



Cabinet

Monday 11 April 2016 at 7.00 pm

Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Lead Member Councillors:

Portfolio

Butt (Chair)	Leader of the Council
Pavey (Vice-Chair)	Deputy Leader of the Council
Denselow	Lead Member for Stronger Communities
Hirani	Lead Member for Adults, Health and Well-being
Mashari	Lead Member for Employment and Skills
McLennan	Lead Member for Housing and Development
Moher	Lead Member for Children and Young People
Southwood	Lead Member for Environment

For further information contact: Anne Reid, Principal Democratic Services Officer
020 8937 1359, anne.reid@brent.gov.uk

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence.

Item **Page**

1 Declarations of personal and prejudicial interests

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2 Minutes of the previous meeting 1 - 14

3 Matters arising

Resources reports

4 Investment strategy 15 - 34

A proposed investment strategy is attached as appendix one to this report. It is intended to help deliver the borough plan and Brent 2020 objectives by investing in appropriate assets to generate financial returns, cut costs and deliver social value.

Ward Affected:
All Wards

Lead Member: Councillor Pavey
Contact Officer: Conrad Hall, Chief Finance Officer
Tel: 020 8937 6528 conrad.hall@brent.gov.uk

5 51 (Knowles House), 53 (former Anansi Nursery) and Westbrook Community Centre, Longstone Avenue, London NW10 3UN - investment proposals 35 - 48

This report proposes that capital investment be approved to enable Brent to redevelop 51, 53 and Westbrook Community Centre, Longstone Avenue, London NW10 3UN (the subject site), delivering 85 temporary and 40 new accommodation units for independent living homes and replacement community facilities, resulting in the termination of the existing leasing arrangements.

Ward Affected:
Kensal Green

Lead Member: Councillor McLennan
Contact Officer: Sarah Chaudhry, Head of Strategic Property
Tel: 020 8937 1705
sarah.chaudhry@brent.gov.uk

Children and Young People reports

- 6 Determination of the proposal to permanently increase the age range and expand Roe Green Infant School on a split site** 49 - 92

In line with the School Place Planning Strategy approved by Cabinet in November 2015, Brent Council has proposed the expansion of Roe Green Infant School by including the Strathcona site and a change in its age-range at the Strathcona site. This proposal has the support of the Governing Body of Roe Green Infant School. This proposal makes permanent the provision called Roe Green Strathcona that was initially established on a temporary basis.

This report informs the Cabinet of the outcome of the statutory consultation on the proposal and recommends that the statutory proposal to expand and change the character of Roe Green Infant School be approved.

Ward Affected:
All Wards

Lead Member: Councillor Moher
Contact Officer: Cate Duffy, Operational
Director, Early Help and Education
Tel: 020 8937 3510 cate.duffy@brent.gov.uk

Regeneration and Environment reports

- 7 Authority to award the works contracts for the Design and Build of Phase 3 Primary School Expansion Projects** 93 - 112

This report requests authority to award a number of separate contracts for the design and build of school expansions at Byron Court Primary School, Elsley Primary School, The Stonebridge Primary School and Uxendon Manor Primary School as required by Contract Standing Order No 88. This report summarises the processes undertaken in tendering these contracts and, following the completion of the evaluation of the tenders, recommends to whom the contracts should be awarded.

Ward Affected:
Kenton

Lead Member: Councillor McLennan
Contact Officer: Cheryl Andani, Property and
Asset Management
Tel: 020 8937 3227 cheryl.andani@brent.gov.uk

- 8 The provision of Civil Enforcement Agents for the Recovery of Parking and Traffic Debt** 113 - 122

This report considers options open to the council in respect of the recovery of parking and traffic Penalty Charge Notice debt.

Ward Affected:
All Wards

Lead Member: Councillor Southwood
Contact Officer: Gavin F Moore, Head of

9 Source London 123 -
132

This report sets out a proposal to enable an increase in uptake of electric vehicles by Brent residents by entering into contract with BluePointLondon Ltd in respect of the Source London EVCP Scheme.

Ward Affected: All Wards
Lead Member: Councillor Southwood
Contact Officer: Tony Kennedy, Head of Transportation
Tel: 020 8937 5151 tony.kennedy@brent.gov.uk

10 Reference of item considered by Scrutiny Committee (if any)

11 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

12 Exclusion of Press and Public

The following item are not for publication as they relate to the following category of exempt information as specified in the Local Government Act 1972 namely:

- Item 7 APPENDIX: Authority to award the works contracts for the Design and Build of Phase 3 Primary School Expansion Projects**
Item 13 Confidential debt recovery

13 Confidential debt recovery 133 -
134

Ward Affected: All Wards
Lead Member: Councillor Pavey
Contact Officer: Fiona Alderman, Chief Legal Officer
Tel: 020 8937 4101
fiona.alderman@brent.gov.uk

Date of the next meeting: Monday 23 May 2016



- Please remember to set your mobile phone to silent during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.



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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 14 March 2016 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor Pavey (Vice-Chair) and Councillors Denselow, Hirani, Mashari, McLennan, Moher and Southwood

Also present: Councillors Duffy and Kelcher

1. **Declarations of personal and prejudicial interests**

None declared.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 8 February 2016 be approved as an accurate record of the meeting.

3. **Matters arising**

4. **Determination of the proposal to permanently expand The Village Special School**

Councillor Moher, Cabinet Member for Children and Young People, introduced the report informing the Cabinet of the outcome of the statutory proposals to increase the number of places at The Village School from April 2016. Councillor Moher stated that the Village School, Grove Park, Kingsbury, London, NW9 0JY, was a maintained community special school designated to provide school places for pupils between the ages of 4 to 19 with Severe Learning Difficulties (SLD) / and Profound and Multiple Learning Difficulties (PMLD).

Councillor Moher stated that the school currently has a planned admissions number (PAN) of 235 permanent places and the proposal was to increase the (PAN) to 270 permanent places by April 2016. As at 19 February 2016 there were 269 children on roll at The Village School. The school has admitted pupils above its existing planned admissions number (PAN). Under the most recent school organisation guidance (January 2014) Governing Bodies were able to increase their numbers as long as the admissions authority was content for the published admissions number (PAN) to be changed where this formed part of expansion plans, in accordance with the School Admissions Code.

Councillor Moher informed members of the Cabinet that the Councils Brent Council been consulted with staff, parents and the community on the proposal to increase the pupil numbers.

RESOLVED:

- (i) that the expansion of The Village School by adding 35 new places for students aged 4 to 19 from April 2016 be approved;
- (ii) that the Strategic Director for Resources be authorised to approve the lease of Kingsbury School premises on satisfactory terms being agreed.

5. **Library Stock Contract**

Councillor Denselow, Cabinet Member for Stronger Communities, introduced the report highlighting the officer recommendation following the successful procurement exercise for the supply of stock items to Brent library service.

Councillor Denselow stated that in February 2015 Cabinet had authorised officers to review two frameworks, Central Buying Consortium (CBC) and London Libraries Consortium (LLC) to determine which would provide the best value and most efficient service. The new CBC Framework has an estimated purchasing power of £19,000,000 and the CBC had negotiated a strong range of discounts with greater flexibility than other frameworks.

Councillor Denselow stated that it was therefore felt to be the strongest framework in terms of providing value for money to Brent Council.

The recommendation from the review was for Brent to call off from the CBC framework to provide the majority of its library stock.

RESOLVED:

- (i) that approval be given to the Council becoming an Associate Member of the Central Buying Consortium (CBC) Library Group from 1 April 2016 for up to four years;
- (ii) that approval be given for the Council to call off services under the CBC single supplier Library Book and AV Framework;
- (iii) that approval be given for the Council to enter into a call off contract and place an order with the winning bidder, Askews and Holts Library Services Ltd, for an initial two years with the option to extend for a further two years effective from 1 April 2016.

6. **Adult Social Care - Charging for Services**

Councillor Hirani, Cabinet Member for Adults, Health and Well-being introduced the report stating that The Care Act 2014 gave local authorities the power to charge for services for care and support and replaced existing provisions under the Council's Fairer Contribution for Services and Charging for Residential Accommodation Guidance (CRAG). The overarching principle is that people should only be required

to pay what they can afford. People would be entitled to funding from their local authority based on a means-test and some would be entitled to free care. Statutory guidance published by the Department for Health set out how the local authority should interpret the provisions of the Act.

Councillor Hirani stated that this report related to a minor change in the current policy detailing how people were financially assessed in order to establish their financial contribution towards their care.

The report set out the consultation process that would need to take place in order to ensure residents are made aware of the potential changes to the policy and process, and to demonstrate the council's commitment to maintaining current practices with regards to charging for care and support services, but within a new single financial charging policy in accordance with the Care Act 2014.

Councillor Butt, Leader of the Council, stated that consultation would take place for 30 days from 1 April 2016 to 1 May 2016.

RESOLVED:-

- (i) that a 30 days consultation period be undertaken on the:
 - (a) Implementation of a new Charging Guidance 2016 Policy which brings together the current Fairer Contribution Policy and national guidance for residential care under CRAG.
 - (b) Implementation of light touch assessment in accordance with the Care Act 2014;
- (ii) that an average charge of £29.07 be made for those customers who were in receipt of services.

7. **Temporary Accommodation Reform Plan**

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that the report set out a plan of action to improve the quality of accommodation and services available to homeless households at reduced revenue cost to the council, whilst alleviating the pressure to allocate so much social housing to homeless households. She stated that the main points of this were summarised in the report with the Temporary Accommodation Reform Plan appended as Annex 1.

Councillor McLennan informed Cabinet members that the proposed programme over the next three years was based on an analysis of the types and costs of Temporary Accommodation and the costs and difficulties in provision of private rented sector accommodation for homeless households by the borough at present and going forward.

She stated that the plan attempted to estimate likely homelessness demand to the end of 2018/19. By comparing that with estimated supply of different types of accommodation to prevent homelessness and accommodate homeless households over the same period, it estimated the likely trend in numbers in temporary accommodation and the associated costs to the council without reform.

The analysis showed an improved financial position in 2016/17, as the council benefits from the success of its efforts to reduce the use of Bed & Breakfast (B&B) accommodation in 2015/16. However, after 2016/17, without reform increasing pressures and costs to the council were expected as private sector rents diverge further from Housing Benefit levels, causing increased homelessness and reducing the council's ability to end a homelessness duty in the private rented sector (PRS) year on year.

Councillor McLennan reiterated that, if successful, implementation of this plan would deliver long term savings to the council and better quality accommodation for homeless households, whilst reducing pressure on the council's social housing allocations.

