware of their legal duties
- Customer Access: welcome digital inclusion but this should not lead to the exclusion of some groups
- The Council must value voluntary organisations as a valued partner
- Leisure: opposed to creation of arms length organisations

- Concern over use of terminology such as 'customer' given that for some people there is no financial transaction for people. Suggest using 'resident' instead.
- Acknowledge that the Council is at an early stage in the process but are concerned about the Council's regard to their equality duty

Citizens Advice Bureau

- Would like to know what is meant by 'Resilience'.
- Raise concerns about digital exclusion. In particular around those who do not access the internet such as the elderly and vulnerable and those who may not have English as their first language
- Note that the Council can do better at data sharing and make better use of privacy statements and consent forms when collecting data

Harmony House

- Support the Council's proposals
- Note how it can be difficult currently to get support for Children with special education needs (SEN)
- Question whether it is possible to have DWP devolve administration of its hardship fund to the local authority
- Care and Support: feel the it is currently difficult for them to signpost to relevant Council departments and so it may be useful to have designated contacts
- Customer Access: raise concerns over access to the internet for the elderly and vulnerable
- Leisure: the Council needs to be mindful that commercialisation does not lead to an increase in costs for residents

LAGMAR (Barking) Ltd.

- Recognise the huge potential of the borough and support the Ambition 2020 and Growth Commission vision

L&Q

- Fully support the Ambition 2020 vision
- Be first: Request further information on how the Council see the vehicle working and express an interest in working with the Council
- My Place: Are interested in gauging the Council's interest in managing L&Q's sheltered schemes in Barking and Dagenham in return for a fee

Future M.O.L.D.S Communities and the Good Youth Forum

- Raise a series of questions on a number of proposals. These have been noted and will be passed to the relevant leads to take into consideration.

Meeting with BAD Youth Forum

The Council held a meeting with the BAD Youth Forum to ensure the views of young people were also captured. The session was very refreshing with members of the forum showing real enthusiasm to get involved. Members of the forum received information on the proposals followed by an opportunity for discussion. The questions raised by the forum demonstrated the value the forum adds as members raised relevant and well articulated questions. The Council responded to questions from the forum and members of the forum were also given consultation forms to complete in order to provide feedback.

Please note the above section is not an exhaustive list of all points made but rather a summary of issues raised. The Council has however considered all feedback as part of the consultation.

Report completed by The Strategy Team, LBBD.

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Staff Roadshows Feedback

June 2016



1. Introduction

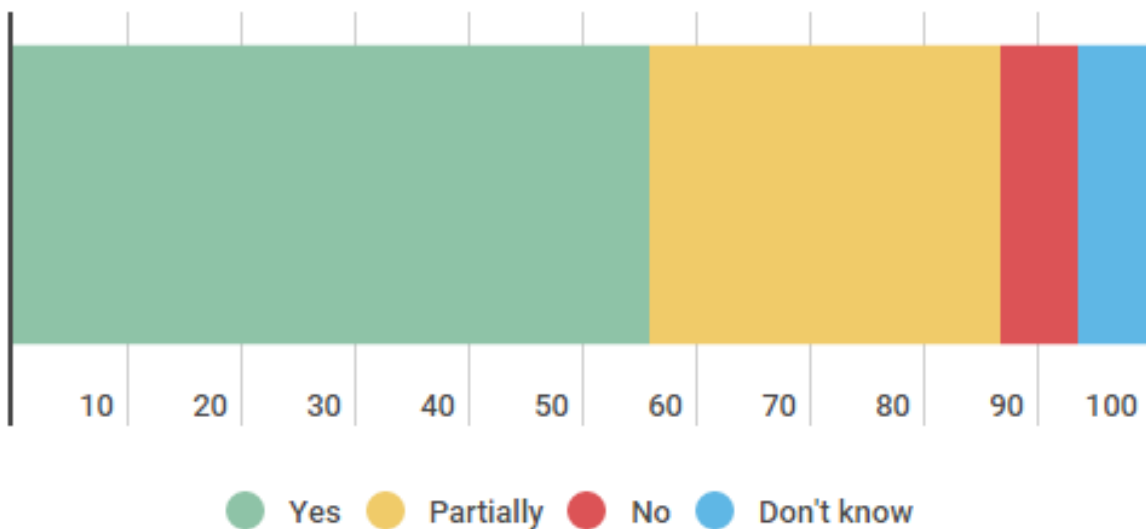
Fourteen staff roadshows were held from April – May 2016. The events took place across the borough and for staff who were unable to attend a roadshow in person, a film of one of the events was made and published onto YouTube.

Although not part of formal public consultation, the roadshows are key staff communication and engagement events. Formal staff consultation will of course take place as implementation plans are progressed.

Overall 2033 staff (including agency workers and Elevate staff) attended an event – this represents approximately 59% of the workforce. In addition there have been to date over 160 views of the film.

Staff were invited to feedback on their views of the roadshows or the film and provide general comments about what they heard. The purpose of asking for feedback is to explore barriers to attendance, how far the content was understood and whether the format of the event was useful. The feedback identifies main staff engagement themes which will help us to better manage change.

For staff that attended a roadshow or viewed the film, approximately 90% said that they fully or partially understood the proposals, and only 5% did not understand them:

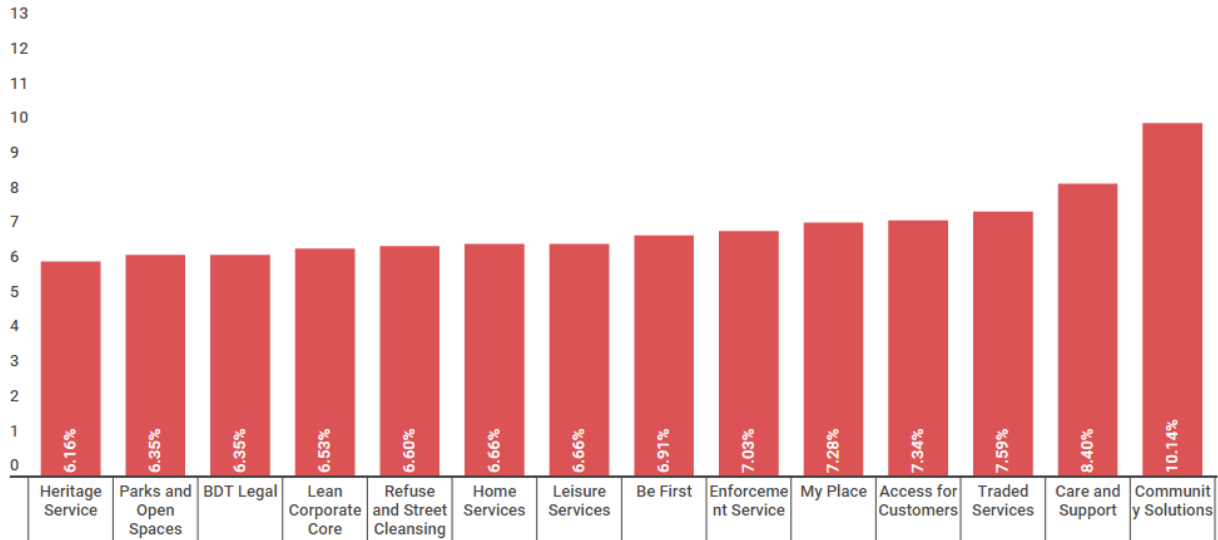


2. Feedback on the Roadshows

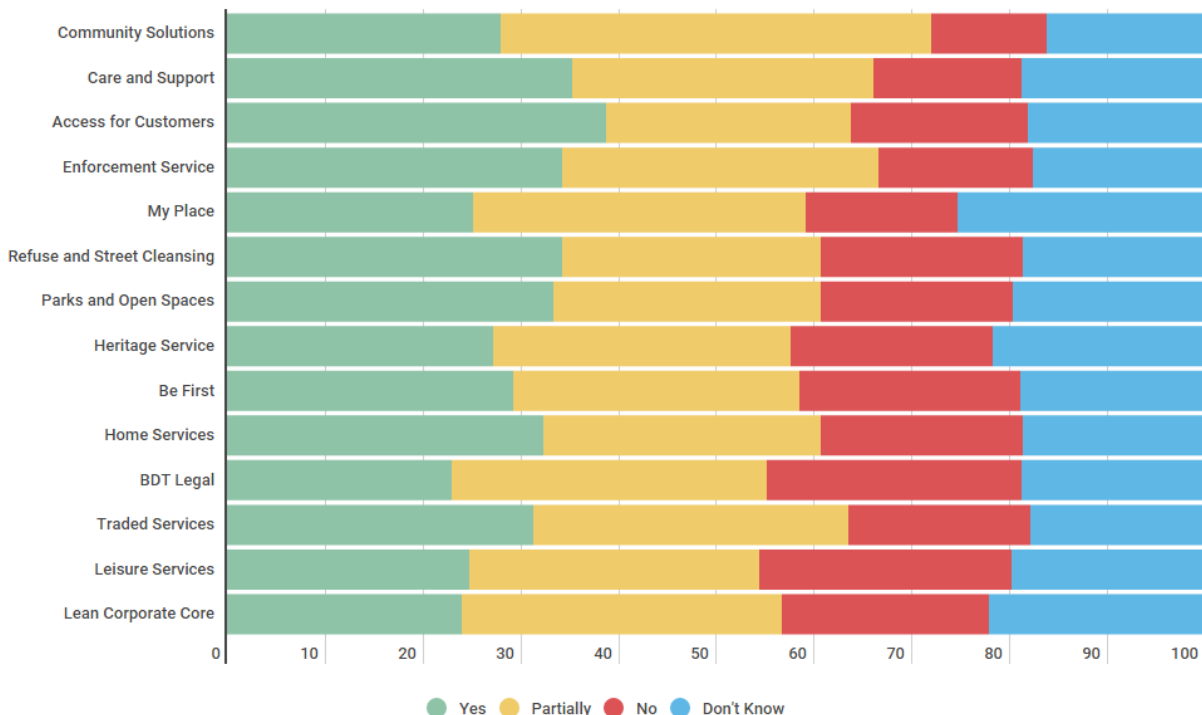
There were a few comments about some practical considerations – the length of the event, and the amount of information provided was for some too much to take in. The roadshows were designed for all employees and were not targeted. This was intentionally as it provided opportunities for everyone to hear the same message. Senior managers and managers were asked to cascade and check understanding with teams in more local groups. One commented that “It was too much time to take out of the working day of busy

people and would have been better done in a more targeted way so that we got a brief overview and more detail on the parts relevant to us”.

There was some interest in the proposals for service blocks. The percentage of comments received for each block is shown in the following table:



Staff commented on their level of understanding about the Ambition 2020 proposals at this stage, which is set out below as a percentage:



3. Main staff engagement themes

Staff were provided with an opportunity to comment or ask any questions about what they heard at the roadshows.

68 comments were received; a number of shared issues and themes emerged as set out below:

Comments about the impact on residents/customers

Some staff raised concerns about how the proposals will work for residents, and were in particular concerned about access to services, and the need for good communication and effective management. For many staff this was the first opportunity for them to hear about the proposals, and how things might work in the future.

The involvement of our residents in the change and the proposals was mentioned by some, and staff asked for continued engagement from front line staff and service users in shaping the future service.

Staff asked for more information about how services like the enforcement service would work to shift behaviours. Opportunities for drawing on staff insight and relationships with the community were suggested.

Ambition and expectations

Many staff reported that they were inspired by the roadshow and were clear about the need for change. “I got excited about this and wanted to get involved”;

Many felt that this type of change is well overdue, that the ideas were uplifting “I was left feeling excited and inspired about LBBD’s future and that this was the Council’s best shot at it” “Bold ideas, really unusual, not what I expected” “I believe that we have strong and visionary leadership of the Council and I applaud the effort made to reduce compulsory redundancy and create a service that is partly self financing” and “I think this is a good idea, the Council needs to start to think like a business”;

As well as the need for change, many also commented on the challenges ahead. The need to have the right people and systems in order to make things work was seen as key. Equally having the issues tackled rather than moving the issues and bad practice into an “outsourced model” was raised. General service improvement and building on foundations came out in the feedback.

One employee commented that they would like more information on how the ambition could be turned into actions.

This theme is summed up by one employee “it looks to be very difficult to implement but excellent if it works”

A fair employer

There were requests for more information about how TUPE will apply and a small number of points about the impact on pay and conditions.

My job

Many staff wanted understandably to know what the proposals would mean for them, their service, their profession and their job. There were some points made about wanting some clarity about which where particular services will fit where in the new service blocks.

“More communication needed to understand individual programmes in detail”

“I understood all of the changes and I think some of them seem really innovative and are moving with the times. In terms of my job role, I’m not sure that I understood where we fitted, especially having sat within leisure, housing and environment in the past 3 years for some duration of time or another!”

“More information is needed about significant and small changes”.

“I understand everything that was said however a lot of things are still not known to the council so there will still be unanswered questions that cannot be answered at this time”.

“I feel further information is required to advise people where their role/team will sit in the future.”

“Would have liked more information on the specific elements and how they will affect individual departments”.

Some staff raised the need to quickly identify how they would be affected to reduce uncertainty about the future.

Ongoing communication and engagement at key milestones would help to reduce unease.

Learning and Development and Skills

Only a small number raised the need for training.

Budgets and savings

Only a small number of staff raised budgets, with one commenting that they were positive about looking at a “more thoughtful” way to reducing budgets.

IT and systems

Staff wanted to be reassured about the investment in systems, the website and IT in particular. One person also suggested IT training and support for customers.

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CABINET**19 July 2016**

Title: Medium Term Financial Strategy 2017/18 to 2020/21 Update	
Report of the Cabinet Member for Finance, Growth & Investment	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Kathy Freeman, Finance Director	Contact Details: Tel: 020 8227 3497 E-mail: Kathy.freeman@lbbd.gov.uk
Accountable Director: Kathy Freeman, Finance Director	
Accountable Strategic Director: Jonathan Bunt, Strategic Director of Finance and Investment	
Summary	
<p>This report updates Cabinet with changes to the Medium Term Financial Strategy (MTFS) following ratification by Assembly in March 2016.</p> <p>This report primarily focuses on how the Council proposes to address the 2017/18 budget gap, but also seeks to update Cabinet on:</p> <ul style="list-style-type: none"> • Progress on the delivery of the A2020 Programme, launched in April 2016 • Potential impact of the Chancellor's March 2016 Budget announcement on the Council's Medium Term Financial Strategy <p>In December 2015, the Department of Communities and Local Government (DCLG) announced a provisional four year settlement, enabling councils to carry out financial planning with greater certainty. Councils wishing to formally accept the four year settlement must submit an "Efficiency Plan" to DCLG no later than 14 October 2016. This report proposes that the Council formally accepts the four year settlement and proposes the Council submits the April Cabinet Ambition 2020 report to DCLG as its "Efficiency Plan".</p> <p>It is important to note that the MTFS is made up of a number of estimates/forecasts and the best information available at the time of writing this report. The projected budget gap will be subject to change as further information becomes available.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Agree to accept the DCLG's four-year local government settlement as set out in paragraphs 3.3 and 3.4 of the report; (ii) Agree to use the Council's April Ambition 2020 report as the basis of its Efficiency 	

Plan statement, to be submitted to DCLG by 14 October 2016;

- (iii) Agree to the growth items required in the MTFS as set out in section 8 of the report;
- (iv) Agree to reverse savings proposal ACS/SAV/12a, agreed by Minute 71 (16 December 2014), in respect of funding for the Citizens Advice Bureau savings in order to support the Council's Community Solutions approach, as detailed in paragraph 8.3 of the report;
- (v) Agree to reverse savings proposals CEX/SAV/54 and CEX/SAV/54g, agreed by Minute 31 (7 October 2014) and Minute 71 (16 December 2014) respectively, in relation to proposed Insurance and Freedom of Information shared services with Thurrock Council which are not now being progressed, as detailed in paragraph 8.5 of the report;
- (vi) Agree to write off the savings proposal ACS/SAV/36, agreed by Minute 71 (16 December 2014), in relation to the Leisure Trust proposals, to avoid double counting in the MTFS, as detailed in paragraph 8.4 of this report;
- (vii) Note the proposed savings targets from the A2020 programme, delivering £9.8m savings net of costs, as outlined in Appendix 1 of this report;
- (viii) Note that the Medium Term Financial Strategy budget gap has increased to £66m following revisions to assumptions, the amendments referred to above and a further projected cut of £6m by 2020/21 in funding received from the Government;
- (ix) To note that Ambition 2020 is forecast to deliver savings of £45.5m by 2020/21 and savings of £9.2m for 2017/18, which reduces the Council's budget gap to £21m by 2020/21;
- (x) To approve the use of £2.3m of reserves as a one off saving to balance the 2017/18 budget position; and
- (xi) To approve the use of un-earmarked capital receipts to fund the cost of the Ambition 2020 transformational programme, in line with the statutory guidance issued by DCLG, as set out in paragraph 7.9 of this report.

Reason(s)

Effective financial planning underpins the Council's ability to achieve it's vision of becoming London's Growth Opportunity.

1 Introduction and Background

- 1.1 Assembly in February 2016 as part of the Council Tax setting for 2016/17 agreed the Council's Medium Term Financial Strategy (MTFS) which reported an estimated budget gap of £63m by 2020/21, with a budget gap of £19.8m for 2017/18.
- 1.2 The MTFS is based on a number of best known assumptions and estimates at the time of writing and is therefore subject to regular updates as those are reviewed throughout the year.
- 1.3 Since the report in February, a number of changes have been made to the MTFS, including the changes to the Council's 2017/18 budget gap and the incorporation of Ambition 2020 programme savings. There is a separate report elsewhere on this agenda which outlines how that programme will be taken forward and the estimated savings, based on the expected implementation of the individual workstreams, are set out in this report as the Council's response to the MTFS.

2 Delivery of the 2016/17 budget and in year risks

- 2.1 There are a number of pressures and risks associated with the delivery of the 2016/17 budget. These risks and pressures are reported elsewhere on the July Cabinet agenda, but also reflected briefly in this report below.
- 2.2 Any pressures resulting in an overspend at year end that cannot be addressed ongoing will further increase the budget gap for 2017/18 and will reduce available reserves that could provide both a source of investment and a smoothing mechanism where planned savings and the reduction in resources do not align. It is therefore essential that the pressures are dealt with and, where necessary, action plans are implemented that mitigate the risks.
- 2.3 **Children's Care and Support**
Children's Care and Support are projecting pressures of £9.4m and to date, the SAFE programme has identified a number of actions which reduces this overspend to £3.3m. Further savings are required in order to fully mitigate this gap.
- 2.4 **Homelessness**
The Homelessness budget is forecasting pressures of over £1m due to an increase of people presenting in the borough requiring support. There are pressures on bed and breakfast placements as well as increased security costs. The operational director is currently devising an action plan to manage down this pressure.
- 2.5 **Adult Care and Support**
There are number of inherent budget pressures reported on Adult Care and Support of £2.4m, due to increased demand on residential placements and the increased cost of paying suppliers the national minimum wage. Although the pressure is likely to be contained through application of the directorate reserve, the use of reserves is unsustainable in the long term.

3 Current Medium Term Financial Strategy

- 3.1 As noted above, the current MTFS assumes a gap of £63m by 2020/21 and a gap of £19.8m for 2017/18.

Pressure £'m	2017/18	2018/19	2019/20	2020/21	Total
Pay	1,000	1,000	1,000	1,000	4,000
Non Pay Inflation	2,100	2,100	2,100	2,100	8,400
Pensions	325	325	325	325	1,300
Borrowing	4,400	900	900	900	7,100
Demographics	3,500	3,974	4,013	4,672	16,159
Care Act	219	45	377	0	641
Leisure Trust	(1,000)	0	0	0	(1,000)
New Legislation	2,000	2,000	2,000	2,000	8,000
Other (Levies)	995	440	350	350	2,135
Funding	8,670	7,547	5,480	4,700	26,397
Council Tax	(1,838)	(1,898)	(1,960)	(2,024)	(7,720)
Council Tax Base	(570)	(589)	(608)	(628)	(2,395)
Gap	19,801	15,844	13,977	13,395	63,017

- 3.2 The MTFS incorporated a number of assumptions around new legislation burdens, borrowing, non pay inflation and demographic pressures – a number of which will be revised in this report.
- 3.3 The funding changes/revenue support grant reductions were based on the provisional four year local government settlement figures announced by the Department of Local Government and Communities (DCLG) in December. A change in the methodology used by DCLG to calculate funding reductions was made in December 2015. Instead of applying a percentage reduction on the revenue support grant alone, DCLG took into account the total funding available and spending power of each Council to calculate the level of funding cuts applicable. Due to Barking and Dagenham having a lower Council Tax base, the funding reductions were, though still a substantial cut in resources, more favourable than previously estimated.
- 3.4 In order to accept the Government's four year settlement, councils are required to submit an efficiency plan by 14 October 2016. This report therefore proposes that the Council accepts DCLG's four year settlement offer, by submitting the Ambition 2020 report launched by Cabinet in April 2016, as the basis of its efficiency plan.

4 Chancellor's Budget - March 2016

- 4.1 There is insufficient detail from the Chancellor's March 2016 Budget to fully assess the financial implications for the Council.
- 4.2 The biggest headline announced was around changes to the national deficit position. The Chancellor is still expecting the country to return to a surplus position by 2019/20, however, the national deficit report in at the Comprehensive Spending Review in November 2015 of £4.6bn increased to £21.4bn in the March 2016 Budget. Due to changes in the forecast deficit position, it was announced that there will be further efficiency cuts of £3.5bn public sector cuts, details to be published towards late 2018. The Chancellor also indicated there will need to be further cuts to public spending following the recent referendum on European Union membership.
- 4.3 At this stage, it is unknown whether these additional cuts will be applied to local government, given the announcements will be announced in the third year of the four year settlement offer. The Council's experience since 2010, however, suggests that further reductions in funding should be anticipated.

Business Rates retention

- 4.4 The March 2016 Budget also focused on councils retaining 100% of business rates collected, and the phasing out of the Revenue Support Grant by 2020. The MTFS currently assumes that £9m of the Revenue Support Grant will remain by 2020 which reflects a significant reduction from the £37m the Council receives in 2016/17.
- 4.5 The government are keen to push for a London rates retention system ahead of the national system, but the details are yet to be worked through at this stage. Other proposals include changing the multiplier uplift from being linked to RPI to CPI which has been 1% lower in recent years, curbing the potential growth as councils move to 100% rates retention.
- 4.6 In recognition of the additional funding from councils retaining 100% of business rates, the government has indicated that additional responsibilities such as Public Health, Housing Benefits Administration for Pensioners and the Independent Living Allowance will also transfer to Local Government. It is estimated there will be a national funding shortfall of £500m initially until the business rates are re-valued and uplifted over time to mitigate this.
- 4.7 Although the intention is the phase out Revenue Support Grant, it is highly unlikely this will be achievable by 2020. However, funding assumptions have been further adjusted downwards by a further £6m taking into account of the potential impact of the £3.5bn efficiency cuts due to be announced in 2018.
- 4.8 The other key announcement was a drive for all schools to become academies by 2020, and for local authorities to stop providing school improvement services before the end of 2016/17. To speed up the implementation of the national schools funding formula, £500m transitional funding was announced to deliver the national funding formula by 2018/19. The risks of moving towards the national funding formula will

cause funding pressures for the Council due to a number of centrally supported activities, agreed via the Schools Forum are currently funded from the Dedicated Schools Grant. The potential impact is currently being worked through.

5 Queen's Speech

- 5.1 The Queen delivered her speech on 18 May 2016, announcing a number of new Bills that will pass through as legislation during the course of the year.
- 5.2 The Bills mostly likely to impact the MTFS are the Children and Social Work Bill and the Education for All Bill.

Children and Social Work Bill

- 5.3 This Bill focuses on improving the process of adoption of children, ensuring that permanent adoption is favoured where this is right for the child, without delay. The Bill also places a duty on local authorities and schools to promote educational achievement for adopted children in long term care as well as increased regulation of social workers, to enable a clear focus on standards and effective training and development. Local authorities would be encouraged to pilot new and innovative ways of social work and methods of safeguarding children.

Education for All Bill

- 5.4 This Bill slightly departs from the requirement of all schools to become Academies by 2020, and moves to academisation of schools in the poorest performing local authorities. In line with the March 2016 Budget, the Bill still supports the principle that responsibility for school improvement shifts from local authorities to great head teachers in the school system. In order to address the funding inequities that exist within the current Dedicated Schools Grant, a national funding system will be implemented.
- 5.5 Due to the limited detail available, it has not been possible to assess the financial implications arising from the Queen's speech. The MTFS does however provide £2m per year for legislative changes and new burdens which could be used in support of delivery the changes required and mitigating the potential funding changes that may arise.

6 Impact of the European Union

- 6.1 The 23 June referendum on Britain's membership of the European Union gave a majority for the 'Leave' campaign. Both the timing and the impact of this result is unknown at this early stage with the Prime Minister pushing back the commencement of any decision and negotiation on Article 50 until later in the year.
- 6.2 Whilst a range of views were expressed during the campaign, the general consensus was that there would be a detrimental impact on the UK economy from a 'Leave' vote, at least in the short term. In the immediate aftermath of the result, there has been significant volatility in the financial markets and there is the potential for this to lead to increased savings requirements for public sector bodies. Shortly after the referendum result, both the Chancellor and the Governor of the Bank of

England have announced that the necessary steps will be taken to stabilise the national economy.

- 6.3 As part of the campaign leading in to the referendum, the Chancellor indicated that, in the event of a 'Leave' victory, he would be required to implement an emergency budget. Following the actual result, the Chancellor announced that this would not occur and he went further to state that the government would not be continuing with its policy of seeking a surplus by 2020. Given the volatility in the economy, this is a positive announcement for local government as it reduces the probability of further or faster cuts to funding.
- 6.4 The Council receives relatively limited amounts of funding from the European Union but it does benefit from monies for its employment and skills agenda. The importance of this has been highlighted by the recent Growth Commission report and employment and skills will be an essential part of the proposed Community Solutions service.
- 6.5 The impact of the 'Brexit' vote will need to be monitored and, as further information becomes available, updates to the MTFs will be brought to Members. There is the potential for some opportunities from the market uncertainty, e.g. short terms falls in interest rates has provided opportunities to borrow at low rates, though achieving the budgeted level of income on Council investments will become more challenging.

7 Progress on the delivery of Ambition 2020 and Funding for the Programme

- 7.1 Cabinet in April saw the launch of the Council's Ambition 2020 Programme, which put forward a series of proposals to radically change the way the Council will operate and how it will deliver its services going forward to meet the needs of the community.
- 7.2 Following public consultation on the proposals between April and June, a total of 198 responses were received, with the large majority of 89% either fully accepting or partially accepting the proposals.
- 7.3 The Ambition 2020 Progress report elsewhere on this agenda seeks Cabinet approval for officers to progress, in detail, service design principles for the proposals in the April consultation document for the following:
- Community Solutions
 - Care and Support
 - Access for Customers
 - Enforcement Service
 - My Place
 - Refuse and Street Cleaning
 - Parks and Open Spaces
 - Heritage Service
 - Be First
 - Home Services
 - BDT Legal
 - Traded Services

- Leisure Services

- 7.4 The original outline business cases indicated that the A2020 Programme could deliver £49.4m net savings by 2020/21, with £12.5m of savings deliverable in 2017/18.
- 7.5 Since April, detailed work has been carried out by the Programme Management Office, working alongside the Strategic Directors on the robustness of the assumptions that underpin the savings, focusing particularly on what is deliverable in 2017/18.
- 7.6 Following the review process, the Strategic Directors have confirmed that savings of £9.282m, net of costs are deliverable for 2017/18 against the work streams below. Given the level of change the organisation has to go through to implement the savings, the PMO will continue to closely monitor the delivery of the savings as detailed service design principles are developed. This provides an important, independent level of assurance to the Chief Executive and Section 151 Officer on the robustness of the development of the Council's budget.
- 7.7 A further report will be brought back to Cabinet in late 2016, setting out the outcome of the development of the detailed design principles which will inform the Council's budget strategy position for 2017/18 to 2020/21. This will include the draft budget for 2017/18 which will be formally consulted on.
- 7.8 The estimated savings deliverable for each work stream for 2017/18 is attached as Appendix 1 to this report.
- 7.9 Cabinet in the January Budget Strategy report approved £2m as early investment to enable the design phase of Ambition 2020 to commence without delay. Cabinet also approved additional borrowing costs of £0.5m, which geared upwards enables £5m of capital borrowing for the Programme. The Chancellor in his Autumn Statement announced that all local authorities are able to apply the use of capital receipts flexibly to fund major transformation programmes from 1st April 2016, in relation to new receipts generated within the 2016/17 financial year. The flexibility of capital receipts for transformational projects applies from 1 April 2016 to 31 March 2019, and authorities can only use capital receipts from disposals received in the year in which the flexibility is in effect. It is therefore proposed that unearmarked capital receipts are applied to fund Ambition 2020, in order to protect the use of the Council's reserves. The approved borrowing will be used to fund other parts of the agreed capital programme as required.

8 Proposed changes to the 2017/18 budget

- 8.1 In order for the Council to set a robust budget for the forthcoming year, it must take into account of pressures, growth and non deliverable prior year savings.

Assessment of growth and investment required

- 8.2 In order for the Council to deliver and achieve the recommendations put forward by the Growth Commission, develop and deliver the Borough's twenty year Manifesto and to enable the Council to achieve its vision of London's Growth Opportunity, a review has been carried out assessing the level of corporate resources required. To

keep pace with the borough's ambitious plans, it is proposed that growth of £0.750m is applied to the Strategy and Programmes budget, under the Finance and Investment directorate. £0.3m of this funding will go towards the creation of a Customer Insight Team whose primary focus will be to understand at a detailed level the needs of our residents to enable the Council to provide excellent services at first point of contact where required, but also to help with reducing and prevent demand for expensive, high cost care and support services.

- 8.3 In order to fully embed the A2020 delivery model, the Community Solutions approach will assist our residents by signposting them to the right type of service for their needs. This may involve referring our residents to the voluntary and community sector for support and advice. As such, the Council is proposing to reverse the saving proposal ACS/SAV/12a put forward in December 2014 which ceased funding to the Citizens Advice Bureau, with the view of reviewing the effectiveness of the support provided to our residents later in the Ambition 2020 programme.
- 8.4 Cabinet in December 2014, agreed to delivering savings of £1m through the Council setting up a Leisure Trust. This saving was subsequently deferred with the view that additional savings over and above this could be achievable if Leisure services were outsourced to an existing Trust provider. Based on the savings put forward in the A2020 outline business case, savings of £1.2m can be delivered through the outsourcing of just the leisure centres, allowing the Council to keep its stake in its libraries and heritage sites. It is therefore proposed that the original £1m saving ACS/SAV/36 is written off the MTFs to avoid double counting.
- 8.5 A number of savings proposals originally put forward in December 2014 were achievable through sharing services with Thurrock Council. Given that the Council is now looking to forge stronger partnerships with the other London growth boroughs, many of the original shared service proposals have now ceased which has left pressures of £0.2m across the Freedom of Information team CEX/SAV/54g and in Finance CEX/SAV/54. It is recommended that funding is allocated to these areas to mitigate the loss of income.

Assessment of MTFs assumptions

- 8.6 Pensions – There is currently £0.325m set aside in the MTFs to allow for the impact of triennial actuarial valuation. This calculation was based on an increase in contribution of 0.5% and was calculated using a medium term forecast of investment return expectations against the forecast liability increase for the Pension Fund.

Every three years a triennial valuation of the Pension Fund is undertaken which sets the employer contribution rate for the Council. The next valuation will take place during 2016, with initial estimates indicating that it will be possible for contribution rates to remain at the current rate of 24.5%. This is because investment returns have been better than forecast by the actuary and due to lower than forecast inflation, salary and pension increases.

A rate of 24.5% will be sufficient to allow the Pension Fund to achieve its long term target of being fully funded within the next 18 years. As a result the £0.325m per year can be taken out of the MTFs for 2017/18.

- 8.7 Deferring borrowing costs – The Council is required to set aside a prudent amount within its budget for interest cost. In 2014/15 a treasury interest payable budget was set based on the requirement at the time. This budget was temporarily reduced by £3m for 2015/16 and 2016/17 as the cash position of the Council was sufficient for borrowing to be postponed and for cash balances to be utilised to meet the borrowing requirement.

For 2017/18 a review of this requirement indicates that £1m of the £3m will be required to cover borrowing taken out in 2016/17 but that this should be sufficient to allow treasury to meet its net interest budget. The remaining £2m will not be required for 2017/18 and can therefore be pushed back to 2018/19.

A review of the borrowing requirement for 2018/19 will be undertaken towards the end of 2016.

- 8.8 Non pay inflation – The MTFs has currently set aside £2.1m for non pay inflation. For a number of years now, the Council has managed inflationary pressures within existing budgets. A lot of this has happened through negotiation with suppliers to hold down prices but also this has been helped with RPI and CPI being historically low in the last few years.

Although not sustainable in the long term, in order to address the 2017/18 budget gap, it is proposed that Council manages inflation led pressures for a further year and the £2.1m is removed from the MTFs for 2017/18.

- 8.9 Demographic pressure – the MTFs has currently set aside £3.5m to deal with demand led pressures for 2017/18. Through the implementation of the Ambition 2020 business cases, an element of cost avoidance savings will be delivered to manage down the Council's projected demand led pressures. Therefore, it is proposed that the demand led pressures are reduced by £1m to £2.5m for 2017/18.

- 8.10 New legislation – At present it has been difficult to fully assess the financial implications from the Queen's speech and the Chancellor's March 2016 budget. As the Bills are enacted as legislation through parliament, and further details become available, it is likely that there will be increased cost pressures from new burdens.

However, at present, no imminent changes/burdens have been announced that will impact on the 2017/18 budgets, so it is proposed that the £2m set aside is removed from the MTFs.

9 Revised Medium Term Financial Strategy

- 9.1 Taking account of the adjustments in sections 5 to 8 of this report, the movements in the MTFs have been captured in the table below. The budget gap now increases from £63m to £66m, taking into account of the potential funding cuts due to announced from the £3.5bn efficiency savings planned for 2018/19.

Pressure	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	Total £000
Gap – February 2016	19,801	15,844	13,977	13,395	63,017
CAB & Thurrock	500				500
Strategy	750				750
Leisure Trust	1,000				1,000
Pensions	(325)	325			0
Borrowing	(2,000)	2,000			0
Non Pay Inflation	(2,100)				(2,100)
New Legislation	(2,000)				(2,000)
Demographics	(1,000)				(1,000)
Extra Cuts for local government			3,000	3,000	6,000
Potential Gap	14,626	18,169	16,977	16,395	66,167

9.2 Based on the progress made to date on the A2020 Programme and the delivery of savings for 2017/18, the gap for 2017/18 has now been reduced to £5.3m and £20.6m by 2020/21.

9.3 This is shown in the table below:

Pressure	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	Total £000
Gap – February 2016	19,801	15,844	13,977	13,395	63,017
Potential Gap – June 2016	14,626	18,169	16,977	16,395	66,167
Expected savings from A2020	9,282	13,239	7,844	15,155	45,520
Revised gap after A2020	5,344	4,930	9,133	1,240	20,647

9.4 In order to deliver early cashable savings, pending the organisational re-design, the Council launched a voluntary redundancy scheme in February 2016. A number of posts have been deleted through the process, though some service areas requiring backfill on an interim basis until the new operating models are defined. As a result of the voluntary redundancy scheme, the Council has realised approximately £2.1m of cashable, in year savings which will be held corporately and used to offset the 2017/18 budget gap.