She stated that the report asked for approval of a number of specific measures within the plan including commitment of funds to purchase private rented sector accommodation suitable for long term occupation by homeless households.

RESOLVED:

- (i) that the analysis of current and future temporary accommodation supply and cost issues for the next three years be noted;
- (ii) that the approach set out in the Temporary Accommodation Reform plan to improve the quality of accommodation for homeless households at reduced cost to the council over the period to March 2019 be approved as summarised in the submitted report and set out in Annex 1 to the report;
- (iii) that initial capital expenditure of £10m for the acquisition of private rented properties (as set out in paragraphs 7.27 to 7.39 and Annex 1 of the report) be approved, subject to financial criteria to be agreed by the Chief Finance Officer.

8. Authority to award contract for building works at Leopold Primary School, (Brentfield Road site, Stonebridge)

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that in, January 2015, Cabinet had previously approved the recommendation to include Leopold Primary School within Phase 3 Primary School expansion programme and approved the commencement of the procurement process for the building contract works, based on pre-tender considerations set out in that report. In November 2015 Cabinet approved the permanent expansion of Leopold Primary School.

In accordance with the Contract Standing Orders 88 and 89, a high value works contract procurement process was undertaken. Tenders have now been received and evaluated. The report requested authority to award the building works contract as required by Contract Standing Order 88. This report summarised the process undertaken in tendering this contract and recommended the contractor to whom the contract should be awarded.

RESOLVED:

that the works contract for the construction works at Leopold Primary School (Brentfield Road) be awarded to GMS Building Services Ltd at a contract sum of £1,389,897.15.

9. South Kilburn Regeneration Programme - Phase 4 notices

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report summarising the progress made on the regeneration of South Kilburn and setting out the approvals required by the Cabinet to further progress Phase 4 of the regeneration programme.

She indicated that the report set out the approvals required by the Cabinet to serve demolition notices on Phase 4B of the South Kilburn regeneration programme (being Dickens House, Blake Court, Crone, Zangwill and John Ratcliffe House). This would enable the next major phase of the Regeneration programme to be initiated.

Councillor Duffy, Kilburn Ward, welcomed the report and agreed to meet with Councillor McLennan to discuss publicity and consultation in the area.

RESOLVED:

- (i) that the progress made to date in delivering the South Kilburn Regeneration as detailed in the submitted report at Appendix 1 to the report be noted;
- (ii) that the serving of demolition notices and the suspension of secure tenants' Rights to Buy in relation to secure tenancies in blocks Dickens House, Blake Court, Crone, Zangwill and John Ratcliffe House (together defined as 'Phase 4B' of the South Kilburn regeneration programme) be authorised and the Strategic Director of Regeneration and Environment be authorised to issue all and any notices required to be issued in connection with such demolition.

10. A new South Kilburn Enterprise Hub and Homes - approval to enter into the GLA Grant Agreement

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that working in partnership with the Oxford Kilburn Club (OK Club) and the South Kilburn Trust (SKT), the 'in principle' proposal was for land assembly and redevelopment comprising a new South Kilburn Enterprise Hub and approximately 40 homes.

Councillor McLennan stated that the report detailed the proposal and asked members to approve entering into the GLA grant agreement. At the appropriate time the Cabinet would be asked to approve the land transaction and further agreements.

RESOLVED:

- (i) that approval be given to entering into the Greater London Authority Grant Agreement, securing £1.8m funding, to develop the proposed South Kilburn Enterprise Hub;

- (ii) that the Strategic Director of Regeneration and Environment be delegated authority to finalise the terms of the proposed GLA Grant Agreement, subject to consultation with the Strategic Director of Resources.

11. **Highways Capital Scheme Programme 2016-17**

Councillor Southwood, Cabinet Member for Environment, introduced the report stating that in 2015/16 approximately £4.629m would be spent improving the condition of Brent's highways, including resurfacing of 9.5 miles of road and 4.3 miles of pavement. This equated to 3% of the road network and less than 1% of the pavements. The investment included £3.55m of Brent capital and £1.079k of TfL capital funding for principal (A road) maintenance.

She stated that, during 2016/17, it was proposed to allocate £3.55m of Brent capital to maintain the highway network, subject to approval of the Budget and Council Tax report to be submitted to Cabinet and Full Council in February 2016.

In addition to £3.55m of Brent capital, TfL have on 22 December 2015 confirmed funding of £0.901m of Principal Road (A-road) improvements. This was a decrease against the 2015/16 Principal road programme value of £1.079 m.

Councillor Southwood stated that the report set out recommendations for how Brent's £3.55m capital budget should be allocated during 2016/17.

The programme criteria has been shaped in discussion with elected members and would be delivered using Brent's Highway Asset Management Planning (HAMP) approach, which provided a systematic long term methodology for maintaining the borough's highways. The HAMP approach, which was started in 2014/15, will deliver better value for money through adoption of a sensible and forward thinking maintenance plan.

Councillor Southwood stated, in line with public and elected member priorities, further investment in the roads and pavement network would also be considered this year to improve our performance and reduce reliance on reactive maintenance. Future proposals and priorities to cover a medium term (up to 5 years) approach will see more miles of road maintained each year and our customers would have greater visibility as to the relative status of their roads. As such proposals for 2017/18 priorities would be submitted to a later meeting of the Cabinet as part of this ongoing process. Furthermore the outcome based review of the physical, social and environmental regeneration, which has just begun, would seek to secure greater strategic alignment between the council's vision and its investments in the borough's infrastructure.

Councillor Southwood stated that future investment would be aimed also to address the following: achieving greater equality in condition between footways and carriageways; addressing localised conditions in an area patching programme to extend the life of roads; accommodating members' requests for regenerating high streets by giving them greater priority, so improving their look and feel; and consideration of alternative materials, for instance replacing slabs with tarmac when doing full footway renewals.

Councillor Southwood stated that all this will be set out in greater detail in the future "Investment in Highways Report".

In response to a question from Councillor Duffy, Kilburn Ward, Conrad Hall, Chief Finance Officer, agreed to circulate a briefing to Members about a previous one off central government grant of £300,000.

Councillor Pavey, Deputy Leader, welcomed the changes to the process in comparison with previous years.

RESOLVED:

- (i) that investment of £3.55m of Brent capital funding as summarised in Section 6.0 of the submitted report be approved;
- (ii) that the proposed highways maintenance programme for 2016-17 as detailed in Appendix B of the submitted report be approved.

12. **Parking Issues Report**

Councillor Southwood, Cabinet Member for Environment, stated that, following the Cabinet meeting on 16 November 2015, it was proposed that a holistic review of on-street parking would be undertaken.

She stated that the report set out a series of changes to the way in which the council manages, and charges for, on street parking.

Subject to Cabinet approval, it would result in a widespread consultation with local residents and businesses leading to a final set of proposals which will come back to Cabinet in June 2016.

Councillor Mashari, Cabinet Member for Employment and Skills, encouraged engagement with small and medium sized enterprises on this subject given the impact Controlled Parking Zones could have on businesses.

In response to a question from Cllr Kelcher, Chair of Scrutiny, it was agreed include carers in the list of stakeholders to be consulted on the proposals.

Councillor Southwood also stated that she would work with ward councillors to identify residents associations across the borough to consult.

Councillor Duffy, Kilburn Ward, said that the current system could be open to abuse.

RESOLVED:

that the following be agreed:

Demand-Led Pay and Display Tariffs:

- To consult residents and businesses on a recommendation to freeze parking prices in Pay & Display bays borough-wide.

Daily Visitor Parking Charges:

- To consult residents and businesses on introducing new visitor parking arrangements in CPZ areas, with a £1.50 charge for up to 2 hours, a £3 charge for up to 4 hours, and a £4.50 charge for 'all-day' visitor parking of more than 4 hours.

Visitor Household Permit:

- To consult residents on withdrawing the Visitor Household permit.

Carer's Permit

- Subject to 2.3 above, to consult residents on the introduction of a new annual Carer's Permit at a 2016/17 rate of £165 for a full year; £99 for 6 months and £66 for three months; and with future increases linked to the same inflation formula and April revision date used for Resident Parking Permit price increases.

School Parking Permit:

- To consult residents and schools on allowing schools within CPZs to:
 - Purchase a maximum of 3 business permits at the standard rate (£361 in 2015/16) and terms and conditions; and
 - Purchase a maximum of 3 school parking permits at a rate discounted by 25% to reflect term-time use only providing the school has a bronze level accredited travel plan;
 - Purchase additional school parking permits at the reduced term-time rate should they have either a silver (up to 6 school permits in total) or a gold (up to 9 school permits in total) level accredited travel plan.

Household Car Permits:

- To consult residents on measures to combat air pollution, including:
 - Simplifying emission-based bandings for resident household permits, as set out in paragraph 7.3, to provide clearer encouragement to switch to low-emission vehicles
 - Capping the number of resident permits allowed per household to 2 cars
 - Introducing a £25 supplement for diesel cars to reflect their additional contribution to air pollution
 - Introducing a minimum charge of £25 for any resident parking permit for a vehicle other than a powered two-wheel vehicle
 - Reducing the permitted weight of vehicles with resident permits to 3.5 tonnes

Visitor Permits:

- To consult residents on measures to manage demand, including:
 - Capping the number of visitor permits a household can buy to a maximum value of £350 a year (equivalent to just over 75 full day permits, 115 four hour sessions or 230 two hour sessions, or any combination thereof).

Trader Permits:

- To consult local businesses and residents on:
 - Making specific provision for the parking needs of local traders, in particular those engaged in residential building works.

Parking Statutory Guidance:

- The official list (as set out in paragraph 11.10) of officer posts permitted to cancel a Penalty Charge Notice, in accordance with the Secretary of State's Statutory Guidance on parking enforcement.

13. Shared Passenger Transport Service with the London Borough of Harrow

Councillor Southwood, Cabinet Member for Environment, introduced the report which stating that a project had been established in 2014 to provide significant savings through a transformational change in the delivery of the council's passenger transport service (BTS). The objective was to deliver £538k savings in BTS in 2015/16 and a further £100k in 2016/17. The projected timeframe for full delivery was in the order of twenty-four months based on a start date of August 2014. The savings were set against the base budget.

Councillor Southwood stated that work by the Children and Young People Department began to get underneath the pattern of demand and the very real difficulties of reducing it within the time frame required. At the root, rising demand and lack of in borough places.

She stated that officers have sought to bring forward as many savings as quickly as possible by creating a collaborative solution with the London Borough of Harrow which was seeking to establish itself as a regional transport hub. Both Brent and Harrow have passenger transport services and are responsible for transporting adults and children with particular needs from their homes to specified schools, colleges or day centres. This proposal was for a fully shared passenger transport service, delivered from Harrow's Central Depot and ready for the start of the academic year in September 2016.

Councillor Southwood stated that the proposal was expected to create financial savings for both councils whilst still ensuring a high standard of service is maintained.

RESOLVED:

- (i) that a shared service arrangement be entered into with the London Borough of Harrow for the provision of special needs transport from September 2016;
- (ii) that approval be on the basis of the initial savings opportunities that have been identified and officers be authorised to work with Harrow over a further period from March to September 2016 to establish the maximum savings profile possible;
- (iii) that approval be given to Harrow leading on the necessary procurement of labour supply and taxi contracts in 2016/17.

14. Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols

Councillor Southwood, Cabinet Member for Environment, introduced the report setting out proposals to deploy a suitably experienced and qualified contractor to provide uniformed enforcement officers and the necessary infrastructure for the delivery of dedicated enforcement of street scene and environmental offences such as litter, dog fouling, fly-tipping, spitting, fly posting and graffiti at problem areas across Brent.

She stated that this would require the contractor to provide a team of experienced and competent enforcement officers, a team leader and adequate administrative support to create a high profile, self-funding enforcement initiative tackling street

scene issues across Brent. The primary focus of the initiative in the first instance was to make Brent cleaner and change behaviour towards environmental offences.

Councillor Southwood outlined the proposed one-year pilot contract to be entered into with Kingdom Security Ltd, to be evaluated throughout, and with a full procurement taking place during the course of that year, should the pilot prove to be successful.

Councillor Mashari, Cabinet Member for Employment and Skills, welcomed the report stating that residents would welcome such an initiative.

In response to a question from Councillor Duffy, Kilburn Ward, Councillor Southwood stated that the uniform design will be subject to consultation with the Cabinet and signed off by the Strategic Director.

In response to a question about the London Living Wage, Councillor Southwood stated that Kingdom would pay their officers £9.61 per hour. This will be for a 5 day week over 7 days. The Team Leader would receive £12.00 per hour.

Councillor Southwood stated that a full procurement process will only be undertaken if the model works. She explained that expanding the council's operation by recruiting officers, training and improving the administrative infrastructure would not only be more costly but would take longer. She reminded Members that Kingdom also offers a tested back office system which provides management, administrative support and access to an area support system for identification checks.

In response to a question from Councillor Duffy, Kilburn Ward, Conrad Hall, Chief Finance Officer, stated that the purpose of the pilot was to inform any potential future business model.

In response to a question from Councillor Kelcher, Chair of Scrutiny, it was clarified that Kingdom Security Limited currently provided services in Harrow, Ealing, Havant, Barnsley, Knowsley, Denbighshire, Birmingham City, Maidstone and Croydon. Councillor Southwood stated that officers had entered into discussions with Ealing and Harrow Councils about their partnerships with Kingdom Security Limited.

RESOLVED:

- (i) that a pilot contract for the delivery of a uniformed service for the enforcement of street scene and environmental offences in the borough be exempt from the requirements of the Council's Contract Standing Orders in respect of conducting a tender process;
- (ii) that the proposal to enter into a pilot contract with Kingdom Security Limited for the delivery of a payment-by results, cost-neutral uniformed service for the enforcement of street scene and environmental offences in the borough for a period of 12 months be approved;

- (iii) that the proposal to suspend the offer of a reduced payment for early settlement of litter-related Fixed Penalty Notices for the period of the pilot be noted and endorsed.

15. **Procurement Strategy and Social Value Policy**

Councillor Pavey, Deputy Leader, introduced the report seeking approval to a Procurement Strategy for Brent for the financial years 2016 – 2018 inclusive as set out in Appendix A of the report.

Councillor Pavey stated that the principal aim of the Procurement Strategy was to ensure that the Council's Procurement framework and function was aligned to the strategic needs of the Council.

Councillor Pavey stated that the Procurement Strategy set out a vision for procurement in Brent to be an enabling function that supports the Council to be effective, providing value for money, supporting local business and achieving social value to meet the needs of Brent's residents and businesses.

Councillor Pavey also indicated that approval was also sought to a Social Value Policy as set out in Appendix B. The Policy supports the Procurement Strategy and its principal aim is to ensure that the Council's procurement activities maximise the opportunity to obtain Social Value benefits that can help deliver aspects of the Borough Plan.

RESOLVED:

- (i) that the Procurement Strategy for the financial years 2016–2018 inclusive as set out in Appendix A of the report submitted be approved;
- (ii) that the Social Value Policy as set out in Appendix B of the report submitted be approved;
- (iii) that the establishment of a joint Member/Officer Social Value Advisory Group to oversee the development and implementation of Social Value in the Council be approved as detailed in paragraph 3.11 of the report submitted.

16. **Voluntary Sector Initiative Fund - Infrastructure Grant 2016-2018**

Councillor Butt, Leader of the Council, stated that this report seeks agreement on the change of terms of the Voluntary Sector Initiative Fund – Infrastructure Grant for CVS Brent from one year to two years from April 2016.

Councillor Butt stated that the current Voluntary Sector Initiative Fund (VSIF) which was approved in 2012 has been allocated to four funding streams: i) Local Grants ii) Infrastructure Support iii) Advice & Guidance Contracts and iv) London Council's Grant with a total yearly budget of £2.04M.

He informed members that changes to the terms of the VSIF Local Grants 2016-2018 from 3 year to 2 year grants were approved in February 2016. He stated that an annual £410K savings requirement from the VSIF, to be implemented from April 2016, was agreed as part of the Council's wider budget savings in February 2015.

It was clarified that these agreed savings do not impact the VSIF Infrastructure Grant as savings were agreed elsewhere within the VSIF.

The approved annual VSIF Infrastructure Grant was £161K and is currently awarded to CVS Brent on a yearly basis through a conditional grant. The proposed two year grant will total £322K (£161K per year).

RESOLVED:

- (i) that the award of conditional grant funding of the Voluntary Sector Initiative Fund Infrastructure Grant to CVS Brent in the sum of £161K per annum for a period of two years be approved;
- (ii) that the introduction of a grant condition requiring the payment of all staff funded through the grant referred to in paragraph 2.1 of the report submitted to be at the level of the London Living Wage be approved.

17. Reference of item considered by Scrutiny Committee (if any)

Carolyn Downs, Chief Executive, stated that due to an administrative misunderstanding, an item that the Council's Scrutiny Committee had intended to refer to this Cabinet meeting was not on the agenda. It was noted that the item would be referred to the Cabinet meeting in April 2016.

18. Exclusion of Press and Public

RESOLVED:

That the public and press be excluded during consideration of the following item which contains exempt information defined as:

Information relating to the financial or business affairs of any particular person (including the authority holding that information);
Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

19. Regularisation of land ownership

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report.

RESOLVED:

that the Strategic Director of Resources, together with the Strategic Director of Regeneration and Environment, the Chief Legal Officer and the Chief Finance Officer and in consultation with the Leader of the Council and the Lead Member for Regeneration and Housing be delegated authority to achieve the best settlement reasonably obtainable including seeking to optimise protection to the Council's interests should there be a subsequent change of use, but with a preference for the strategy outlined in Option 2 in the report submitted.


20. Any other urgent business

Councillor Southwood, Cabinet Member for Environment, congratulated the Council's Parking Team for winning Team of the Year at The British Parking Awards which took place on 4 March.

The meeting ended at 8.55 pm

M BUTT
Chair

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 Brent	<p style="text-align: center;">Cabinet 11 April 2016</p> <p style="text-align: center;">Report from the Chief Finance Officer</p>
For Action	Wards affected: ALL
Investment Strategy	

1. Summary

- 1.1. Council set the revenue budget for 2016/17 and the medium-term capital programme at its meeting of 22 February 2016. As part of that report it was noted that:

“It is intended to bring [an investment strategy] for approval in the early part of the 2016/17 financial year.”

- 1.2. A proposed investment strategy is attached as appendix one to this report. It is intended to help deliver the borough plan and Brent 2020 objectives by investing in appropriate assets to generate financial returns, cut costs and deliver social value.
- 1.3. Delivering the investment strategy will require the council to adopt a new approach to capital financing and risk management. Significant levels of borrowing will be required, and the strategy sets out how the risks in this will be managed in order to deliver the objectives.

2. Recommendations

- 2.1. To agree the investment strategy as attached as appendix one.
- 2.2. To note that individual investment decisions will be subject to specific approval by Cabinet.
- 2.3. To agree that the management of the council’s reserves will be centralised in order to facilitate the delivery of the investment strategy.
- 2.4. To agree, as part of 2.3, that a new £12m investment reserve will be established through re-designation of existing reserves, in order to deliver the investment strategy.
- 2.5. To delegate to the Chief Finance Officer authority to amend the technical criteria for evaluating investments as necessary.

3. Detail

- 3.1. The investment strategy is attached at appendix one.
- 3.2. It has been prepared through a process of detailed research and review of the capital programme. In addition, a Members' development session was held on 15 March 2016, and the feedback from that taken into account in finalising the strategy. In particular, the session showed that there was support for the broad principle of adopting a more ambitious and proactive approach to investment. This would be subject to appropriate Member oversight arrangements being in place, in addition to Cabinet approvals, and proposals on this will be developed throughout the implementation of the strategy.
- 3.3. In addition the session stressed the importance of ensuring that the strategy was aligned with proposals around the community infrastructure levy and its use.

4. Equalities Implications

- 4.1. There are no specific equalities implications in adopting the investment strategy. Individual investment decisions will be subject to equalities screening as appropriate.

5. Financial Implications

- 5.1. There are no specific financial implications in agreeing the investment strategy. Clearly, there are significant financial opportunities and risks to be managed in delivering the strategy, which will be subject to individual Cabinet decisions as appropriate.
- 5.2. The total resources needed to deliver the strategy, and the savings and other benefits flowing from it cannot be quantified at this stage. However, Cabinet should note that significant financing will be required to achieve the objectives set out, mostly from CIL, s106 agreements and debt financing, which will be augmented by the specific £12m reserve.

6. Legal Implications

- 6.1. There are no specific legal implications in agreeing the investment strategy, and the council has the general powers, in principle, to enter into additional borrowing that may be required to deliver the strategy. Clearly, there will be legal implications in individual investment decisions, which will be considered by Cabinet as appropriate.

7. Appendices

- 7.1. The strategy is attached at appendix one.