- 9.5 To further reduce the gap, the Ambition 2020 programme is also delivering c£0.944m of 2016/17 savings which will also be held corporately as an in year cashable saving. This leaves a remaining budget gap of £2.3m which will be drawn down from general fund reserves.
- 9.6 The effect of the measures outlined above effectively defers the £5.344m gap into 2018/19 when additional A2020 savings proposals will be delivered. The savings arising from the voluntary redundancy scheme will be refined throughout summer and mapped back to the A2020 work streams. The budget gap for 2018/19 therefore increases from £4.9m to £10.3m.
- 9.7 The table below outlines the impact of deferring the budget gap by using cashable savings and reserves to balance the 2017/18 position:

Pressure	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	Total £000
Revised gap after A2020	5,344	4,930	9,133	1,240	20,647
Budget gap c/f 17/18		5,344			
Cashable savings VR	2,100				
Cashable in year 16/17 savings	944				
Drawdown from reserves	2,300				
Revised gap after adjustment	0	10,274	9,133	1,240	20,647

- 9.8 Although the budget gap is now £20.6m, it is important to stress that this position does not take into account any potential savings arising from the set up of an Accountable Care Organisation, given that the scheme development is still at its infancy. The budget gap also excludes the funding available for the Improved Better Care Fund, as further details are yet to announced on the scheme. It is important to note that the Improved Better Care has been created through top-slicing the New Homes Bonus with the effect of reducing one funding source to generate another.

10 Summary

- 10.1 The revised budget gap adjusting for the A2020 proposals is now £20.6m to 2020/21
- 10.2 Further to adjustments outlined in section 5 to 8, the MTFS now has a revised gap of £14.6m for 2017/18.
- 10.3 Accepting the approach outlined in paragraph 9.4, of using the holding in year savings delivered via the voluntary redundancy scheme corporately, the cash surplus generated can be used as a one off, to support delivering a balanced budget for 2017/18.

- 10.4 Using cashable savings to support the 2017/18 will however increase the budget gap and the savings target required in 2018/19, but provides an additional year to identify and proposal further savings.
- 10.5 During summer, detailed work will be carried out to develop the service design principles. This will involve further testing of the assumptions made in the business cases, as well as further refinement to the deliverable savings for 2017/18 through to 2020/21.

11 Risk Management Issues

- 11.1 In order to sufficiently manage the risks of delivering a Council wide transformation programme within a very short timescale, the Council needs to ensure that the Programme has robust risk registers in place to monitor the deliverability of each work stream.

12 Legal Implications

- 12.1 This report sets out the Council's Medium Term Financial Strategy. The Director of Finance has a statutory duty, under Section 151 of the Local Government Act 1972 and Section 73 of the Local Government Act 1985, to ensure that there are proper arrangements in place to administer the Council's financial affairs.
- 12.2 Furthermore the Local Government Act 1999 places a duty on the Council as a 'Best Value' authority to secure continuous improvement in the way its functions are exercised so as to secure economy, efficiency and effectiveness. The MTFS is linked in to the overall corporate strategy led by the Ambition 2020 plan. Setting challenging key performance indicators are a necessary component of effective performance management.
- 12.3 The Council is required under the Local Government Finance Act 1992 to produce a 'balanced budget'. As set out in this report, the projected MTFS outlook takes place in the context of significant and widely known reductions in public funding to local authorities. Inevitably over a period while allowances and contingencies may be made, the MTFS is inevitably going to need ongoing review and adjustment. Should the need emerge to make reductions or changes in service provision as a result of changes in the financial position, the Council may vary its policy and consequent service provision to engage with the change. However it must at the same time have regard to public law considerations in making any such decisions that it is properly informed including carrying out appropriate consultation with interested parties. This is necessary to avoid or defeat any challenge by judicial review and in any event Members will also wish to ensure adherence as part of good governance. Should such steps be required, then specific legal advice will be available on the detailed implementation of savings options.

Public Background Papers Used in the Preparation of the Report: Ambition 2020 April Cabinet report

List of Appendices

- **Appendix 1 – 2017/18 savings deliverable per work stream**

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Deliverable savings for 2017/18

YEAR 2 - 2017/18	April Cabinet figures			Deliverable savings – June position		
Programme	Gross Savings (as per Cabinet)	Costs (as per Cabinet)	Net Savings (as per Cabinet)	Gross Savings	Costs	Net Savings
A2020 - Cross cutting Enablers	£3,135k	-£80k	£3,055k	£1,072k	-£80k	£992k
Customer Access & Fulfilment	£3,135k	-£80k	£3,055k	£898k	-£80k	£818k
Irreducible Core	£k	£k	£k	£174k	£k	£174k
Workforce & OD	£k	£k	£k	£k	£k	£k
A2020 – Transformation	£4,040k	-£1,000k	£3,040k	£4,551k	-£20k	£4,531k
All Age Disability Service	£k	£k	£k	£k	£k	£k
Community Solutions Service	£20k	£k	£20k	£600k	£k	£k
My Place	£190k	£k	£190k	£203k	£k	£203k
Redesigning Adults Social Care	£3,830k	£k	£3,830k	£3,748k	-£20k	£3,728k
Redesigning Children Social Care	£k	-£1,000k	-£1,000k	£k	£k	£k
A2020 - Growth & Commercial	£4,859k	-£1,082k	£3,777k	£3,010k	-£100k	£2,910k
Be First	£2,487k	£k	£2,487k	£933k	£k	£933k
DLO Commercial Review	£984k	-£450k	£534k	£k	£k	£k
Housing Investment Opportunities	£k	£k	£k	£757k	£k	£757k
Legal Services Commercial Review	£200k	-£100k	£100k	£400k	-£100k	£300k
Leisure Services Review	£1,092k	-£532k	£560k	£650k	£k	£650k
Parks, Open Spaces Cemeteries (Part 2)	£k	£k	£k	£k	£k	£k
Traded Services	£96k	£k	£96k	£270k	£k	£270k
A2020 - Service Improvement	£486k	£k	£486k	£1,795k	-£345k	£1,450k
Culture & Heritage Review	£5k	£k	£5k	£10k	£k	£10k
Enforcement	£10k	£k	£10k	£975k	-£70k	£905k
Parks, Open Spaces Cemeteries (Part 1)	£200k	£k	£200k	£236k	-£200k	£36k
Refuse	£271k	£k	£271k	£513k	-£75k	£438k
Street Cleansing	£k	£k	£k	£61k	£k	£61k
Total	£12,521k	-£2,162k	£10,359k	£10,427k	-£545k	£9,282k

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CABINET

19 July 2016

Title: Gascoigne Estate (East) Regeneration Proposals - Phase 2	
Report of the Cabinet Member for Finance, Growth and Investment	
Open Report with Exempt Appendix 4 (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 as amended)	For Decision
Wards Affected: Gascoigne	Key Decision: Yes
Report Authors: Jennie Coombs, Regeneration Manager - Major Housing Projects Andrew Sivess, Group Manager: Investment and Funding	Contact Details: Tel: 020 8227 5736 E-mail: jennie.coombs@lbbd.gov.uk Tel: 020 8227 5732 E-mail: Andrew.sivess@lbbd.gov.uk
Accountable Director: Jeremy Grint, Commissioning Director for Growth, Homes and Regeneration	
Accountable Strategic Director: John East, Strategic Director for Growth and Homes	
<p>Summary</p> <p>By Minute 128 (30 June 2014), the Cabinet approved a report that set out the Masterplan objectives for the Gascoigne East Regeneration area and the delivery and funding arrangements for Gascoigne Phase 1 area in partnership with East Thames Group.</p> <p>The construction of Phase 1 started in November 2015. The scheme is progressing well and it is anticipated that all sub-phases will be in contract and under construction by early 2017 with completions starting in early 2018.</p> <p>To maintain momentum and be ready to develop the remaining Masterplan phases this report sets out the delivery proposals and funding options for the Phase 2 residential scheme. In addition the appropriation from the HRA to the General Fund of the site for Greatfields School is included in this report.</p>	
<p>Recommendation(s)</p> <p>Cabinet is requested to:</p> <p>(i) Agree the appropriation of the land at Phase 2 (including the site for Greatfields School) under Section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund, following completion of the decanting and demolition of each block, as shown edged in red in Appendices 1 and 2, to enable the delivery and regeneration of the eastern side of Gascoigne estate via the delivery structure set out in these recommendations;</p>	

- (ii) Agree that the residential units in Phase 2 be developed in conjunction with East Thames Group and the Council acting as joint development manager;
- (iii) Agree to the establishment of a Special Purpose Vehicle(s) within the Barking & Dagenham Reside structure to develop, own and procure the construction, management and maintenance of 100 affordable rented and 115 shared ownership units;
- (iv) Agree to the sale at practical completion of 115 shared ownership units to East Thames Group;
- (v) Agree to the establishment of a Special Purpose Vehicle within the Barking & Dagenham Reside structure to develop, procure the construction and sale of 140 private sale units to be sold on the open market jointly with East Thames Group / L&Q;
- (vi) Agree to the principle of borrowing up to £23.49m within the General Fund from the Public Works Loan Board and/or the European Investment Bank to finance the development and ownership of the affordable rent homes via a loan agreement made between the Council and the affordable rent Special Purpose Vehicle;
- (vii) Agree to the Special Purpose Vehicle established for the affordable rented units being legally owned for the funding term by the Barking Renew Charity and Barking & Dagenham Reside which will own, manage and maintain the units in accordance with the funding terms in a loan agreement between the Council and Special Purpose Vehicle;
- (viii) Agree to the principle of borrowing up to £26.02m within the General Fund from the Public Works Loan Board and/or the European Investment Bank to finance the development and ownership of the shared ownership homes via a loan agreement made between the Council and the shared ownership Special Purpose Vehicle;
- (ix) Agree to the principle of borrowing up to £15.12m within the General Fund from the Public Works Loan Board to fund 50% of the cost to bring forward the private sale properties via a loan agreement between the Council and Special Purpose Vehicle;
- (x) Agree to the principle of borrowing up to £26.02m within the General Fund from the Public Works Loan Board to fund the cost of the shared ownership units to be sold to East Thames Group via a loan agreement between the Council and Special Purpose Vehicle;
- (xi) Agree to grant a 252 year lease to the Special Purpose Vehicle(s) which will terminate at the option of the Council at the end of the funding term(s), with full ownership reverting to the Council;
- (xii) Delegate authority to the Strategic Director of Finance and Investment to negotiate and agree funding with the Greater London Authority and an institutional investor to support the delivery of the First Steps Challenge Fund Programme which is being developed by the Greater London Authority to support delivery of a shared ownership programme;

- (xiii) Delegate authority to the Chief Executive, in consultation with the Director of Law and Governance, the Strategic Director of Finance and Investment and the Cabinet Members for Finance, Investment and Growth and Economic and Social Development, to negotiate terms and agree the contract documents to fully implement and effect the Gascoigne Phase 2 development; and
- (xiv) Authorise the Director of Law and Governance, or an authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council.

Reason(s)

To assist the Council in achieving its corporate priorities through the regeneration of estates.

1. Background

- 1.1. A comprehensive borough-wide estate renewal programme was approved by Cabinet (6 July 2010) to initially redevelop three estates: Gascoigne Estate (East), Goresbrook Village and Birdbrook Close and Wellington Drive at the Leys. The selection of these estates was to help deliver the objectives of the HRA Business Plan and Housing Asset Management Strategy whereby uneconomic and obsolete estates would be redeveloped to provide new affordable housing, in a number of tenures, that better meet the needs of the wider community, and to support economic development and long-term financial sustainability of the Council.
- 1.2. Cabinet approved on 30th June 2014 the Masterplan objectives, delivery and funding arrangements for Phase 1 of the Gascoigne East Regeneration area as follows:
 - The approval of the masterplan principles and detailed Phase 1 proposal for the eastern side of Gascoigne Estate (confirmed October 2014), including the location of the new secondary and primary schools, to be delivered in phases to allow for decanting and leaseholder buybacks;
 - The appropriation for planning purposes of the Gascoigne East development site and the appropriation of the land in Phase 1 from the Housing Revenue Account to the General fund (following decanting and demolition);
 - The appointment of East Thames Group as the Council's Gascoigne development partner in accordance with the agreed Heads of Terms;
 - To agree to the principle of establishing a Special Purpose Vehicle(s), wholly owned by the Council, to develop, own and be responsible for procuring the construction and management of the units to be developed and that the Council shall grant a 252 year lease to the Special Purpose Vehicle(s) which allow the Council to collapse the structure at the end of the funding term with full ownership reverting to the Council;
 - To agree to the principle of establishing an independent charity which shall own and control the affordable rent Special Purpose Vehicle(s) in accordance with the funding terms imposed by the Council;
 - To agree to the principle of borrowing £81.39m within the General Fund to finance the development and ownership of the following tenures;

- To agree borrowing from the European Investment Bank and the Public Works Loan Board.

1.3. Cabinet approved the delivery of the Secondary school within the Masterplan proposals as part of the Cabinet Member for Education and Schools 10th November 2015 report: *'Review of school places and capital investment – update Nov 2015'*. The recommendation agreed to support the procurement of the new Greatfields School subject to the Education Funding Agency (EFA) settling all allocations and agreeing a funding agreement. The EFA has subsequently approved the funding and the procurement route via the Council's Local Education Partnership joint venture vehicle (Thames Partnership for Learning).

1.4. A total of 1575 new homes will be constructed across all phases of the Masterplan area. The objective is to create an integrated, mixed tenure new community by providing a range of unit sizes and types including flats, duplex and mews style houses. This will help to deliver the growth objectives of the borough and will help to support the sustainability of Barking Town Centre.

1.5. The Phase 1 and masterplan tenure mix is set out in the table below:

Units		Private sale	Shared Ownership	Affordable rent	Total
Phase 1	Units	0	241	182	423
	Tenure %	0	57%	43%	100%
	Ownership	0	29.30% LBBB 70.68% ETG	100% LBBB	n/a
Masterplan (Phase 1 – 4)	Units	669	512	394	1575
	Tenure %	42%	33%	25%	100%

1.6. Phase 1 is under construction. It has been divided into 4 sub-phases; this allows the Council to control timing to mitigate against rising construction cost inflation and to adjust the delivery programme if necessary to respond to housing market changes. The first two sub-phases are now under construction with the remaining phases programmed to be in contract by early 2017.

1.7. The delivery of Phase 2 with East Thames enables the Council to negotiate a number of East Thames' existing properties for use as decants during the life of the phase 2 decant programme. A target of 35 per year has been set for this period. To date, the Council has received the nomination rights to five local properties and ETG have presented their proposals for the remaining number to be delivered during the decant programme.

2. Phase 2 delivery proposals

2.1. Tenure and construction costs

2.1.1. The Masterplan (Appendix 3 shows that Phase 2 (edged in red) has the highest density due to its location to the Town Centre, transport facilities and amenities. The maximum block height in the approved Masterplan is 12 storeys for one block located on the phase 2 site, the other blocks in this area range from 6 to 10 storeys. The site of the new Greatfields school is also shown edged in Blue on the map contained in Appendix 3.

2.1.2. The table below summarises the tenure split, estimated construction costs and proposed unit split between the Council and East Thames Group.

Phase 2	Private sale	Shared Ownership	Affordable rent	Total
Units	140	230	100	470
Tenure %	30%	49%	21%	100%
<i>Ownership</i>	<i>50% LBBB 50% ETG</i>	<i>50% LBBB 50% ETG</i>	<i>100% LBBB</i>	n/a
LBBB costs	£15.12m	£26.02m	£23.49m	£64.63m
ETG costs	£15.12m	£26.02m	nil	£41.14m
Total costs	£30.24m	£52.04m	£23.49m	£105.77m

2.2. Delivery Structure

2.2.1. It is proposed that, subject to tax and structuring advice, the delivery structure for Phase 2 will mirror the arrangements for Phase 1. It is anticipated that two Special Purpose Vehicles will be established and held within the Barking and Dagenham Reside structure for developing, holding and managing the affordable rented units and shared ownership units respectively. A third SPV will be required if the Council develops private sale housing in partnership with East Thames Group or sells shared ownership housing at practical completion to East Thames Group.

2.2.2. The structure previously approved by Cabinet allowed Right to Buy receipts to be invested in the affordable rented housing SPV. This supported the viability of the number of units let at lower affordable rents comparable to existing Council housing rents (circa 50% of market rent). Under this arrangement the charity established by the Council (Barking Renew) for Phase 1 will jointly own the affordable housing SPV with Barking & Dagenham Reside. The governance arrangements of the SPV will be set out in a Shareholders or Members Agreement under which Barking & Dagenham Reside will be responsible for procuring rent collection, management and maintenance functions. The Council will provide funding to the vehicle via a loan agreement which will contain management and maintenance obligations. The charity will receive an annual income of c.£50,000 which it can use to support economic and social well-being activities in the area.

2.2.3. The proposed SPV(s) would be a corporate body (either an English limited company or an English limited liability partnership) and would be the landlord of the dwellings once constructed. The SPV(s) would be responsible for the letting, management and maintenance of the affordable and social rented dwellings to be constructed and for compliance with all loan terms. These loan terms and their related security provisions will in turn limit the freedom of the SPV(s) to materially change any of these arrangements without lender consent; the lender for these purposes is effectively the Council. The SPV(s) would need to be governed by a board. The role of the board would be to undertake all activities required to fulfil the SPVs contractual obligations particularly with respect to:

- Effective letting and management of the homes and estates
- Discharge the contractual obligations of the SPV to the Council and/or to the funder in respect of lettings, maintenance and rent payment guarantees if these are required
- Effective risk management

3. Funding

- 3.1. It is intended that the Council would act as funder to the Special Purpose Vehicle(s); however, funding could be provided jointly with a third party funder such as a pension fund. The SPVs would therefore be subject to contractual funding terms set out within the loan agreement between the Council and SPVs.
- 3.2. It is important that the loan agreement is on arms-length terms and the Council maintains all of the rights that a normal lender would have. The loan agreement would therefore provide exactly how the units would be managed and maintained and would prevent the SPVs from being refinanced or having their assets charged in any way, other than with the consent of the Council as lender. If the SPV defaulted on its obligations to the Council as funder then the Council would be able to take possession of the assets.
- 3.3. At the end of the funding term the Council will have the ability to collapse the structure with full ownership reverting back to the Council subject to shared ownership leases.

4. Appropriation of land to the General Fund

- 4.1. The Council holds property for various statutory purposes in order to provide its various functions. Such land is generally used only for the purpose of the function for which it was originally acquired, until such time as the land is disposed of or “appropriated” for another purpose. Appropriation is the statutory procedure to change the purpose for which land is held from one statutory purpose to another.
- 4.2. The appropriation of the Phase 2 land, identified in **Appendix 1** from the Housing Revenue Account to the General Fund is required to ensure the regeneration of this phase of development and the delivery of new homes via the delivery structure set out in section 4 of this report.
- 4.3. The appropriation of the site of Greatfields School, identified in **Appendix 2** is required to ensure that the Council can grant a 125 year leasehold interest to Partnership Learning.

5. Consultation

- 5.1. Due to the scale of the proposed development and the number of residents directly affected, the Council continues to engage with the local community.
- 5.2. The Cabinet Members for Housing, Regeneration, Finance, Community and the Gascoigne Ward members continue to be consulted on the Gascoigne scheme.
- 5.3. The Regeneration team attend the Quarterly Gascoigne Action Group meetings to give residents a full update on the progress of the relocation of tenants and Leaseholders and more recently these meetings are also attended by a representative of the contractor, Bougyues UK. The residents receive newsletters and Bougyues has recently recruited a local resident as their Resident Liaison Officer.

5.4. A pre-decision scrutiny of an early draft version of this report took place at Living and Working Select Committee on 6th July 2016. The Select Committee Members raised a number of issues, some of which officers were able to clarify on the night. The key issues discussed were as follows:

- a) **Decants** – The Select Committee was concerned about the provision of decants to be offered by East Thames Housing Group, particularly in the light of another report on the agenda showing that over 25% of Council properties available via the bidding system during 2015/16 were taken up by decanted tenants. Officers outlined the arrangements that had been agreed with East Thames for the Phase 2 development, which are set out in paragraph 1.7 above.
- b) **The amount of new 50% market rent units to support people on lower incomes** - Officers advised that the number of 'affordable' properties, which are those at between 85% and 50% of market rent, under Phases 1 and 2 would exceed the number proposed in the planning consent . It was noted that in Phase 2, half of the rental properties would be at 50% market rent and the B&D Reside shared ownership properties would be available at the equivalent of approximately 65% market rent (excluding deposit). The Select Committee felt, however, that in view of the significant increase in the market rent it was important to increase the number available at 50% as that was more in line with Council rent levels and would enable those on lower incomes to access these homes..
- c) **Funding of the project via the General Fund** - It was suggested that funding via the General Fund, rather than the Housing Revenue Account (HRA), could impact on other Council services funded by Council Tax payers and could expose the General Fund to unnecessary risk. Officers explained the restrictions imposed by the Government on HRA borrowing and expenditure which made the funding of any major redevelopment projects impossible via the HRA. The creation of B&D Reside Limited and the funding via the General Fund was an innovative way for the Council to retain ownership of the majority of new homes being built while also creating a surplus to the General Fund which could be available to support other areas of expenditure.
- d) **Re-assessment of Project Principles and Financial Viability** – It was suggested that, in view of the time that has elapsed since the Gascoigne Estate redevelopment proposals were first considered by the Cabinet, the significant changes in the country's political landscape and the Council's future financial position, the Cabinet should reassess the overall plans to ensure that they continued to represent best value.

5.5 The Select Committee also commented on the lack of detailed information, particularly in relation to the finances, in the early draft version of the report that had been provided and felt that in the absence of that information it was not possible to undertake a proper pre-decision scrutiny. Officers confirmed that the final Cabinet report would be published on Monday 11th for the meeting on Tuesday 19th July and the Lead Member indicated that he would wish to ask a number of questions at the Cabinet meeting.

6. **Financial Issues**

- 6.1 Additional financial information to that set out in section 3 above is contained in Appendix 4, which is in the exempt section of the agenda as it relates to the detailed funding options and other commercially confidential information which is exempt under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7. **Legal Issues**

Implications completed by: Evonne Obasuyi, Senior Lawyer, Housing and Regeneration team

- 7.1 In summary, the Council has powers to enter into the transaction as proposed provided it satisfies any legislative requirements as advised below.
- 7.2 **Council Powers** - The two principal sources of the Council's power to participate in the transaction as set out above are section 1 of the Localism Act 2011 and section 111 of the Local Government Act 1972.
- 7.3 The general power of competence under section 1 of the Localism Act 2011 provides the Council with the power to do anything that individuals generally may do. Section 1(5) of the Localism Act provides that the general power of competence under section 1 is not limited by the existence of any other power of the authority which (to any extent) overlaps the general power. The use of this power in section 1 of the Localism Act 2011 is, like the use of any power, subject to Wednesbury reasonableness constraints and must be used for a proper purpose.
- 7.4 Whilst the general power of competence in section 1 of the Localism Act 2011 provides sufficient power for the Council to participate in the transaction as per the steps in paragraph 2 and enter into the relevant project documents, additional power is available under Section 111 of the Local Government Act 1972 which enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions, whether or not involving expenditure, borrowing or lending money, or the acquisition or disposal of any rights or property.
- 7.5 Provision of Units by the Council through the HRA - Section 9 of the Housing Act 1985 provides the power for the Council to provide the units on land held by the Council for s.9 HA 85 purposes. The Council would need to bear in mind that in the event that existing resources were insufficient and the Council was required to borrow additional sums to finance the provision of such units then, the Council would be required to ensure that its HRA borrowing does not exceed the borrowing cap imposed following the implementation of the HRA self-financing regime.
- 7.6 Provision of Units by the Council through the General Fund - In order for the units to be accounted for in the Council's General Fund it is necessary for the Council to use a power to appropriate the land upon which those units are to be situated from the HRA into the General Fund ("GF"). Any disposal of s.9 HA land would

normally require SoS (Secretary of State) consent under s.32 of HA85. S19 of the HA1985 requires SoS consent to appropriate any part of the land in the HRA consisting of a house or part of a house for any other purpose. However, where the land is vacant s.122 of Local Government Act 1972 ("LGA 1972") provides power to appropriate superfluous land to other statutory purposes. where it is no longer required for the purpose for which it is held immediately before the appropriation.

- 7.7 Provision of Units through a Special Purpose Vehicle (SPV) - The general power of competence under Section 1 of the Localism Act 2011 (the 2011 Act) provides the Council with a power to both establish the SPV and to provide the units through it. The Council would nonetheless be required to provide reasonable justification for using the general power of competence rather than other powers (such as Section 9 of the Housing Act 1985) which might seem more obvious and the report identifies the regeneration and economic benefits which the Council believes will be facilitated by acquiring the units through a SPV.
- 7.8 In exercising the power the Council must have regard to its fiduciary duty to tax payers of the Borough and must exercise the power for a proper purpose, Members will need to be satisfied that the justifications for acquiring the units through the SPV are reasonable and appropriate.
- 7.9 Where the Council provides financial assistance to the SPV by (a) granting or loaning it money, (b) acquiring share or loan capital in the SPV, (c) guaranteeing the performance of any obligations owed to or by the SPV, or (d) indemnifying the SPV in relation to any liabilities, losses or damages and the financial assistance is in connection with the provision of housing accommodation to be let by the SPV, the Council must use its power under section 24 of the Local Government Act 1988 (the 1988 Act) to do so. The exercise of this power is subject to Secretary of State consent.
- 7.10 General Consent C ("the General Consent under Section 25 of the Local Government Act 1988 for the Financial Assistance to any Person 2010") states that "a local authority may provide any person with any financial assistance (other than the disposal of an interest in land or property)."
- 7.11 This General Consent could apply where the Council grants or loans money to the SPV, purchases shares in the SPV or guarantees the SPV's obligations where this financial assistance is to be provided in connection with the acquisition and construction of property which is intended to be privately let as housing accommodation by the SPV, in which case no specific consent of the Secretary of State would be required.
- 7.12 Section 25(1) of the 1988 Act provides that a local authority should not exercise the power conferred in section 24 so as to provide financial assistance and gratuitous benefit except with the consent of the Secretary of State. Section 25 (5) of the 1988 Act defined gratuitous benefit to include a benefit consisting of a disposal of any land or other property and the benefit to be provided is either for no consideration or for a consideration which has a value in money or monies worth which is significantly less than the value in money or monies worth, of the benefit which is or is to be provided by the Authority. Section 25(6) of the 1988 Act provides that when determining the value of consideration being provided in

return to the local authority there shall be disregarded amongst other things so much of the consideration as consists in the carrying out of any works by any person for the purposes of the construction or conversion, rehabilitation, improvement or maintenance of any such property or a promise that any works will be carried out by any person for any such purposes and the grant of a right to nominate persons or occupiers of any such properties to be disregarded.

- 7.13 The Council will need to obtain a valuation confirming that having disregarded those matters required to be disregarded under section 25(6) of the 1988 Act, the restrictive value of the Property exceeds the unrestricted value of the property and no gratuitous benefit is being provided by the Council in connection with the disposal based upon the content of the Valuation and therefore no specific consent of the Secretary of State under section 25 of the 1988 Act is required.
- 7.14 In relation to the ongoing management of the redeveloped units the Council will explore and where appropriate execute occupation leases with a view to restrict on-letting at a rental profit by third party investors.
- 7.15 In relation to the ongoing management of the redeveloped units the Council will explore and where appropriate execute occupational leases with a view to restrict on-letting at a rental profit by Buy-to-Let investors. The purpose being to seek to prevent purchasers of both private for sale units and Council owned shared ownership units buying the properties with the specific intention of on-letting at a profit rent. The best way to seek to secure this objective is by introducing a more restrictive alienation clause in the long leases. It would be wise at the outset to tell the buyers the properties may not be used for buy to let.

8. Other Issues

- 8.1 **Risk Management** - The risks associated with the construction of the new development fully scoped and managed through the building contracts. The affordable housing elements of construction risk will be managed and minimised by a capped price build contract, the masterplan courtyard block layout means that construction is also able to be divided into subphases in the same way as phase one. This sub phase approach allows for some issues such as ground risk, vacant possession and utilities issues to be mitigated. The private housing element construction risk will be shared in equal part with the Developer. The overall project risk register is jointly held by the Employers Agent and project partners and includes the financial, commercial and programme risks.
- 8.2 **Contractual Issues** - The carrying out of works would need to be compliant with the European Tendering Regime and in addition in accordance with the Public Contract Regulations. The LBBB Corporate Procurement team have led on the OJEU procurement process and further to the appointment of East Thames have advised on the arrangements for using East Thames frameworks for consultant and contractor appointments.
- 8.3 **Customer Impact** - The Estate Renewal Decant, Leasehold buyback and new developments have all been the subject of a full Equalities Impact Assessment (EIA). This was completed at the beginning of the programme and has been fully reviewed including a survey of tenants and to gauge their views on the process to review the Decant and Leaseholder Charter for future programmes.

The Tenant Satisfaction Survey carried out as part of the EIA review included posting of 92 questionnaires to a stratified sample of tenants (29 to Gascoigne tenants, 33 to Goresbrook Village tenants, 28 to Leys tenants and 4 to Althorne Way) of these, 71 responses were received; representing a response rate of 77% which enabled us to draw out key trends / issues The key actions from this assessment are set out below;

Category	Actions
Reduce time taken for relocation process to take place	Ensure decanted properties are in an acceptable state of maintenance and repair while tenants are bidding
Mitigate negative perceptions held by some other Council tenants that decant tenants are given priority for more desirable properties in bidding process /reduce instances of tenants delaying their decision to bid until new build properties become available	Improve condition of properties on bidding list - ensure all are in a high standard of condition/Decent Homes Standard
Valuation and compensation issues with leaseholders during the buy-back process	Continue to make incremental improvements to service e.g. front loading key information to leaseholders/ensuring clarity re; valuation process and costs/Willing Sellers Programme
Issues relating to handover of new build property by agents/unwillingness of new build contractors to take responsibility for repairs	Improve knowledge/data on issues with contractors by incorporating in post-move in survey administered by Decant Officers, and by further consultation with decanted tenants affected
Reduce opportunities for anti social behaviour and crime when decanted blocks become majority vacant (quality of life of remaining bidding tenants)	Ensure adequate policing/community support patrolling of estates/blocks being decanted. Ensure decant sites have adequate security staff and monitored surveillance from start of decant to demolition and site handover. Identify potentially vulnerable tenants at consultation stage – and ensure that adequate safeguards are in place/work closely and effectively with other Council departments such as Social Services

8.4 Safeguarding Children - The Masterplan and detailed designs for both schemes have taken into consideration the needs of the local community and has focused on creating accessible and safe spaces that will benefit the local community including children. The Gascoigne proposals design includes active play for all ages as well as safe walking routes to the local school, community centre and public transport.

The masterplan design and development process focused on exploring opportunities to introduce new and improved play facilities in the area while rationalising overall open space ensuring there are no underused, difficult to access spaces.

- 8.5 **Health Issues** - There is a large body of evidence that improvements to housing quality can improve health and wellbeing outcomes for its residents. Gascoigne design proposals will effect substantial improvement in the quality of the housing stock and include new high quality energy efficient homes and an overall reduction in the number of high-rises on the estate which will have a positive impact on health.

The link between poor housing and ill health has long been established and this is now clearly acknowledged by central government in their vision for the future of Public Health in England. This regeneration plan will help improve access to primary care services as well as to help improve the health, safety and wellbeing of residents that are affected by poor housing standards, particularly if they are disadvantaged through social deprivation, disability, age, vulnerability or infirmity. Poor access to and quality of primary care services as well as unsuitable housing conditions, overcrowding or unaffordable housing will all have an adverse affect on public health in an area of the borough experiencing significant demographic change.

The plan will help to remove the risk of ill health or injury to an individual or household. Making modifications to improve a home can lead to an enhanced health and well-being that not only benefits the individual but also brings wider social and economic benefits and reduces the cost burden for the NHS. For example, in relation to excess cold could be removed through improved home insulation and heating, the cost savings to the NHS and social care, in not having to treat cold related illnesses. A similar saving could also be achieved if category 1 hazards for falls in the home could be removed.

- 8.6 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 places a responsibility on councils to consider the crime and disorder implications of any proposals. The redevelopment of the Gascoigne estate will help make the areas safer by improving the quality of the environment, creating safer more natural surveillance for public areas and pedestrian routes.

In decanting the site, it is important that this is done in a measured and timely way, not creating the opportunity for small numbers of people to remain on site, which could increase vulnerability of those residents and also of the site itself. In demolition and rebuild, contractors must be sure to adequately secure the site so as to ensure that any asset of the Council is protected and that the site does not become 'attractive' to criminals, for example by the removal of all piping and boiler work/electrical cable as soon as possible, as this can often be attractive to thieves due to its resale value. Contractors should be required to ensure that all equipment and resources at the site should be sufficiently secured so as to not increase the opportunity for crime which would possibly impact on Council, Police and Fire services' resources.

Design of family housing can impact positively on certain crime types, for example specific types of violence such as domestic violence can be reduced by social aspects of any development such as better quality housing, sufficient space for families to live and for children to learn and through better access to services based in local community facilities.

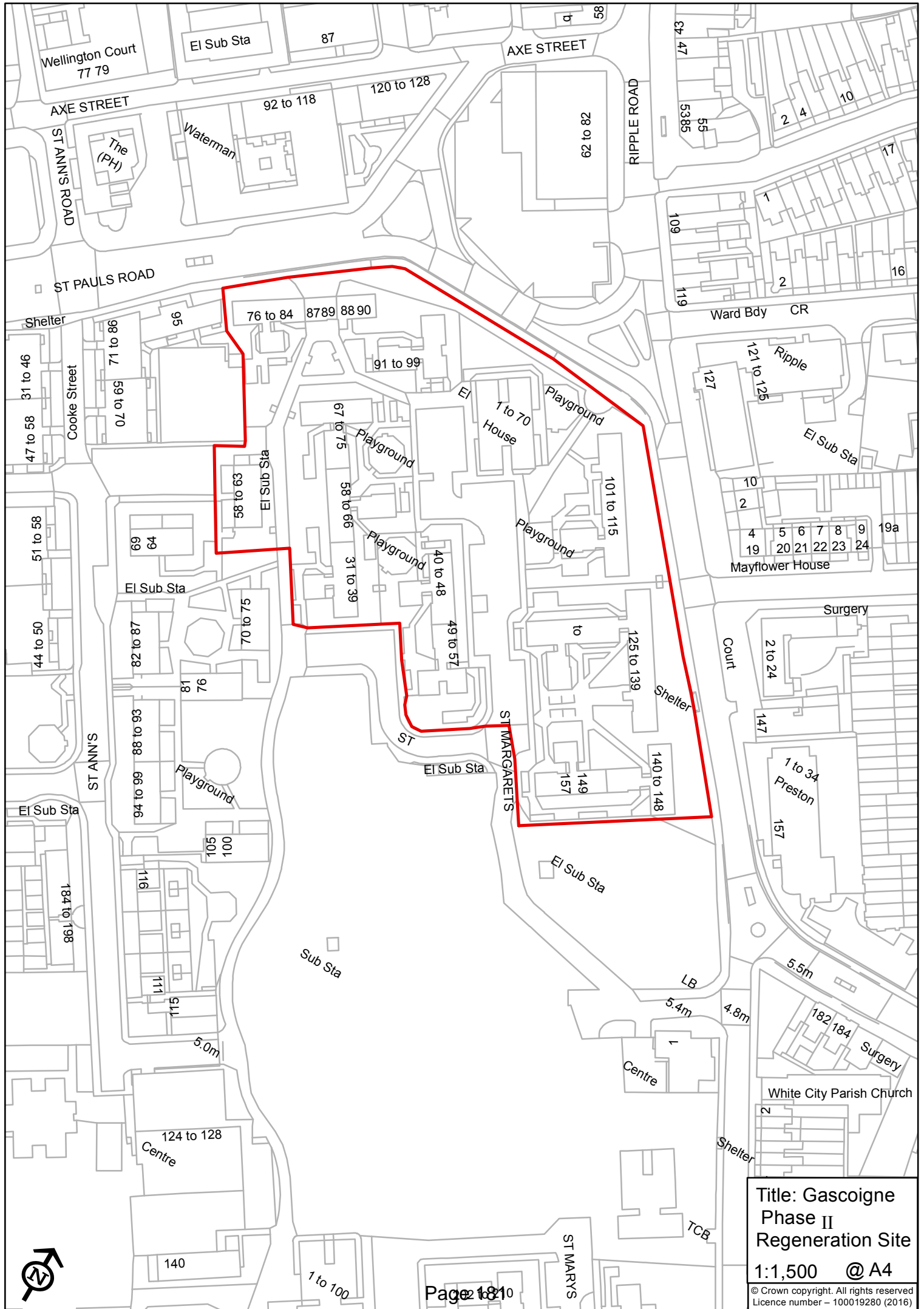
Improved facilities for young people within the new development will also provide new opportunities for education, recreation and employment directing them away from crime and disorder. Proposals for new recreational facilities are aimed at both very young children and also teenagers and new community facilities will be enhanced and designed to bring all the community together.