8. Contact Officers

8.1. Conrad Hall, Chief Finance Officer conrad.hall@brent.gov.uk

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DRAFT INVESTMENT STRATEGY

Executive summary

- 1 Brent's long-term vision, set out in the borough plan, is to

"...make Brent a great place to live and work, where people feel they have opportunities to change their lives for the better."

- 2 The Brent 2020 programme is integral to delivery of the vision and sets out the council's key priorities for the next four years. These are:
 - **Employment & Skills** – to respond to the increase in the working age population and lift people out of poverty and welfare dependency;
 - **Regeneration** – to improve the economic, social and environmental conditions in the borough;
 - **Business and housing related growth** – to maximise the tax base to support the delivery of core services;
 - **Demand management** – to manage down the pressures on needs led budgets; and
 - **Raising income through our assets** – to support the delivery of core services.

- 3 The purpose of the investment strategy is to set the framework through which the capital programme helps to deliver these priorities. It will do this by ensuring that sufficient capital finance is made available to fund strategic investment, provided that investment is:
 - **Focused** on delivering the council's key strategic objectives;
 - **Sustainable**, providing long-term reductions in the cost of service delivery or net additional income;
 - **Based** more on acquiring and enhancing assets for long-term value than on disposing of them for short-term gain; and
 - **Supported** by rigorous professional financial appraisal techniques and appropriate financing arrangements.

- 4 The scale and scope of ambition of the investment strategy is substantial. The current, 2016/2020, capital programme includes investment of £390m, but is largely focused on maintaining existing infrastructure, or enhancing existing provision to meet rising demand, such as the school expansion programme. This new investment strategy will continue to meet such need, but shifts the focus of the council's capital expenditure plans from:
 - short term solutions to the **long term public investment** needed to transform the borough and the lives of its residents;

- financing based on short-term asset disposal to long-term borrowing and **prudent use of reserves** to fund asset acquisition and enhancement;
 - a loosely coherent set of departmental investment plans to a **co-ordinated and focused** single plan;
 - traditional delivery mechanisms and structures to embracing **innovative and agile** corporate structures to help improve delivery; and
 - an assumption of minimum risk and minimum return to a strategy based on taking **judicious and properly managed risks** to transform the borough.
- 5 The initial focus will be on meeting short-term housing need, through the temporary accommodation reform strategy, which seeks to invest £150m in acquiring housing stock to help meet emergency accommodation needs, drive down the long-term mismatch between demand and supply and provide substantial cost reductions. Smaller but nonetheless significant investments in other key service areas are also likely to be necessary in the short-term. These will help to manage demand for core services and so free up resources for other investment.
- 6 Over the medium to longer term the focus of the investment strategy will shift to ensuring that the opportunities in the borough can be seized. This will include:
- Investment in major development sites to secure the right blend of housing, employment opportunities and transport infrastructure at
 - Old Oak Common;
 - The Wembley and Alperton Housing zones;
 - Opportunity sites like Harlesden, Stonebridge and Willesden; and
 - Delivering planned regeneration in Church End and Bridge Park.
 - Revitalising high streets as major retail destinations;
 - Considering how to attract more jobs, and more high quality jobs, into the borough;
 - Examining the case for investment in heat networks and power generation, including through renewable energy; and
 - Strategic property acquisitions to enable future long-term regeneration.
- 7 Above all, the focus will be on identifying and then seeking to deliver fundamental or 'game changing' investments in infrastructure, such as a Crossrail station or university campus within the borough, which would have the potential to transform the long-term economic prosperity of the borough and its residents.

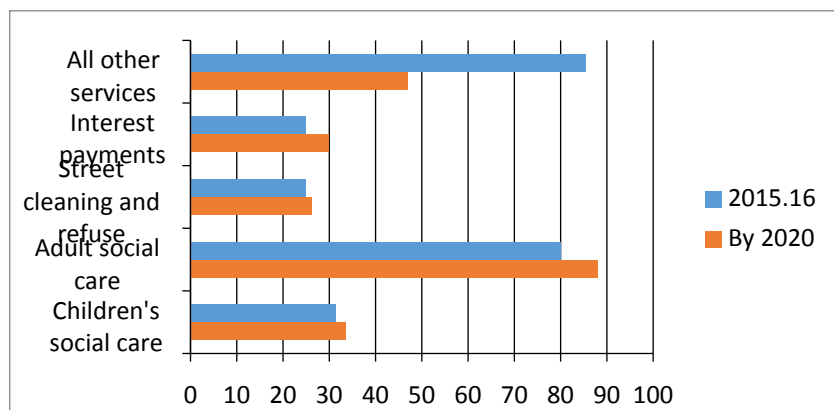
- 8 The investment strategy is not a set of un-costed spending plans. It is a framework to enable all of the above to happen, in particular to use the council's reserves and prudential borrowing powers in more creative and imaginative ways than before to enable the above to happen. These commitments cannot be entered into lightly. Reserves can only be spent once and borrowing must be repaid with interest. Adopting the strategy therefore means accepting different financial risks and this strategy also sets out how these will be properly managed and mitigated. However, it is important to stress that the investment strategy is a direct response to the changing financial landscape faced by local authorities and that there are also significant risks associated with not adopting this new strategy.

Structure

- 9 The investment strategy has the following components:
- a. Context
 - b. Definition and scope of the investment strategy
 - c. Strategic context and link to other plans and strategies
 - d. Investment criteria, financing, risk management and governance
 - e. Action plan

Context

- 10 On a like for like basis Brent's funding from central government has been cut by at least half since 2010. Such central funding as remains in 2016 will be cut further and significantly by 2020, and the further re-localisation of business rates will result in councils raising most of their funding locally, rather than relying on national grants as is currently the case.
- 11 At the same time the inexorable impact of demographic pressures means that more and more of the council's budgets will be consumed by care services for vulnerable adults and children, as demonstrated by the graphic below.



- 12 Without an investment strategy in place the council will, at best, merely be able to react to these pressures. This would result in a greater and greater proportion of its resources being consumed by supporting its most vulnerable citizens. Protecting these citizens will always be a key priority and a significant spending commitment, but with the localisation of business rates there will need to be a clearer link between the sources of council financing and the services they support. The investment strategy is one of the ways in which the council can preserve a meaningful offer on universal services as part of this.
- 13 The investment strategy is a key component of the strategy for managing down long-term costs without compromising service quality and one of the key ways in which the council will increase the attractiveness of the borough as a place to do business, bringing in additional resources to support services for those who depend on them and opportunities for those able to take advantage of them.

Definition and scope of the investment strategy

- 14 Investment is classically defined as:

“...the act of putting money, effort and time into something to make a profit or get an advantage...”
- 15 Most practical definitions would tend to focus on the words “money” and “profit”, as investment is often typically associated with a private sector context. The financial disciplines associated with investment – sound financial analysis, mature pricing of risk and understanding of returns – are wholly relevant and apply to this investment strategy exactly as they would in a private sector context. However, the council, rightly, takes a much broader view of the return on investment to “*get an advantage*”.
- 16 Advantages are widely defined to meet the council’s social objectives and the requirement for a direct financial return. It is the blend of these factors that is critical. If only social objectives are taken into account then the council is delivering services, which is a vital activity but is not investing.
- 17 However, purely financial investments are excluded as not contributing (directly) to service delivery. The income earned from treasury management (the short-term investment of reserves) is governed through the treasury management strategy statement, considered annually by the audit committee and approved by Full Council. It therefore does not form part of the investment strategy, although officers will continue to see if the risk-adjusted returns can be improved.

- 18 The management of the pension fund investments is similarly outside the investment strategy. The pension fund could in theory choose to invest in assets to be run by the council, such as a property portfolio. However, any investment good enough to be attractive to the pension fund will in current conditions be more suitable for funding by prudential borrowing, as the liability-matching rate of return for the pension fund significantly exceeds the long-term borrowing rate. In any event the pension fund strategy is to move the assets into the London Collective Investment Vehicle, in order to improve net returns over the medium term. This may help to facilitate broader regional infrastructure investments, but not necessarily directly in Brent.
- 19 So for the council's purposes the investment strategy is the:
"Buying, building, or otherwise acquiring or enhancing of assets that will contribute to delivery of the council's priorities as set out in the borough plan, deliver social value and generate financial returns, expressed as reductions in current costs and/or significant foreseeable future costs avoided"

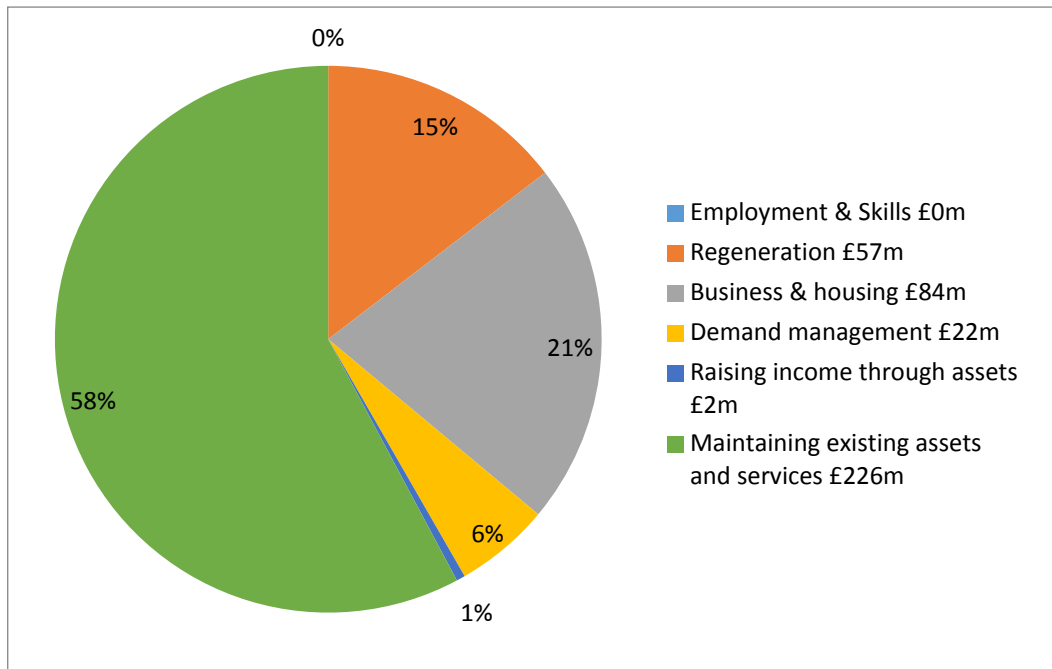
Strategic context and link to other plans and strategies

- 20 Above all, the focus of the investment strategy will be on identifying and then seeking to deliver fundamental or 'game changing' investments in infrastructure, such as a Crossrail station or university campus within the borough, which would have the potential to transform the long-term economic prosperity of the borough and its residents.
- 21 The investment strategy is underpinned by two other principal strategies, each of which has a specific purpose to enable delivery of aspects of the overall vision. These are the Property & Asset Strategy 2015 to 2019 (dated May 2015) and the long-term Regeneration Strategy 2010 to 2030 (dated 2010).
- 22 The current Regeneration Strategy has three strategic priorities:
- To deliver transformational change across the borough, focusing primarily on the identified priority areas for investment (Alperton, Burnt Oak, Chalkhill, Church End, Harlesden, North Circular Road, Harlesden, South Kilburn, Wembley);
 - To increase employment and income levels of Brent residents concentrating on those most in need; and
 - To maximise investment in Brent from the private, public and community sectors in line with our regeneration priorities and ambitions.

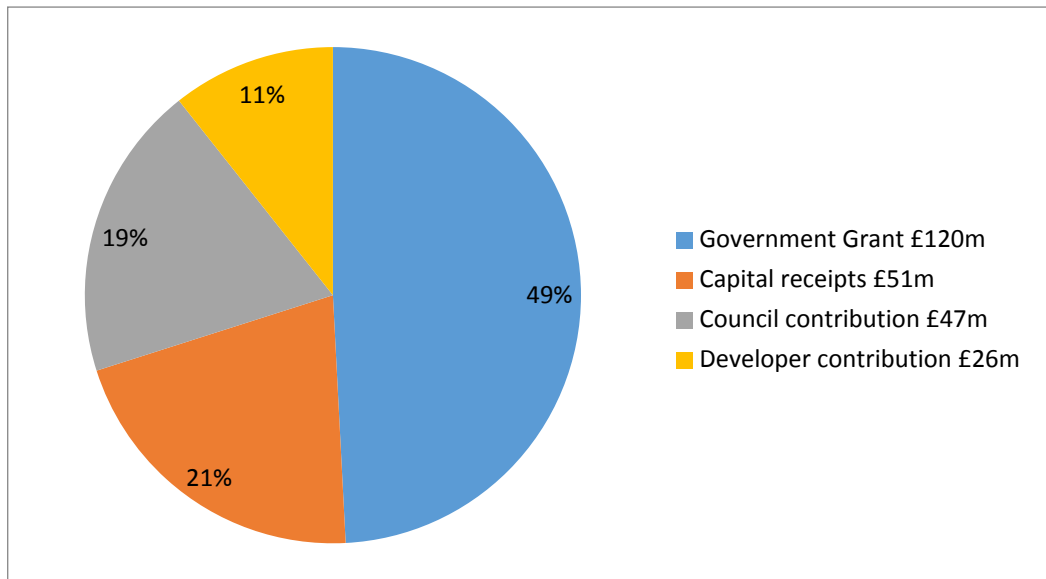
- 23 It is likely that the regeneration strategy will need to be updated to reflect the long-term changes planned to the structure of local authority finance and to reflect the scale and scope of the ambition of this new investment strategy.
- 24 The Property Strategy is subsidiary to the Regeneration Strategy, and may in time be subsumed by the investment strategy. At present it sets out the geographical focus for property investment, below.

Buy now to reduce CPO cost for regeneration	Buy now for investment returns
Church End Stonebridge South Kilburn St Raphael's North Circular Estate	Alperton Harlesden Stonebridge South Kilburn Wembley
Buy assets for future service delivery	Support regeneration through planning only
All areas (schools)	Burnt Oak Chalkhill Park Royal

- 25 The investment strategy links to these existing strategies by providing the guiding principles for the development of the capital programme. This is summarised below, to show how it maps against the council's expressed priorities.

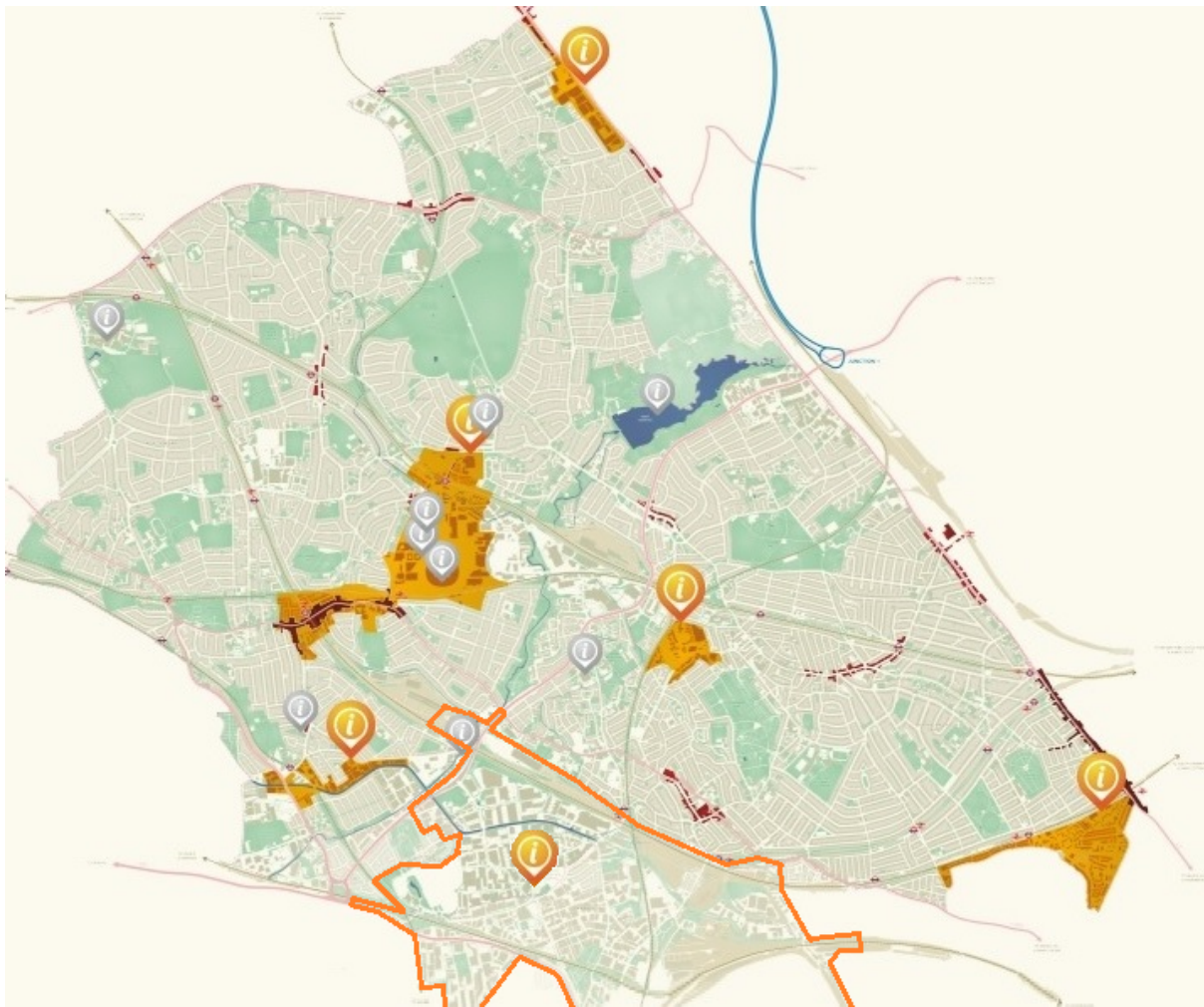


- 26 Of course, these classifications include an element of subjective judgement. Many aspects of the capital programme deliver against more than one priority. Major investments in existing assets and services, like the £97m school building programme, also contribute to the key priorities, but have been classified as maintaining existing assets and services for these purposes.
- 27 The point of the chart above is to illustrate the strategic point, that the capital programme is currently focused on only a small number of the council's priorities. It is the case that a significant element of the capital programme will always be concerned with the existing assets, and it is also true that the delivery of some priorities tend to depend on revenue finance more than they do on capital finance; arguably this could be said to be true for employment and skills services.
- 28 However, by developing an investment strategy the council has the opportunity to shift this focus and identify new ways to deliver its priorities.
- 29 This point is reinforced by an analysis of the funding of the capital programme, as set out below. (This analysis excludes the HRA, which is essentially financed from tenants' rents, RTB receipts and leaseholder contributions)



- 30 In summary, half of the existing general fund capital programme is financed by government grant, which cannot be controlled by the council. Nearly another quarter comes from capital receipts, which will not be generated in the future unless the council invests in them now. Both these sources of finance are therefore expected to decline over the short to medium term.
- 31 Therefore it will only be by growing future CIL contributions from developers and finding sustainable debt financed revenue contributions based on long-term cost reductions that the council will be able to afford a meaningful long-term capital programme. In the future the investment strategy will help the council to change the balance of its capital programme from its current heavy focus on maintaining existing assets to developing and acquiring new infrastructure.
- 32 The chart below show the map of the current major investment opportunities in the borough and hence where the opportunities to increase CIL financing and deliver key priorities are greatest.

Growth Areas



<p>Burnt Oak/Colindale Growth Area</p>	<p>Burnt Oak/Colindale is identified as a growth area for around 2,500 homes by 2026, on sites arranged along the axis of Edgware Road, the A5 corridor on the boundary between Brent and Barnet, in between Burnt Oak and The Hyde Town Centres.</p>
<p>Wembley Growth Area</p>	<p>Wembley is one of the largest regeneration projects in the country. According to the Mayor of London it can accommodate approximately 11,500 new homes and 10,000 new jobs through the development of sites along Wembley High Road and the land around Wembley Stadium.</p>
<p>Church End Growth Area</p>	<p>Church End is being promoted for mixed use regeneration, set around the economic revitalisation of the local centre. Around eight hectares of brownfield land will provide space for approximately 800 new homes by 2026, supported by social and physical infrastructure works.</p>
<p>Alpertons Growth Area</p>	<p>12 hectares of land adjoining the canal in Alpertons has been identified as being suitable for transformation providing 1,600 new homes as well new business and employment opportunities on</p>

	adjacent land protected for industrial uses by 2026.
South Kilburn Growth Area	The South Kilburn Regeneration Programme will take 10 to 15 years to complete and will transform the area, creating a vibrant community that stands the test of time. The regeneration will deliver 2,400 new high quality homes, improved open spaces, new shops, new health facilities and a new school.
New opportunity areas	Old Oak Common represents a key opportunity for the council to influence major development to deliver strategic objectives. There will be further opportunities, for example around Willesden, to invest to kick-start development

- 33 Initially the investment strategy will have to work with this map: in time the intention is to re-draw it.