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

List of appendices:

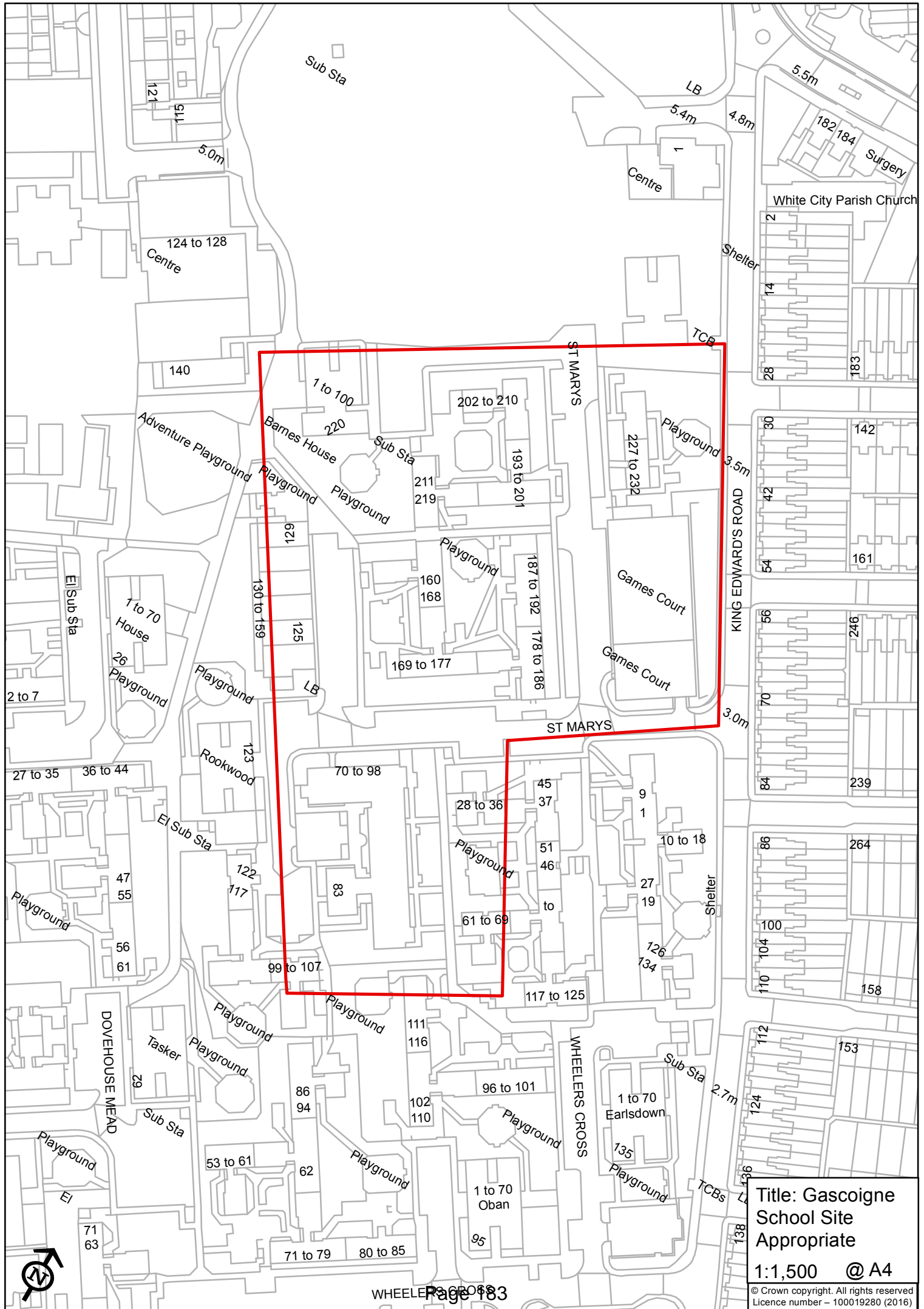
- **Appendix 1:** Red line plan of the Phase 2 Residential development site for Appropriation from the Housing Revenue Account to the General Fund
- **Appendix 2:** Red line plan of the Greatfeilds School site for Appropriation from the Housing Revenue Account to the General Fund to enable the Council to grant a 125 year lease to Partnership for Learning.
- **Appendix 3:** The approved Masterplan showing both Phase 2 residential and Greatfeilds School sites.
- **Appendix 4:** Detailed financial information (exempt information)

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Phase II
Regeneration Site**
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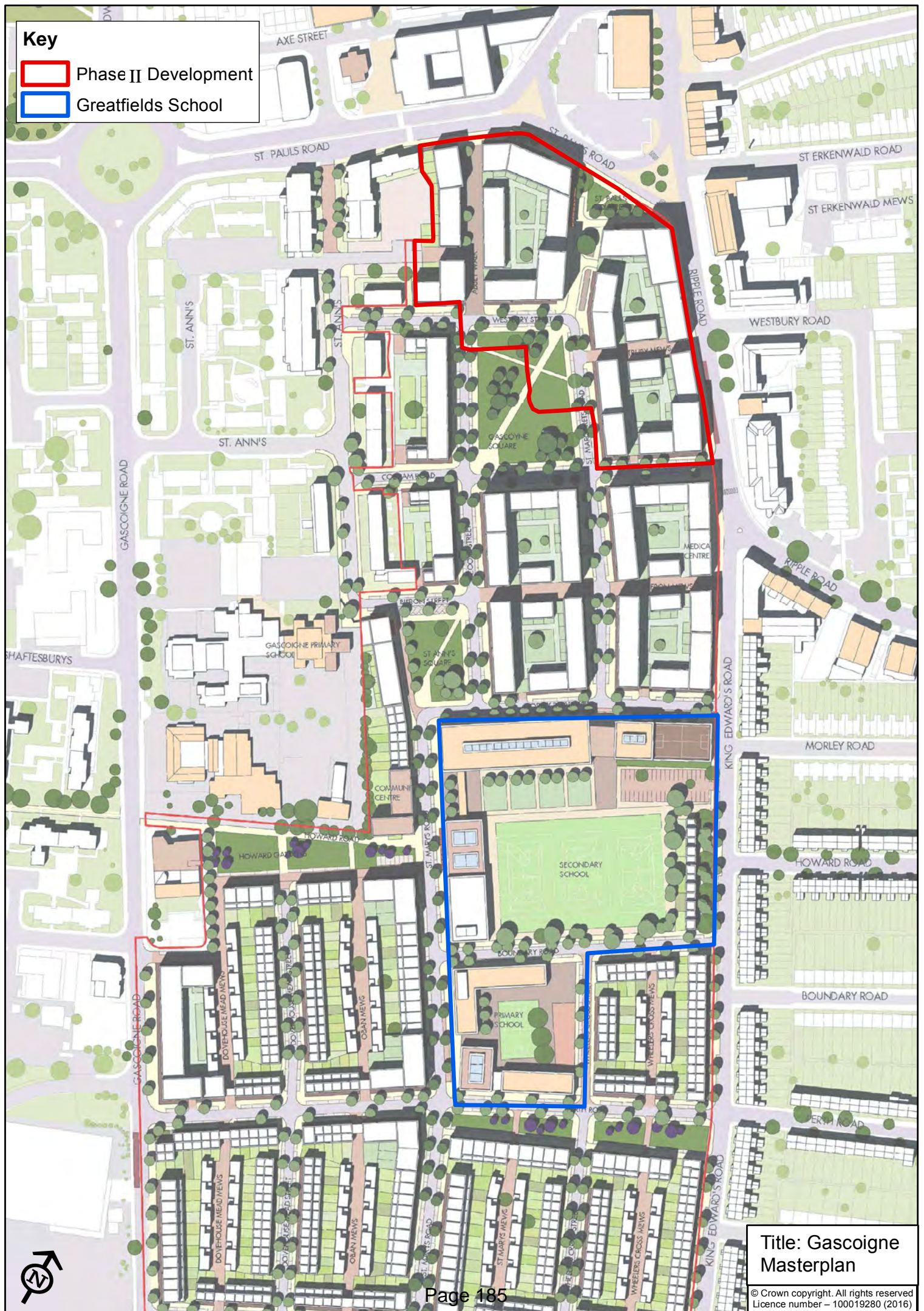
Title: Gascoigne School Site Appropriate
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Key

- Phase II Development
- Greatfields School



Title: Gascoigne Masterplan

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CABINET**19 July 2016**

Title: Delivery of Low Cost Homes for Sale on the Gurdwara Way / Whiting Avenue site - Barking Town Centre Housing Zone	
Report of the Cabinet Member for Finance, Growth and Investment	
Open Report	For Decision
Wards Affected: Abbey	Key Decision: Yes
Report Author: David Harley, Group Manager Economic Development and Sustainable Communities	Contact Details: Tel: 020 8227 5316 E-mail: david.harley@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Commissioning Director, Growth, Homes & Regeneration	
Accountable Director: John East, Strategic Director of Growth and Homes	
<p>Summary</p> <p>At its meeting held on 9 March 2016 Cabinet considered a report which outlined the potential remediation and development of approximately 40% of the existing area of open space adjacent to Gurdwara Way Barking for the construction of 44 Starter Homes by Pocket Living as a specialist provider of this form of affordable housing for sale. The report also emphasised that disposal was contingent on Cabinet considering the results of public consultation as required under Section 122 of the Local Government Act 1972 and Section 233 of the Town and Country Planning Act 1992 which relate to the appropriation and disposal of open spaces by Local Authorities.</p> <p>No objections were received following the publication of the relevant statutory notice in the local press for two consecutive weeks as required under the legislation. On this basis, Cabinet is recommended to resolve that the .24 hectare of land, as indicated hatched in blue on the plan attached as Appendix 1, is appropriated from its existing use as open space and identified for disposal.</p> <p>This report also provides an update on negotiations for disposal to Pocket Living with draft heads of terms confirmed. Independent valuation advice has been received. Taking into account the proposed heads of terms and offer price, in the context of the independent advice, it is recommended that Cabinet agrees to dispose of the site to Pocket Living on this basis and to agree that final terms for disposal of the site and the completion of the necessary legal agreements are approved by Officers under delegated authority.</p> <p>The report also provides an update on the remediation scheme and key stages in the development programme. Furthermore, it identifies eligibility criteria and priority key worker categories aimed at maximising local benefit.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Resolve that, there being no objections registered in response to the statutory notice placed in the local press under Section 122 Local Government Act 1972 and Section 233 the Town and Country Planning Act 1990, the land hatched in blue on the plan at Appendix 1 to the report be appropriated from its existing use as open space for planning purposes and identified for disposal;
- (ii) Agree to the disposal of the freehold interest in the site to Pocket Living on terms detailed in the report;
- (iii) Authorise the Strategic Director of Growth and Homes, in consultation with the Cabinet Member for Finance, Growth and Investment, the Strategic Director of Finance and Investment and the Director of Law and Governance, to approve final terms for the disposal of the site to Pocket Living and complete the necessary legal agreements under delegated authority; and
- (iv) Agree, in principle, the eligibility criteria and the priority categories of key workers identified in Sections 2.17- 2.19 of this report whilst noting that the final criteria and categories will be incorporated into a draft Section 106 Agreement that will accompany the planning application for the residential scheme for consideration and determination by the Development Control Board.

Reason(s)

The initiative will contribute to the Council Priority of 'Growing the Borough'. It is consistent with the specific Objectives of: (i) building new housing and sustainable communities;(ii) working with London partners to deliver housing in our growth hubs and (iii) supporting investment in housing and open spaces to enhance the environment.

1. Introduction and Background

- 1.1 At its meeting held on the 9th March 2016 (Minute 108 refers), Cabinet considered a report on the potential development of part (0.24ha or around 40%) of an existing open space on Gurdwara Way, Barking for 44 one bedroom Starter Home flats. As explained in the report, Starter Homes are an affordable form of housing for sale providing initial and subsequent purchasers a 20% discount on the sale value of equivalent properties in a given area. They are specifically aimed at helping young, first time buyers under the age of 40 to get a foot on the property ladder that would otherwise be out of reach to them. The report emphasised that, as a Council site, the discounted rate (and restrictions on lettings) would be secured in perpetuity i.e. for initial and subsequent purchasers under the terms of disposal. The report also stressed that the scheme should be seen in the context of the wider Barking Housing Zone initiative, with its potential for delivering approximately 2,900 new homes in Barking including other forms of affordable housing for owner occupation (e.g. shared equity) and for rent at affordable rental levels.

- 1.2 The March report explained that the existing incidental open space is a grass bank created from spoil from the construction of the Northern Relief Road (Gurdwara Way) in the 1980's. The proposed strategy is to retain 60% of the open space and improve it through additional tree planting whilst remediating and re-grading the .24ha potential housing development site. The remediation and re-grading works represent an exceptional development cost. As noted in the March report, £854,718 has been secured from the GLA to cover these exceptional costs. A condition of grant under the Funding Agreement is that the Council secures the delivery of 44 Starter Homes on the site by no later than the end of March 2019.
- 1.3 The March report identified Pocket Living, subject to contract, as a potential suitable development partner given that it is a specialist provider of 1 bedroom Starter Homes with a successful track record. The report emphasised, however, that Cabinet would be in no position to agree the disposal of the site until it had considered the results of statutory consultation under the terms of the Local Government Act 1972 and the Town and Country Planning Act 1990.

2. Proposal and Issues

Results of Consultation Exercise

- 2.1 In view of the site being part of an existing open space and proposed for disposal, both sections 122(2A) LGA 1972 and 233(4) TCPA 1990 require such sites to be advertised for two consecutive weeks in a local newspaper and any objections considered prior to the decision to dispose.
- 2.2 The statutory notice was placed in the Barking & Dagenham Post on the 2nd and 9th March 2016. A copy of the notice was also placed on site.
- 2.3 One response was received from a local resident. However, once provided with answers to his specific queries and also provided with a copy of the March Cabinet Report (by that time available on the public web site); he confirmed in writing that he had no objections to the proposed appropriation and disposal of the site.
- 2.4 Given that no objections were received in response to the statutory notice, it is recommended that Cabinet resolves to appropriate and dispose of that part of the open space on Gurdwara Way, Barking hatched blue on the plan attached as Appendix 1 to this report.

Potential Delivery Partner and Draft Disposal Terms

- 2.5 It is proposed, subject to contract, to dispose of the site to Pocket Living, London to deliver 44 one bedroom Starter Homes. Pocket Living is an established low cost home provider specialising in 1-bed homes. It has completed, or is progressing, a number of schemes in the Boroughs of Hackney, Westminster, Hammersmith & Fulham, Lewisham, Waltham Forest and Redbridge.
- 2.6 Its low cost home ownership model is based on sales at 20% below market values. Part of the mechanism to achieve this discount is to build 1-person, one bedroom units that meet London Plan space standards (38m²). However, with an emphasis on careful design and layout to maximise efficiency and sense of space, these are not studios. Two person households purchase and occupy many of Pocket Living's

completed schemes. The high specification of internal and external construction, finish and fit-out is central to its model. Its schemes provide low cost housing but not of low value.

- 2.7 All Pocket Living's schemes secure the 20% discount on sales for both initial purchasers and subsequent buyers in perpetuity and place restrictions on owners letting and sub-letting their properties. It also has established systems for prioritising sales to Key Workers specified by local planning authorities under Section 106 Agreements attached to planning consents. Proposed priority Key Worker categories are outlined in Sections 2.17-2.19 later in this report.
- 2.8 Draft heads of terms for disposal have been confirmed following lengthy negotiations between Pocket and the Council. Completion of the freehold disposal of the .24 ha site will be subject to key conditions including the Council remediating and re-grading the potential housing site and carrying out the landscaping improvement works to the residual open space with the GLA grant funding. Completion will also be subject to Pocket Living securing full planning consent for the Starter Home residential scheme.
- 2.9 The March report noted that an initial valuation appraisal indicated the site as having a nil value. It was explained that, effectively, the transfer of the Council's land would deliver the bulk of the 20% discount to initial and subsequent buyers. By investing its land in the development, the Council is providing initial and all future buyers assistance to get onto the housing ladder. In this respect, by investing its land into the scheme, the Council is providing a helping hand, not a hand-out, to all buyers into the scheme in perpetuity.
- 2.10 As a result of detailed negotiations since March, Pocket Living has produced an updated appraisal which revises sales values to the projected completion date in 2019 and includes accurate build costs reflecting eight of its recent, similar developments in London. Based on this appraisal, which assumes the full 20% discount on sales values, the disposal of the site will generate a net receipt to the Council of £270,000.
- 2.11 Independent valuation advice has been commissioned by the Council. Although the independent valuers confirm Pocket Living's development value assumptions, they have questioned the relatively high build cost assumptions incorporated into Pocket Living's appraisal. Officers acknowledge this advice. However, the independent valuers' build costs assumptions are considerably lower than build costs on actual schemes recently completed by the Council in Barking. Furthermore, Pocket Living has provided evidence of actual build costs on eight of its recently tendered schemes in the Capital. Pocket Living also note that its higher build cost assumptions reflect the high quality and specification of the company's product which is integral to its business model.
- 2.12 To safeguard the Council's position on this point, Pocket Living has agreed that any savings on actual build costs (which will be monitored by the Council on an open book basis) will be shared on a 70:30 basis in favour of the Council up to a cap of £500,000 over and above the £270,000 land payment.

- 2.13 Officers have also secured Pocket Living's agreement to overage clauses whereby the Council will benefit from a 30% share of any increased sales values to those assumed in the appraisal.

Current Work and Next Steps

- 2.14 Site investigations completed for the site have established the amounts of contaminated material from the excavation and re-grading works that will need to be disposed of at a specialist facility. A remediation strategy has been produced for the site together with a costed scope of works for the tender exercise to appoint a contractor to undertake the remediation works. Officers are working jointly with Pocket Living to prepare the planning application for the remediation and landscape improvement works that, under the terms of the GLA Funding Agreement, must be completed by the end of the current financial year (2016/17). The remediation works contract will be tendered, awarded and managed by the Council. Cabinet agreed at its meeting in March (Minute 108 (i) refers) that approval of the grant funded expenditure for site remediation and facilitation works up to the £854,718 limit under the GLA Funding Agreement, is delegated to the Director of Growth and Homes in consultation with the Strategic Director of Finance and Investment.
- 2.15 In addition to the disposal of the .24 ha, for the duration of the remediation and construction works, part of the residual open space will be required under a temporary licence from the Council as a construction compound and a temporary access point off Gurdwara Way for construction traffic. The aim of the latter is to ensure that, throughout the remediation and building works, the site can only be accessed from Gurdwara Way - thus avoiding any construction traffic through the Whitings Estate. Once the development is completed, the open space required under the temporary licence for the site compound and construction traffic access will be fully re-instated and returned as public open space.
- 2.16 Subject to the relevant approvals of both parties and the exchange of the conditional contract for disposal, Pocket Living will be preparing and submitting a separate full planning application for the main Starter Home development. A maximum period within which this application must be submitted will be specified within the contract.

Eligibility Criteria and Key Worker Priority Categories

- 2.17 To maximise local benefit, all qualifying potential purchasers of properties within the scheme must be resident or working in the Borough. This is in addition to meeting the general Starter Home eligibility criteria of being first time buyers and under 40 years of age.
- 2.18 The Council has no key worker policy. Internal consultations have identified three priority categories of public sector workers - the recruitment or retention of whom is particularly difficult locally with vacancies affecting the delivery of essential public services or adding costs to the delivery of those services through employing staff on temporary contracts as locums or consultants. The priority categories are (descriptors reflect those used in the national Homebuy Service Key Worker Categories):

- **NHS** – all clinical staff working for the NHS (excluding Doctors and Dentists)
- **Education** – qualified Nursery Nurses, Teachers in schools, sixth form colleges, Lecturers in FE colleges and Child Social Workers employed by the LEA
- **Local Authority** - Social Workers and other staff employed in Social Services Departments – including Occupational Therapists, Educational Psychologists, Local Authority Clinical Staff, Speech & Language Therapists. Officers employed by the Local Planning Authority employed in grades L1-L4.

2.19 Two additional priority categories are proposed:

- **Police** – including serving Police Officers, Community Support Officers and British Transport Police
- **Fire Brigade** – uniformed members of staff having successfully completed initial training or training to qualify as Control Officers

2.20 It is proposed that the definitions and qualification criteria employed in national HomeBuy Service Key Worker categories are used. Over the coming months these will be translated, and where necessary qualified and amplified, into a suitable format for inclusion in the Section 106 Agreement as part of the planning application to be submitted by Pocket Living for the main development scheme to be considered and determined by the Council's Development Control Board.

2.21 It should be noted that qualifying and eligible potential purchasers under the above categories will be given priority for sales and re-sales. If there are insufficient qualifying and eligible purchasers under the residency, local working and key worker categories, units will be offered for sale to potential buyers who meet the core Starter Home eligibility criteria (i.e. first time buyers under 40 years of age).

3. Options Appraisal

3.1 The March report to Cabinet contained an options appraisal for the proposed development strategy for the site and the potential disposal to Pocket Living. These are summarised below.

3.2 As an part of an existing open space, and the Government's encouragement for Starter Homes, not least on 'exception sites', the unrestricted transfer of this particular site for general market or affordable housing is not a realistic option. Furthermore, the GLA funding for site remediation and landscaping improvement works is conditional on the Council securing the provision of Starter Homes on the site. Independent valuers have produced an initial appraisal for an alternative scenario with 20% sales discount that could generate a hypothetical land receipt of around £660,000. However, at full London Plan space standards for a mix of flats sizes the site would only, under this scenario, generate 29 housing units. Furthermore, the independent valuers emphasise that such an alternative scheme would be based on the key assumption that the site remediation works would be fully funded by the GLA grant funding. Without the remediation works being funded in this way – they conclude that this alternative scenario would be cash negative and therefore unviable. As noted elsewhere in this report, the GLA grant funding approval is specific and conditional on the Council securing the delivery of 44

Starter Homes on the site. The alternative scenario, therefore, can only be discounted as an unviable option.

- 3.3 Developing a larger proportion than the proposed 40% of the existing open space for Starter Homes was also discounted for a number of reasons. The GLA grant funding for remediation would be insufficient to treat a larger site. A development of 44 units is considered to be the maximum that can be reasonably serviced via the road network on the Whitings Estate. A larger scheme would require a new permanent access onto Gurdwara Way. This would be unacceptable in traffic management terms and would effectively create a rat-run between North Street and Gurdwara Way. Finally, the retained and improved 60% of open space is considered of benefit in terms of amenity, ecology and softening what is a major thoroughfare in Barking Town Centre
- 3.4 The proposed way forward is for the conditional, negotiated transfer of the development site to Pocket Living subject to the delivery of the low cost home ownership scheme under terms to be specified in a S106 Agreement. This is the preferred option to the alternative of going out to the market and seeking a development partner through a competitive tender process for a contract for services, and the award of contract in the form of a Development Agreement. Due to the value of the scheme, the tender process would need to comply with OJEU requirements and timescales. Pocket Living has stated that they will conduct negotiations on an open book basis. A franking valuation has been commissioned by the Council to provide an independent view that eventual terms reflect market value for the scheme. In the circumstances, it is considered that the time and expense of a procurement exercise would not be recouped by the Council and would need to be met from existing budgets.
- 3.5 A Joint Venture delivery model has also been discounted as a suitable option for this particular scheme. Partner selection would have a similar time and administrative burden as the competitive tender route. The Joint Venture route would also involve additional officer time and costs associated with the legal, governance and administrative costs of the joint delivery vehicle. There are much larger and more complex housing development sites in the Barking Housing Zone that need and justify the allocation of limited staff resources to establish and administer partnering delivery vehicles to accelerate and optimise the regeneration of the Barking Town Centre Housing Zone.

4. Consultation

- 4.1 As noted in this report, the statutory consultation under the Local Government Act 1972 and the Town and Country Planning Act 1990 has been carried out with no objections received.
- 4.2 There will be two further public consultation rounds specifically related to the two future planning applications. The first will be the planning application for the site remediation and landscape improvement works. The second will be the planning application for the main residential development scheme.

5. Financial Implications:

Implications completed by: Richard Tyler, Interim Finance Group Manager and Phil Horner Senior Accountant Regeneration

- 5.1 The project will result in a reduced area of open space which will reduce the annual maintenance revenue cost to the Council. There will also be the added benefit of the planting of approximately 30 new semi-mature street trees on the retained open space representing an investment of approximately £14,000.
- 5.2 The proposal is to transfer approximately 40% the open space to a developer for the provision of Starter Homes for sale at 20% below market values for new buyers in perpetuity. Based on the latest appraisal, the terms would result in a receipt to the Council of £270,000. Terms would also share any savings on build costs on a 70:30 basis in favour of the Council. Furthermore, the Council will benefit from overage clauses that will secure the Council a 30% share of any increased sales values over those assumed in the current financial model.
- 5.3 Under the New Homes Bonus scheme (£7,500 per unit) it is estimated that the 44 new properties will generate £330,000 for the Council.

6. Legal Implications

Implications completed by: Evonne Obasuyi, Senior Property Lawyer and Angela Willis, Major Projects Solicitor

- 6.1 The report seeks approval for disposal of the Council's freehold interest in the site for the terms set out in Sections 2.10-2.13 of this report subject to planning approval to a special purchaser Pocket Living to facilitate the delivery of low cost home ownership on the terms of the report.
- 6.2 The Council has powers to effect disposal pursuant to section 123 Local Government Act 1972 which enables local authorities to dispose of land held by it in any manner it wishes providing it is not for a consideration less than the best that can reasonably be obtained, unless the Secretary of State consents to the disposal or the transaction is to further local social and economic well-being.
- 6.3 The report indicates the scheme will enable the Council to meet its priority of growing the Borough and building new housing and sustainable communities. Initial site appraisal suggests land value likely to be impacted by site remediation and facilitation works required. The Council will seek to off-set some of these costs using grant funding. An independent valuation has been sought to support disposal. Overage provisions will apply to protect the Council should there be a future uplift in value above build costs.
- 6.4 Furthermore, the report details the outcome of the consultation carried out to comply with requirements of sections 122 LGA 1972 and 233 TCPA 1990 and it now seeks site appropriation for planning purposes to enable disposal and facilitate proposed development.
- 6.5 The Council's contract rules and UK procurement regime do not apply to disposals of land, and are therefore not relevant to the proposal detailed in the report.

- 6.6 The disposal of land for nil (or less than market) value raises the issue of State Aid, which makes it illegal for the State, which includes public authorities, to give financial aid to an undertaking in a way which could distort fair competition. This would include the sale of Council land and/or buildings at less than market value.
- 6.7 An open and unconditional bidding procedure would ensure sale at market value; however, an authority can sell without a bidding procedure by commissioning an independent valuation, on the basis of generally accepted market indicators and valuation standards.
- 6.8 The report states that officers have received and taken into account independent valuation advice. This confirms that the disposal of the site will generate a net receipt to the Council, although the exact amount will not be known until completion of the development. In any event, it is clear that the site will not be disposed of for nil (or less than market) value, which removes concerns about potential State Aid issues.

7. Other Implications

- 7.1 **Risk Management** – Under the terms of the Funding Agreement with the GLA, grant funding is conditional on the Council remediating the site, undertaking the landscaping improvement works and securing, by March 2019, the delivery of 44 Starter Homes on the disposal site. There are grant funding claw back conditions within the Funding Agreement for under-performance.

The report seeks Cabinet’s approval to dispose of the site on the terms set out in Sections 2.10-2.13. Should terms not be agreed, and in order to avoid claw back by the GLA of grant funding, the Council will need to go out to the market to seek a suitable alternative, non-specialist development partner through a competitive tender process. In the circumstances, this is considered to be a sub-optimal alternative.

- 7.2 **Contractual Issues** – The Council and Pocket Living will be procuring consultants to prepare the planning application for the remediation works package. Procurement and award of the contract will follow the Council’s contract rules. The main remediation and landscape works package will be specified by the Council (in consultation with Pocket Living) tendered through the e-Delta Portal and awarded and managed by the Council, again in consultation with Pocket Living.

The form of disposal to Pocket Living is examined in Section 6 (Legal Issues) of this report.

- 7.3 **Staffing Issues** - The project will be resourced from a combination of existing internal staff resources and, where necessary, external consultant support. This will be procured due to the specialist and short-term nature of the services required (i.e. the civil engineering design team for the remediation works) or due to the need for a service that provides independent advice to the Council (in this case – Valuers for the independent franking valuation).
- 7.4 **Corporate Policy and Customer Impact** – The initiative will contribute to the Council Priorities of ‘Encouraging Civic Pride’ and ‘Growing the Borough’. With

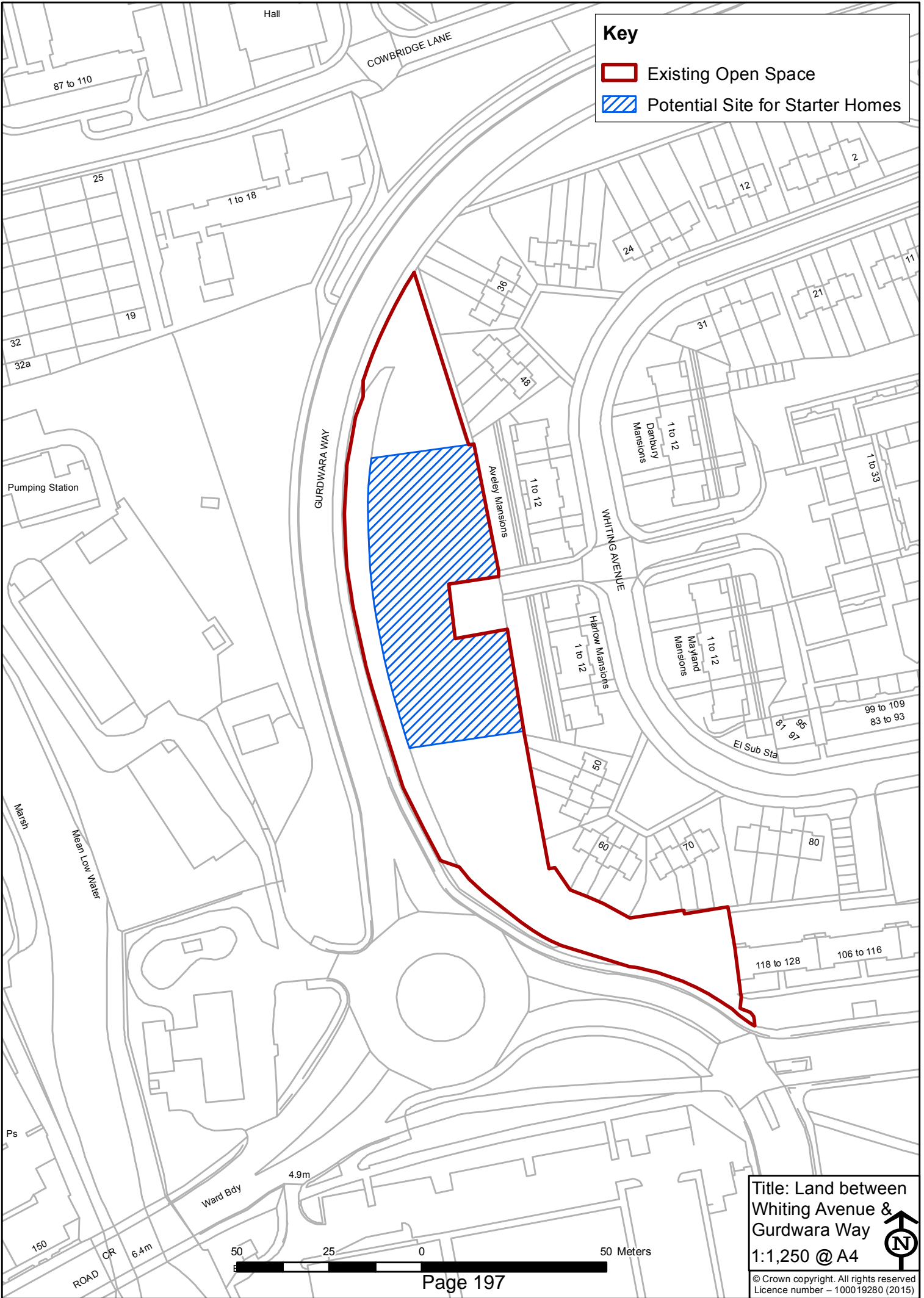
reference to the latter Priority – the initiative is consistent with the specific Objectives of: building new housing and sustainable communities; working with London partners to deliver housing in our growth hubs, and; supporting investment in housing and open spaces to enhance the environment. The scheme is designed to provide assistance to qualifying and eligible young, first time buyers to gain a foothold on the housing ladder that, due to a combination of high property values and low incomes, would otherwise be out of reach.

- 7.5 **Safeguarding Children** – None specific. However, it should be noted that the scheme will comprise starter home 1-bed flats for one or two person households. The scheme will not therefore place significant extra pressures on school places in Barking.
- 7.6 **Health Issues** – The remediation scheme and works will be specified to minimise any risk to public health. Dust suppression measures during construction will minimise airborne risks. Wheel washing facilities at the construction site exit will minimise transfer of contaminated material off-site from construction vehicles. Method statements will be approved by Environmental Health and enforced through site monitoring and conditions attached to planning consents.
- 7.7 **Crime and Disorder Issues** – The housing scheme will be designed to meet ‘Safer through Design’ guidance and standards.
- 7.8 **Property / Asset Issues** – The proposal will create a new housing development on approximately 40% of an Council owned existing landscaped area, with the landscape and ecological value of the residual 60% improved. The net residualised land value will need to assume the 20% discount to qualifying first time buyers into the scheme in perpetuity.

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

List of appendices:

- **Appendix 1 - Site Plan**



Title: Land between Whiting Avenue & Gurdwara Way
1:1,250 @ A4

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CABINET**19 July 2016**

Title: Barking Town Centre Housing Zone: Crown House	
Report of the Cabinet Member for Finance, Growth and Investment	
Open Report with Exempt Appendices	For Decision
Wards Affected: Abbey	Key Decision: Yes
Report Author: David Harley – GM Physical Regeneration and Economic Development	Contact Details: Tel: 020 8227 5316 E-mail: david.harley@lbbd.gov.uk
Accountable Director: Jeremy Grint, Commissioning Director, Growth, Homes & Regeneration	
Accountable Strategic Director: John East, Strategic Director for Growth and Homes	
<p>Summary</p> <p>In July 2015 Cabinet agreed to enter into a funding agreement with the Greater London Authority (GLA) to establish a Housing Zone for Barking Town Centre. This identified a range of sites where the Council would intervene to unlock housing delivery benefitting from GLA funding. One of the key sites was Crown House and Cabinet agreed to the principle of a comprehensive redevelopment of the site and agreed that should negotiations with the leaseholder not progress, the use of compulsory purchase order powers should be authorised.</p> <p>Cabinet also agreed to seek a development partner for the site with a further report to Cabinet to approve the details of any development agreement and any associated intervention agreement with the GLA. This report sets out the progress made and the recommended way forward to deliver the outputs set out in the Housing Zone funding agreement as well as delivering a wider range of the Council's objectives including long term income generation.</p> <p>Appendix 1, which is in the exempt section of the agenda in accordance with paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) as it identifies sites which could impact on the financial and business affairs of the Council, shows the land owned by the Council and the leaseholder interest held by Lightquote Ltd (with LBBB freehold). Whilst both the Council and Lightquote share the objective of comprehensive redevelopment and indeed have worked together on a design and capacity study for the site, there were significant procurement issues in relation to delivery. The proposed way forward is that the Council and Lightquote work together on (and jointly fund) a planning application covering the whole site but that delivery is split with the Council funding and procuring a contractor to deliver homes for affordable rent and shared ownership through Reside with the ground floor potentially used for artists/creative industries on its part of the site and Lightquote funding and delivering homes on its land.</p> <p>Subject to tax advice it is proposed that the Council would provide Lightquote with a</p>	

building licence and a new lease of at least 150 years. In preference to a one off capital receipt for the new lease (and approval for redevelopment) the Council would negotiate with Lightquote for long term income from residential units as set out in this report.