Investment criteria, financing, risk management and governance

- 34 The overarching principles of the investment strategy flow from the analysis above. These are that the council will invest:
- in **sustainable infrastructure**, with a particular focus on seeking investment returns in the identified priority areas;
 - to deliver **socially valuable** objectives; and
 - in order to **reduce long-term costs** to the taxpayer.
- 35 Not all of the investments proposed will meet all of these principles. Generally speaking, anything that reduces long-term costs sufficiently will be pursued, provided of course that it does not fundamentally contradict the council's overarching values. Financial returns on investment will also be considered in the round, to allow for a degree of cross-subsidy where appropriate, and as part of this the council will explicitly take into account the tax returns from growing the business and council tax bases, and the relative merits of each.
- 36 The fundamental underlying principle is that investments must demonstrate the ability to meet financing costs and contribute to the repayment of principal over a suitable period of time. Without this, the investment strategy cannot be self-sustaining. It is also essential that the right blend of risk and reward is adopted in investment decisions. If an unduly risk averse approach is taken then very few investments will pass the investment hurdle: the council's resources will be protected but the

opportunity to transform the borough will be lost. Equally, an unduly risky approach could lead to unduly speculative investments passing the investment hurdle: a flurry of activity may generate short-term improvements but will not be financially sustainable in the medium to long-term.

- 37 Defining the required return on investment is a Member decision. Whilst it presents as a technical decision, in reality it reflects the balance of risk and reward that Members endorse. To further this, each individual significant investment decision will require explicit Cabinet authority to ensure that appropriate Member oversight is retained.
- 38 To achieve this in practical terms a number of technical criteria will need to be satisfied on each investment decision. The precise definitions of these are delegated to the Chief Finance Officer to adjust from time to time as may be necessary, with the initial set of assumptions set out in Annex One. This delegation is necessary to ensure that updated assumptions on, for example, interest rates, inflation and the many other technical details required to complete proper investment appraisal can be adjusted promptly to suit current market conditions.
- 39 As part of this the council will need to develop a more mature attitude to investment risk. The council is investing taxpayers' money. It follows that investment should only go ahead once proper due diligence tests have been carried out. The purpose of these tests is to ensure that:
- “The investment promises a service and financial return that is commensurate with the level of risk being taken on, and that appropriate measures are in place to contain those risks”*
- 40 The council will seek to build the capacity to deliver the investment strategy in house. This is particularly true of the financial expertise required to model and stress test complex business cases. However, where appropriate and where explicitly agreed by the Chief Finance Officer, external expertise will be sourced in order to protect the taxpayers' interests.
- 41 The financing of the investment strategy will be considered corporately. It will not be possible to prioritise investments according to corporate priorities if departments are able to ring-fence assets, sites or financing to specific projects. Appropriate officer-led governance arrangements exist around the capital programme to ensure that this is the case for assets and sites, and the capital investment panel is providing an effective means of promoting and challenging investment proposals.

- 42 However, to date the council has previously operated on a basis of departmental decision making around reserves. Whilst this has facilitated some tactical service decisions it is not a satisfactory basis for a long-term investment strategy. Accordingly, a full review of the reserves has been carried out.
- 43 This has shown that the departmental approach was in some cases leading to an overly prudent approach to reserve management. By centralising these it will be possible to create a new investment and risk management reserve of £12m to help deliver and de-risk the investment strategy. Important as this step is it must be seen in context: it can pump prime some investments and provide an element of de-risking, but will not avoid the need for significant borrowing to deliver the strategy.
- 44 This then creates the need for significantly enhanced risk management arrangements. The council will be open to more innovative corporate structures, such as the creation of new legal entities, in order to deliver the strategy. This requires enhanced risk management arrangements, but also a more mature acceptance of risk.
- 45 In all of this the level of delegation to officers will be kept under close review. Member oversight will be essential to effective delivery of the strategy, with the right balance to be struck vital. Key strategic decisions must be taken in Council and at Cabinet as to the overall strategy and to authorise individual tranches of investment, with the right officer-led governance and reporting mechanisms underneath to enable effective oversight and control. In summary:
- **Council** will set the overall capital programme and budget and policy framework, as part of each year's budget-making meeting, including the overall scale of the investment programme and the appetite for risk;
 - **Cabinet** will sign of each individual investment or packages of investments;
 - **Scrutiny** and **Audit** will provide oversight and challenge;
 - **Officers** will ensure that decisions are implemented effectively, with sound risk management; and
 - **The Chief Finance Officer** will ensure that high professional standards in investment appraisals are maintained.

Annex One

Technical investment criteria

Principles

1. Investments will only be approved if they can demonstrate that they can pay the financing costs associated with them had the funding been provided on a prudential borrowing basis.
2. Investments will only be approved if they can demonstrate that they can repay the principal associated with funding them through prudential borrowing over an appropriate period of time.
3. Investments will only be approved if they can demonstrate additional financial benefits, whether in reductions to current costs, reasonably foreseeable costs avoided or, exceptionally, realistically probable long-term asset appreciation.
4. Investment appraisals must include sufficient costs for the ongoing maintenance and upkeep of council owned assets and will not be approved without these.

Detailed technical criteria

Long-term borrowing costs – 4%

Long-term inflation rates – 2%

Major repairs – 0.8% of works costs

Discount rate (where appropriate) – 3.5%

Asset lives – normally 25-40 years with exceptions where appropriate, e.g. transport fleet

Principal repayment – matched to asset lives

Build costs (where appropriate) – scheme specific

For housing development

Voids – 5%

Bad debts – 2.5%

Rental income – 1% p.a. reduction until 2020, thereafter reversion to CPI plus 1%

Management agent fee – 2.5%; or

Management costs - £650 to £1,200 per unit p.a.

Maintenance costs - £1,260 to £1,565 per unit p.a.

Action plan

Short-term actions (within one year)	Responsible officer	Milestones	Outcomes
<i>Finance and support the initial temporary accommodation reform plan</i>	Chief Finance Officer	Finance purchase of the initial £10m PRS acquisition portfolio – May 2016	TA reform plan kick-started
		Establish finance for the balance of the PRS acquisition portfolio – June 2016	Larger-scale PRS acquisition enabled
		Subject to Cabinet agreement, finance Knowles House and other PRS development	Newer more suitable and cost-effective accommodation developed
		Establish separate company structure within which the TA reform plan can be managed	Effective delivery of TA reform plan
<i>Improve delivery of the capital programme</i>	Strategic Director, Resources	Revised governance arrangement in place – May 2016	Investment objectives achieved on time and within budget
		Milestone report to Cabinet – October 2016	
		Milestone report to Cabinet – February 2017	
<i>Review balance of capital and revenue expenditure</i>	Chief Finance Officer	Complete identification of all services where capital investment is in principle feasible and report accordingly – July 2016	Comprehensive understanding of balance of funding
		Individual service reviews completed – October 2016	
		Revised capital programme agreed – February 2017	Clear delivery plans in place and aligned to strategic priorities
<i>Finance acquisition of key community assets</i>	Chief Finance Officer	Ensure that priority investments for community benefit are brought forward – December 2016	Urgent priorities delivered

Medium-term actions (within two to three years)	Responsible officer	Milestones	Outcomes
<i>Review financing arrangements for South Kilburn regeneration</i>	Chief Finance Officer	Full cash flow revised – December 2016	Options for changing balance of risk and reward considered
		Implications of different MRP policies brought forward – February 2017	
		Options for changing ownership and risk presented – May 2017	
<i>Develop energy company and/or community energy supply options, initially in the Wembley and South Kilburn areas</i>	Strategic Director, Resources	Initial options paper – July 2016	New service model in place at lower cost and carbon footprint
		Corporate and financing model proposed – December 2016	
		Investment appraisal – July 2017	
<i>Identify future development opportunities to capitalise on rising land values, perhaps at Willesden Green</i>	Strategic Director, Resources	Options reviewed – July 2016	
<i>Secure opportunities to promote business growth</i>	Strategic Director, Regeneration & Environment	Options reviewed – September 2016	
Long-term actions (in four years or more)	Responsible Officer	Milestones	Outcomes
<i>Acquire a strategic property portfolio</i>	Strategic Director, Resources		
<i>Deliver Housing Zones</i>	Strategic Director, Regeneration & Environment		
<i>Secure strategic objectives at Old Oak Common</i>	Strategic Director, Regeneration & Environment		

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 Brent	<p style="text-align: center;">Cabinet 11 April 2016</p> <p style="text-align: center;">Strategic Director of Resources</p>
Kensal Green	
51 (Knowles House), 53 (former Anansi Nursery) and Westbrook Community Centre, Longstone Avenue, London NW10 3UN – Investment Proposals.	

1.0 SUMMARY

- 1.1 The Strategic Property Plan 2015-18, Brent's Corporate Plan 2015/16, and the Temporary Accommodation Reform Plan presented to Cabinet on 14 March 2016 sets out a presumption for Brent to retain its limited property assets, utilising them to support regeneration, generating revenue savings, and new income generation.
- 1.2 This report proposes that capital investment be approved to enable Brent to redevelop 51, 53 and Westbrook Community Centre, Longstone Avenue, London NW10 3UN (the subject site), delivering 85 temporary and 40 new accommodation units for independent living homes and replacement community facilities, resulting in the termination of the existing leasing arrangements.

2.0 RECOMMENDATIONS

- 2.1 That Cabinet agree to capital investment of £24m, to bring forward the proposed 85 temporary and 40 new accommodation units for Independent Living homes and replacement community accommodation, subject to further viability testing, local consultation, and planning consent.