This site forms a key element of the Council's emerging Investment programme utilising Council land and capital borrowing to deliver homes which generate a long term rental income. This would mean the Council would fund the capital costs for construction of the building on its land likely to be c.£35m. The final figure and whether this is European Investment Bank, Public Works Loan Board or other borrowing sources will be considered as part of the detailed business case should the principle be agreed.

A Borough Intervention Agreement (BIA) for the site between the Council and GLA would be required to secure the Housing Zone funding. It is proposed to focus funding on the road realignment/removal of roundabout (set out in paragraph 2.5) to create a larger development plot and the purchase of the Baptist Church car park and community hall (with any necessary reprovion within the development scheme). Housing Zone Loan funding (interest free) could contribute towards demolition and clearance costs helping with development cash flow. Any GLA funding would be subject to a development appraisal.

Recommendation(s)

Cabinet is recommended to:

- (i) Approve the proposed delivery route as set out in paragraph 3.2 of the report;
- (ii) Authorise the Strategic Director of Growth and Homes, in consultation with the Strategic Director of Finance and Investment, the Director of Law and Governance and the Cabinet Member for Finance, Growth and Investment, to finalise terms with Lightquote for a memorandum of understanding, an agreement for lease, building licence/ new lease or other tax efficient alternative under the principles set out in this report;
- (iii) Agree to enter into the Borough Intervention Agreement (BIA) for the Crown House site with the Greater London Authority;
- (iv) Agree to the principle of loan funding being used for the capital costs of construction of the development on Council land with repayment through rental income;
- (v) Delegate authority to the Strategic Director of Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Investment, to determine the amount of borrowing required to support the project and to enter into the necessary arrangements to acquire the funding;
- (vi) Agree to the purchase of the Baptist Church car park and community hall required to deliver the scheme plus, subject to viability, other land shown hatched on the plan at Appendix 1, and delegate authority to the Strategic Director of Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Investment and the Strategic Director of Growth and Homes, to negotiate terms and enter into any necessary agreements;

- (vii) Agree to commit funding for 50% of the costs associated with submitting a planning application for the site; and
- (viii) Agree to Roycroft House car park being used as the market traders' car park on market days as well as some space within London Road multi-storey car park in order to unlock the development site.

1. Introduction and Background

- 1.1 The Council has entered into an Overarching Borough Agreement with the Greater London Authority (GLA) setting up a Housing Zone in Barking Town Centre providing grant and/or loan funding for a number of schemes in order to unlock housing delivery. One of the Housing Zone schemes is Crown House. In July 2015 Cabinet agreed to the principle of a comprehensive redevelopment of the site (shown in Appendix 1) and agreed that should negotiations with the leaseholder not progress, the use of compulsory purchase order powers is authorised. Cabinet also agreed to seek a development partner for the site with a further report to Cabinet to approve the details of any development agreement and any associated intervention agreement with the GLA.
- 1.2 This report sets out the progress made with negotiations with the leaseholder and proposes a recommended way forward to deliver the outputs set out in the Housing Zone funding agreement as well as delivering additional Council's objectives such as income generation.

2. Proposal and Issues

- 2.1 Crown House is an under-utilised office block which appears to no longer meet the needs of modern office users reflected by the high vacancy rate. The Council owns the freehold of the site with the leaseholder (Lightquote Ltd) having around 52 years remaining. Lightquote Ltd requested that the Council extend the lease or sell the freehold to enable them to convert the block to residential. With adjacent Council owned land there is potential for a redevelopment of the wider site rather than a conversion of Crown House which may not result in the quality of accommodation the Council wants in the Housing Zone. In July 2015 Cabinet approved the principle of comprehensive redevelopment of the site utilising Housing Zone grant funding. There is potential to utilise up to £2m Housing Zone grant funding and £1m recoverable grant (ie loan) subject to signing a Borough Intervention Agreement (BIA) with the GLA. Cabinet gave approval to back up negotiations with the ability to use compulsory purchase order powers if agreement cannot be reached with the leaseholders to progress with a viable comprehensive development.
- 2.2 The Council and Lightquote Ltd have agreed a shared objective of comprehensive redevelopment and agreed that a capacity study to determine what could be delivered on site was a critical first step. Both parties jointly selected architects (CJCT) to produce a scheme (although Lightquote funded it). CJCT produced a draft scheme (Appendix 2, in the exempt section of the agenda) which is broadly acceptable in planning policy and massing terms and includes 323 units. This is above the 270 units included in the Housing Zone bid but gives scope for flexibility

during the detailed design stages. The site includes Lightquote's and the Council's interests but also the Baptist Church's car park and community hall. The Council is about to start negotiations with the church which may require a replacement community hall to be provided in the new development.

- 2.3 LBBB appointed GVA/Bilfinger to provide valuation advice and support negotiations (Lightquote are using Montagu Evans). GVA's report values the Council's freehold interest, Lightquote's leasehold interest and the value of merged interests. Their report also sets out options for the Council to realise this value through long term income as opposed to a one off receipt.
- 2.4 The adjacent Cambridge House site to the south presents a very poor appearance and ideally would be included within a wider redevelopment. Initial negotiations have taken place with the owner and it is looking increasingly likely that compulsory purchase order may be needed to ensure its inclusion in any future redevelopment.
- 2.5 There is scope to reconfigure the public highway land around the site including the removal of the existing roundabout on Cambridge Road which is not required. A reconfiguration of the highway land has been designed which has been approved by London buses and emergency services and would result in a larger LBBB development plot. This could be funded by GLA Housing Zone grant.
- 2.6 The existing Linton Road car park would form part of the redevelopment site. This is currently used on market days as parking for market trader vans. Alternative market trader parking could be provided at Roycroft House car park and with some lower height market vehicles utilising London Road multi-storey. The income generated by the car park outside of market trader days should be mostly retained through people parking at the nearby multi-storey car park instead. The loss of Linton Road car park is not seen as adversely impacting on provision for shoppers and other town centre users given the proximity of the multi-storey/Roycroft House car park. The development scheme would cover any costs associated with the new provision.
- 2.7 GLA Housing Zone funding is reliant on Due Diligence work and scheme financial appraisals. The GLA have announced a review of Housing Zones in the light of the new Mayor's focus on affordable housing - this may impact on scheme viability.
- 2.8 The next stage in progressing the scheme would be to further develop the designs and associated costings which would enable financial modelling to take place to define the extent of borrowing required and estimates of potential rental income. However neither party wishes to incur further expenditure without a clear agreement on the way forward. This report therefore sets out the proposed way forward for approval with delegation to Strategic Directors in consultation with Cabinet members to finalise the financial details.
- 2.9 The negotiations with Lightquote need to agree:
 - The mechanism for jointly clienting the working up and submission of a planning application for the site.
 - The terms by which the Council would provide an agreement for lease, a building licence or alternative tax efficient arrangement to redevelop the site and following practical completion, the terms by which a surrender of their

existing lease and grant of a long lease. Options are set out in paragraph 2.10 below. The building licence is the best mechanism to encourage development by Lightquote to the timescales sought as they would not gain the full lease until works are completed.

- How affordable housing is addressed. Potentially the Council could provide discounted market rent (at 80%) and shared ownership with its element of the development but this would need to be reflected financially in the arrangements with Lightquote (ie if we are taking responsibility and therefore costs off of them). This area of negotiation is complicated by uncertainty over emerging GLA policies whereby the expectation is that on public land a sizeable affordable housing contribution will be made. The GLA would have a role in terms of both Mayoral Planning referrals and in relation to the Housing Zone funding.

2.10 GVA/Bilfinger have provided the Council with a report setting out options in relation to alternatives to a capital receipt for the surrender and regrant of long lease to Lightquote. These include:

- Ground rent from each residential unit. This option is positive in that it is a very secure form of income although there is a risk of enfranchisement where occupiers could remove the ground rent obligation.
- Commercial rent income from a proportion of the ground floor commercial space.
- Ownership of individual apartments. Likely to be a low number so management could be problematic however there is potential to negotiate with Lightquote to include within their management for the development and just provide rental income from the units to the Council minus management costs.

2.11 The Council's negotiation focus will be on the latter point as the best source of long term income.

3. Options Appraisal

3.1 Neither the Council or Lightquote wish to sell their interests to each other and the case for the Council to compulsory purchase Lightquote is likely to be weak given they are keen to work with us on a redevelopment proposal. Lightquote would be willing to put in the full capital costs of construction however they are aware the Council is keen to generate a long term rental income and is willing to invest in schemes which deliver this. There are public procurement complications with the Council entering into joint ventures hence the proposed way forward set out below is seen as the most effective way of delivering the Council's objectives and bringing forward development quicker.

3.2 The proposed way forward:

- LBBD and Lightquote Ltd jointly client and fund a planning application covering the whole site which provides the ability to take forward delivery.
- On its part of the site, the Council funds and procures a contractor to deliver approximately 150 homes for affordable rent and shared ownership through Reside with the ground floor potentially used for artists/creative industries and/or re-provision of Baptist Church community facilities if required.

- The Council provides a building licence for Lightquote to deliver approximately 175 homes and commercial space on its leasehold land and following completion grant a new lease of at least 150 years.
- Rather than a capital receipt for providing the building licence and new lease to Lightquote the Council would require a long term rental income from a number of residential units in the development.

Option	Advantages	Disadvantages
Do Nothing	No financial risk or resource implication	Failure of deliver new homes, new income source and town centre regeneration. Reputational issue with GLA.
Proposed way forward	Likely to be the quickest solution and giving each party the control it wants of delivery. No long procurement processes.	Delivery by two different organisations (mitigated by single planning application and some landlord control by LBBD over Lightquote)
CPO of Lightquote's interest	Cabinet approval already secured. Greater control and greater number of LBBD rental units.	Timescale. CPO justification limited by the fact Lightquote are willing to work with Council on comprehensive scheme. Additional acquisition and construction cost.
Selling Council's interest to Lightquote	Capital receipt.	No opportunity for additional investment in delivering housing for rental income. Loss of control.
Joint Venture with Lightquote	Single scheme taken forward. Potential construction cost savings.	Likely protracted negotiations and public procurement issues. Set up costs.

4. Ambition 2020/Growth Commission implications

- 4.1 This scheme is relevant to the Growth Commission's focus on Barking Town Centre delivering 'well-designed, compact, high-quality housing with a distinct sense of place. Similarly in relation to Ambition 2020 this scheme is completely in line with the programme's aspirations involving the Council proactively investing in regeneration to deliver long term income to the Council from utilising its land, development skills and borrowing capacity.

5. Consultation

- 5.1 There has been no specific consultation on the Crown House scheme. Prior to any planning application there would be a public consultation exercise.

6. Financial Implications

Implications completed by Katherine Heffernan, Group Manager – Service Finance

- 6.1 This report sets out the next steps in the proposed redevelopment of the Crown House site. At this stage there is still a number of areas of uncertainty and a further detailed business case will need to be carried out before final approval. This will form the subject of a subsequent report to Cabinet.
- 6.2 The report seeks agreement to entering into a Borough Intervention Agreement with the GLA. This is necessary in order to access Housing Zone funding. The Housing Zone fund can provide up to £1m recoverable grant (ie loan funding) and £2m non recoverable grant. This will provide funding for the initial stages of the scheme.
- 6.3 Approval is also sought for the purchase of Baptist Church car park and community hall required to deliver the scheme plus subject to viability, other land. It is proposed that this will be funding from the Housing Zone monies subject to validation by the GLA. It is also proposed that the Council should fund half the costs of the planning application. This will also be funded from the Housing Zone monies or from existing Council resources.
- 6.4 The Crown House Development will involve the loss of Linton Road car park which is currently used by market stallholders four days per week and available for public use the other three days. With the loss of this car park there is a need to assess whether the current users can be displaced into London Road car park and adjacent pay and display parking areas without impacting on the overall level of parking income received in the Town Centre.
- 6.5 The report also sets out a delivery route and seeks delegated authority for officers to negotiate terms of the arrangements with Lightquote. The Council has already commissioned a valuation and a report into the options for alternatives to a capital receipt and this will inform the negotiations. The terms of the final arrangement and the consequent financial flows will be considered in the detailed business case. In addition the tax implications of the different options including VAT and stamp duty should also be fully considered before terms are finalised.
- 6.6 Following successful conclusion of the preliminaries the Council intends to develop the site as part of its investment programme. Given the Council's existing land ownership and the availability of Housing Zone fund, the Crown House site is seen as a key initial project to utilise borrowing to generate an income from renting homes through Reside. The details of the amount of borrowing, the source of borrowing and the repayment arrangements will all form part of a detailed business plan once more definitive costs are available. This will be subject of the subsequent report.
- 6.7 As with any new housing development, the Authority currently receives a New Homes Bonus of £7,500 for every net new home built and will also be able to charge a Community Infrastructure Levy. A scheme of approximately 270 units would generate a New Homes Bonus of in excess of £2.0m.

- 6.8 There will also be an increase in the Council Tax base as a result of the additional dwellings, however, the increased number of residents will also place additional demands on local services such as waste collection, street cleansing and School places. The units will be mostly one and two bedroom apartments.

7. Legal Implications

Implications completed by Angela Willis, Major Projects Solicitor and Evonne Obasuyi, Senior Property Lawyer

- 7.1 It is proposed that a joint planning application is made with Lightquote. However Lightquote will fund and develop their leasehold site to deliver residential and commercial units. A building licence / lease will be granted to Lightquote to facilitate the development. Upon practical completion they will surrender existing lease and a new lease granted for a term of at least 150 years and a long term rental income. The Council will fund and procure the development of housing units on its part of the site.
- 7.2 The grant of lease to Lightquote will amount to a disposal. The Council's disposal powers are contained in section 123 of the Local Government Act 1972 and Section 1 of the Localism Act 2011 which also provides local authorities with a general power of competence. Furthermore section 111 of the Local Government Act 1972 enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions, whether or not involving expenditure, borrowing or lending money, or the acquisition or disposal of any rights or property. The report indicates that independent valuation of the various interests have been carried out to ensure proposed transaction is in compliance with legislation and Council's land and acquisition rules.
- 7.3 The Council's interests in taking the proposal forward would need to be protected by a memorandum of understanding, detailing the responsibilities and expectations of each party, but without being contractually binding.
- 7.4 The Council will need to enter into an intervention agreement with the GLA, setting out the detailed terms and conditions on which Housing Zone funding will be advanced to the Council.
- 7.5 The proposal that the Council and Lightquote each develop their part of the site in accordance with a joint planning application removes potential procurement issues arising from a joint development led by Lightquote.
- 7.6 EU procurement regulations (if applicable) and the Council's contract rules will need to be complied with in relation to the proposed development works and where management services for the new housing units will be outsourced.
- 7.7 Legal Services will be available to advise and assist officers as required.

8. Other Issues

- 8.1 **Risk Management** - A detailed project risk assessment would form part of the project should agreement be given to the proposed way forward. Key high level risks are identified in the Options appraisal above.

- 8.2 **Contractual Issues** - Legal services have been engaged in the project and would lead on contractual issues.
- 8.3 **Staffing Issues** – The proposed way forward can be resourced within existing staffing arrangements with Regeneration and Economic Development division.
- 8.4 **Corporate Policy and Customer Impact** – These are set out in section 4.
- 8.5 **Safeguarding Children** - These issues would be considered as part of the detailed planning proposals for the site.
- 8.6 **Health Issues** - These issues would be considered as part of the detailed planning proposals for the site.
- 8.7 **Crime and Disorder Issues** – These issues would be considered as part of the detailed planning proposals for the site.
- 8.8 **Property / Asset Issues** – This proposal includes significant property/asset issues as set out in the report.

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

List of appendices:

- Appendix 1: Site plan showing ownerships (exempt document)
- Appendix 2: Indicative scheme design (exempt document)

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CABINET**19 July 2016**

Title: Draft Parking Strategy 2016 - 2026	
Report of the Cabinet Member for Enforcement and Community Safety	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Sharon Harrington, Group Manager, Parking Services	Contact Details: Tel: 020 8227 2952 E-mail: sharon.harrington@lbbd.gov.uk
Accountable Director: Jonathon Toy, Operational Director for Enforcement	
Accountable Strategic Director: Claire Symonds, Strategic Director Customer, Commercial & Service Delivery	
<p>Summary:</p> <p>As part of its Strategic Parking Review, the Council recently carried out the first stage of consultation on its draft Parking Strategy 2016 – 2026 which involved internal stakeholders.</p> <p>The draft Parking Strategy has been updated to reflect the comments received during the first stage and the revised draft Strategy is attached at Appendix A. It is proposed that the revised draft Strategy is now approved for external consultation with local residents, businesses and other stakeholders. The revised draft Strategy will also be considered by the Safer and Stronger Community Select Committee at its meeting on 13 September 2016.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <p>(i) Approve the draft Parking Strategy at Appendix A for public consultation; and</p> <p>(ii) Note that a further report will be presented to Cabinet in November on the outcome of the public consultation and seeking adoption of the final Parking Strategy.</p>	
<p>Reason(s)</p> <p>This is the first parking strategy to be implemented within the Borough. Before being fully adopted it is important that we have all the views of all business and residents to enable us to provide a fair and consistent approach to the way in which we manage parking whilst supporting the three priorities for the borough;</p> <ul style="list-style-type: none"> • Encouraging Civic Pride • Enabling Social Responsibility • Growing the Borough 	

1. Introduction and Background

- 1.1 The Draft Parking Strategy attached at Appendix A, is a key output of the Council's Strategic Parking Review. It proposes an overarching aim and related objectives which will form the basis of the Council's approach to parking in the borough for new and existing parking schemes.
- 1.2 The Parking Strategy once adopted will promote four principles the Council wants to instil across the borough which include Safety, Fairness and a Consistent and Transparent approach.

2. Proposal and Issues

- 2.1 It is important to note that the Draft Parking Strategy is a non-statutory document. Parts of the document relate to the civil enforcement of parking contraventions and in that respect regard has been had to the statutory guidance issued by the Secretary of State under section 87 of the Traffic Management Act 2004.
- 2.2 The usual consultation process for policy documents of this nature will be undertaken and all persons potentially affected will have been given the opportunity to comment. After adoption, there will be an expectation that future parking decisions will be taken in accordance with the strategy.
- 2.3 The introduction of the Parking Strategy is proposed to make it easier for local residents and businesses to challenge unfair, disproportionate or unreasonable parking policies and have invited views on how this could be achieved.
- 2.4 The challenge in delivering a fair, consistent, safe and transparent Parking Strategy, will be getting the right balance between the competing needs of road users, pedestrians, businesses, commuters and visitors. Having an effective parking strategy can be one of the most useful tools available to local authorities in helping us to achieve our economic, social and environmental objectives. The benefits will be that we will adopt an area based approach to parking controls rather than a road by road approach, thereby reducing displacement: by offering lower charges for low-emission vehicles the strategy will play a positive role in reducing our carbon foot print. The strategy support local businesses but not to the detriment of the local environment, use future regeneration programmes for the borough will meet the four principles set out above.
- 2.5 Moving forward the strategy will provide the opportunity to manage car parking so that it allows people to access local services and support local businesses, but without causing significant traffic congestion or environmental impacts, for example, by encouraging more car use or providing too many parking spaces.

3. Options Appraisal

- 3.1 The strategy outlines the proposals the Council and how we expect to deliver on these. This is a public consultation document

4. Consultation

- 4.1 Internal consultation has been undertaken prior to this report being presented at Cabinet. We have listened to the views of members and their constituents and hope that we have shown in the document that these have been considered.
- 4.2 However; the strategy is now embarking on external consultation with residents and businesses. Consultation will open on-line on the 20 July and close at the end of September.
- 4.3 Below is a table showing all levels of consultation:

Date	Activity	Group
19 July 2016	Approval for consultation on the draft Parking Strategy	Cabinet
20 July 2016	Consultation commences with members and wider community	Community groups, on –line survey, Safer Stronger Partnership Board
July- September 2016	Ongoing review of feedback	As above
Mid September 2016	Public consultation closes	
13 September 2016	Pre-decision scrutiny by Safer and Stronger Community Select Committee	Select Committee
20 October 2016.	Review outcomes of the Parking Strategy 2016-26 prior to Cabinet approval	Corporate Strategy Group
24 October 2016	Review of outcomes of the consultation and Parking Strategy proposals	Policy Forum
15 November 2016	Approval of Parking Strategy 2016-26	Cabinet
December 2016	Development of a Parking Strategy implementation plan	Enforcement Service/Cabinet member

5. Financial Implications

Implications completed by Tasleem Kamzi, Group Accountant

- 5.1 The report is for information on the consultation of the Draft Parking Strategy 2016-26 . There will be a full financial assessment undertaken alongside the development of the Strategy. In 2016/17 the Parking Service is expected to implement savings totalling £575k, which are due to be delivered by the increasing CPZ zones and sale of permits and the introduction of cashless and paperless parking which are part of this Draft Parking Strategy.

6. Legal Implications

Implications completed by Dr. Paul Field, Senior Governance Solicitor

- 6.1 As observed in the main body of this report, elements of enforcement practice are subject to the need to be compliant with statutory guidance issued by the Secretary of State under section 87 of the Traffic Management Act 2004. This does mean that the Parking Strategy document will need to be kept under review from time to time to ensure it is consistent with current guidance.

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

List of appendices:

- **Appendix A - Draft Parking Strategy**



Draft Parking Strategy 2016 – 2026 – For consultation

To provide a fair and consistent approach to the way in which we manage parking whilst supporting the three priorities for the borough;

- Encouraging civic pride
- Enabling social responsibility
- Growing the borough

ITEM**PAGE**

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- 9 Enforcement**
- 10 Sustainable transport**
- 11 Customer service**
- 12 Making the right decisions**

Safe

Whether you are arriving at your destination or departing on a new journey, safety is at the heart of our parking strategy. Safety for car users, cyclists pedestrians, for those who rely on support services and for our emergency services

We will

- We may consider pavement parking in locations where it is safe for other road users but not to the detriment of pedestrians, cyclists and vulnerable groups.
- Provide parking bays for those who need them most, where and when we can.
- Aim for Secure Car Park Status for all council car parks.

Fair

Our aim is to strike a fair balance between the parking needs of different groups of customers, whilst understanding the needs of local residents'

We will

- Support activity which reduces congestion and improves the quality of our environment.
- Offer free parking in all on-street secondary shopping centres for the first half an hour and for the first hour in all of park car parks.
- 5% of car parking spaces will be provided for blue badge holders, with the first four hours free.
- Increase the charges for parking permits for households with three or more vehicles

**Parking Strategy
2016-2026**
The start of a journey

Consistent

We will ensure that the decisions we make are consistent across the borough and for all those requiring parking services

We will

- Only use parking controls, such as Control Parking Zones, where there is a clear need for road safety and to ease congestion.
- All parking permits will be charged in line with keeping the borough "Greener" and will be charged the same regardless of where you live.
- We will introduce virtual permits across the whole borough.
- We will expand our provision of free cycle parking across the borough.

Transparent

We will publish a clear guide on how to apply for parking related services, how parking related decisions are made and how to appeal against them

We will

- Provide a simple transparent process to apply for a dropped kerb.
- Use modern technology to make it easier for customers to access all aspects of the parking service
- Take enforcement action against those whose parking is inconsiderate to others, both on the road, pavement and parking areas.
- We will implement a policy that sets out how we will tackle persistent parking fine evaders including the removal of vehicles if necessary.

2. Executive Summary

Over the past 60 years the advances in motor vehicles have transformed our lives, providing social mobility, expanding the distances between where we work and live and increasing the business opportunities for employers and employees alike.

Parking is an intrinsic part of this change. Whilst major road improvements have created new network infrastructures, many of the smaller residential and secondary roads have changed little since they were built in the 1950's and 60's. As the, design of motor vehicles have changed and volume of motor vehicles have increased, so has congestion and the advent of alternative transport methods. In the last decade there has been a significant increase in the demands on our road and footways, with pedestrian, cyclists, mobility vehicles and parking needs all competing for space.

For Barking and Dagenham, a borough that is the gateway for growth in London and the east, Parking can no longer been seen as just a daily concern. We need a strategic approach where parking is not just seen as part of a journey, but the start of a journey. Whether you are leaving home, parking as part of your daily commute, taking your children to school, visiting family, delivering goods to your business, or going on a shopping experience, knowing that your vehicle is safe, that what you are being charged is fair, that the parking controls and transparent and they are applied consistently, are all at the heart of our approach. Parking is the start of each journey and as we move forward into the next decade, this vision will become even more important as the regeneration of the borough brings new challenges and opportunities.

Making parking work for our residents, businesses and visitors is a challenge that needs a long term vision, one that will take us into the next decade and provides the opportunity to meet the competing demands for good quality, accessible, safe and affordable parking.

Our strategic approach is based around four themes:-

Safe

Whether you are arriving at your destination or departing on a new journey, safety is at the heart of our parking strategy. Safety for car users, cyclists pedestrians, for those who rely on support services and for our emergency services.

Our objective - To reduce congestion caused by parked vehicles and improve road safety

How we will deliver this:-

- Only use parking controls where there is a clear need to improve road safety and/or to ease congestion. – we will use a combination street parking controls

such as CPZ's, restricted parking and permitting as well as other measures to improve safety and ease congestion.

- Tolerate pavement parking in locations where it is safe for other road users but not to the detriment of pedestrians, cyclists and vulnerable groups – The Highway Code early sets out that Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs. Drivers should not park on the pavement. However, in some areas pavement parking is necessary to prevent congestion and improve road safety. Our approach is to find a balance between those requiring accessible pavement space and road safety, in areas where there is a clear need for greater tolerance.
- Make best use of the parking space available – our policy sets out a range of proposals that makes use of the parking spaces on our roads, car parks, shopping areas. As part of our ambitious regeneration plans we will work with developers to ensure that parking considerations are considered from concept to completion.
- Aim for Secure Car Park Status for all council car parks – we want to ensure that our Car Parks provide the highest level of safety for those who use them, by achieving Secure Car Park Status across all council car parks whether they are in residential, recreational or shopping areas.

Fair

Our aim is to strike a fair balance between the parking needs of different customers, whilst understanding the needs of local residents'

Our objective - To make best use of the parking space available

How we will deliver this

- Support activity which reduces congestion and improves the quality of our environment. – Our strategy sets out a range of initiatives such as Electronic Vehicle car clubs, increased permit charges for diesel vehicles and green and superhighways for cyclists to reduce the congestion on our roads.
- Offer free car parking in all on-street local shopping centres for the first half an hour and for the first hour in all of park car parks. – Our strategy aims to support businesses and the ability to access the boroughs extensive parks by providing free parking for a set time period, across the whole borough
- Ensure 5% of car parking spaces will be provided for blue badge holders, with the first four hours free. – We want to ensure that those with mobility needs have adequate car spaces that make it easy and affordable to park.

Consistent

We will ensure that the decisions we make are consistent across the borough and for all those requiring parking services.

Our objective - To reduce air pollution and support London wide low emissions and clean air strategy

How we will deliver these

- All parking permits will be charged in line the aim of reducing emissions and will be charged the same regardless of where you live – We will bring business and residential permits in line with each other and charge a consistent fee for first and second permits. We will increase the charge for permits for households with three or more vehicles, including shared households. In addition we will offer a discounted fee for non-diesel emissions or charging a higher fee for vehicles with higher carbon emissions. This will include commercial vehicles
- Take enforcement action against those whose parking is inconsiderate to others, both on the road, pavement and parking areas – We will focus our resources in the areas and on those people who create a persistent problem with inconsiderate parking
- We will expand our provision of free cycle parking across the borough – To support the increasing popularity of cycling, we will ensure there is cycle parking across the borough, free of charge. This is in line with the councils approach of expanding cycling provision in the borough the Green Cycle routes and expansion of the cycle super highway.
- We will apply a consistent approach to parking across areas of the borough defined as:-
 - Town Centres
 - Secondary retail/commercial areas
 - Residential areas

Transparent

We will publish a clear guide on how to apply for parking related services, how parking related decisions are made and how to appeal against them.

Our objective - To enforce parking regulations fairly and efficiently

How we will deliver this

- Use modern technology to make it easier for customers to access all aspects of the parking service – We will introduce modern technology such as on line, mobile and pay points that makes it easy to pay for parking, getting a permit of paying for a fine, either on line, by telephone or the introduction of cashless payments.
- Provide a simple transparent process to apply for a dropped kerb – Dropped kerbs provide a solution to parking congestion in residential areas and reduces the pressures on our streets and pavements. We will encourage dropped kerbs in areas where it is safe to do so, reduce the delay from applying to acceptance and offer affordable methods of payment for installing a dropped kerb.
- Implement a policy that sets out how we will tackle persistent parking fine evaders including the removal of vehicles if necessary – We will use all of our powers to tackle those people who both ignore parking fines or who operate businesses in residential areas which affect the quality of life of local people. .

How will we measure our success?

This is an ambitious plan which will have a long term impact on the look and feel of our borough. In order to ensure that we can track our progress the strategy sets out a high level action plan which will be supported by a set of performance measures. These measures will include quantitative figures such as the increase in EV car Clubs, increase in car parking or payment rates of fines, as well as qualitative figures such as the improvements in residential, business and retail areas for both safety and reduction in congestion.

These figures will be published through the council website on a quarterly basis

3. Values

Core values will support the approach to parking in the borough. These values are aligned to the Council's three priorities for the borough and will reflect the continuation of the council's approach to ensuring fairness and transparency for the delivery of parking services whilst incorporating;

- Encouraging civic pride
- Enabling social responsibility
- Growing the borough

The aims of the implementation of this Parking Strategy are based around the three Council priorities and it is imperative that the changes to the way in which parking is delivered going forward is consistent, efficient, effective. We will always put the needs of pedestrians safety on the footpaths first and foremost and will also consider road safety and congestion a priority.

4 Introduction

The London Borough of Barking and Dagenham (LBBD) is situated in the north-east of London at the heart of the Thames Gateway, the largest regeneration area in Europe. Adjacent boroughs are Newham to the west, Greenwich and Bexley to the south, Havering to the east and Redbridge to the north. LBBD covers an area of about 14 square miles. Its estimated population is 185,900 (from the 2011 Census); this indicates a growth of 13.4% since 2001.

LBBD is responsible for parking enforcement on its streets and in its car parks using the civil parking enforcement ("CPE") powers provided by the Traffic Management Act 2004. This enforcement is undertaken by the council's own staff. The car parks include several **major public off-street car parks**, principally for the use of shoppers and commuters. On-street parking areas consist principally of **residents' parking spaces** and public **pay-and-display/metered parking**. A number of dedicated **disabled drivers and doctors parking spaces** are also provided, as well as parking spaces for **car club** vehicles. In addition, there is provision for businesses in the form of **vehicle loading/unloading bays** as well as dedicated parking spaces for **motorcycles**. A range of **cycle parking** facilities exist at key destinations, such as shopping areas, libraries, council buildings, business areas and transport interchanges.

This document addresses the parking issues that face the Borough both now and in the future (looking ahead for up to 15 years) and has been designed to help shape, manage and deliver the Council's vision for parking, as set out below.

Our Vision for the future

"To provide Safe, Fair, Consistent & Transparent Parking Service"

The strategy seeks to identify the borough's objectives for parking, and to place them in the context of the council's wider objectives in relation to transport and the environment and, beyond that, the activities and aspirations of the borough as a whole. Following on from that, it then presents in broad outline the actions and procedures needed to turn those objectives into reality, and how to monitor progress in that respect. The overriding

objective will be to devise a framework to balance competing needs in parking. At all stages, an integrated approach is advocated, taking into account all relevant issues such as suitability and size of parking area, ease of enforcement, business needs and links with public transport.

The objectives of the Parking Strategy are:

- Reduce congestion caused by parked vehicles and improve road safety
- Make best use of the parking space available
- Enforce parking regulations fairly and efficiently
- Provide appropriate parking where needed

Incorporate environmental issues and in particular the London wide low emissions and clean air strategy.

To achieve these objectives and realise the vision for parking, work will be channelled through three main areas:

- Management of on street parking – manage on street parking space to ensure optimum use
- Operation of civil parking enforcement – fair and cost effective processes to reduce inappropriate parking
- Parking provision and policies – new developments to have appropriate levels for their function and location

5. Ten year plan

This section sets out what we aim to change and improve over the next ten years. It lays out improvements into areas of what we have identified through forums and complaints and what we intend to do.

With a ten year plan we will use our programme to make sure the “Right Decisions” are made to support the key priorities. It will also provide us a long term vision for parking which is directly linked to or development and regeneration plans for the borough.

Appendix 1 shows a 2 year action plan as legislation and nation policies are regularly changes and demands within the borough are on the increase and therefore we need to be responsive to change as it is required. That said the basics of what we plan to achieve will follow the same principles of implementation.

6. Council Car Parks

The Council operates 10 public car parks across the Borough and has several that are currently unmanaged. Car Parks are being used for long and short stay, commuter parking, staff parking. Payments are being made by cash, RingGo online and credit card payments. Our aim is to provide suitable parking for local shoppers and / or commuters where we can and residents that live in the borough in car free developments but need to have a vehicle.

Key challenges

- Competition from other cheaper car parks
- Maximising car park use
- Keeping upto speed with new technology that makes parking easier for motorists and more efficient for us to provide and enforce
- Keeping car parks clean and minimising anti-social behaviour activities
- Making sure car parks make enough money to be cost effective and keep them to a standard required for users to feel safe

What is important to you?

- The ease of finding a space without driving around too much
- Safer and cleaner car parks
- Reviewing charges across the Borough to create a competitive offer and maximise usage
- Quicker, easier ways of parking
- Offer competitive season tickets or alternative long stay solutions

What we intend to do

- Review car parking charges in all car parks across the Borough
- Maximise car park use by providing competitively priced season tickets
- Provide flexible alternatives for paying so users only pay for the period they have parked
- Adopt new technology such as cashless payments of payments through mobile devices where this will improve efficiency
- Introduce one hour free parking in car parks that are within one of the Boroughs Park locations to support a healthy lifestyle
- Ensure all council run car parks have a competitive charging structure to support upkeep and maintenance
- Seek 'Park Mark' status in all car parks where possible

7. Parking for shoppers and visitors

The Borough provides short term 'paid for' parking spaces that covers most areas across the borough. It has recently trialled a 15 minute free parking period which although has been well received has been deemed to not be long enough for most areas.

The Borough faces a number of challenges in providing and managing on-street short term parking bays which range from varying charging across the borough to different levels of enforcement and payment methods.

Key challenges

- Setting a level of charges and maximum stay periods to assist local businesses by maximising turnover of parking spaces around all shopping areas regardless of size
- Promoting where applicable the use of our off-street car parks
- Providing parking spaces at all times to ease congestion on our highways network
- Achieving consistent compliance through enforcement

What is important to you?

- Fair and consistent parking charges across the Borough
- A Parking Strategy that supports local businesses
- Reducing traffic congestion across the Borough
- Enforcing parking regulations fairly and firmly
- Parking near to your destination
- Quicker and easier payment processes
- Making sure free short term concessions are not abused
- Ability to allow shoppers and visitors enough time to grab a couple of items without paying

What we intend to do

- Introduce 30 minutes free parking in all on-street parking areas and off-street car parks that support local shops
- Introduce cashless parking and promote and incentivise payment by phone
- Undertake a review of the needs of the night time and weekend usage
- Explore the requirement for more dual use bays to accommodate a range of local needs
- Reduce the need for cash machines

8. Permit parking

Permit parking is used as a means of controlling who can park on the road and when. This mainly happens in areas where residents have difficulty in finding a space near where they live.

A number of permits have been implemented across the Borough in recent years and tailored to individual needs; however this has led to many permits overlapping with their usage and making it difficult for customers to know what it is they require.

Whilst it is sometimes the case that we simply can not meet the specific needs of the local stakeholders we do where we can endeavour to get the balance right for most users.

Key challenges

- Issues created by displacement ie: when a scheme is introduced vehicles move onto another location
- Issues caused by commuter parking
- More cars means more demand for parking space
- Less kerb space as we introduce more dropped kerbs

What's important to you?

- Put residents needs first by deterring on-street commuter parking
- Put carers needs first by offering parking at the same cost as a resident
- The need for consistent and well enforced controlled parking zones when implemented across the Borough
- Having visitors be able to afford to visit

What we intend to do

- Introduce parking controls under an 18 month experimental traffic order where there is uncertainty as to the outcomes of a new scheme. This will allow the scheme to be monitored and amended where necessary.
- Ensure a faster and more efficient turnaround on permit applications
- Move to virtual permit system to allow residents to have a permit live on their vehicle the minute they purchase
- Prioritise the implementation of schemes for safety and congestion

- Get the balance right for dual use bays for local businesses, care homes, surgeries etc. and residents
- Make use of all parking space to service the needs of all the local community and the assets within them in a fair and consistent manner
- To support a cleaner borough by having a turnover of vehicles this allows the highways to be cleaned regularly
- Minimise the amount of permit types available with an increase in the cost of a permit for households with three or more vehicles
- Electric and hybrid vehicles will carry a lower charge for a parking permit
- Investigate ways in how we can support short-stay visitors to residents

9. Enforcement

Enforcement is in place to ensure that the designed goals outlined in this Strategy are met and can be achieved. Civil Enforcement Officers (CEOs) deliver this enforcement by providing advice where possible and issuing Penalty Charge Notices (PCNs) where necessary by CCTV Enforcement or On-street patrols.

Key challenges

- Serving a Borough with varying demands
- Serving a area of the Borough where there are some areas without restrictions in place
- Enforcing where motorists take a change of parking illegally for a short period without realising the impact on congestion and road safety
- Achieving compliance around schools is particularly challenging as the demand for space is focused on a specific area and time of day
- Ensuring disabled badges are not fraudulently used to obtain free parking

What's important to you?

- Maintaining road safety and ensuring better traffic flow
- Enforcing parking restrictions fairly and firmly
- Deterring commuter parking in residential areas and parks and open spaces
- Ensuring that disabled badges are used correctly
- Making sure concessionary parking is not abused
- Ensuring that footways are not obstructed by vehicles
- Making schools safer by better enforcement of vehicles parking in contravention even for short term dropping off

What we intend to do

- Continually review the way in which we deploy Civil Enforcement Officers throughout the Borough to accommodate varying demand for enforcement
- Make the roads safer and enable an improved flow of traffic by expanding our scope of moving traffic enforcement contraventions through the use of CCTV
- Embrace new technology to provide a more efficient and economical service
- Embrace the use of automated enforcement cameras to ensure all contraventions are enforced against
- To enforce on bank holidays where necessary to support road safety and traffic flow
- Continue working with the police on joint ventures to take the misuse of blue badges
- Remove all double parking (cars parked on highways and footway) to ensure pedestrians safety is key
- Ensure a mix of parking on the highway and footways are maintained to slow traffic where necessary
- Undertake targeted enforcement around local schools and adopt new polices where we are able to support this

10 Sustainable transport

As well as taking account of local circumstances, the strategy must be linked to a whole framework of wider policies, ranging from those determined at a local level to those applying nationally, and in some cases enforced by law. The main elements of this framework are shown in Table 1. Although there are various different levels of guidance, several themes such as addressing traffic congestion, promoting sustainable travel habits and improving safety are common throughout.

11 Customer Service

Barking & Dagenham is committed to constantly improving the parking customer experience, to make it easier to purchase parking space, pay for permits or appeal and pay against penalties online.

It is the Council's policy to implement a fair open and transparent parking policy. The Council publishes a number of policies on-line, and it committed to reviewing and updating these policies in line with this strategy. We want to maximize the efficiency and quality of our customer service and aim to reduce the need for customer contact by

providing good quality information and/or service at the first point of contact.

Key challenges

- Inefficient back office systems and processes in dealing with queries and challenges
- Increasing the digital capability of our services
- Ensuring hard to reach customers continue to have appropriate means of contacting and obtaining support from the Council
- Inefficient processing and delivery in providing parking permits

What we have been told?

- Access to parking services on-line are confusing and inconsistent
- The digital payment and application methods are not effective and are very time-consuming
- It is not clear what we are purchasing
- We do not have the confidence that payments have been received
- The Council needs to improve ways that service users can self-serve
- We speak to various officers and departments and get different responses each time

What we intend to do

- New back office systems have been procured and are now live; we aim to improve how these are managed and deliver a user friendly system
- Aim to respond to appeals within 2 weeks where resources permit
- Provide clear guidance to enable to service users to make the best use of the on-line parking services
- Overhaul of all parking services and systems to ensure running costs are kept to a minimum but meet the needs of the service and users
- Ensure all digital systems are user friendly

12 Making the right decisions

Taking into account the current pressures, demand on parking and legislative compliance we have developed a mechanism that enables early consideration of all key issues to ensure a new parking scheme or alternations to an existing parking are arrangements are not considering in isolation but for the needs of the Borough as a whole. In main all schemes are suggested by residents, Ward Members and Council officers for a variety of reasons.

Making a framework for decision enables us to be fair, consistent and transparent in the way all parking schemes are planned and implemented.

The framework will allow flexibility to ensure we can adjust where necessary to keep up to date with the legislative requirements and the regeneration of the Borough. This framework will not support schemes that are set out to improve road safety.

The Council has to make complex choice about the allocation and management of parking spaces and in doing so we need to balance the needs of some groups with others to take action that some motorists or residents and businesses may not support. We will always where required consult with stakeholders but ultimately the decision making process of whether a scheme goes ahead will lay with the Council.

13 Next steps

This document sets out the proposals for the future strategy for parking across the borough. We are inviting feedback on these proposals and the following timetable sets out the next steps for consultation, implementation and how we will review our progress.

Date	Activity	Group
19 July 2016.	Approval for consultation on the draft Parking Strategy	Cabinet
20 July 2016	Consultation commences with members and wider community	Community groups, online survey, Safer Stronger Partnership Board
July - September 2016	Ongoing review of feedback	As above
Mid September 2016	Consultation closes	
13 September 2016	Pre-decision scrutiny by Safer and Stronger Community Select Committee	Select Committee
20 October 2016.	Review outcomes of the Parking Strategy 2016-26 prior to Cabinet approval	Corporate Strategy Group
24 October 2016	Review of outcomes of the consultation and Parking Strategy proposals	Policy Forum
15 November 2016	Approval of Parking Strategy 2016-26	Cabinet
December 2016	Development of a Parking Strategy implementation plan	Enforcement Service/Cabinet member

CABINET**19 July 2016**

Title: Regulatory Services Enforcement Policy 2016 - 2020	
Report of the Cabinet Member for Enforcement and Community Safety	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Theo Lamptey, Regulatory Services Manager	Contact Details: Tel: 020 8227 5655 E-mail: theo.lamptey@lbbd.gov.uk
Accountable Director: Jonathon Toy, Operational Director for Enforcement	
Accountable Strategic Director: Claire Symonds, Strategic Director for Customer, Commercial and Service Delivery	
Summary	
<p>This report seeks Cabinet's approval of a revised Enforcement Policy for the Council's Regulatory Services.</p> <p>The Enforcement Policy is a core part of the council's approach to enforcement, an Ambition 2020 priority. The Council is establishing a new enforcement service, bringing together a range of teams, whose combined skills, professional knowledge and expertise, can set standards of behaviour which encourages civic pride and take action against those individuals and businesses who continue to act unlawfully or anti socially.</p> <p>The new service will include all the regulatory enforcement functions relating to Environmental Health (Food, Health & Safety), Environmental Protection, Noise and Nuisance, Trading Standards, Licensing, Private Sector Housing and the Enforcement services (Street Networks).</p> <p>The intention of this new Enforcement Policy is to ensure that all enforcement action is compliant with all relevant legislation, code of practices and government guidance. Also it must be fair, clear, transparent, consistent, proportionate, risk based and robust. It is aimed to assist local businesses contributing to supporting the local economy as outlined in the Council priorities and corporate plans. The Council is required to publish its Enforcement Policy setting out how it will enforce legislation and ensure compliance.</p> <p>The revised Enforcement Policy is at Appendix 1 to this report.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to adopt the revised Regulatory Services Enforcement Policy as set out at Appendix 1 to the report, for implementation by all relevant Council regulatory functions.</p>	

Reason(s)

1. To ensure that the Council's enforcement policy complies with the new requirements in the Regulators' Code.
2. To ensure that any enforcement action taken by the Council's Authorised Enforcement Officers of the Council are proportionate, consistent, fair and effective

1. Introduction and Background

- 1.1 The council has set out a series of ambitious plans to transform the borough by harnessing its potential and placing Barking and Dagenham as London's Growth Opportunity. These plans form Ambition 2020, a set of clear priorities where the council and its partners deliver significant change into the next decade. Enforcement is a cornerstone to these ambitions and provides the framework where businesses, residents and visitors take ownership for the area, their actions and standards are set which encourage civic pride.
- 1.2 This new policy is to create a borough wide approach to enforcement providing a consistent framework for making enforcement decisions.
- 1.3 It reflects recent changes in the legislative powers now under the control of the Local Authority. It supersedes the existing enforcement policy adopted by the Council on 29 January 2002 which was covered by the former Health and Consumer Service Division.
- 1.4 The Council deals with a wide range of enforcement activities covering in the region of 150 primary Acts of Parliament together with a number of regulations and orders. The legislation covered by these services deals with issues and seeks to protect consumers, residents and businesses as well as the environment. Investigations under these Acts can result in both informal and formal actions being taken to ensure compliance with the law.
- 1.5 Enforcement in the context of this policy includes the use a range of activities to ensure compliance with legislation, such as:
 - Conducting regular inspections of business premises
 - Responding to complaints and enquires from the public about businesses and individuals
 - Carrying out education and awareness programmes
 - Conducting investigations to support the enforcement actions
 - Patrolling the borough and serving fixed penalty or statutory notices and taking prosecution action for a range of environmental offences as appropriate.

The range of enforcement may change as new legislation is enacted.

- 1.6 The proposed policy covers all aspects of the regulatory functions and seeks to assist officers in the decision making process when dealing with enforcement issues. It sets out a consistent approach on the use of all enforcement tools at

officers' disposal to achieve effective and efficient compliance with relevant legislation.

- 1.7 The Policy recognises that most businesses and individuals want to comply with the law. Help and support will be provided to enable them to meet their legal obligations without unnecessary expense, while firm action will be taken against those who flout the law or act irresponsibly.
- 1.8 Particular regard has been given to the provisions of the Regulators' Code and the provisions outlined in the Legislative and Regulatory Reform Act 2006 and the Regulatory and Enforcement Sanctions Act 2008.
- 1.9 The policy highlights the link to the Council's wider Ambition 2020 agenda.

2. Proposal and Issues

- 2.1 Enforcement actions are taken within the context of a legal and policy framework. The Council's enforcement services will carry out their enforcement related work with due regards to the Regulators' Code.
- 2.2 The obligations in the Code with regards to compliance and enforcement action relates to the Macrory Review. One of the key points raised in the Review was that regulators should publish an enforcement policy. It is enshrined in five principles of good regulations that every action should be transparent, accountable, proportionate, and consistent and targeted where action is needed.
- 2.3 The decision to use enforcement action will be taken in the context of this policy and any other relevant policies of the Council, but also in the context of the particular case under consideration. Factors taken into consideration will include but will not be limited to:
 - The risk that the breach poses to the health, safety or economic welfare
 - Whether the offence involves a failure to carry out the requirements of a statutory notice or order
 - The degree of pre-meditation of the offender
 - Where there is a previous history of warning or cautions for similar offences
 - There is reckless disregard for health and safety
 - Incidents such as the obstruction of an officer or aggressive behaviour.
- 2.4 The policy will take into account the following factors to achieve compliance:
 - The person, business or household ability to comply
 - The willingness of the person, business or household to comply with the action proposed by the council.
 - The level of complaints received relating to the person, business or household in the past.

This list is not exhaustive and will depend on the facts of each case.

- 2.5 All decisions in relation to appropriate action will be taken based on the key principles set out as above. It is also in accordance with the Code of Crown

Prosecutors, which details considerations to be taken into account before commencing enforcement legal proceedings.

- 2.6 The revised policy takes account of the issues such as the recent legislative changes and the breadth of the Council's regulatory functions. In addition, it does not infringe legislation such as the Human Rights Act 1998.
- 2.7 The policy provides a framework where all council officers can play an active part in enforcement. Whether the role is in reporting, intervening or enforcing, all officer will be provided with the knowledge, information and training that will help them recognise the importance of enforcement in promoting social responsibility and increasing civic pride.

3. Options Appraisal

- 3.1 The options are limited as the council is required to have an enforcement policy as outlined in the Legislative and Regulatory Reform Act 2006 and the Regulatory and Enforcement Sanctions Act 2008.
- 3.2 There is an option to extend the current enforcement policy which was last adopted in 2002. This approach is not recommended as the policy will not be fully compliant with the up to date legal requirements set out in the Regulators Code. Also it would be open to challenge from the government department, the Better Regulation Delivery Office.

4. Consultation

- 4.1 All regulatory teams within the Council have been consulted about the policy and any comments or suggestions have been incorporated into the policy where appropriate.
- 4.2 The draft policy was also presented to the Licensing and Regulatory Board on 20 April 2016 and was subject to pre-decision scrutiny by the Safer and Stronger Community Select Committee at its meeting on 14 June 2016. The comments of those committees are reflected in the revised draft policy.
- 4.3 Business engagement, consultation and feedback are actively encouraged by the Regulators' Code. Work is ongoing through the Local Business Support Focus Group to hear the views from the local businesses about the Council's approach to enforcement.
- 4.4 It is intended that there will be ongoing consultation with businesses which will help inform any future revision to the agreed policy.

5. Financial Implications

Implications completed by: Richard Tyler, Interim Group Manager

- 5.1 The policy provides a framework for the delivery of LBBD's regulatory services, which will set out the principles of good enforcement practice. This will improve transparency around enforcement processes and potentially streamline the

management of enforcement cases. The costs emerging from the adoption and implementation of the Enforcement policy will be met from existing budgets.

- 5.2 The implementation of the new policy will ensure that enforcement decisions are appropriate, based on areas of risk, and that the Council does not incur excessive costs associated with its enforcement activities.

6. Legal Implications

Implications completed by: Chris Pickering, Principal Solicitor

- 6.1 This is a revision of the Council's Enforcement Policy. By virtue of the Regulatory Enforcement and Sanctions Act 2008, Legislative and Regulatory Reform Act 2006, and the Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (as amended), the Regulator's Code was issued under parliamentary approval as specified regulators must have regard to the code when determining policies, setting standards or giving guidance in relation to their duties.

7. Other Implications

- 7.1 **Crime and Disorder Issues** - The new policy fully supports section 17 of the Crime and Disorder Act.
- 7.2 **Health Issues** - There are no direct implications in adopting the enforcement policy and minimal environmental impact from adoption of the policy itself. However successful application of the policy will assist in delivering efficient regulation which may reduce environmental damage, and ensure that resources are targeted where there is most significant environmental harm.
- 7.3 **Risk Management** - The enforcement policy is based on a risk based approach to ensuring compliance with the variety of legislation which is administered by the Council. Failure to meet new and existing statutory requirements must be specifically addressed in the Council risk register at the Regulatory managers meetings. Controls are in place to mitigate the risk include training, periodic update of the Scheme of delegation and Services business planning process.
- 7.4 **Corporate Policy and Customer Impact** - A screening for the equalities impact assessment has been carried out on the effect of the policy. The policy has low relevance in relation to its impact on the areas under the statutory duties contained in the equalities impact assessment, but contributes towards the corporate priorities of the council, open and transparent decision making. The Council, when taking decisions in relations to any of its functions, must comply with its public sector equality duty as set out in S149 of the Equality Act 2010 Act.

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

List of appendices:

- **Appendix 1** - Regulatory Services Enforcement Policy 2016 - 2020

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**London Borough of Barking & Dagenham
Regulatory Services
Enforcement Policy**

2016 - 2020

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1. Introduction

The London Borough of Barking and Dagenham have agreed a number of priorities for the borough, these are:-

- **Encouraging civic pride**
- **Enabling social responsibility**
- **Growing the borough**

A firm but fair enforcement policy will support these priorities, this document sets out our Policy and how we will implement it.

The Council's Regulatory Services are responsible for several different enforcement functions namely; trading standards, licensing, food safety, food standards, health and safety at work, noise and nuisance, environmental protection, environmental crime, highways, private sector housing, building control, planning enforcement and Anti-Social Behaviour (ASB). Each area uses different legislation to ensure compliance of the law within the borough and each has its own extensive body of regulations, codes of practices and guidance.

- 1.1 Our primary enforcement duty is to protect the safety of the public, their health and safety and the environment. At the same time we are committed to promoting a thriving local economy by carrying out our enforcement functions in an equitable, practical, transparent and consistent way.
- 1.2 This enforcement policy helps to promote efficient and effective approach to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens.
- 1.3 This policy has been developed in accordance with the general principles of the Regulators' Code, the provisions outlined in the Legislative and Regulatory Reforms Act 2006 and the Regulatory and Enforcement Sanctions Act 2008. All relevant stakeholders have been consulted and current government guidance and relevant codes of practices have also been considered.
- 1.4 This policy sets out the core standards of the Council's approach to enforcement; education, compliance and enforcement. These core standards cover all aspects of enforcement, delivered by the council.
- 1.5 The Council is moving towards a more integrated enforcement and regulatory service. The aim is to use all aspects of enforcement and regulation maximise impact for minimum cost, ensuring that community and businesses alike take responsibility for their actions, so Barking and Dagenham is a place that people enjoy living and working in and are proud of. This Enforcement Policy is a key document is achieving consistency and standards across the Council's enforcement services.

- 1.6 It also provides a framework for all Council officers, enabling them to undertake enforcement role. The role will be defined through training, advice and support so that officers recognise that their actions can have a positive effect, improving civic pride.
- 1.7 Finally this Policy will help to ensure that we are fair, impartial, independent and objective and will not be influenced by matters such as ethnicity, origin, gender, religious belief, political views or sexual orientation of suspect or victim or witness or offender.

2. Scope of Enforcement Policy

- 2.1 The Council has a wide range of regulatory and enforcement functions. The principle of this policy applies to actions taken by council officers to achieve compliance with legislation and national guidance. It supports existing, specific guidance on enforcement action in the statutory code of practice for regulators, relevant guidance documents and guideline issued by other government departments and other bodies.
- 2.2 In addition, consideration will be given to any other enforcement policy or scheme such as the Home / Primary Authority principle, where relevant. The Regulatory Enforcement and Sanction Act 2008 established the Primary Authority Scheme. We are required to comply with the requirements of the Act when considering taking enforcement action against a business or organisation that has a Primary Authority.

3. General Principles of Enforcement

- 3.1 We believe in firm but fair enforcement of all regulatory laws. Prevention is better than cure and our role therefore involves actively working with businesses to advise and assist with compliance. Consideration should also be given to the following principles:
- **Proportionality** – This means ensuring enforcement action corresponds appropriately to the risks arising. This will include any actual or potential harm arising from a breach of the law. We will ensure that our actions are proportional to the potential risk to health, safety, the environment and the benefits arising from the actions taken.
 - **Consistency** - Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar results. Businesses that manage similar risks expect a consistent approach from the Council and other agencies.
 - **Profiling** – This means making sure that action is targeted primarily on those whose activities give rise to the most serious risks or where the hazards are least well controlled. It also means that any enforcement action is directed against the person or company responsible for the breach. This will be undertaken through an intelligence led approach, using a range of data and information from council services, partner

agencies and the local community.

- **Transparency** - Transparency means being clear with businesses about how we operate and enforce. This also means helping individuals, organisations and businesses to understand what is expected of them in order to comply with legal requirements. We will also provide a clear distinction as to what are statutory requirements and advice or guidance about what is desirable but not compulsory.
- **Accountability** - We are accountable to the public for our actions. This means that we undertake enforcement on behalf of the public at large and not just in the interest of any particular individual or group. However, when considering the public interest test, the consequences for those affected by the offence, and any views expressed by those affected will, where appropriate be taken into account when making enforcement decision.

3.2 Whilst the general principle outlined above will apply in all cases, it must be recognised that each individual case will vary and each must be considered on its own merits before a decision is reached.

3.3 Where offending causes a cost to the council we will seek to recover the costs of dealing with that offending from those that are responsible.

4. Business Engagement Processes

The Council will engage with businesses in a variety of ways including:

- Undertake a programme of routine and planned inspections of trade premises based on risk assessment
- Offer advice on compliance to businesses within the whole borough
- Work with businesses and other agencies to achieve our objectives
- Conduct enforcement visit to premises to deal with complaints, accidents and investigate allegation of non compliance.
- Provide response to business enquires within the set working standards and written response if requested within the set standards period

5. Decisions on Enforcement Actions

5.1 We will ensure that our enforcement actions are consistent and aim to:

- Protect the public and businesses from harm as well as change the behaviour of the offender
- To deter future non-compliance and reassure the community
- Eliminate any financial gain or benefit from non-compliance
- Be proportionate to the nature of the offence and the harm caused and
- Be responsive and consider what is appropriate for a particular offender and regulatory issue, which can include sanction and public stigma that should be associated with criminal conviction

5.2 Enforcement decisions and actions will be made with due regard to the provisions of:

- The Human Rights Act
- The Crime and Disorder Act
- Equal rights and anti-discrimination legislation
- Service-specific legislation
- All other relevant legislation applicable from time to time
- Internal procedures and processes as applicable

5.3 We will therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

5.4 Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998.

5.5 Any decision on enforcement action will be taken on the merits of each case, objectivity and impartial. This will not be influenced by reason of race, disability, sexual orientation, age, religious beliefs or the employment status of the victim or witness. However, where a victim has been targeted by the offender by virtue of class or status such as vulnerable or young, consideration will be given when deciding on any course of action. Cases are assessed in accordance with the Code of Practice for Crown Prosecutors to justify enforcement actions.

5.6 We will ensure that any decision to depart from the Code or any other of the general principles will be properly reasoned, based on material evidence and documented.

6. Enforcement Actions / Sanctions

6.1 Where appropriate, we will seek to achieve compliance through early engagement, mediation, education and advice. In cases, where this is not deemed possible by officers as the appropriate route, these decisions will be recorded and considered as justified.

6.2 There are a number of potential enforcement options available to the service to achieve compliance. The types of actions that can be considered are as follows:

- **Informal Action** – For minor breaches of the law we may give verbal or written advice. We will clearly identify any contraventions of the law and give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance.
- **Fixed Penalty Notice (FPN) / Penalty Charge Notice (PCN)** – Certain offences are subject to fixed penalty notices where prescribed by legislation. They are recognised as an enforcement tool and avoid a criminal record for the defendant. We may choose to issue an FPN or

PCN on a first occasion without issuing a warning. Unpaid PCN's will result in the offender being pursued in the County Court for non payment of debt. Unpaid FPNS will be prosecuted where it is possible to do so.

- **Refusal, Revocation or Suspension of Licence or Permit** – where there is a requirement for business or individual to be licensed by the local authority, the licence may be granted in accordance with the Council's Scheme of delegation. For relevant matters where representations or objections are received to an application the Licensing Regulatory Board / Committee will hear the case and determine the matter in line with the provisions of the relevant legislation.
- **Licence Review** - Responsible Authorities and 'Other Persons' have the power under the Licensing Act 2003 to apply to have a Premises Licence reviewed by the Licensing Committee where activities at the premises appear to be undermining one or more of the four Licensing Objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).
- **Statutory Notices** – Certain legislation allows notices to be served requiring offenders to take specific actions, provide certain information, or cease certain activities. Notices may require activities to stop or cease immediately where the circumstances relating to serious threat to health, safety, the environment or to amenity and situation deteriorate, if a breach is not remedied quickly. Unless prescribed in law the time allowed in other circumstances will be reasonable and take into account the seriousness of the contravention and the implications of the non-compliance. In some circumstances we will charge for notices served.

6.3. Where an enforcement intervention has a formal appeal route we will include details of this with the notice that we serve.

6.4 Certain types of enforcement interventions allow works to be carried out by the enforcing authority and reasonable costs recovered. See **Work in Default** below.

- **Enforcement Undertaking / Injunctive Proceedings** - this may be sought from businesses that breach legislative requirements specified for the purpose of part 8 of the Enterprise Act 2002. Injunctive orders may be sought in the County Court in relation to businesses who breach legislative requirements specified for the purposes of Part 8 of the Enterprise Act 2002. In most cases an order will be sought from the court in circumstances where a business has been given an undertaking which it has subsequently breached.
- **Seizure** – in some situations, Council officers have powers to seize goods, equipment and documents, either to prevent the occurrence of an incident, to ensure that an activity ceases, or to ensure that it does not recur. The seized goods may be required as evidence for possible future court proceedings. When we seize goods, equipment and documents we will

explain at the time the powers we are exercising and the reason why they are being exercised. Also provide an appropriate receipt to the person from whom the goods were seized.

- **Confiscation / Forfeiture Proceedings** – this procedure may be used in conjunction with seizure and/ or prosecution where there is a need to dispose of goods and equipment in order to prevent them re-entering the market place or being used to cause any further problem. In appropriate circumstances, we will make application for forfeiture to the Courts.
- **Simple Cautions** – these will be issued where there is clear evidence and acceptance of an offence by the offender. A simple caution is an admission of guilt, but is not a form of sentence nor is it a criminal conviction. The purpose will be to deal quickly and simply with less serious offences; to reduce chances of re-offending and to avoid unnecessary appearance in criminal courts. A record of the caution is kept on file and may be cited in a Court if further offending occurs. Where a person accepts a caution they will also be expected to pay the reasonable costs involved in investigation of the offence.
- **Prosecution** – A prosecution will normally be considered where the individual or organisation meets one or more of the following criteria:
 - Deliberately, negligently or persistently breached legal obligations, which were likely to cause material loss or harm to others,
 - Deliberately or persistently ignored written warnings or formal notices,
 - Endangered, to a serious degree, the health, safety or well being of people, animals or the environment,
 - Assaulted or obstructed an officer in the course of their duties
 - Where a prosecution would be in the public's interest.
- **Proceeds of Crime Application** – this application will be made under the Proceed of Crime Act 2002 for confiscation of assets in serious cases. The purpose of this is to recover the financial benefit that the offender has obtained from their criminal conduct.
- **Work Related Death** – where there has been a breach of the law leading to a work-related death, we will consider whether the circumstances of the case might justify a charge of manslaughter. We will liaise with the Police, Coroners and the Crown Prosecution Service (CPS) to agree the appropriate Authority to take legal proceedings under the health and safety law.
- **Work in Default** – Where we have served a notice requiring works such as improvement, prohibition or to otherwise remediate a non compliance notice and the person receiving the notice does not comply with it, we will exercise powers available to arrange for the work to be carried out and the full costs recovered. This is known as 'work in default' or 'direct action' and we will always seek to recover our full cost from the person receiving

the original notice.

- **Directed Surveillance Using The Regulatory of Investigatory Powers Act 2000 (RIPA)** – The Council is a public authority for the purpose of the Human Rights Act 1998. Where investigation into prevention of disorder or detection of crime is necessary, officers will carry out the investigation using overt methods, unless the only means of investigation is by way of covert directed surveillance. Any directed surveillance shall be carried out in accordance with the Council procedures under the Regulatory of Investigatory Powers Act 2000 (RIPA) and the Protection of Freedom Act 2012. Authorisation for this type of pre-planned investigation must be in writing by formally appointed officer within the Council and formally authorised by a Justice of the Peace.

7. Determining Formal Actions

- 7.1 When a decision whether or not to prosecute is being made, we follow the principle criteria from the guidance contained in the Code for Crown Prosecutors which requires the two main tests:
1. Whether the standard of evidence is sufficient for a realistic prospect of conviction (Evidential Test).
 2. Whether a prosecution is in the public interest (Public Interest Test)
- 7.2 **The Evidential Test** – we must be satisfied that there is sufficient evidence against the offender on each charge. A realistic prospect of conviction is an objective test that means a jury or bench of magistrates, properly directed in accordance with the law is more likely to convict the offender of the alleged charge than not to.
- 7.3 **The Public Interest Test** – the public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. We will balance factors for and against prosecution carefully and fairly. The public interest factors that may affect the decision to prosecute will depend on the following:
- The seriousness of the offence
 - The likelihood of the offender re-offending
 - Whether there has been negligence and the possibility of avoiding the offences
 - The views of anyone aggrieved by the offence
 - The length of time since the offence took place
 - The local/national context of the offence
- 7.4 Some factors may increase the need to prosecute but others may suggest that another course of action would be appropriate and proportionate.

8. Consideration Factors

8.1 In making the decision to take formal action, the service will have particular regards to the following criteria:

- Whether the breach was pre-mediated or committed deliberately or reckless, or without due diligence;
- Whether there are any prior complaints and convictions or other information relevant to the individual, family, business or trader history;
- Effect of the breach on the victim or affected person, in particular vulnerable or the infringement resulted in death or serious injury
- The prevalence of the type of breach and whether a particular enforcement action could act as a deterrent and encourage compliance generally; and
- Inadequate mitigation or explanation given by individual, business or trader. Also the attitude of the individual, business or trader as to whether they were obstructive, co-operative and took action to mitigate the cost or impact of their offending.

9. Authorisation

9.1 The Council will ensure that officers who carry out enforcement duties are appropriately qualified and trained. The officers will carry authorisation in the form of a card and we will ensure that the extent of authorisation is reviewed from time to time in the light of their qualification and experience and changes in legislation.

10. Working with Partners

10.1 Where appropriate, enforcement activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement. We will share intelligence relating to wider regulatory matters with other regulatory enforcement agencies. This includes government agencies, departments, other local authorities, Police forces and Fire authorities.

11. Equal Opportunities and Diversity

11.1 The Council recognises the diversity of our community and enforcement activities will have due regard to the Equality Act 2010

12. Review of Policy

12.1 We will review this policy and update it to reflect changes in its source documents and controlling bodies every two years. We will also review its effectiveness in supporting the Council's and the Community's priorities.

12.2 We will consult with stakeholders before and after making any changes to this policy.

13. Monitoring Arrangement

- 13.1 The Council Planning Authority will publish a local enforcement plan to manage enforcement proactively in a way that is appropriate to the local area. This will set out how we will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

14. Publicity

- 14.1 Following adoption of this policy, it will be made available to all interested parties including individuals, organisations, businesses etc. It will also be published on the Council's website

Appendix A

Reference Sources

The Code for Crown Prosecutors –

The Cautioning of offenders, Home office

Reducing Administrative Burden –

Regulatory Enforcement and Sanctions Act 2008

Regulators' Code

Legislative and Regulatory Reform Act 2006

Regulation of Investigatory Powers Act 2000 and Code of Practice on the Act

Criminal Justice and Police Act 2001

Criminal Procedure and Investigations Act 1996

HSE Enforcement Policy Statement

Police and Criminal Evidence Act 1984 and associated Codes of Practice

Food Law Code of Practice (England) 2012)

Human Rights Act 1998

Data Protection Act 1998

Hampton Report,

Enforcement Concordat

National Planning Policy Framework

CABINET**19 July 2016**

Title: Regional Adoption Agency	
Report of the Cabinet Member for Social Care and Health Integration	
Open Report	For Decision
Wards Affected: None	Key Decision: Yes
Report Author Helen Jenner, Corporate Director of Children's Services	Contact Details: T: 020 8227 5800
Accountable Director: Ann Graham, Operational Director, Children's Care and Support	
Accountable Strategic Director: Helen Jenner, Corporate Director of Children's Services	
Summary This report seeks Cabinet approval for the Council to work with London Councils to continue to develop the London Regional Adoption Agency, with the intention of joining the agency, when it becomes operational (2017/18).	
Recommendation(s) The Cabinet is recommended to: (i) Agree, in principle, to join a London Regional Adoption Agency, as supported by London Councils and the Association of London Directors of Children's Services; and (ii) Authorise the Director of Children's Services, in consultation with the Cabinet Member for Social Care and Health Integration, to progress arrangements relating to the development of the Agency model.	
Reason(s) It is likely that Local Authorities will be required to join a Regional Adoption Agency. London Councils have worked with Boroughs to develop an Agency that will be able to meet the needs of adoption teams across London. A commitment to developing the model, with an in principle agreement to joining, is required for work to continue to progress.	

1. Introduction and Background

- 1.1 Adoption is a legal process and is the decision of the family courts. The child must first become looked after and then new parent/s, adoptive parent/s are found for the child. The adoptive parent/s must obtain a legal order to become the new permanent parent/s for the child for the rest of the child's life.
- 1.2 Successive governments have been concerned about the low rate at which children in care become adopted. This is because children in care generally have poorer life outcomes than children not raised in the care system. This means that children in care, for example, are more likely to be unemployed, to experience mental health problems, to become homeless and to have their own children removed from them. It should be noted that children in care often arrive in care with significant issues that contribute to poor outcomes; however, a care experience can exacerbate rather than remedy these issues.
- 1.3 In order to improve outcomes for children in care, the Coalition Government introduced the 'Action Plan for Adoption - reducing delay' in 2011 with legislative changes to the monitoring of the adoption process through an Adoption Scorecard. The legislation was the Children and Families Act 2014. This set targets for Local Authorities to speed up the adoption process. In many authorities, including Barking and Dagenham those targets have not been met and the speed of adoption remains a local corporate parent and central government concern.
- 1.4 The government has reinforced their policy ambition through provisions in the Education and Adoption Bill. The Department for Education's ambition remains for all local authorities to be part of a regionalised service by 2020.
- 1.5 The Department invited councils and Voluntary Adoption Agencies to submit Expressions of Interest in becoming part of new regionalised arrangements. In response, the Association of London Directors of Children's Services (ALDCS) submitted a London proposition in late 2015. The DfE subsequently approved the ALDCS proposition as a "scope and define" project, and it recently received transitional funding while the DfE considers the London implementation proposal covering 2016/17 and 2017/18.
- 1.6 Barking and Dagenham Council will need to formally agree whether they wish to join the ALDCS Regional Adoption Arrangements, or seek other arrangements to join. The final model is expected to be developed by July 2017.
- 1.7 There are no immediate financial implications because the DfE have funded the development work. As part of developing the model financial implications are being carefully considered. ALDCS has given the project team a clear steer that the new arrangements should be cost neutral at worst or, ideally, create an improved service at lower cost.
- 1.8 A number of possible models for the London Regional Adoption Agency are being explored. The development group have been asked to create a model which is, as a minimum, cost-neutral for the Boroughs. The model is expected to retain a strong local link. At its maximum the Agency could require all 8 of our adoption team staff to be TUPEd to the Regional Adoption Agency, the number could be less if it is decided to develop a lean central team with more staff retained in Local Authorities. This has

not yet been decided. It is recognised that local knowledge and relationships will be essential.

2. Proposal and Issues

- 2.1 In order for the London Regional Adoption Agency to progress to the next stage of development commitment to join must be secured from the London Boroughs.
- 2.2 All Boroughs are likely to be required to join a regional agency.
- 2.3 Alternative proposals would require partnership with Boroughs outside of the London Councils group and buying into an agency that we have had no part in developing.

3. Options Appraisal

- 3.1 In order to be able to advise Boroughs ALDCS has sought economic and legal advice regarding the proposed London scheme. In addition a London Councils seminar, chaired by Peter Johns, was held on Friday 24th June 2016.
- 3.2 **Economic analysis** - A central component of the scope and define phase activity for the London Regional Adoption Agency was an analysis of the potential efficiencies of a regionalised offer. This analysis sought to map activity to cost and reach some high level conclusions in respect of the potential economies of scale which could be achieved. Economic analysts were appointed to produce a report that would provide the following:

- Understanding of the relationship between costs and key performance indicators.
- Benchmarking across the region to identify potential cost reduction opportunities.
- Understanding of the potential savings that could be achieved through a regional agency.
- Identification of the key dependencies, such as the number of LAs signed up to the organisation.
- Identification of opportunities for regionalised commissioning.