3.0 DETAIL

Background

- 3.1 51 Longstone Avenue (otherwise known as Knowles House), 53 Longstone Avenue (previously known as the College Green School Annexe and the Anansi Nursery) and the Westbrook Centre, together form a 0.48 hectare (1.19 acre) site that was identified in the Council's Strategic Property Plan 2015 to 2019 and the Corporate Plan 2015/16 as an opportunity site with residential or possible educational potential.
- 3.2 The premises are shown in the Appendices attached to this report comprising:
- Appendix 1: Location Plan

Appendix 2: Site Plan
Appendix 3: Building Element Plan

- 3.3 The site was first leased by Willesden Borough Council (as predecessors to the London Borough of Brent) on 21st March 1938 as part of larger site comprising a southern extension to Roundwood Park. The freehold was subsequently transferred to Brent on 1st April 1971 and registered under title No NGL220638, with parts of the title, including the subject premises, being appropriated from Park use. On 11th October 2010, the Council gained title to a further 49.7 square meters (sqm) of grass verge fronting Knowles House on a possessory basis under registered title No AGL219473.
- 3.4 The site is surrounded by other Council owned assets including Council housing managed by Brent Housing Partnership (BHP) at 1 to 47 Longstone Avenue and 178 to 212 Harlesden Road to the south; the Roundwood Youth Centre to the East; and Roundwood Park to the north.
- 3.5 There are three elements to the site:
- 3.5.1 51 Longstone Avenue (Knowles House) was constructed in the early 1970s as a purpose built home for the elderly which ceased operations in November 2011. The premises comprise a net internal area (NIA) of 1860 sqm over a three-storey building with each floor having living accommodation, and a disabled shower room with WC. In addition the ground floor has a lounge/dining area, activity room, kitchen, large dining room and staff office. The site includes gardens and car parking spaces.
- 3.5.2 53 Longstone Avenue was previously used as the Anansi Day Nursery, and in recent years as bulge class provision trading as the College Green Nursery, but now is vacant. Internally the property is in a good state of repair comprising a NIA of 410 sqm comprising 4 no classrooms, a large common area, staff rooms, office, school kitchen, staff kitchen, toilet facilities for adult plus children's, storage space. The premises have a permitted planning use falling with Class D1 of the Planning Use Classes Order (crèches, day nursery, nurseries, schools, education and training centres, etc.). The premises in many ways form a single building with the adjoining 51 Longstone Avenue, with shared utilities, and 51 extending at first floor level over 53.
- 3.5.3 Westbrook formerly operated as a community centre for the elderly with dementia. The premises comprise a NIA of 162 sqm and are a single storey building including a hall and a further ancillary room, kitchen, office, showers and toilets.
- 3.6 The existing accommodation is outdated and nearing the end of its useful life, no longer meeting modern housing or energy efficiency standards.

Existing use

- 3.7 On 22 April 2013, Brent's Executive approved that Number 51 (Knowles House) be used to provide temporary accommodation to persons in housing need arising under Part VII of the Housing Act 1996 for a period of 2 years, and possibly extending to 4 years.

- 3.8 In respect of Number 51, on 11 October 2013, Brent's Planning Committee, by way of planning application number 13/1344, approved proposals for change of use from care home (use class C2) to a hostel providing bed and breakfast accommodation (use class Sui Generis) for a temporary period of 2 years.
- 3.9 On 13 March 2014, Number 51 was let to Altwood Properties Ltd, selected via the Council's Private Managed Temporary Accommodation Framework Agreement, on a two year management contract for the provision of bed and breakfast accommodation for homeless households. The contracted out lease to Altwood expires on 31st March 2016. The occupiers are non-secure licensees. The scheme accommodates forty eight non self-contained units with shared facilities. The Council has the option to extend the contract for a further two years, until March 2018.
- 3.10 A subsequent planning application 15/4481 was submitted, and planning permission was granted on 15th January 2016 to extend the scheme until 31st March 2018 subject to a number of conditions. These conditions relate to concerns by neighbouring residents relating to increased anti-social behaviour in the area, and specifically affecting the neighbouring blocks being managed by BHP. It should be noted that based on police crime statistics, overall crime, including anti-social behaviour, in the area has reduced over the past several years.
- 3.11 While it is not clear who the perpetrators of the anti-social behaviour are, in order to deter anti-social behaviour, officers are working to fulfil these planning conditions and address concerns by working closely with BHP, the managing agent and the police. For example, the common parts of the adjacent blocks will be prohibited for public use by the tenants of the scheme, and tenants that access these spaces may have their tenancies ended. A closed circuit television system (CCTV) assessment will also be carried out by officers to determine the merits of the installation of CCTV.
- 3.12 The proposal is that under the temporary accommodation scheme extension (up to a maximum of 31st March 2018), the lease on Number 51 will need to contain the necessary break clauses to enable vacant possession to be obtained. Currently the provider is seeking a minimum extension up-to March 2017. This may result in an early break penalty if the site is required for redevelopment sooner than this.
- 3.13 Number 53 is currently vacant following marketing. The proposal is to extend provision from Number 51 into 53, subject to planning permission being obtained for change of use. Planning application number 15/5219 was submitted on 1 December 2015 and approved. The proposal is for temporary consent for change of use, from children's day nursery (use class D1) to a hostel providing bed and breakfast accommodation (use class sui generis), for a temporary period of 2 years.
- 3.14 Following closure, the Westbrook Community Centre was let to the Young Graduate Day Nursery, on a lease contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954 for 5 years from 20th March 2014, expiring 19th March 2019, but with a mutual break clause as at 19th March 2017 (the 3rd anniversary).

Business Case

- 3.15 The proposed redevelopment of Knowles House provides a significant opportunity for the council to provide good quality housing for vulnerable households, while also generating significant revenue savings in two key areas of expenditure: Temporary Accommodation (TA), and care homes. In summary terms, the proposal is to redevelop the site to provide approximately 85 new TA units and 40 units of supported housing, together with replacement non-residential space, assisting the Council with meeting its statutory duty to provide for homeless families.
- 3.16 Brent has approximately 3,000 households in TA, one of the highest numbers of in England. Although the borough has been successful in reducing numbers recently, there are still too many households in temporary accommodation, which is inadequate for their needs and the needs of their children. This has resulted in significant financial pressures on the Council.
- 3.17 Projections are that the non-staffing spend on TA and private sector landlord incentives is expected to increase from just over £2.0m in 2016/17 to around £3.1m by 2018/19. Against this backdrop, proposals were presented to Cabinet on 14 March 2016 on the TA reform plan. One of the key proposals of the reform plan is to develop council owned sites, including Knowles House, to provide good quality self-contained TA and to reduce Bed & Breakfast costs accordingly.
- 3.18 The New Accommodation Independent Living (NAIL) Programme is a council cross-departmental programme set to deliver, 529 new units of 'accommodation plus' for people who are assessed as having social care needs and who can no longer be supported to manage in their own home, by March 2018. NAIL accommodation is being created with individualised person centred on-site care and support to enable Brent residents, who would otherwise need to be placed in a care home setting, to be supported in the community, and to maintain their health, wellbeing, and independence in a home of their own.
- 3.19 While the primary driver of the NAIL programme is to maximise the choice, control and independence of Brent residents with high care and support needs; it will also deliver significant efficiency savings from the Adult Social Care (ASC) care home budget, which accounts for the largest area of ASC spend. This will be achieved through ASC being responsible only for meeting the cost of people's care and support needs, as opposed to care home provision, where ASC is also responsible for all accommodation costs.
- 3.20 The demand for school use is projected to grow in future years and if this site were to be considered for this use, would require a comprehensive approach to redevelopment, impacting the nearby Roundwood Centre Youth Centre, Allotments and Roundwood Park (Appendix 4)., Due to the pressing need for new homes now, the proposal is to continue with housing development.

Proposals

3.21 Based on an initial feasibility study, the site has capacity to provide approximately 85 TA units and 40 NAIL units, together with replacement community accommodation (D1 planning use), as summarised below:

Temporary Accommodation	NAIL accommodation	D1 planning use
56 x 2 bed/3 person flats (40m ²) 22 x 3 bed/5 person flats (60m ²) 7 x 2 bed/4 person wheelchair accessible flats (65m ²)	40 x 1 bed/2 person flats (55m ²)	Replacement community accommodation, subject to further analysis and market testing

Next steps

3.22 As next steps are undertaken, unknowns may result in dates changing. An early best case programme is outlined below:

1. Appointment of project manager or development agent, along with a technical team to start 2016, with the number of professional advisors increasing as the project achieves different milestones. As required a Cabinet update will be provided on procurement options, where anticipated contract values are expected to exceed the threshold for high value contracts.
2. In order to inform site design and eventually a planning application, the commissioning of site surveys is required. Again these will be commissioned on a needs basis, starting in April 2016.
3. The preparation of scheme feasibility design and cost analysis, allowing for testing of scheme assumptions and development viability by July 2016.
4. To undertake local consultation, to develop a local consultation plan, to seek approval and implement, September 2016.
5. To further develop design proposal and submit planning application December 2016.
6. To tender the construction works and start on site in phases, with the TA scheme starting first in April 2017 with completion in June 2018. The NAIL homes would then start on site in June 2018 and complete in July 2018. The phased approach to construction is intended to allow Altwood to continue to operate the temporary TA provision until such time as the new TA homes are completed, and the residents can be moved to the new accommodation.

Risks

- 3.23 The project will need to be very quickly properly resourced, in order to deliver the timetable as set out in the next steps.
- 3.24 Local opposition to the proposal - s detailed in the report, a previous application for change of use to temporary bed and breakfast accommodation met with some local opposition. These issues that were dealt with through a proposed action plan, resulting in planning approval, however a proposal that proposes to further intensify the site will need to be managed carefully.
- 3.25 Planning risks - the initial site designs will need to be modified and better aligned with planning policy.

4. FINANCIAL IMPLICATIONS

- 4.1 The financial appraisal for this scheme results in a positive NPV of £1.8m with a 28 year payback period.
- 4.2 As the proposal is to deliver care provision in part, this development will sit outside the HRA development programme, and will be funded via a combination of £0.5m contributions from the ASC capital programme, and unsupported borrowing to an estimated maximum of £24m. Debt costs associated with the additional unsupported borrowing will be met from the derived rental stream.
- 4.3 The scheme in its entirety is forecast to achieve £860k revenue savings per annum (cost of alternative provision)
- 4.4 The average weekly cost of temporary accommodation that this scheme will replace equates to £77 per week per unit. Therefore, the anticipated savings for the Housing Needs Temporary Accommodation budget are £340k pa with the use of 85 units.
- 4.5 Utilising Supported Living schemes as an alternative to Residential Care will equate to average savings of £250 per week per unit. Therefore, the anticipated savings for the Adult Social Care budget are £520k with the use of 40 units.
- 4.6 All three premises are jointly listed as a single asset for capital accounting purposes at a value of £4.25m. This figure would be adjusted to reflect redevelopment on completion.

5.0 LEGAL IMPLICATIONS

- 5.1 Unless the completed units are sold on to a Registered Provider, or funded through the Housing Revenue Account, the units can not be classified as affordable rent; although the Council can set rent levels similar to affordable rent levels and can utilise these as intermediate products.
- 5.2 The Council can grant non-secure tenancies to homeless households by relying on paragraph 4 of Schedule 1 to the Housing Act 1985, on the basis that they are being housed under the Council's duty and/or power to provide temporary accommodation under Part VII of the Housing Act 1996.