This analysis will form the foundation for a more detailed, second phase financial modelling project which will develop a more detailed financial model for regionalised services.

- 3.3 **Legal guidance** - At the March meeting of ALDCS, Directors received a report of stakeholder engagement in respect of the potential legal entities which could form the model for a future regionalised offer. On the direction of ALDCS, legal advisors have now been appointed to produce detailed advice on the two preferences which Directors supported. Those preferences, based on guidance from stakeholders including VAAs, were a local authority trading company and a joint venture. This advice will cover the following areas for the preferred models:

- Benefits and limitations of VAA involvement in the ownership and/or strategic partnership, with advice on the joint venture options and whether joint venture partners would need to be procured.
- Governance implications with regard to the need for accountability to the LAs responsible for the child.

- Legal entities that would be appropriate for securing the optimum balance with non-statutory organisations within these models.
- Income and tax implications of the models, including VAT treatment and the ability to trade with other regional agencies.
- Procurement implications of these models, particularly with reference to Teckal exemption.
- Implications for registered charities including charitable assets and income.
- Potential staff transfer implications.

Further legal advice has been presented to the project team in June and will be presented to ALDCS in July.

- 3.4 **London level Member engagement** - In July 2015, London Councils published a Member Briefing¹ on the Department's regionalisation policy platform and informed members that ALDCS had submitted an Expression of Interest. This was followed by a report to London Councils' Executive in October 2015 setting out regionalisation project in high level terms and seeking Executive's in principle support, which was agreed. In November 2015, a London Councils Member Event² was hosted by the project team. The feedback from members subsequently informed the project vision and detailed project plan.
- 3.5 **Local Decision Making** - Each London Borough is asked to reach their own decision on whether to join the London Regional Adoption Agency.
- 3.6 **Options Appraisal for LBB** - The London Regional Adoption Agency has been developed to meet the needs of London Boroughs, including Barking and Dagenham. It would operate in a similar manner to the London Admissions and London Grid for Learning Teams, with governance through ALDCS and London Councils. No other Regional Adoption Agency, that we are aware of, has proposed governance linked to Local Authorities.

At the moment there are no other options available which would enable work with other London Boroughs.

Given the strong Borough commitment to working with London Councils, and the involvement of the Barking and Dagenham staff in developing the London regional Adoption Agency, it is considered to be the only viable option currently.

4. Consultation

- 4.1 Staff in the Children's Adoption Team have been consulted and are in agreement that the London Agency is the best regional adoption agency option for Barking and Dagenham.
- 4.2 This report has been circulated to all consultees listed in the Signing Off sheet at the front of the report. Any comments and/or amendments have been incorporated.

¹ <http://www.londoncouncils.gov.uk/members-area/member-briefings/children-and-young-people-member-briefing/regionalising-adoption>

² Reforming Adoption in London. Nov 6th 2015.

5. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant, Children's Finance

- 5.1 This report seeks Cabinet approval for the Council to work with London Councils in the development of London Regional Adoption Agency. There are no direct financial implications arising from this report as initial funding has been provided by the Department for Education (DfE). Once proposals are developed, full financial implications will be reported Cabinet.

6. Legal Implications

Implications completed by: Eirini Exarchou, Senior Lawyer

- 6.1 Cabinet is asked to support LBBD joining in the development of a London Regional Adoption Agency which aims to improve adoption services, deliver all adopter recruitment, matching and support functions for all of the London Boroughs.
- 6.2 A legislative framework for the regionalisation of adoption services came into existence through the Education and Adoption Act 2016 (the Act) on 16 March 2016. The Council is required to join a regional adoption agency or can be forced by the Secretary of State do so.
- 6.3 The Council has anticipated the implementation of the Act. It joined the Regional Adoption Agency Projects for London. All London Boroughs and 10 Voluntary Adoption Agencies are included. The Council cannot join any other regional agency as no other exists. The approval of Cabinet is required to enable the Council to participate in negotiations about the delivery model for the adoption services through the London Regional Adoption Agency.

7. Other Implications

- 7.1 **Risk Management** – No significant risks are associated with joining the London Regional Adoption Agency when it is established. Barking and Dagenham staff have been involved in shaping the proposal. A small number of staff may need to be TUPEd to the agency.

If the London Regional Adoption Agency does not progress there is a risk that Barking and Dagenham could be instructed to join another Regional Adoption Agency, or may have to join an RAA that it has not been part of developing.

- 7.2 **Contractual Issues** – The transfer of land does not involve entering into contracts.
- 7.3 **Staffing Issues** – Adoption Staff have been consulted on the proposal, which may affect up to 8 staff, depending on the final model. The LRAA model recognises the need for local links with children and families, alongside a central team. As the model is developed staff will continue to be consulted. The final model is likely to involve some of the current adoption team being TUPEd over to the London Team, which is likely to be hosted by one of the London Boroughs, unless national models require the hosting to be separate from Local Authorities.

- 7.4 **Corporate Policy and Customer Impact** - The decision will assist the Council in fulfilling its statutory obligations for adoption and its corporate parenting responsibilities for Looked After Children. This initiative supports enabling social responsibility.
- 7.5 **Safeguarding Children** - Adoption of the recommendations will contribute to the Council's objectives to improve the wellbeing of children in the Borough, reduce inequalities and ensure Looked After Children have the best opportunities to transition to a secure family environment permanently, where they are not able to return to their own family..
- 7.6 **Health Issues** – The relationship between a secure family environment and children's emotional health and wellbeing is well documented. Children placed with adoptive families do better in all outcome areas than those in less permanent care arrangements.

Public Background Papers Used in the Preparation of the Report:

- DFE (2015) Regionalising Adoption
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/437128/Regionalising_adoption.pdf
- London Councils (2015) Regionalising Adoption: A Vision for London
<http://www.londoncouncils.gov.uk/members-area/member-briefings/children-and-young-people-member-briefing/regionalising-adoption>

List of Appendices: None

CABINET**19 July 2016**

Title: Proposed Expansion of Robert Clack School of Science	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: Heath and Whalebone	Key Decision: Yes
Report Author: Mike Freeman, Group Manager School Estate and Admissions	Contact Details: Tel: 020 8227 3462 E-mail: mike.freeman@lbbd.gov.uk
Accountable Divisional Director: Jane Hargreaves, Commissioning Director Education	
Accountable Director: Helen Jenner, Corporate Director Children's Services	
<p>Summary</p> <p>This report follows on from the report which Cabinet received at its meeting 19 April 2016. It sets out a revised position for the Governors of Robert Clack School of Science who have now indicated their wish to be involved in the expansion of the School to include an additional site. The report seeks approval to move forward a proposal to provide 2 forms of entry on the existing site but also the development of a 3 form entry primary facility, together with 6 forms of entry at secondary age on a site specifically having been secured off Whalebone Lane South and sharing the road access with Asda Chadwell Heath Superstore.</p> <p>The report explores opportunities for the procurement of the new building and seeks agreement for the Procurement Board to be given delegated decision making powers in order to progress the project quickly.</p> <p>There is a financial section setting out how it is intended to set aside sufficient budget to progress the scheme, and seeking Cabinet's approval to capital expenditure of £27million, plus the £1.75million of section 106 funding which has come to the Council to support the School provision.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <p>(i) Approve the proposed expansion of Robert Clack School of Science as detailed in paragraph 2.4 of the report, subject to the approval of the Department for Education following formal consultation;</p> <p>(ii) Approve the inclusion in the Capital Programme of the following sums to support the expansion of Robert Clack School, as detailed in section 3 of the report:</p> <p>(a) £17m DfE Basic Need Grant for 2017/18;</p> <p>(b) £10m DfE Basic Need Grant previously allocated for new school provision in</p>	

central Barking;
(c) £1.75m of S106 funding secured to support the development of school provision on the Lymington Fields site.

- (iii) Delegate authority to the Director of Children's Services, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Strategic Director of Finance and Investment and the Director of Law and Governance, to procure and award the respective project contracts following the approval of the Corporate Procurement Board to the final procurement strategy.

Reason(s)

The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough, and delivering the ambition for excellence in education set out in our Education Strategy.

1. Introduction and Background

- 1.1 There have been regular reports to Cabinet explaining the upward trend of demand for pupil places partly related to new homes being created but also the movement of families to the Borough. The most recent report came to Cabinet on 19 April 2016.
- 1.2 As part of that report the issue of a need to develop new school places around the Lymington Field new housing development. The previous consideration by the Governors of Robert Clack School to limit the expansion of school places to 2 forms of entry (60 places per year group) has now changed and details are set out below.
- 1.3 The report seeks to secure agreement from Cabinet Members about funding and procurement options for a new development on a site to be run by the Robert Clack School.

2. Proposal and Issues

- 2.1 At the meeting of Cabinet 16 April 2013 a report was submitted regarding the purchase of land known as Eldonwall site north of the Robert Clack, Green Lane site. This land would be added to land being set aside by the developer Lovell Homes for the provision of new school facilities (Minute 129 refers). This project will assist the Council in meeting demand for school places due to the development of new homes in the Lymington Fields locality and to respond to increased demand as a result of expanding primary schools in the locality.
- 2.2 The report set out the intention to expand Robert Clack School on an additional site to include primary and secondary provision. In April this year the Governors concluded that they would be prepared to expand Robert Clack. In coming to this decision the Governors have had to consider all the issues one would expect about the potential impact on the existing school.
- 2.3 Any decision by Cabinet will be subject to consultation through the DfE to ensure there would be no objections from Free School providers under the current

regulations concerning Free School Presumption – this means that, in normal circumstances, any new school would be a Free School. However, there is a recognition that Robert Clack serves the local community very well and the initial signs from the DfE are that there is support for this proposal.

- 2.4 There will also be a future formal consultation of interested parties as the expansion proposals are quite significant, from its current 10 form entry (1500 pupils aged 11 to 16 years) to increase to 18 forms of entry – 2 forms on the existing site and 6 forms on the proposed new site – plus 3 forms of primary age pupils. The school will increase to 3,330 pupils plus nursery and sixth form provision, managed over a seven year phasing of growth.
- 2.5 The other significant aspect is the need to ensure that the new building is robust and fit for purpose and that sufficient funding is identified to support the new build proposal. The next section deals with the detail of how the budget will be set aside.

3. Funding

3.1 There are three aspects to funding this project as follows:

- new basic need grant for 2017-18 identified by the DfE;
- existing basic need grant currently in the capital programme to support a new school in central Barking;
- some funding provided by planning gain (Section 106) which has been made available through the developer.

These are explored in more detail in the following paragraph.

3.2 DfE Basic Need Grant

A sum of £17,865,375 has been identified by the DfE as new grant to support the provision of school places for the 2017-18 financial year. It is proposed to set £17m of this budget against the project. The balance £865,375 being reserved for any unforeseen growth in numbers generally in the Borough.

3.3 Existing Basic Need Grant

The sum of £10m is currently identified in the capital programme to provide a new primary school in central Barking. As the general position from the Government relates to the Free School Presumption, it is reasonable to assume that the provision of a school in central Barking would be as a Free School and the DfE would provide capital funding to meet the costs. The sum of £10m currently in the capital programme should be reserved for the Robert Clack development of the Lymington Fields site.

3.4 Section 106 Planning Gain

A sum of £1.75m has been secured to support the development of education provision on the Lymington Fields site plus some land being made available. It is proposed that this funding secured as part of the planning requirements should be used to support the development of the school to enhance provision.

- 3.5 Overall this will mean that there would be a budget for the new site and buildings of £28,750,000 and this will allow for a small element of reserve but cover all construction, design and management fees as well as fit out costs. This budget should be spread over the three years as follows:

2016/2017	£3,000,000
2017/2018	£20,000,000
2018/2019	£5,750,000

4. Options Appraisal Consultation

- 4.1 Current strategy is formulated against a backdrop of continuing increase in demand for school places for the foreseeable future; short run surges of demand for school places e.g. over the summer period and on the supply side: limited funding on short time horizons; shortage of sites in areas of high demand; and timescales for new providers e.g. timescales for Free Schools to be established may be two years.
- 4.2 The agreed investment strategy is first, to expand provision on existing school sites as far as practicable to meet local demand on a forward looking basis (i.e. to seek value for money solutions which have longevity); then subsequently to seek and build on sites in areas of demand in Council or other public ownership that are suitable for development as a school and which also offer value for money and longevity; to support those external providers that have access to further capital funding and are capable and willing to provide high quality inclusive education places that comply with the Council's Admissions Policies.
- 4.3 Options exist for any specific scheme and are explored to ensure that the overall strategic outcomes sought are achieved in the most beneficial way being economic and appropriate for the school. Other overall strategies e.g. to rely on outside providers to meet the prospective short fall of school places would not be effective on their own: timescales and speed of reaction are too short.

5. Consultation

- 5.1 There has been consultation with a range of officers throughout the Council in order that appropriate matters are considered including financial, legal, risk management and others mentioned in section 8 of this report. Councillors representing Heath and Whalebone wards were also consulted.
- 5.2 The proposals in this report were considered by the Corporate Procurement Board on 4 July 2016 and officers were asked to resolve a number of issues and report back to the Board.

6. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant, Childrens Services Finance

- 6.1 This report requests the approval of £17m received as part of the 2017/18 Basic Need Grant Allocation from the DfE to be included in the Capital Programme for the Proposed Expansion of Robert Clack School of Science. In addition approval is

sought to transfer the Capital budget of £10m within the current capital programme to this scheme.

- 6.2 Approval is also sought to use £1.75m of S106 funding that has been secured to support the development of school provision on the Lymington Fields Site.
- 6.3 Any major risks/financial impact identified through the appraisal process will be notified to Members through subsequent Cabinet reports.

7. Legal Implications

Implications completed by: Bimpe Onafuwa, Contracts and Procurement Lawyer

- 7.1 This report is seeking approval for the expansion of the Robert Clack School of Science.
- 7.2 The construction of the school extension will require the procurement of works contracts, which this report estimates will have an approximate cost of £28.75million. The Council's Contract Rules stipulate that contracts costing over £50,000 must be opened up for tender, while the Public Contracts Regulations (the PCR) require also that the procurement of works costing over £4,104,394 in value be carried out by an open tender exercise that complies with the PCR.
- 7.3 Contract Rule 28.7 states that a procurement strategy must first be submitted to the Procurement Board for consideration before presentation to Cabinet for approval. This report however does not include a strategy of how the procurement will be conducted. Further information provided by the procuring directorate to the Law & Governance Team indicates that a procurement strategy is yet to be formulated as relevant professional input is currently awaited.
- 7.4 Consequently there is not sufficient information in the report at this stage to enable the drafting of legal implications on the procurement exercise. The Law and Governance Team are however available to provide legal implications once a strategy has been formulated, and are able provide legal assistance throughout the procurement exercise.

8. Other Implications

8.1 Risk Management

- 8.1.1 Risk that funding levels will not be sufficient to meet demand to create new education places needed.

This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is system build where possible. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 8.1.2 Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is system build,

and blending it with site specific proposals. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 8.1.3 Primary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest.
This risk is high impact (4) and medium (3) probability = 12 red. This risk is being mitigated, as far as practicable, by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is still high impact (4) and medium (3) probability = 12 red.
- 8.1.4 Risk that the cost of the rate of deterioration of the school estate will outrun the funding available to maintain it.
This risk is high impact (4) and high (4) probability = 16 red. This risk is being mitigated as far as practicable by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.
- 8.1.5 The provision of school places is a matter which is directly identified in the Corporate Risk Register and listed at Corporate Risks 31 – Provision of School Places.
- 8.1.6 Risk that final costs will be higher than estimate costs.
This risk is high impact (4) and high (4) probability = 16 red. This risk is managed through monthly CPMO meetings and initial planning figures that architects and schools are asked to work within being set below the highest estimate to allow for unforeseen challenges.
- 8.2 **Contractual and Procurement Issues** - It is anticipated that projects will be procured through options related either to the Local Education Partnership or through the Council's Framework of Contractors or other national or local frameworks which are accessible to the Council to secure value for money.
- 8.2.1 Legal, procurement and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects which fall within the second phase, consisting of the secondary and primary school schemes. All procurement activity will be conducted in compliance with the Council's Contract Rules and EU Legislation.
- 8.2.2 Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes. However the Cabinet is asked to approve procurement principles as set out to avoid the need to report back to Cabinet as these procurements are either beyond our control or need to happen quickly within pressing timescales because pupils need to be accommodated.
- 8.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.
- 8.4 **Corporate Policy and Customer Impact** - The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.

- 8.4.1 The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The longer term outlook is unlikely to be positive on the proposed funding levels as it will be difficult to address need on current budget levels.
- 8.5 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 8.6 **Health Issues** - The health and well being board and JSNA highlight the importance of investing in early intervention and education to support children's and young people's long term well being. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good parenting and school based education, as what matters most in preventing poor children becoming poor adults. The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.
- 8.7 **Crime and Disorder Issues** - Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 8.8 **Property / Asset Issues** - This proposal will provide a new School asset.

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

List of appendices: None

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CABINET

19 July 2016

Title: Education Land Transfers	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: Abbey, Gascoigne and Whalebone	Key Decision: Yes
Report Author Richard Hallgate-Hills, Senior Project Sponsor	Contact Details: T: 020 8227 3555 E: richard.hallgate-hills@lbbd.gov.uk
Accountable Divisional Director: Jane Hargreaves, Commissioning Director for Education	
Accountable Director: Helen Jenner, Corporate Director of Children's Services	
Summary	
This report seeks Cabinet approval for the Council to take freehold ownership of and/or dispose of land at three school sites in the Borough.	
Recommendation(s)	
The Cabinet is recommended to agree:	
(i) The transfer of land shown edged red on the plan at Appendix 1 to the report at St Joseph's RC Primary School, Barking, to the Diocese of Brentwood;	
(ii) The transfer of land shown edged red on the plan at Appendix 2 to the report at Gascoigne Shaftesburys Primary School, Barking, to the Council's Children's Services for incorporation into the new school site and specifically designated for educational purposes; and	
(iii) The transfer of land shown edged red on the plan at Appendix 3 to the report at Lymington Fields from the Greater London Authority to the Council under a Section 106 Agreement, which shall be incorporated into the proposed all-through School site and specifically designated for educational purposes.	
Reason(s)	
The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough, and delivering the ambition for excellence in education set out in our Education Strategy.	

1. Introduction and Background

- 1.1 The Council and the Diocese of Brentwood have been in discussion to resolve an historical property matter, [(i)], at St Joseph's RC Primary, Barking.
- 1.2 In the course of recent expansions, [(ii) and (iii)] of the Borough's schools to meet increasing demand for pupil places it has been necessary to obtain and dispose of land. The ownership of several plots of land currently in use as or associated with school sites has not been formalised and, in accordance with Part 4, Chapter 4 Land Acquisition and Disposal Rules, this report seeks Cabinet approval to do so.

2. Proposal and Issues

2.1 Land at St Joseph's RC Primary School, Barking

In 1967, during a period of regeneration around Barking town centre, the Council agreed to provide land for the Diocese of Brentwood to create a new primary school.

- 2.2 In January 1967 the Secretary of State for Education & Science signed an official order for the transfer of St Joseph's Infant & Junior Schools from their former site in Linton Road, Barking to the designated three acre site at St Paul's Road. The new school, to be known as St Joseph's Primary School, was opened in February 1968 and building works were fully completed by February 1969. At that time the Secretary of State for Education gave a directive to the Council to transfer land to the Diocese of Brentwood.
- 2.3 Despite agreement having been reached for the Council to transfer the land, shown outlined in red on the plan attached as Appendix 1, to the Diocese of Brentwood formal execution of that transfer was never realised. There has recently been discussion with the Diocese who are working to ensure this obstruction is auctioned. It is proposed that freehold ownership of the school site is now transferred to the Diocese of Brentwood, under the condition through a covenant on the transfer deed that it is only to be used for the purposes of education.

Land at Gascoigne Shaftesburys Primary School, Barking

- 2.4 Cabinet approval was given to transfer land in The Shaftesburys, formerly Abbey Depot, from the Housing Revenue Account to Children's Services in order to create a new primary school, (Min. No. 74; 18 December 2013 refers). Construction of the new school is now in progress and the need to appropriate a further portion of land into the site has been identified.
- 2.5 The school site is extremely tight and presents some significant difficulties for access to and future maintenance of the new school. A strip of land, approximately 0.02 hectares, at the western end of the site, has been identified as the potential solution to these restrictions. A plan showing the land outlined in red is attached as Appendix 2. The land belongs to the Council and is currently let under lease to a building supplies merchant; it is proposed that the lease is terminated using a break clause and the land is transferred to Children's Services for educational use to support the recently constructed new Gascoigne School building at the Shaftesburys.

- 2.6 The Council holds property for various statutory purposes in order to provide its various functions. Such land is generally used only for the purpose of the function for which it was originally acquired, until such time as the land is disposed of or "appropriated" for another purpose. Appropriation is the statutory procedure, under Section 122 of the Local Government Act, to change the purpose for which land is held from one statutory purpose to another provided that that land is no longer required for the purpose for which it was held immediately before the appropriation. A subsequent Planning application for change of use will be submitted upon gaining approval for this proposal.
- 2.7 Any costs arising from this transfer are to be funded from the Children's Services capital programme budget.

Land at Lymington Fields Through School, Dagenham

- 2.8 Cabinet were advised of the need to create of a new all-through school to be built on land at Lymington Fields, off Whalebone Lane, (Min. No. 6; 19 April 2016 refers) Part of the land for this school site will be appropriated under a Section 106 Agreement from Lovell, the developer of housing sites at Lymington Fields, who hold the land on behalf of the Greater London Assembly, (Planning applications 07/01289/OUT, 12/00170/FUL and 14/00293/FUL refer).
- 2.9 Approval is sought to accept this land, shown outlined in red on the plan attached as Appendix 3, into Council ownership and to designate it for educational use.

3. Options Appraisal

- 3.1 There are no other apparent options to the land transfers described above other than to do nothing which would in all cases present ongoing difficulties to the Council in the operation of schools at these sites.
- 3.2 St. Joseph's Barking – if the Council decline to transfer the land then the Secretary of State would be in a position to issue a directive to the Council. Also the relationship with the Diocese of Brentwood would be impaired.
- 3.3 Land at Gascoigne, The Shaftesburys – without the extra land the site is reduced and the School do not have sufficient playspace.
- 3.4 Lymington Field Site – the demand in the locality for school places continues to rise, without this land the Council is not able to meet the increase in school places for the new community being established. Neither will it be possible to provide additional secondary school places to repond to the growth of primary pupils in the locality.

4. Consultation

- 4.1 This report has been circulated to the Cabinet Member for Education Attainment and School Improvement, and 6 ward councillors in which the land is located. Comments have been included in the report from Finance and Legal and where there have been other comments these have been included to or responded to in the report.

5. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant Childrens Services Finance

- 5.1 This report seeks Cabinet approval for the Council to undertake various transfers of land as detailed in Section 2. There are currently no direct financial implications arising from these transfers.
- 5.2 The programme of works which are scheduled for these educational purposes will need to be assessed for any major risks and financial impacts through the appraisal process. This will be notified to Members through subsequent Cabinet reports.

6. Legal Implications

Implications completed by: Evonne Obasuyi, Senior Lawyer

- 6.1 The report seeks approval for a) the land at St Joseph's Primary to be transferred to the Diocese of Brentwood, b) the land at Gascoigne Sharftesbury Primary School Barking, to be transferred to Children's Services and c) the land at Lymington Fields to be accepted from the Greater London Authority under a Section 106 Agreement and be specifically designated for educational purposes, thus meeting the demand for school places for every child and fulfilling the Council's statutory obligation.
- 6.2 In a transaction of any disposal of land the Council has powers to effect disposal pursuant to section 123 under the Local Government Act 1972 which enables local authorities to dispose of land held by it in any manner it wishes, providing it is not for a consideration less than the best that can reasonably be obtained, unless the Secretary of State consents to the disposal or the transaction and it helps to secure the promotion of improvement of the local social and economic well-being of its area and provided the undervalue does not exceed £2m
- 6.3 The disposal of land in this report is for education. Previously local authorities wanting to dispose of school land needed consent under Schedule 35A to the Education Act 1996. In February 2012, Schedule 35A was repealed by Schedule 14 to the Education Act 2011, allowing local authorities to dispose of community school land which has been used for any school (including any academy) in the last 8 years.
- 6.4 The report indicates that in January 1967 the Council agreed to provide land for the Diocese of Brentwood to create a new primary school and in January 1967 the Secretary of State for Education & Sciences (SoS) signed an official order for the transfer of St Joseph's Infant and Junior Schools from their former site to the designated site. The building of St Joseph's Primary School completed by February 1969.
- 6.5 The area of the land shown in the plan attached to the order covers a smaller area of land in comparison to the area of land shown in the plan annexed to the report at appendix 1. However there is subsequent correspondence with a revised plan from the SoS in 1964, showing an extended area of land, similar to the area of land shown in the plan at appendix 1 in the report. The SoS in his letter indicates that

this area of land shown in the revised plan would seem to provide a satisfactory site for the school.

- 6.6 Given the above, there is an order from the SoS, Schedule 14 to the Education Act 2011 allows local authorities without the requirement for consent from the SoS to dispose of community school land which has been used for any school (including any academy) in the last 8 years. The transfer document (TP1 or TR1) should indicate a restriction that the land can only be used for education purposes, as required by the report.
- 6.7 The land transactions relating to the land at Gascoigne Shaftesbury Primary School, Barking and the land at Lymington Fields Through School, Dagenham is dealt with pursuant to statute and appropriated under section 106 agreement. Transfer of the land from Lovell to the Council will also be dealt with by a TP1 or TR1.
- 6.8 The conveyancing work will be undertaken internally through LBBD legal team. A recharge should be made for this service.

7. Other Implications

- 7.1 **Risk Management** – No significant risks are associated with the transfers of land proposed; advice and guidance of the legal implications is being sought from the Council's Legal Team.
- 7.2 **Contractual Issues** – The transfer of land does not involve entering into contracts.
- 7.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.
- 7.4 **Corporate Policy and Customer Impact** - The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.

The impact of the recommendations would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion.

- 7.5 **Safeguarding Children** - Adoption of the recommendations will contribute to the Council's objectives to improve the wellbeing of children in the Borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 7.6 **Health Issues** - The health and well being board and JSNA highlight the importance of investing in early intervention and education to support children's and young people's long term well being. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good

parenting and school based education, as what matters most in preventing poor children becoming poor adults. The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.

7.7 Crime and Disorder Issues – Not applicable

7.8 Property / Asset Issues - This proposed decision would facilitate the improvement and renewal of Council assets by acquiring adequate and suitable land for the development of school facilities to meet future needs and transferring land to other authorities where appropriate to meet operational needs of individual schools.

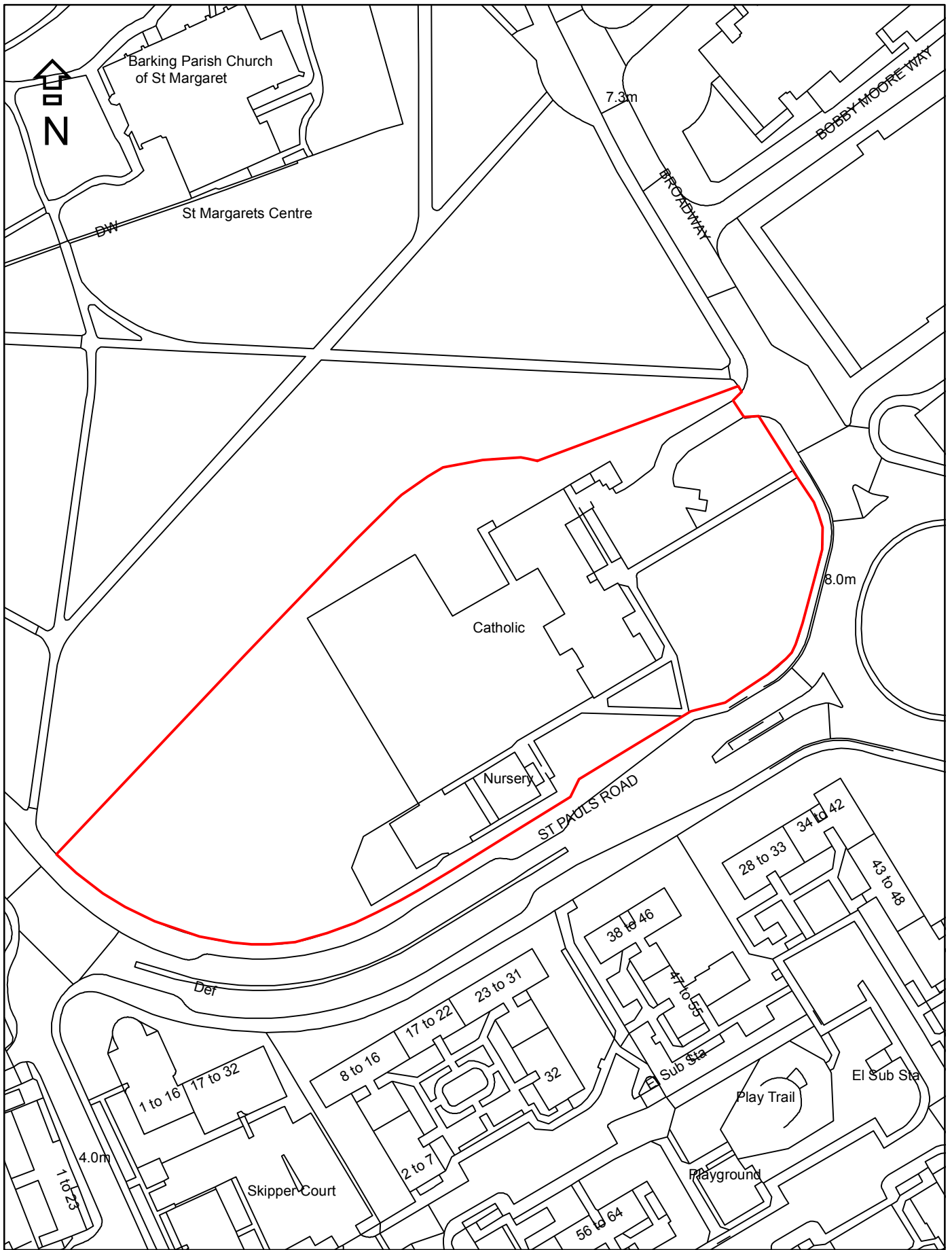
Public Background Papers Used in the Preparation of the Report: None

List of appendices:

Appendix 1: Plan showing land at St Joseph's Catholic Primary School, Barking

Appendix 2: Plan showing land at The Shaftesburys, Barking

Appendix 3: Plan showing land at Lymington Fields, Dagenham



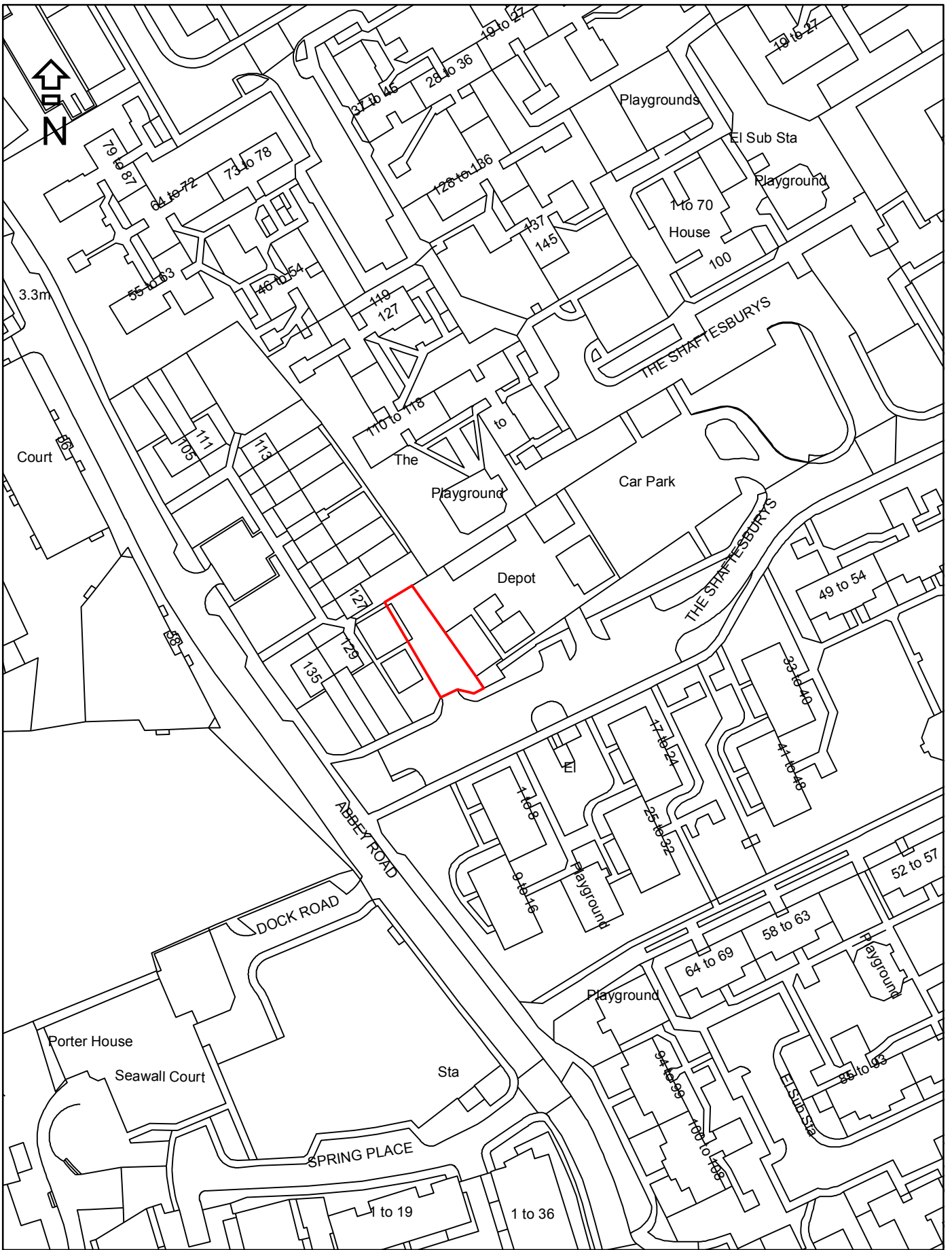
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Appendix 1 - Land at St Joseph Primary School
 Broadway, Barking



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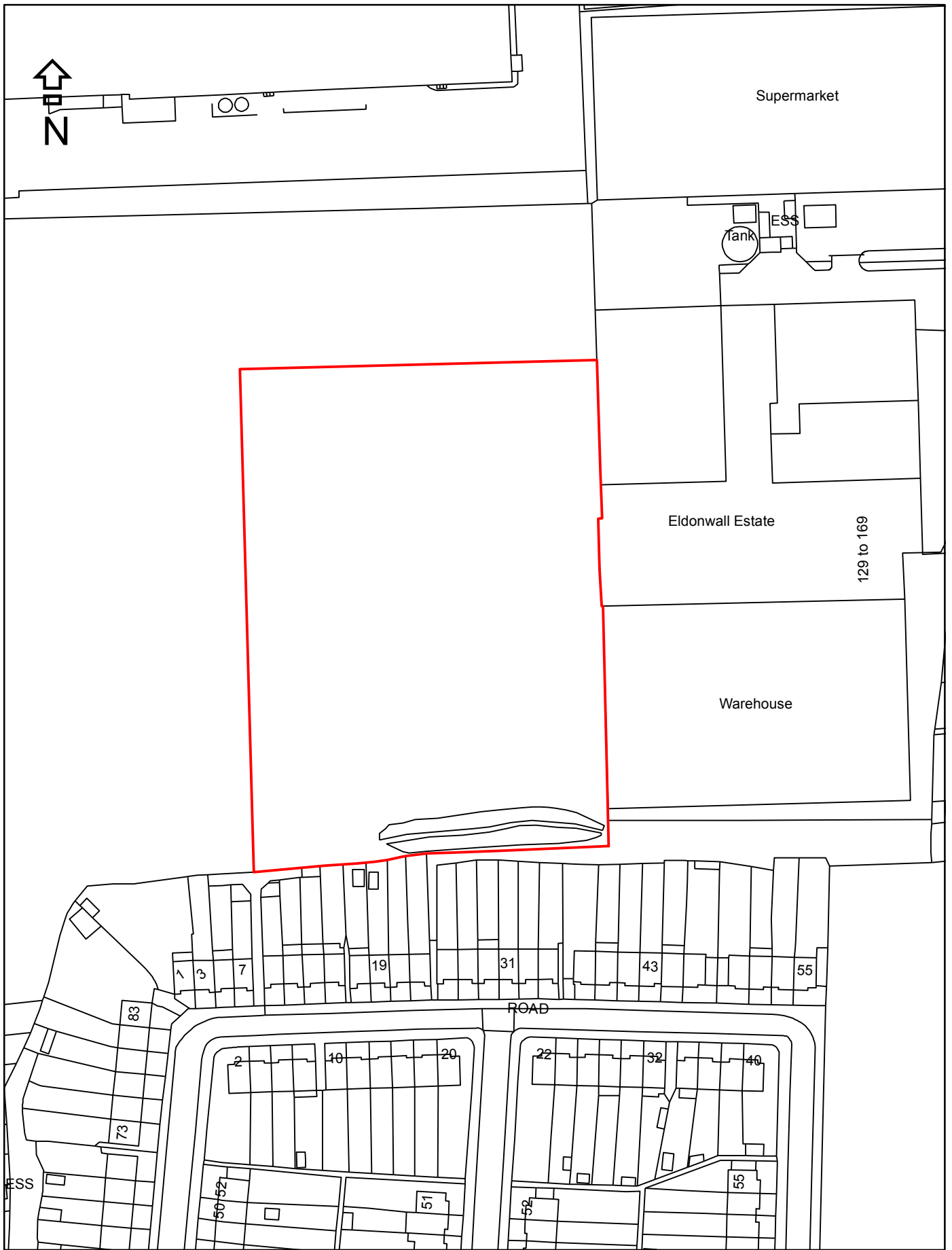
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Appendix 2 - Land at Gascoigne School
 The Shaftesburys, Barking



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Appendix 3 - Land at Lymington Fields,
off Whalebone Lane South, Dagenham



Civic Centre, Dagenham Scale:- 1:1,250
Dagenham, RM10 7BN Produced By:- JRoach
Page 27 of 28 Tel:- 020 8215 3000 Date - 27.05.16

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CABINET**19 July 2016**

Title: Procurement of Demolition Contractor for Phases 2a and 3a, Gascoigne Regeneration	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: Gascoigne	Key Decision: Yes
Report Author: Mike Freeman, Group Manager School Estate and Admissions	Contact Details: Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk
Accountable Divisional Director: Jane Hargreaves, Commissioning Director Education	
Accountable Director: Helen Jenner, Corporate Director of Children's Services	
Summary: This report sets out proposals for the demolition of low, medium and high-rise block on the existing Gascoigne estate to make way for the proposed Greatfields school, via a two-stage restricted process procurement route.	
Recommendation(s) Cabinet is recommended to: (i) Agree that the Council proceeds with the procurement of a contract for demolition works to enable the construction of the proposed Greatfields School, in accordance with the strategy set out in this report; and (ii) Delegate authority to the Strategic Director of Service Development and Integration, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Strategic Director of Finance and Investment and the Director of Law and Governance, to conduct the procurement and enter into the contract and all other necessary or ancillary agreements with the successful bidder(s) [and/or other related parties] in accordance with the strategy set out in the report.	
Reason(s) Approval of this proposal will enable the Council to appoint contractors to complete demolition works of a number of blocks; this will allow the construction of the proposed new Greatfields school to the Gascoigne redevelopment site.	

1. Introduction and Background

- 1.1 At its meeting on 10 November 2015 (Minute 63 refers), the Cabinet approved a range of proposals to expand school place provision which included the proposed Greatfields School and its delivery using the Council's Local Education Partnership (LEP).
- 1.2 The site for this proposed school is situated on the regeneration wider development of the Gascoigne estate phases 2a & 3a. The existing site is made up of low, medium and high rise residential blocks. To make way for the school development these existing blocks need to be demolished. Currently these blocks are being decanted, and it is envisaged that the site will be available for demolition around the end of 2016.
- 1.3 Following the Cabinet decision, detailed discussions between the Council's Capital Commissioning and Delivery (CC&D) and Children's Services' School Estates teams took place. The CC&D is best placed to arrange the demolition works to allow the school development to commence.
- 1.4 Currently CC&D are overseeing the demolition of low, medium and high rise blocks in the northern part of the Gascoigne estate and works are progressing well. The blocks proposed for demolition noted above are of the same construction, height etc. so it makes sense to repeat the same strategy.
- 1.5 Lesson learnt from the northern-end demolition works can be applied to the demolition works to make way for the proposed Greatfields school. This in itself would have inherent benefits to the Council with value for money being achieved in relation to programme and cost.

2. Proposed Procurement Strategy

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

- 2.1.1 The works will include the demolition of the following blocks; the blocks listed below are a combination of low, medium and high rise blocks.
 - 1-100 Barnes House
 - 1-70 Rookwood House
 - 70-98 St Marys
 - 99-122 St Marys
 - 160-192 St Marys
 - 193-219 St Marys
 - 221-232 St Marys
- 2.1.2 The proposed method of demolition will be confirmed with the appointed contractor. The indicative timetable for the procurement is set out as follows:

Report to Cabinet	July 2016
Draft Documents	June/July 2016
Advertise Opportunity to Tender & Issue	July 2016
ITT Deadline	July/August 2016
Tender Evaluations	August 2016
Delegated Authority Award Report	September 2016
Draft & Issue Tender Award Notification Letters	September 2016
Award Contract	October 2016
First Vacated Blocks Become Available	October 2016

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

2.2.1 Costs are projected to be in the region of circa £3,750,000. Given the current market conditions and the dependency on the rate of buildings being decanted and available for demolition, it is considered appropriate to anticipate a potential up lift of 5% or £187,500 bringing the total to £3,937,500

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

2.3.1 The contract will be for 52 weeks with provision for a further 26 weeks, totalling 78 weeks

2.4 Recommended procurement procedure and reasons for the recommendation.

2.4.1 It is proposed to issue a Request for an Expression of Interest document on Contract Finder.

2.4.2 It is envisaged that a large number of companies will apply to this request, therefore it is proposed to reduce this long list to a short using a pre-qualification questionnaire (PQQ). This PQQ will ask questions on the companies' experience/ability to complete such works.

2.4.3 It is proposed to get to a short list containing a maximum of six companies to provide a tender for these works.

2.5 The contract delivery methodology and documentation to be adopted

2.5.1 The contract proposals will be on the National Federation of Demolition Contractor standard form. This form of contract has been used on a number of occasions by the Council to deliver demolition works.

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

2.6.1 CC&D have delivered a number of similar demolition projects on the Gascoigne Estate. This has benefited the Council in terms of the development of robust tender and contract documentation.

- 2.6.2 Through the experience gained from the delivery of the demolition project CC&D feels that they can mitigate/lower risk to the Council in terms of programme, cost and quality.
- 2.6.3 The Council's in house team has worked in the past 10 years with numerous fully accredited demolition contractors and over this time "lessons learned" over demolition strategy and demolition programming have been gained. Indeed, the way the demolition programme can be altered to accommodate the decanting strategy being managed by Regeneration and Housing staff can be communicated openly between the LBBD team and appointed contractor. The contractor can be allowed to innovate the demolition programme to suit any revised dates as to when buildings / blocks become fully vacated. This has in the past saved the Council themselves money in terms of extension of time claims from the contractor.

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

- 2.7.1 The tendering exercise will be single stage.
- 2.7.2 Tenders will be issued on a 70%/30% cost/ quality matrix, with cost being assessed against the most economically advantageous tender. Quality will be based on a series of questions asked on the companies proposals to deliver the demolition works. Due to the fact that we will be advertising the demolition project nationally and in accordance with procurement guidelines we cannot specify any demolition accreditations (NFDC – National Federation of Demolition Contractors, NDO – National Demolition Organisation), we therefore recommend scoring on a 70%/30% basis rather than the 80%/20% tabled by corporate procurement). We will ensure that the quality weighting will include methods to assess environmental impact to the surrounding area and feel the only way we can achieve this will be to increase the quality weighting.
- 2.7.3 The tender itself will be evaluated on a qualitative / cost basis and awarded on the basis of Most Economically Advantageous Tender

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

- 2.8.1 Contractors will be expected to work with the Council's Employment and Skills section in order to meet their training commitments, for example apprentices, work placements and support through schools.
- 2.8.2 The Council will also look to contractors to develop local supply chains and promote opportunities for local business to sub-contract on projects where they demonstrate meeting the main contractors' selection criteria.
- 2.8.3 The Council has a statutory obligation to provide pupil places where demanded and additional pupil places and/or an education environment that is fit for purpose will be provided to comply with the Council's statutory obligations. Part of 'Building a Better Life For All' and contributes to all of the 'Every Child Matters' outcomes

3 Options Appraisal

- 3.1 Currently the Council is completing the demolition of blocks located on the Gascoigne Phase 1 development. These works are being completed by Squibb Group, discussions have taken place with this contractor in relation to possible negotiation for the demolition of phases 2a and 3a, but due to the cost involved this was discounted.

4 Waiver

- 4.1 Not applicable

5 Equalities and other Customer Impact

- 5.1 Tenderers will have their Equalities and Diversity processes and procedures examined as part of the tender process and will be expected to comply with all legislative and statutory requirements. Tenderers shall be obliged to comply with the Council's policies in relation to these matters.
- 5.2 The provision of school places is positive in respect of the Council's Policies and has a positive impact on the community as a whole. It enables the Council to meet the statutory obligation to provide a school place for every child, and facilitates the well being and safeguarding of children and young people.

6. Other Considerations and Implications

- 6.1 **Risk and Risk Management** - This project is being managed by the Council's Capital Delivery team and a risk register will be put in place and adopted by the appointed contractor. Lessons learnt from the demolition of the Phase 1a of the Gascoigne redevelopment will be considered and fed into the demolition of buildings on Phase 2a and 3a.
- 6.2 **TUPE, other staffing and trade union implications** - Not applicable
- 6.3 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people
- 6.4 **Health Issues** - The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.
- 6.5 **Crime and Disorder Issues** - Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 6.6 **Property / Asset Issues** - These proposals will allow for the Greatfields school to be constructed therefore enhancing the Council's portfolio of school buildings to provide much needed new school places.

7. Consultation

- 7.1 Consultation for this tender exercise has taken place through circulation of this report to all relevant Members and officers. The proposals were endorsed by the Corporate Procurement Board on 4 July 2016.

8. Corporate Procurement

Implications completed by: Francis Parker – Senior Procurement Manager

- 8.1 The proposed procurement route is compliant with the Public Contracts Regulations 2015 and the Council's Contract Rules.
- 8.2 A two-stage restricted process is suitable for this procurement. The 70/30 Price/Quality split is likely to yield value for money and a sufficient level of quality.

9. Financial Implications

Implications completed by: Hamid Qureshi, Capital Programme Management Office, Central Finance

- 9.1 This report sets out proposals for the demolition of low, medium and high block to the existing Gascoigne estate to make way for the proposed Greatfields school and requests Cabinet to agree that the Council proceeds with the procurement of a contract for demolition works to enable the construction of the proposed Greatfields School in accordance with the Procurement strategy and timetable as set out in this report.
- 9.2 It is anticipated that the contractor's costs for the demolition will be £3,937,500 – which is inclusive of 5% uplift costs. There is sufficient funding in the budget to cover these costs part of which is being met through a grant from the Education Funding Agency.

10. Legal Implications

Implications completed by: Kayleigh Eaton, Contracts and Procurement Solicitor, Law & Governance

- 10.1 The proposed procurement being considered is the demolition of blocks of flats, in order to allow for the construction of the proposed new Greatfields School, estimated at approximately £3,937,500 (inclusive of a 5% uplift) and is therefore below the EU threshold for works contracts (currently set at £4,104,394). This means that there is no legal requirement to competitively tender the contract in the Official Journal of the European Union (OJEU). However 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 rule 28.5 in the Council's Contract Rules, contracts above £50,000 should be subject to a competitive tendering process. This report advises that a competitive tendering process will be carried out using a two stage tender exercise which therefore appears to be in accordance with rule 28.5.

- 10.3 It is noted that this project received approval from Cabinet on 10 November 2015 (minute 63) 'subject to the EFA settling all allocations and agreeing a funding agreement'. The responsible directorate is advised to provide details as to whether this requirement has been fulfilled. If this requirement has been fulfilled then it is noted that Cabinet delegated authority to the Corporate Director of Children's Services to award the contract following consideration by the Procurement Board of the detailed procurement requirements. In compliance with this direction, the responsible directorate is bringing this report for the attention of the Procurement Board.
- 10.4 The report author and responsible directorate are advised to keep Legal fully informed at every stage of the proposed tender exercises. The Law and Governance team is on hand and available to assist and answer any questions that may arise

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

List of appendices: None

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CABINET**19 July 2016**

Title: Contract for the Provision of Short Break Activities for Disabled Children and their Families	
Report of the Cabinet Member for Social Care and Health Integration	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Valerie Tomlinson-Palmer, Commissioning and Procurement Officer (Children's Services)	Contact Details: Tel: 020 8227 3549 E-mail: valerie.tomlinson-palmer@lbbd.gov.uk
Accountable Divisional Director: Ann Graham, Operational Director, Children's Care and Support	
Accountable Director: Anne Bristow; Strategic Director for Service Development and Integration	
<p>Summary:</p> <p>Short breaks provide invaluable support for disabled children, young people and their families. While children are given opportunities to become more independent, have fun, enjoy new experiences, and form friendships with their peers; their families are able to take time out to recharge their batteries. There is a statutory duty upon the local authority to ensure this provision exists.</p> <p>This report seeks approval for the Council to commence a procurement exercise. This exercise is concerned with the establishment of a diverse range of services for the provision of short breaks and activities for disabled children and young people, to replace the Framework Agreement that has been in place for the past four years.</p> <p>This exercise will culminate in the creation of a list of suitably qualified and experienced providers for the provision of these services. All providers on the Framework will also be accessible to eligible families opting to receive a Direct Payment securing them the peace of mind that a rigorously vetted list of providers of this nature offers.</p> <p>The Framework Agreement awarded will be for a period of four years and is likely to be awarded to multiple providers (the current Framework has 67 providers). Forecasts indicate that total expenditure in this area over the four year period will be approximately £2m.</p> <p>The current Framework will expire on 31 August 2016, though contractual arrangements are in place that will persist until the end September 2016.</p> <p>There is no fixed financial commitment involved with this proposed arrangement as costs will only be incurred when services are used via call off contracts.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree to commence the procurement of a four-year framework contract for the provision of short-break activities for disabled children and their families, in accordance with the Council's Contract Rules and the strategy set out in this report; and
- (ii) Delegate authority to the Strategic Director for Service Development and Integration, in consultation with the Cabinet Member for Social Care and Health Integration, the Strategic Director Finance and Investment and the Director of Law and Governance, to award and enter into the contracts and relevant extended periods.

Reason(s)

To assist the Council to meet the following priorities:

Enabling Social Responsibility

1. By providing an appropriate, best-value service that delivers excellent outcomes for children and young people in order to:
 - protect the most vulnerable, keeping adults and children healthy and safe;
 - ensure children and young people are well-educated and realise their potential;
 - fully integrate services for vulnerable children, young people and families; and
 - Support residents to take responsibility for themselves, their homes and community.

Growing The Borough

2. Reduce cost pressures through increased economies of scale and by avoiding duplication of services where possible. The framework will assist in:
 - Developing a local, skilled workforce and improve employment opportunities;
 - Working with London partners to deliver homes and jobs across our growth hubs.
3. To allow the Council to continue to discharge the duty upon it to provide short-break services.

1. Introduction and Background

- 1.1 There are many forms that short breaks can take, including daytime, evening, weekend and overnight activities. They can take place in the child's own home, a family based setting, a residential, educational or community setting, or in their local environment. A short break can last from just a few hours to a few days. The activities can include sporting activities, play schemes, pre-school groups, youth clubs, residential homes, nurseries, the arts or dance. Short breaks can also include activities where someone other than a parent or carer accompanies a disabled young person for informal leisure activities; to go to the cinema; to watch a football match; to play on his/her computer at home; to have a sleep over with a friend, or to spend time in town or the park.

- 1.2 Short Breaks are an opportunity for disabled children and young people to have fun, gain independence, learn and develop; while families get to take a much needed break from their 24-hour caring.
- 1.3 Families of disabled children and young people are more likely to experience family breakup; short breaks can reduce family stress and prevent them reaching crisis point by enhancing emotional wellbeing, building resilience, and improving life chances. With short breaks, disabled children and young people and their families are doing things that they never before thought possible.
- 1.4 Consultation with Parents, Young People and Children resident in Barking and Dagenham has highlighted the importance of Short Breaks to them and the impact that they have. At the most recent consultation event which took place on Tuesday 24 February 2016 Parents expressed that Short Breaks:
- provided a good break from daily/routine activities;
 - brings the family together; and
 - helps the child with additional needs to get access to different activities.
- 1.5 Currently Barking and Dagenham provide short break services to 597 children and young people either through directly commissioned services (services commissioned on behalf of the family) or via Personal Short Breaks Grants (a Direct Payment made to the family so that they may commission their own services). Figure 1 shows the breakdown of spend in these two areas.

Figure 1

Short Break Service	No. of CYP	Forecast Annual Spend
Directly Commissioned Services	351	£347,000
Personal Short Break Grants.	342	£117,000
Children and Young People Receiving Both ¹	(96)	
Totals	597	£464,000

- 1.6 As the Council pursues an agenda of personalisation it is anticipated that the number of children and young people being supported by directly commissioned services will reduce. To assist with the personalisation agenda, a personal budget can be issued (in the form of a Direct Payment) to individual families so there is flexibility, choice and control over the service(s) which can be purchased.
- 1.7 It is highly unlikely that a position will be arrived at where no children and families are being supported by directly commissioned services as no family can be legally compelled to accept a Direct Payment in lieu of direct service provision.
- 1.8 Furthermore if, as is hoped, an increasing number of families *do* choose a Direct Payment so that they may make their own arrangements for Short Breaks Services, they will need access to providers who are suitably qualified and experienced to meet the needs of their child. This Framework agreement would offer families a significant degree of reassurance in this respect. The current agreement has 67 providers from which families can choose to purchase services and a directory of

¹ A total of 96 children and young people received both a commissioned service and a Personal Short Breaks grant, hence the inflated total as they appear in both figures

these is available as a hard copy or to view on-line. 22 of these providers have been directly commissioned during the 4 year framework agreement with many more being accessed via Direct Payment.

- 1.9 A new Framework agreement will also enable us to support families to do more for themselves in line with the Ambition 2020 agenda. As there is no commitment to use any of the services offered, it provides the Council with the flexibility to scale up or down usage to fit with future Ambition 2020 operating models.
- 1.10 The service vision is to commission an outcome focused service that encourages choice across a diverse selection of locally based providers. The contract will be structured in a way that does not create barriers to entry to SMEs, allows flexibility in the call-off procedure so as to allow for family choice.
- 1.11 Local Providers are encouraged and supported to offer a choice of activities in response to feedback from parent, carers, children and young people. The Heathway Centre also offers support to help plan and budget if additional help is needed. Those framework providers who do not currently have a delivery venue within the boundaries of Barking and Dagenham are also offered the opportunity to deliver services from the Heathway Centre and other local venues to ensure that services are accessible for local families.
- 1.12 This formalised approach will continue to drive savings through driving down costs at the call off stage. It will also enable financial transactions to be based on contracted prices, helping with cost containment and expenditure forecasting.
- 1.13 Parent/carers and young people have the opportunity to make an application for a Personal Short Break Grant for activities they would like to access over the course of a year, either independently or through partner agencies. This allows parents the flexibility to choose which activities they would like to participate in and to encourage activities to be tailor made to needs and preferences of the service user. In 2014/15 we had 188 applications for Individual Short Break Grants. During the financial year 2015/16 the number of applications was 341.
- 1.14 Overall we are seeing an annual increase in demand for these services from eligible Families. During 14/15 47% of the applicants had not previously applied compared with the 2015/16 figure of 58% of the applications coming from new applicants. The increase in part is due to more intense marketing and schools, portage and voluntary organisations heavily promoting Short Breaks and encouraging parents and carers to apply.
- 1.15 The funding for short breaks is included in the Revenue Support Grant for local authorities, and the component allocated for Short Breaks for Barking and Dagenham is £775k per annum. In addition to sums detailed in Figure 1 above; circa. £300k is allocated for the operation of the Heathway Centre (our dedicated Disabled Children's Resource Centre).
- 1.16 Our short breaks offer has contributed to enabling us to meet the objectives set out in the Children's and Young People Plan to improve support and fully integrate services for vulnerable children, young people and families by:

- enabling increased numbers of parents with children with a disability or special needs accessing short breaks through personalised budgets (100 plus families); and
- enabling children, young people and families to be more independent and self sufficient leading the life they want.

1.17 The current Framework Agreement governing this provision expires on 31 August 2016 and has no further option to extend, hence the proposal to put in place a new contract to allow this essential area of service provision to continue uninterrupted and to allow the Council to continue to discharge the duty upon it to provide short-break services. Contractually protected provision can continue to the end of September 2016.

1.18 Statutory duties make it clear that if there is an identified need for short breaks services then these must be provided. The Short Breaks Duty requires provision of a range of short breaks that give disabled children the same opportunities to play and socialise that other children experience, while allowing their parents to provide care more effectively through having a break from caring.

2. Proposed Procurement Strategy

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

2.1.1 Short Breaks services fall under the EU Procurement Regulation ‘light touch’ regime. The ‘light touch’ regime is still fairly flexible, though it is essential that an OJEU notice is published and similarly a contract award notice. The Council will ensure that any procedure followed is open, fair and transparent for providers.

2.1.2 The Council, in partnership with the family, will select suppliers to provide services via a “direct call-off”. If a direct “call off” is not feasible then a mini competition will be held with the providers within the specific category to ensure that the most suitable provider is selected, the selection will be based on price, quality, and the needs of service users.

2.1.3 The Framework Agreement will be advertised (as detailed in section 2.5) and providers will be asked to meet minimum standards, as well as completing method statements (with a threshold to ensure only those that meet the Council’s quality standards enter the list). A pricing schedule will also be completed by providers. Corporate Procurement will work with the Service in order to ensure the correct balance is found between ensuring the tender documents are ‘light’ enough to not be perceived as a barrier to local and/or SME providers, whilst also being robust enough to ensure that the correct quality/price is achieved.

2.1.4 London Borough of Barking and Dagenham will invite expressions of interest from suitably qualified Short Breaks providers interested in joining a Framework Agreement to provide services for disabled children and young people and their families.

2.1.5 The new framework will comprise 6 lots as follows:

- School Holiday Provision; After School Provision; Saturday and Sunday Provision;

- Buddying and Befriending;
- Evening; Weekend; and holiday provision
- Transition Support and Independence Skills;
- Family Based Respite from Registered Foster Carers; and
- Programme for children and young people with autism.

2.1.6 There are a number of accepted advantages to agreeing a contractual framework over spot-purchasing:

- Quality assurance can take place both with regard to statistical returns, as well as regular meetings with providers;
- Good practice and training opportunities can be shared amongst providers and forums held with local partners;
- Good quality services should lead to more consistent, needs-focused, short breaks provision for children, young people and families;
- A pre-agreed pricing structure that commits the providers to maintain their base prices across the term of the contract;
- Guaranteed pricing structure for local residents and those in receipt of direct payments.

2.1.7 The particular contractual method recommended to Cabinet, that is a Framework Agreement, would have additional advantages. It would not oblige the local authority to purchase any particular volume from a provider. The 'call off' contract would be for a term that can range for a couple of months to years based on the needs of service users.

2.2 Estimated Contract Value including the value of any uplift/extension period.

2.2.1 The contract will be a Framework Contract that will have no minimum value. No commitment to expenditure by the Council will be stipulated within the contract itself. Expenditure will only be incurred when referrals are made. The estimated expenditure for the Council is up to circa. £500k per annum (circa. £2m in total).

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

2.3.1 The Framework Agreement will be for a period of 4 years.

2.4 Is the contract subject to the (EU) Public Contracts Regulations 2015? If Yes and the Contract is for services, is it subject to the light touch regime?

2.4.1 This contract is subject to the (EU) Public Contracts Regulations 2015.

2.5 Recommended procurement procedure and reasons for the recommendation.

2.5.1 The tender procedure will be conducted in compliance with any European Treaty principles, in addition to the Council's Contract Rules. The tendering of this service will be advertised on the Council's website and on Contracts Finder ensuring that the Framework Agreement has been advertised to a big selection of the market.

2.5.2 There is a requirement for the tender to be advertised in the OJEU as it is subject to the Regulations and this will be adhered to. The Council's own Contract Rules require a formal tender procedure to be followed and the EU Treaty principles of

transparency, non-discrimination and equality of treatment do apply. This route has previously worked well: providers engaged with, and had no issues with, the way in which the procurement procedure was administered. Interested parties will be invited to tender on the basis of a compliant tender.

- 2.5.3 This will be a single stage tender using the Open Procedure and making the process less onerous to encourage interest from SME's and Social Enterprises to submit a tender for this Framework contract. All providers who express an interest in the tender will be issued with a tender pack which will give clear details on the price/quality criteria and weightings. The weighting will be 60% price, 40% quality.
- 2.5.4 This price/quality split has been arrived at to ensure a framework of providers of sufficient quality, something that was not realised as fully as we would have liked during the previous tender for these services. The lower than usual weighting applied to the price component is mitigated in other ways. Tender documentation will make it clear that no direct award will be made to those organisations that are too expensive and we will be able to award based on price at the call-off stage if this is more tangible.
- 2.5.5 In order to ensure that the quality of the service is satisfactory there will be a pass threshold and a minimum quality score will be set that providers must meet to be admitted to the Framework. Combined, this approach will ensure that only providers that are of good-quality *and* are price-competitive are placed on the framework.
- 2.5.6 Following the evaluation of the tenders, providers will be advised if they have been successfully placed on the Framework. This will result in a shortlist of preferred providers.

Expected Tender Outline

Activity	Completion Date
Develop Specification/Tender Documentation	June 2016
Cabinet	19 July 2016
OJEU Notice submitted/ITT Published	July 2016
ITT Bidders' Clarifications/Enquiries deadline	August 2016
Tender Returns and Evaluations	August 2016
Tender Evaluations	August 2016
Approval to Award - Delegated	August 2016
Internal call in period	August 2016
Award/Rejection letters	September 2016
Contract Award	September 2016
Contract Start Date	1 October 2016

2.6 The contract delivery methodology and documentation to be adopted.

- 2.6.1 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.

- 2.7.1 Utilising a Framework Agreement will allow more flexibility and competitive tendering at call off stage.
- 2.7.2 To ensure providers are vetted and that base prices are available for local residents and those in receipt of Direct Payments.
- 2.7.3 To improve outcomes for children and young people with special educational needs and/or disabilities in accordance with the five Every Child Matters outcomes, and more specifically:
- ensure children and young people in the borough are safe;
 - narrowing the Gap - raise attainment and realise aspiration for every child;
 - improve Health and Wellbeing, with a particular focus on tackling obesity and poor sexual health;
 - improve support and fully integrate services for vulnerable children, young people and families; and
 - Challenging Child Poverty - preventing poor children becoming poor adults.

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

- 2.8.1 The price/quality ratio upon which contracts will be awarded will be 60% price, 40% quality. Providers will be ranked per lot based on their tender submission.
- 2.8.2 A 'call off' will follow based on the services we need and a mini competition will be conducted where a direct 'call off' would be unsuitable due to price or service user needs.

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

- 2.9.1 The Council's Social Value policies and the Social Value Act 2012 are broadly aligned, and thus, these contracts will help address and implement the aims by:
- **Promoting employment and economic sustainability:** tackle unemployment and facilitate the development of skills
 - **Building the capacity and sustainability of the voluntary and community sector:** enabling groups to provide the service and encourage volunteering and employment of local residents
 - **Creating opportunities for SME's and social enterprises:** enabling the development of local businesses in the provision of this service.

3. Options Appraisal

3.1 Option 1: Do nothing

The current contract will expire. The Council could purchase these services from their current suppliers without having contractual cover in place. This option would fail to be compliant with EU procurement legislation as well as the Council's own policies. There would also be a high degree of risk associated with this option,

exposing the Council to potential price increases and deficit budgetary positions. Without contracts in place we cannot enforce DBS (Disclosure and Barring Service) checks being mandatory, or that service providers have the correct policies and procedures in place.

3.2 Option 2: Tendering the service

Tendering the service would comply with the Council's Contract rules and also EU Treaty principles. Through the procurement of a Framework Agreement the Council will fulfil its statutory duties to children, young people and their parents/or carers.

In addition as we continue to encourage parents and carers to take up direct payments and personal budgets it's important that they have a number of qualified providers to deliver services on our behalf. A Framework Agreement would give parents more options and services when using direct payments.

Parents are keen to continue accessing services delivered by local organisations – a number of which currently deliver from the Heathway Disabled Children's Resource Centre. This will allow us to keep costs low for Parents and carers and allow services to be delivered from the fully equipped resource centre. As providers will not have to seek a venue, this will generate more interest from prospective local providers.

Conversations are taking place with our local providers and a Market warming day will be held so that potential local providers can meet with Parents, Carers and young people to discuss the types and services that they would like. The advantages of providers that better reflects the makeup of its end users is self evident, in that services will as a result be better designed and delivered for those it seeks to serve.

This is the recommended option.

3.3 Option 3: Join an existing framework

There is no suitable existing framework in place.

3.4 Option 4: Joint Procurement

This option has been explored however there are currently no suitable procurement exercises taking place for our requisite timescales.

4. Waiver

4.1 Not applicable.

5. Equalities and other Customer Impact

5.1 Short Breaks activities will contribute to disabled children and young people having positive life chances and assist in their educational and social development.

- 5.2 Children's Services will be responsible for supporting providers to deliver high quality services. The call-off contract will specify expectations in this respect. Regular equality impact assessments will be made.
- 5.3 As this is a service for one of our most vulnerable groups the chosen providers will be required to conform to all our local and national safeguarding procedures. This will be checked at the tender stage and post-appointment by regular meetings and unannounced monitoring meetings where required.

6. Other Considerations and Implications

6.1 Risk and Risk Management

- 6.1.1 The current Framework Agreement expires in August 2016 with no further option to extend.
- 6.1.2 As a Framework Agreement there is no specific guarantee to any provider of a level of service and, by extension, expenditure. A Framework will encourage market competition, provide the flexibility and a larger selection than tendering individual services which would tie us into a contract with one provider.
- 6.1.3 The tender exercise will assist in assessing the financial stability of any prospective providers.
- 6.1.4 Once financial stability has been established the main risk involved will be the quality of the service delivered. Technical ability will be assessed during the tender stages. Providers will be expected to demonstrate:
- a minimum of three years relevant experience;
 - a commitment to quality and continuous improvement;
 - evidence of commitment to enhancing the lives of disabled children;
 - a commitment to engaging children and young people in service delivery design; and
 - Evidence of commitment to staff development and training.
- 6.1.5 Once a provider has been selected via the 'call off' procedure, written contractual arrangements will contribute to ensuring a quality service. The contract will have a dedicated contract manager. Quarterly monitoring reviews will be conducted and the once contracts have been awarded providers will be requested to complete a monitoring form on a quarterly basis before these reviews. The monitoring form will collect information about the service and will be based around the contract terms and conditions and service specification.
- 6.1.6 Council officers will conduct unannounced monitoring visits focusing on the quality of the provision. Quality surveys will be conducted by the provider and the Council and will be aimed at parents / carers and children. The provider will have to report any complaints made to the Council.
- 6.1.7 Providers delivering services for children and young people under 8 will be subject to external inspection from Ofsted. For providers of services for children and young people over 8 we will encourage voluntary registration with Ofsted. Applicants will need to supply personal information, sign a declaration that they can meet the

requirements and give evidence of a valid first aid certificate. Providers will be asked to provide the DBS check numbers in addition to Safeguarding and Child Protection Policies, as a part of the procurement procedure providers will be asked to obtain minimum insurance thresholds.

6.2 TUPE, other staffing and trade union implications

6.2.1 There are no TUPE implications.

6.3 Safeguarding Children

6.3.1 Access to suitable Short Breaks provision, as well as being a duty upon the Council, can play a significant role in safeguarding, as can any provision that reduces stress in the family environment. The opportunity for children and young people to access provision that help them develop social skills and manage behaviours in conjunction with their peers, as well as the impact of allowing the opportunity for parents and carers to take a break from these duties should not be underestimated. Nor should the role this plays in reducing stress factors that can contribute to familial breakdown and, at times, the escalation to more targeted and acute services that can be the culmination.

6.3.2 It is essential that all providers added to this Framework have the necessary skills and policies for identifying safeguarding concerns, and that the organisations themselves are capable of safeguarding these vulnerable children and young people effectively. The tender procedure, specification(s) and all resultant contracts must make these responsibilities explicit.

6.4 Health Issues

6.4.1 The Social Care Institute for Excellence has outlined research findings on respite care for the carers of disabled children. For many parents of disabled children the traditional residential break model, which places their child in a residential unit, does not always serve the needs of their family. Instead, parents may prefer a more flexible model that provides additional care to the child or the family as a whole at external residential centres, in the home or at external facilities, for short amounts of time.

6.4.2 This approach takes into account two issues integral to the care experience of disabled children and their families. First, the desire of disabled children to lead as ordinary a life as possible, including taking breaks with their family and friends close by. Second, it reflects the needs of their parents, who often want the break to provide a breather but also want flexible help that enables them to have a normal relationship with their disabled child.

7. Consultation

7.1 Families told the Government that their number one priority was to have regular and reliable short breaks from caring. The Government has responded to this by putting substantial investment of £370 million nationally in to the transformation of short breaks.

- 7.2 A central government announcement of short breaks programme made in 2010 demonstrated the positive impact that short breaks can have on families with disabled children with 88% of families surveyed currently using some form of short breaks service. But there is more work to be done to better target services and make sure all families have access to a wide range of support.
- 7.3 A consultation in relation to Short Breaks services and Personal Short Break Grants (PSBG) was concluded in February 2016. Parents and Carers are happy with the Short Breaks and the PSBG. They said that it gives them a break from daily/routine activities and brings the family together.
- 7.4 They felt that without access to these services the child and parent will be isolated as there will be a lack of socialisation and boredom might affect behaviour, increasing pressure on care givers. All comments and feedback will be taken into account when evaluating tender submissions.
- 7.5 Consultation for this tender exercise has taken place through circulation of this Cabinet Report. The draft report after having been circulated to all required consultees as listed at the beginning of this report was then considered by the Corporate Procurement Board.

8. Corporate Procurement

Implications completed by: Kevin Lynch; Category Manager

- 8.1 The report seeks approval to proceed with a procurement exercise for the provision of Short Break activities for disabled children and their families
- 8.2 This will be an open tender and accessible to any provider who expresses an interest.
- 8.3 The anticipated contract value is £2m and as a result this procurement falls under the new light touch regime as it is above the threshold, there is a number of procedural rules that must be followed and these include;
- OJEU Advertising: The publication of a contract notice (CN);
 - The publication of a contract award notice (CAN) following the procurement;
 - Compliance with Treaty principles of transparency and equal treatment;
 - The procurement must be conducted in conformance with the information provided in the OJEU advert (CN) regarding: any conditions for participation; time limits for contacting/responding to the authority; and the award procedure to be applied;
 - Time limits imposed on suppliers, such as for responding to adverts and tenders, must be reasonable and proportionate. There are no stipulated minimum time periods in the LTR rules, so the contracting authorities should use their discretion and judgement in relation to this.
- 8.4 Establishing a framework agreement will provide LBBB with an approved list of providers with the option of directly awarding and/or running a mini competition.
- 8.5 The framework agreement is to be for a maximum period of 4 years and will be awarded in 6 lots. Dividing the contract into lots will open the opportunity to SME's.

- 8.6 The proposed award criteria is weighted 60% price and 40% quality and this should achieve a balance that ensures quality standards are met while ensuring value for money is delivered. Suppliers will be required to meet minimum standards and achieve a quality threshold in order to be awarded onto the framework. Suppliers who fail to meet these thresholds will not be eligible to be on the framework.

9. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant, Children's Finance

- 9.1 This report requests approval for a procurement contract for the provision of short break activities for disabled children. This is a four year framework contract which will comprise of 6 lots as detailed in paragraph 2.1.5.
- 9.2 There is no financial commitment with the framework contract, as spend will be incurred when services are requested from the providers.
- 9.3 Spend against this contract will be contained within the Short Breaks budget of £475k for 2016/17 which has been allocated for this purpose. The forecast spend for 2015/16 in this area was £401k.

10. Legal Implications

Implications completed by: Bimpe Onafuwa, Contracts and Procurement Lawyer

- 10.1 This report is seeking approval to procure a framework agreement for the provision of Short Break activities for disabled children.
- 10.2 Public bodies are permitted to set up framework agreements or to call off existing frameworks, so long as they are set up in compliance with the Public Contracts Regulations (the Regulations). There is therefore a requirement that it be tendered competitively and that the tender exercise be transparent, non-discriminatory and fair.
- 10.3 This report sets out the procurement strategy for this agreement in clause 2. Clauses 2.5.1 and 2.5.2 state that the contract will be advertised on the Council's website, on Contracts Finder and in the OJEU. In clause 2.5.3 details of the evaluation criteria for the framework are given as 60% price: 40% quality, while clause 2.8.2 states that once set up contracts will be called off either directly or by way of further mini-competition. Finally, clause 2.5.6 of the report provides a timetable for the procurement exercise. The above are indication of a fair tender exercise in accordance with the Regulations.

Public Background Papers Used in the Preparation of the Report

- Aiming High for Disabled Children Report. Click [here](#) for access.
- Consultation Report – Tuesday 24th February 2016.

List of Appendices: None

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CABINET**19 July 2016**

Title: Debt Management Performance and Write-Offs 2015/16 (Quarter 4)	
Report of the Cabinet Member for Finance, Growth and Investment	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Andrew Kupusarevic, Interim Revenue and Benefits Delivery Director	Contact Details: Tel: 07890 615893 E-mail: andrew.kupusarevic@elevateeastlondon.co.uk
Accountable Director: Jonathan Bunt, Strategic Director of Finance and Investment	
<p>Summary</p> <p>This report sets out the performance of the Council's partner, Elevate East London, in carrying out the contractual debt management function on behalf of the Council. This report covers the fourth quarter of the financial year 2015/16. The report also includes details of debt written off in accordance with the write off policy that was approved by Cabinet on 18 October 2011.</p>	
<p>Recommendation(s)</p> <p>Cabinet is recommended to:</p> <ul style="list-style-type: none"> (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 fourth quarter of 2015/16; and (iii) Agree that the practice of publicising the top 10 debtors cease, as there has been no examples where members of the public have identified any of those debtors which would have enabled Elevate to re-instate recovery action. 	
<p>Reason</p> <p>Assisting in the Council's Policy aim of ensuring an efficient organisation delivering its statutory duties in the most practical and cost-effective way. This ensures good financial practice and adherence to the Council's Financial Rules on the reporting of debt management performance and the total amounts of debt written-off each financial quarter.</p>	

1. Introduction and Background

- 1.1 The Council's Revenues, Benefits, General Income and Rents Service is operated by the Council's joint venture company, Elevate East London LLP (Elevate). The service is responsible for the management of the Council's debt falling due by way of statutory levies and chargeable services. It also collects rent on behalf of Barking and Dagenham Reside. Council debts not collected by Elevate are not included in this report, for example parking and road traffic debt prior to warrants being granted and hostel and private sector leasing debt.
- 1.2 This report sets out performance for the fourth quarter of the 2015/16 municipal and financial year and covers the overall progress of each element of the service since April 2015. In addition it summarises debts that have been agreed for write off in accordance with the Council's Financial Rules. All write offs are processed in accordance with the Council's debt management policy agreed on 18th October 2011.

2. Proposal and Issues

- 2.1 Set out in Table 1 below is the performance for 2015/16 achieved for the main areas of debt managed by Elevate.

Table 1: Collection Rate Performance – 2015-2016

Type of Debt	Yearend target	Performance	Variance	Actual collected £m
Council Tax	95.0%	94.8%	-0.2%	60.146
Council Tax Arrears	£1.827m	£2.276m	+£0.449m	2.276
NNDR	98.1%	98.2%	+0.1%	55.634
Rent	99.24%	99.02%	-0.22%	101.380
Leaseholders	98.00%	96.86%	-1.14%	3.818
General Income	95.35%	95.60%	+0.25%	99.388

Council Tax Collection Performance

- 2.2 Council Tax collection ended the quarter 0.2% below the profile target. Nevertheless the collection rate of 94.8% represents the Council's highest collection since 2009/10.
- 2.3 Indications are that taxpayers continue to find payment of Council Tax challenging with the number of reminders sent increasing in 2015/16 by 2,427 (7.84%) and summonses increasing by 1,275 (8.9%) compared to 2014/15.

Council Tax Arrears

- 2.4 By the end of quarter four £2.3m had been collected, this is £0.45m above the target and £0.641m above the arrears collected in 2014/15.
- 2.5 As with in-year Council Tax, the more proactive approach taken in 2015/16 to collection allowing taxpayers to catch up and taking a more holistic view of their debt has resulted in an significant rise in arrears collection.
- 2.6 It is never the case that all the Council Tax for a particular year is collected in that year with work to collect unpaid Council Tax continuing in the years that follow. In 2013/14 the introduction of Council Tax Support resulted in a drop in collection from 94.6% to 94.1%, however in the years that follow collection continued and by the end of 2015/16 the collection rate for 2013/14 had risen to 96.6 an increase of 2.5%, which is the equivalent of an extra £1.3m in revenue.
- 2.7 The Council Tax team's ability to adapt to the challenges presented by the Council Tax Support scheme, the increasing number of properties within the borough and the increase in the Council Tax charge have improved collection rates year on year to the improved levels now seen in Barking and Dagenham.

Table 2

Year	Charge Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
2009/10	92.9	95.0	95.7	96.1	96.4	96.6	96.8
2010/11	92.9	95.0	95.7	96.1	96.3	96.6	
2011/12	94.1	95.7	96.3	96.6	96.8		
2012/13	94.6	96.2	96.6	96.9			
2013/14	94.1	96.0	96.6				
2014/15	94.3	96.1					
2015/16	94.8						

Business Rates (NNDR) Collection Performance

- 2.8 The NNDR collection rate reached 98.2% by the end of the year.
- 2.9 Despite the financial climate and the detrimental effect this has upon businesses within the Borough, Elevate's work in collecting business rates resulted in the highest collection rate achieved since 2009/10 and was 0.1% above the target.

Rent Collection Performance

- 2.10 As at the end of quarter 4, the actual cash collection stood at 99.02% which was 0.22% below the target of 99.24% (£224k). In addition the arrears rose during the year finishing at £4.2m, up £1m from the end of 2014/15. There were a number of challenges faced by the rents team during the year including:
- Housing Benefit income to the HRA has reduced. The proportion of the rent paid by HB was 49.17% this year compared to 51.33% the year before, equivalent to around £2.274m lost income for the full year. This has come about because:

1. Welfare reform, including measures such as the bedroom tax and benefit cap.
2. A 37% reduction in the budget for Discretionary Housing Payment (DHP) compared to 2014/2015. Some residents were becoming reliant on the scheme for short term / long term support and the reduction in budget has meant that there is a greater requirement to demonstrate financial hardship and show reasonable steps taken to improve the tenant's financial situation. This has reduced a potential source of short term support to tenants and therefore, indirectly, income for the HRA.
3. The HB caseload for council tenants fell by 1.53% from April 2015 to March 2016 which means a greater level of debt becomes collectable from the resident. Due to the varying Welfare Reform changes residents are finding that entitlements have reduced or they more frequently drop in and out of entitlement.

2.11 The challenges were combated by:

- further promoting DHP where possible,
- monthly door step campaigns
- Utilising an external outbound calling debt recovery service, and.
- additional support through outbound calling was made to tenants in arrears

Reside Collection Performance

2.12 In addition to collecting rent owed on Council tenancies, Elevate also collect the rent for the Barking & Dagenham Reside portfolio.

2.13 Rent collection excluding former tenant arrears is stable with a collection rate of 98.65%.

Leaseholders' Debt Collection Performance

2.14 At the end of the fourth quarter collection reached 96.86%, with a total £3.818m having been collected in the year. This was 1.14% (£0.045m) below target. The number of accounts with arrears at year end achieved a new low of 349 (£0.274m) accounts. In 2010/11 the number of accounts in arrears at year end totalled 934 (£0.459m). This reduction has been achieved by ongoing improvement in maintaining a rigorous recovery timetable throughout the year ensuring late payers are consistently reminded to pay as early as possible. This improvement has not involved writing debt off as leasehold debt is very rarely written off given that the Council is able to force a sale in order to recover debt where required.

General Income Collection Performance

2.15 General Income is the term used to describe the ancillary sources of income available to the Council which support the cost of local service provision. Examples of areas from which the Council derives income collected by Elevate include: social

care charges; rechargeable works for housing; nursery fees; trade refuse; hire of halls and football pitches. The Oracle financial system is used for the billing and collection of these debts and is also used to measure Elevate's performance.

- 2.16 At the end of quarter four collections in this area remained strong reaching 95.60% against a target of 95.00%.

A&CS Homes and A&CS Residential – Collection of Social Care Charges (home and residential)

- 2.17 The Council introduced a new Care and Support Charging policy for 2015/16 following the government introduction of the Care Act 2014.
- 2.18 Collection of debt for Home and Residential Care is reported separately. Residential care debt which the Council has secured with a charging order against the client's assets, usually their property, is not included in these figures. The agreed measure for 2015/16 is the amount collected against the in-year debt that has been invoiced.
- 2.19 The collection rate for Home Care by the end of quarter four reached 75.14% which was 4.86% (£0.043m) below target. The lower than expected collection rate is due to the timing of the four weekly billing and variations in the bills issued. For Home Care charges for previous years the collection rate was 87.24%. For Residential Care charges the in year collection rate was 87.69% and for earlier years it was 95.88%.
- 2.20 The debt recovery process for these debts is similar to that of other debts, but with extra recognition given to particular circumstances. In order to ensure that the action taken is appropriate and to maximise payments, each case is considered on its own merits at each stage of the recovery process and wherever possible payment arrangements are agreed. In addition a further financial reassessment of a client's contribution is undertaken where there is extraordinary expenditure associated with the care of the service user. The relevant procedures have been updated to take account of the Care Act.

Penalty Charge Notices (PCN) – Road Traffic Enforcement

- 2.21 This recovery work only includes debts due to Penalty Charge Notices (PCNs) for parking, bus lane and box junction infringements once a warrant has been obtained by Environmental and Enforcement Services (Parking Services) from the Traffic Enforcement Centre (TEC). Elevate enforce these warrants through enforcement agents acting on behalf of the Council and closely monitor the performance of these companies. Overall collection rates on PCNs would be reported by Parking Services. Elevate's collection performance is measured only once a batch of warrants has expired, i.e. after 12 months. Since April 2015, 24 batches of warrants have expired for which the collection rate was 14.60% an improvement on the figure reported for 2014/15 of 12.85%. The total amount of cash collected through enforcement of road traffic warrants was £551,613 by the end of year.
- 2.22 Effective collection of warrants is affected by how long it takes to obtain the warrant after the PCN is issued. Enforcement Agents' "propensity to pay" analysis of older warrants (warrants received older than 5 or 6 months after the PCN was issued) classified most of them either 'poor' or 'hopeless' because older, aged debt is much

harder to collect. This can and has adversely affected the overall success of collection against the target. During 2015/2016 delays were present at an average of 7 months and full a review of the end to end process for Parking has been done as well as the introduction of a new system to combat this issue and in the last quarter Parking improved the average time to 6 months.

Housing Benefit Overpayments

- 2.23 By the end of the fourth quarter of 2015/16 collection totalled £5.066m and £12.611m was raised in the year compared to £8.612m in 2014/15. The rise was largely due to the delays in HB processing experienced in the first 8 months of the year from April to November 2015. The delays in processing meant that when an overpayment was created it was created over a larger period. For example a change that resulted in a decrease of benefit was notified in April 2015 however if that change was not processed until July 2015 the overpayment is larger because we have continued to pay an incorrect level of benefit through April, May, June and July.
- 2.24 During the first quarter of 2015/16 central government confirmed the continuation of the “Real Time Information (RTI)” process. This means HMRC data will continue to be made available to the Department of Works and Pensions and shared with local authorities enabling data matching against Council records. This data will continue to ensure that the information used to assess claims for Housing Benefit and CTS, is accurate. This will result in additional overpayments and underpayments being raised. Despite RTI, collection stood at 43.08% for 2015/16 compared to 40.17% for 2014/15 as more resource was applied to Housing Benefit overpayment team in order to mitigate the effect of RTI. In the last full year before RTI 46.25% collection was achieved.

Enforcement Agent (Bailiff) Performance

- 2.25 Enforcement agent action is a key tool for the Council to recover overdue debts but is only one area of collection work and is always the action of last resort. The introduction of the CTS scheme in 2013/14 meant around 13,000 additional households became liable to pay a proportion of Council Tax. This number increased again in April 2015 with the revised CTS scheme meaning that there has been additional debt recovery action. The affected group of residents are working age but their circumstances vary as they move in and out of work. Elevate’s ability to collect all sums due on behalf of the Council continues to be made progressively more challenging as welfare reforms continue to take effect. This is alongside the cumulative yearly effect of CTS on arrears which is increasing overall indebtedness. This situation will continue in 2016/17.
- 2.26 Information on the performance of the enforcement agents is set out in the table below by type of debt for the fourth quarter of 2015/16. This shows that collection of Council Tax improved significantly with more work dedicated to case selection by the team.

Table 3: Enforcement Agent Collection Rates – 2015/16

Service	Value sent to enforcement agents £	Total collected by enforcement agents £	2015/16 Collection rate %	2014/15 Collection rate %
Council Tax	£3,009,929	£842,160	27.98%	11.42%
NNDR	£537,152	£111,2785	20.72%	20.49%
Commercial rent	£75,405	£71,188	94.41%	NA
General Income	£74,265	£13,011	17.5%	33.75%

Debt Write-Offs: Quarter 4 2015/16

- 2.27 All debt deemed suitable for write off has been through all the recovery processes and is recommended for write off in accordance with the Council's policy. The authority to "write off" debt remains with the Council. The value of debt recommended to the Strategic Director, Finance & Investment and subsequently approved for write off during the fourth quarter of 2015/16 totalled £1,263,027. The value and number of cases written off in quarter four is provided in Appendix A.
- 2.28 908 debts were written off in quarter four for which the reasons are set out below. The percentage relates to the proportion of write offs by value:

Table 4: Write off numbers – 2015/16 Quarter 4

Absconded/not traced	Uneconomic to pursue	Debtor Insolvent	Deceased	Other reasons
£494,131	£512,733	£122,331	£111,445	£22,387
39.12%	40.60%	9.69%	8.82%	1.77%

Absconded/not traced	Uneconomic to pursue	Debtor Insolvent	Deceased	Other reasons
206	459	47	162	34

(The 'other reasons' category includes examples such as: where the debt liability is removed by the Court or the debtor is living outside the jurisdiction of the English Courts and is unlikely to return).

- 2.29 The figures in Appendix B show the total write-offs for 2011/12, 2012/13, 2013/14, 2014/15 and for 2015/16.

Publication of Individual Details of Debts Written Off (Appendix C)

- 2.30 In line with Council policy established in 2007, due to the difficulties of finding absconding debtors, a list showing the details of some debtors who have had debts written off is attached to this report at Appendix C. The list has been limited to the

ten largest debts only and can be used in the public domain. Debts not included are listed below:

- a) Debts that have been written off following a corporate complaint being upheld;
- b) Debts that have been written off due to the debtor falling within one of the vulnerable groups (e.g. elderly, disabled, infirm etc.);
- c) Where the original debt was raised in error;
- d) Where debts have been written off, but no legal action has been taken to prove that the debt was legally and properly due;
- e) Where the debt has been written off following bankruptcy or insolvency action (the majority of these cases will be individually publicised).

2.31 In relation to the publication requirement it was initiated so that members of the public may be able to identify debtor's whose debts had been rewritten off so that recovery action could be recommenced. However, in the 9 years since this practice started there is no record of this having happened. For this reason it is recommended that the practice of reporting the top 10 debts written off is ended.

3. Consultation

3.1 This report has been prepared by Elevate and finalised with the agreement of the Strategic Director of Finance and Investment.

4. Financial Issues

Implications completed by: Kathy Freeman, Finance Director

4.1 Collecting all sums due is critical to the Council's ability to function. In view of this, monitoring performance is a key part of the monthly meetings with Elevate.

4.2 The monthly meetings between Elevate and the Council focus on the areas where the targets are not being achieved and discuss other possibilities to improve collection. Any shortfall against the targets impacts on the income position budgeted for by the Council. Although the level of Council Tax collected is the highest achieved to date, this has followed after a significant amount of investment of £369,000 for additional resources within the team.

4.3 Although the performance on rent collection missed the target by 0.22%, which equated to loss of income of £224,000, there has also been an increase of over £1m of current tenant arrears.

4.4 For 2015/16, Elevate have written off £2,343,041 of debts. It is important that bad debts are written off promptly for budgeting purposes so the Council can maintain appropriate bad debt provision.

4.5 If debts are not promptly collected, this will have an adverse impact on the Council's overall financial position. Increases required to the Council's bad debt position are

charged to the Council's revenue accounts and reduces the funding available for other expenditure.

5. Legal Issues

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

- 5.1 Monies owed to the Council in the form of debts are a form of asset that is the prospect of a payment sometime in the future. The decision not to pursue a debt carries a cost and so a decision not to pursue a debt is not taken lightly.
- 5.2 The Council holds a fiduciary duty to the ratepayers and the government to make sure money is spent wisely and to recover debts owed to it. If requests for payment are not complied with then the Council seeks to recover money owed to it by way of court action once all other options are exhausted. While a consistent message that the Council is not a soft touch is sent out with Court actions there can come a time where a pragmatic approach has to be taken with debts as on occasion they are uneconomical to recover in terms of the cost of process and the means of the debtor to pay. The maxim *no good throwing good money after bad* applies. In the case of rent arrears, the court proceedings will be for a possession and money judgement for arrears. However a possession order and subsequent eviction order is a discretionary remedy and the courts will more often than not suspend the possession order on condition the tenant makes a contribution to their arrears.
- 5.3 Whilst the use of Introductory Tenancies as a form of trial tenancy may have some impact in terms promoting prompt payment of rent as only those tenants with a satisfactory rent payment history can expect to be offered a secure tenancy, people can fall behind and get into debt. The best approach to resolve their predicament is to maintain a dialogue with those in debt to the Council, to offer early advice and help in making repayments if they need it and to highlight the importance of payment of rent and Council tax. These payments ought to be considered as priority debts rather than other debts such as credit loans as without a roof over their heads it will be very difficult to access support and employment and escape from a downward spiral of debt.
- 5.4 The decision to write off debts has been delegated to Chief Officers who must have regard to the Financial Rules.

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

List of appendices:

- **Appendix A** – Debt Write Off Table for Quarter 1, Quarter 2, Quarter 3 and Quarter 4 2015/16.
- **Appendix B** – Total debts written off in 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16.
- **Appendix C** – Ten Largest Debts Written Off in Quarter 4, 2015/16

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Table 1

Total write-offs for 2015/16

Write Offs	Housing Benefits	General Income	FTA	Rents	Council Tax	NNDR	TOTAL
2015-16 Totals	£211,930	£141,411	£693,017	£6,075	£549,051	£741,557	£2,343,041

Table 2

COUNT for Quarter 4 2015/16

Write-offs		Housing Benefits	General Income	FTA	Rents	Council Tax	NNDR	TOTAL
Jan-16	Under 2k	6	36	141	0	134	6	323
	Over 2k	0	0	0	0	0	87	87
	Over 10k	0	0	0	0	0	0	0
	Total	6	36	141	0	134	93	410
Feb-16	Under 2k	33	1	261	3	35	0	333
	Over 2k	4	1	11	1	0	0	17
	Over 10k	0	0	0	0	0	0	0
	Total	37	2	272	4	35	0	350
Mar-16	Under 2k	13	1	4	0	4	11	33
	Over 2k	5	1	97	0	9		112
	Over 10k	0		3	0	0		3
	Total	18	2	104	0	13	11	148
Quarter 4 Totals		61	40	517	4	182	104	908

Table 3:
Debts Written Off during Qtr 4 2015/16

Write-offs		Housing Benefits	General Income	FTA	Rents	Council Tax	NNDR	TOTAL
Jan-16	Under 2k	788	7,987	59,349	0	63,949	10,874	142,947
	Over 2k	0	0	0	0	0	400,635	400,635
	Over 10k	0	0	0	0	0	0	0
	Total	788	7,987	59,349	0	63,949	411,508	543,581
Feb-16	Under 2k	14,420	428	94,344	3,179	17,285	0	129,657
	Over 2k	14,889	2,291	34,939	2,896	0	0	55,016
	Over 10k	0	0	0	0	0	0	0
	Total	29,310	2,719	129,283	6,075	17,285	0	184,672
Mar-16	Under 2k	1,767	590	7,356	0	7,275	11,871	28,859
	Over 2k	13,961	9,132	425,098	0	25,912	0	474,103
	Over 10k	0	0	31,812	0	0	0	31,812
	Total	15,728	9,722	464,266	0	33,187	11,871	534,774
Quarter 4 Totals		£45,825	£20,428	£652,898	£6,075	£114,422	£423,379	£1,263,027

Table 4:
Debts Written Off during Qtr 3 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Oct-15	Under 2k	5,153	2,128	0	0	0	1,424	8,705
	Over 2k	0	5,973	0	0	0	0	5,973
	Over 10k	0	0	0	0	0	0	0
	Total	5,153	8,101	0	0	0	1,424	14,678
Nov-15	Under 2k	1,990	5,281	0	0	126,484	10,056	143,811
	Over 2k	0	15,459	0	0	0	0	15,459
	Over 10k	0		0	0	0	0	0
	Total	1,990	20,740	0	0	126,484	10,056	159,270
Dec-15	Under 2k	7	1,314	0	0	112,984	68,184	182,488
	Over 2k	0	0	0	0	0	0	0
	Over 10k	12,535	0	0	0	0	0	12,535
	Total	12,542	1,314	0	0	112,984	68,184	195,023
Quarter 3 Totals		19,684	30,156	0	0	239,468	79,663	368,971

Table 5:
Count for Quarter 3 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Oct-15	Under 2k	13	6	0	0	0	2	21
	Over 2k	0	2	0	0	0	0	2
	Over 10k	0	0	0	0	0	0	0
	Total	13	8	0	0	0	2	23
Nov-15	Under 2k	8	28	0	0	150	11	197
	Over 2k	0	4	0	0	0	0	4
	Over 10k	0	0	0	0	0	0	0
	Total	8	32	0	0	150	11	201
Dec-15	Under 2k	6	16	0	0	249	1	272
	Over 2k	0	0	0	0	0	0	0
	Over 10k	1	0	0	0	0	0	1
	Total	7	16	0	0	249	1	273
Quarter 3 Totals		28	56	0	0	399	14	497

Table 6:
Debts Written Off during Qtr 2 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Jul-15	Under 2k	13,632	115	0	0	0	0	13,747
	Over 2k	0	5,489	0	0	0	0	5,489
	Over 10k	0	0	0	0	0	0	0
	Total	13,632	5,604	0	0	0	0	19,236
Aug-15	Under 2k	2,031	0	0	0	0	0	2,031
	Over 2k	36,198	4,333	0	0	0	0	40,531
	Over 10k	0	0	0	0	0	0	0
	Total	38,229	4,333	0	0	0	0	42,563
Sep-15	Under 2k	7,359	10,554	0	0	0	113,562	131,475
	Over 2k	0	0	0	0	0	71,985	71,985
	Over 10k	0	0	0	0	0	0	0
	Total	7,359	10,554	0	0	0	185,547	203,460
Quarter 2 Totals		59,221	20,491	0	0	0	185,547	265,259

Table 7:
Count for Quarter 2 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Jul-15	Under 2k	41	1	0	0	0	0	42
	Over 2k	0	1	0	0	0	0	1
	Over 10k	0	0	0	0	0	0	0
	Total	41	2	0	0	0	0	43
Aug-15	Under 2k	8	0	0	0	0	0	8
	Over 2k	4	2	0	0	0	0	6
	Over 10k	0	0	0	0	0	0	0
	Total	12	2	0	0	0	0	14
Sep-15	Under 2k	35	32	0	0	0	182	249
	Over 2k	0	0	0	0	0	16	16
	Over 10k	0	0	0	0	0	0	0
	Total	35	32	0	0	0	198	265
Quarter 2 Totals		88	36	0	0	0	198	322

Table 8:
Debts Written Off during Qtr 1 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Apr-15	Under 2k	1,968	6,184	0	0	0	4,298	12,450
	Over 2k	0	0	0	0	0	0	0
	Over 10k	0	0	0	0	0	0	0
	Total	1,968	6,184	0	0	0	4,298	12,450
May-15	Under 2k	11,167	671	0	0	38,751	22,185	72,774
	Over 2k	0	0	0	0	0	0	0
	Over 10k	0	0	0	0	0	0	0
	Total	11,167	671	0	0	38,751	22,185	72,774
Jun-15	Under 2k	14,681	22,825	15,185	0	58,830	0	111,521
	Over 2k	15,784	5,489	4,874	0	0	0	26,147
	Over 10k	0	0	0	0	0	0	0
	Total	30,465	28,314	20,059	0	58,830	0	137,668
Quarter 1 Totals		43,600	35,169	20,059	0	97,581	26,483	222,892

Table 9

COUNT for Quarter 1 for 2015/16

Write-offs		Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
Apr-15	Under 2k	86	41	0	0	0	11	138
	Over 2k	0	0	0	0	0	0	0
	Over 10k	0	0	0	0	0	0	0
	Total	86	41	0	0	0	11	138
May-15	Under 2k	34	5	0	0	189	38	266
	Over 2k	0	0	0	0	0	0	0
	Over 10k	0	0	0	0	0	0	0
	Total	34	5	0	0	189	38	266
Jun-15	Under 2k	13	76	78	0	192	0	359
	Over 2k	0	1	1	0	0	0	2
	Over 10k	0	0	0	0	0	0	0
	Total	13	77	79	0	192	0	361
Quarter 1 Totals		133	123	79	0	381	49	765

Appendix B

Table 1: Debts written off during 2011/12

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
2011/12 Totals	£260,487	£145,284	£987,383	£2,808	£205,789	£772,683	£2,374,434

Table 2: Debts written off during 2012/13

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
2012/13 Totals	£110,876	£141,896	£886,890	£23,360	£1,015,408	£569,842	£2,748,272

Table 3: Debts written off during 2013/14

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
2013/14 Totals	£141,147	£256,804	£806,989	£8,681	£80,755	£221,380	£1,515,756

Table 4: Debts written off during 2014/15

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
2014/15 Totals	£291,469	£88,675	£1,163,134	£3,166	£205,007	£517,201	£2,268,652

Table 5: Debts written off during 2015/16

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Council Tax	NNDR	TOTAL
2015-16 Totals	£211,930	£141,411	£693,017	£6,075	£549,051	£741,557	£2,343,041

NAME	AMOUNT	DEPARTMENT	REASON
Mr Nigel Collins	£9,425.85	NNDR	<p>The account was live between 28 November 2011 and 31 March 2012.</p> <p>Numerous attempts were made to collect the debt as well as contact the debtor but to no avail.</p> <p>The Council issued the appropriate notices in line with legislation – reminders / final / summons notification as well as a subsequent liability order.</p> <p>The Council were provided with a forwarding address from the landlord on 7/8/2012 and the account was forwarded to the Enforcement Agents (Bailiffs) on 24/8/2012. Unfortunately the Enforcements Agents were unable to recover the debt or make any contact with the debtor.</p> <p>The Council also carried out various searches such as an Experian check and Land registry search - at the forwarding address but again to no avail. These searches were undertaken quarterly via all available tracing systems between 2012 and the date the debt was passed for write off.</p> <p>This balance is being written off due to the fact that the Council are unable to locate Mr Collins via all available tracing methods.</p>
Mr Egidijus Bajelis	£8,550.18	NNDR	<p>The account was live between 1 August 2010 and 31 July 2011.</p> <p>During this period the Council received no payment nor were they able to establish contact with the customer following various letters. A site visit was conducted on 22 August 2011. Unfortunately, the shop was boarded up with no signage visible.</p> <p>The Council obtained the necessary liability orders for both respective financial years, 1/8/2010 – 31/3/2011 & 1/4/2011 – 31/7/2011 in line with legislation.</p> <p>The Council attempted to collect the outstanding debt using external Enforcement Agents (Bailiffs) - in 2011 and 2012 but no contact could be made.</p> <p>The Council conducted Experian checks every 3 months after the account was closed in 2011 as well as carrying out a land registry search but to no avail. These</p>

			<p>searches continued until the date the case was passed to be written off in 2015 in the hope that the debtor could be traced.</p> <p>This balance is being written off due to the fact that the Council are unable to locate Mr Egidijus Bajelis via all available tracing methods.</p>
Miss Rubi Ham	£8,328.92	NNDR	<p>The account was live between 1 February 2008 and 22 March 2010 and during this time sporadic payments of £100 were being made on her behalf by her husband.</p> <p>During the life of the account it became apparent that Miss Ham was struggling financially as evidenced by the sporadic payments.</p> <p>Miss Ham's partner would make contact advising that Miss Ham herself was unwell, the business was struggling and as they had no income they couldn't pay the debt. The Council were unable to contact Miss Ham directly, all contact was made by her partner which increased the difficulty of procuring a payment.</p> <p>Direct debits were set up on the account and each attempt at collection failed from 2008 through to 2009.</p> <p>The Council did take the relevant recovery action in line with legislation during the account active period and in 3 instances arrangements were made but the debtor did not keep to the arrangements.</p> <p>The first arrangement was made 19.2.2010 for £896 per week to cover all arrears and current year debt. This was not adhered to.</p> <p>The account was then passed to the Enforcement Agents to collect the debt. The case was returned by the Enforcement Agent in June 2010 as they had only been able to collect £30. Miss Ham was now on benefits and in receipt of JSA.</p> <p>A second arrangement of £50 per month was offered but not kept.</p> <p>The Council's Court Officer then started to prepare papers to start proceedings to commit Miss Ham to prison for non payment.</p> <p>In September 2011 Miss Ham's father liaised with the Court Officer and a third arrangement of £100 per month was agreed. Miss Ham was receiving a total</p>

			<p>income of £317.09 per month.</p> <p>Also in September 2011 the Senior Officer advised the Court Officer to stop committal preparation as a magistrate would not commit someone to prison in such dire financial trouble. The arrangement was broken in April 2012 and a decision was made to write the debt off. While the debt was awaiting write off, the Council wrote to Miss Ham quarterly to offer her a long-term affordable arrangement plan which we received no response to, the debt was then written off in 2015.</p>
Mathura Ltd	£7,843.69	NNDR	<p>The company have no assets but still remain active, but winding them up would not be financially viable. The Council would potentially spend large sums to wind them up to recover nothing or very little making it not financially viable to pursue debtor. The account was live from 10/2/2010 until 10/2/2012 and tracing was carried out for the sole director but he could not be found.</p> <p>During the life of the account the Council obtained liability orders in respect of the financial year 2010/11 and 2011/12. Once the liability orders were obtained the Council passed the respective debts to the bailiffs, on two separate occasions in respect of each financial year until the debt was passed to be written off. All liability orders were returned unpaid and with no goods on which to recover no further action was taken, that is why the Council explored the option of bankruptcy as stated above.</p>
Mr Amjad Sharif	£7,692.79	NNDR	<p>The period of liability is from 10/6/2011 to 1/4/2013.</p> <p>Throughout the life of the account the property was empty and this was confirmed following various visits - 27/4/2012, 1/8/2012, 19/11/2012, 5/3/2013 & 9/5/2013.</p> <p>The Council were unable to serve the summon notices as there was no post box or anywhere to leave the notifications. The Council conducted quarterly Experian / Locta and Google searches and wrote to the landlord from February 2012 when the situation became apparent that the property was empty until the date the debt was written off.</p> <p>The landlord confirmed that as there was a lease in existence and therefore he was not responsible for the debt.</p> <p>Following various investigations the Council was unable to locate the debtor and</p>

APPENDIX C

			were left with no alternative but to write off the debt.
Mr Waseem Abbas	£7,040.12	NNDR	<p>The period of liability was from 1/4/2013 to 4/2/2014.</p> <p>The Council conducted various searches and found the debtor living in Redbridge.</p> <p>The account was then passed to the Enforcement Agent on 1/12/2013 and returned on 4/3/2014 as unable to trace. Although an address was located via our tracing searches the rate payer was not resident at this address so the address was either a care of address, incorrect or the rate payer had moved again. The Council continued to carry out quarterly traces until the debt was written off but to no avail. As the Council had been unable to trace the debtor a decision was made to write-off this debt.</p>
Mr Qamar Zaman	£7,018.03	NNDR	<p>The period of liability was from 19/08/2008 to 15/12/2011 and Mr. Zaman vacated without a valid forwarding address being provided.</p> <p>The Council served the appropriate notices but no payment was received. The account was then passed to the Enforcement Agents on several occasions during 2008/2009/2010/2011. In each instance the Enforcement Agents were unable to establish contact at the premises.</p> <p>The debt was recycled through bailiffs and quarterly tracing checks from 2011 to when the debt was written off however the Council were unable to ever establish another address for Mr Zaman. The Council have elected to write off the debt due to the customer having gone away with no trace.</p>

<p>Mr Arunas Zelvys</p>	<p>£7,007.13</p>	<p>NNDR</p>	<p>The period of liability was between 09/10/2010 to 1/5/2012 and Mr. Zelvys vacated without providing a valid forwarding address.</p> <p>The account was set up on the strength of an email of who the landlord was at the time (1/11/2010). However, shortly after the Council received correspondence from A2Z Motors and a Muhammad Khan claiming to be liable in the same month. The Council replied to them requesting a copy of the lease to support their claim, nothing was ever received. An inspection was carried out to clarify the matter, but the shutters were down and it appeared that nobody was present.</p> <p>The Council obtained liability orders for 2010/11 & 2011/12 and passed the debts to the Enforcement Agents on four occasions. The Enforcement Agents on one of their returns spoke to a neighbour, Mr Ramiz Malik who stated he was taking over the unit within the next two weeks.</p> <p>Various searches were conducted via, Experian/Locta and Google from 2012 to the date the debt was written off but unfortunately no trace could be found of the debtor. The Council have elected to write off the debt due to the customer having gone away with no trace.</p>
<p>Mr & Mrs Dumkwu</p>	<p>£6,767.37</p>	<p>NNDR</p>	<p>The period of liability was from 1/4/2009 to 20/1/2012 when the tenants vacated the property. The forwarding address provided was used and the debt was passed to the Enforcement Agents to collect.</p> <p>During the life of the account the Council did not receive any payment and we could not make contact with the ratepayer, despite numerous attempts by post and by visiting the premises. Whilst trying to establish contact a Court Summons was served and the Council obtained liability orders for the financial years 2009/10, 2010/11, 2011/12. In all instances the accounts were passed to the Enforcement agents but returned as untraceable.</p> <p>As there was no address on which to attempt recovery via the enforcement agents and/or bankruptcy/committal action regular trace searches, Experian/Locta and Google were undertaken until the case was passed for write off. The Council were unable to ever establish another address for Mr or Mrs Dumkwu and therefore has elected to write off the debt due to the customer having gone away with no trace.</p>

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

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