- 5.3 If the Council wishes to grant secure tenancies in respect of these units, it should be possible to arrange for the land to be transferred to the Council's Housing Revenue Account.
- 5.4 If the plan is for the Council to grant secure tenancies for these properties outside the Housing Revenue Account and in the Council's General Fund, this will require the consent of the Secretary of State to hold the properties outside the Housing Revenue Account (pursuant to section 74 of the Local Government and Housing Act 1989). This would not be a straightforward process and there are limited examples where this has occurred. Officers are considering options of setting up a housing investment vehicle which could enable properties to be owned by the company, and therefore outside the Housing Revenue Account, and any proposals for setting up such a company will be submitted to Cabinet.

6.0 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 A screening analysis of the likely impact of the proposals in this report has been undertaken and concludes that, in line with the deliverables and outcomes set out in the business case, the impact for protected groups will be positive. A copy is attached at Appendix 5.
- 6.2 It is not recommended that a full equality assessment should be carried out in relation to the specific proposals set out in this report. However, a full analysis is being undertaken in relation to the Temporary Accommodation Reform Plan and this will also address the proposals in this report.

7.0 STAFFING/ACCOMMODATION IMPLICATIONS

- 7.1 There are no staffing or accommodation implications for Council employees.
- 7.2 There are staffing and accommodation implications for the TA operation (Number 51 and 52) and nursery (Westbrook Centre), who both understood at the start of their occupation their use would be temporary and limited to the term of their contract (TA until 31st March 2016 with a possible extension and Nursery until 19th March 2019 with a three year break on 19th March 2017).

8.0 ADDITIONAL

Appendix

1. Location Plan
2. Site Plan
3. Site Element Plan
4. Adjoining Landholdings
5. Screening Equality Analysis

9.0 Background Papers

Contact Officers

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Head of Property
Resources

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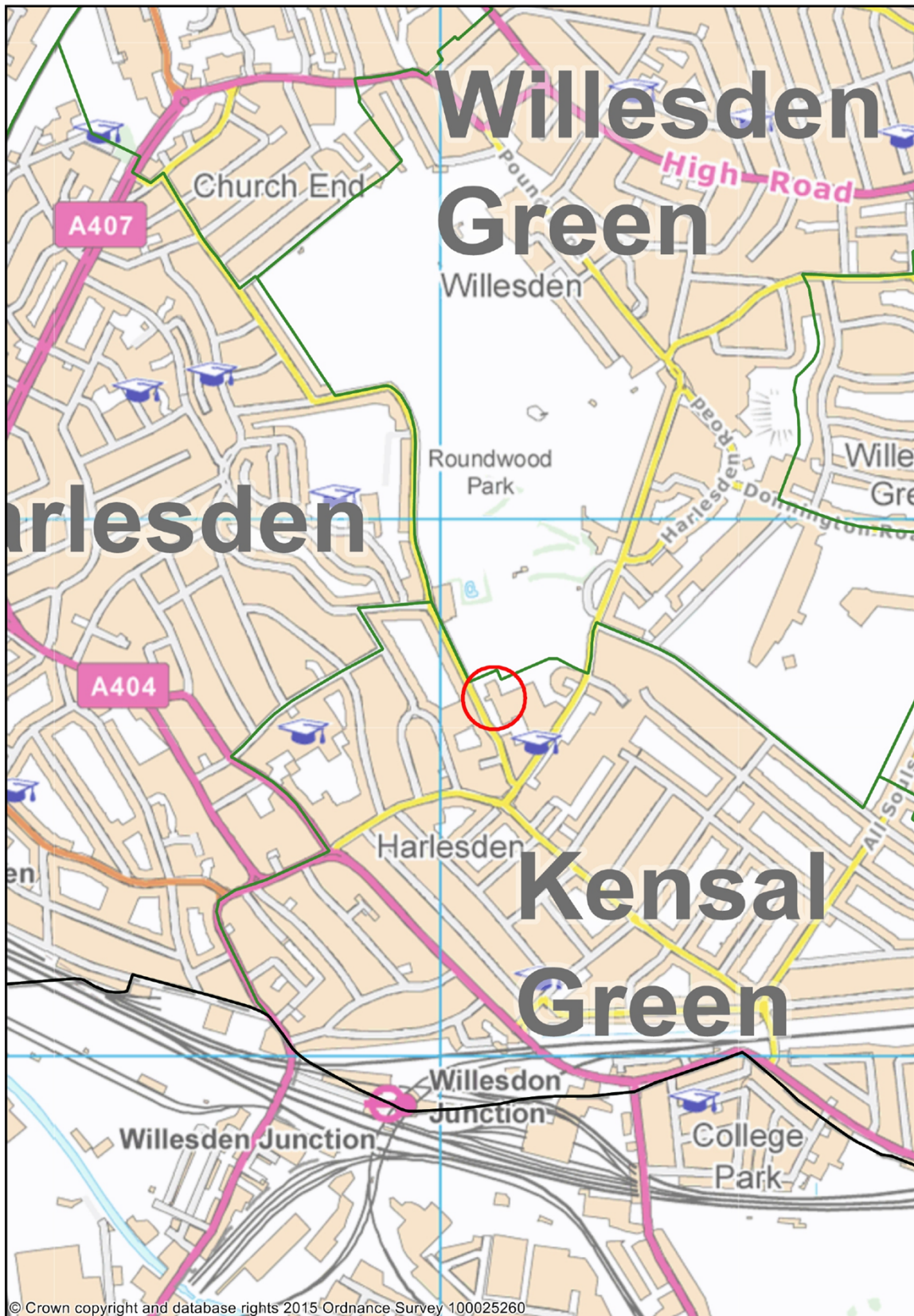
Sarah.Chaudhry@Brent.gov.uk

STEPHEN HUGHES

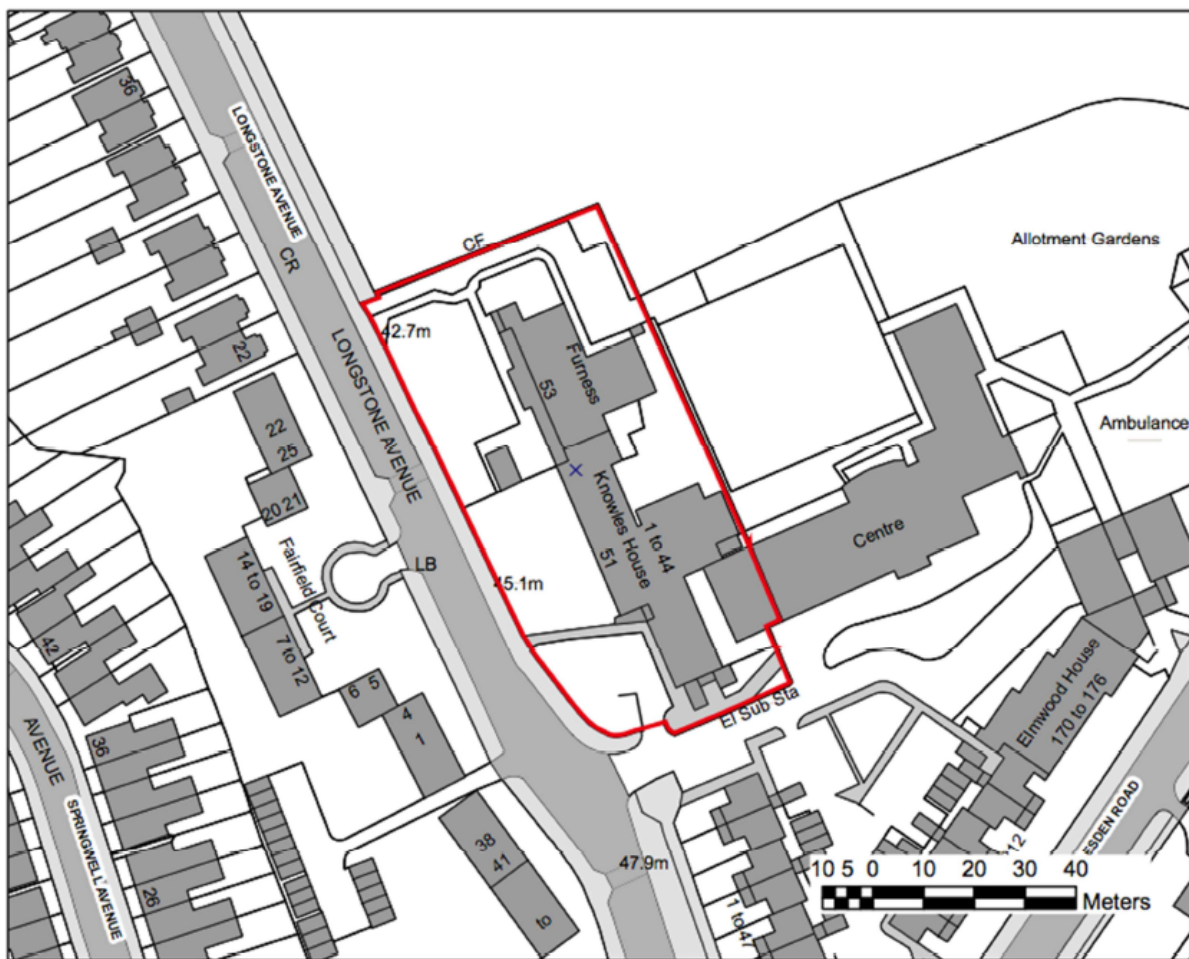
Strategic Director of Resources

Appendix 1: Location Plan

51, 53 and Westbrook Community Centre, Longstone Avenue,
London NW10 3UN.



**Knowles House &
Anansi Nursery,
51 Longstone Avenue,
London, NW10 3UN.
Indicative site boundary
shown outlined red.
Site Area = 4877 sq m/0.488 ha**




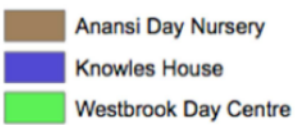

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NORTH



Anansi Nursery, Knowles House, and Westbrook Day Centre, Longstone Avenue, London NW10 3UN



   **1:500**
Map to stated scale if printed at A3.

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Appendix 4: Adjoining Land Holdings



Appendix 5: Screening Equality Analysis

Stage 1 Screening Data

What are the objectives and expected outcomes of your proposal? Why is it needed?

Brent has one of the highest numbers of households in Temporary Accommodation (TA) in England. Although the borough has been successful in reducing numbers recently, against the overall London trend, and has managed to dramatically reduce the number of households in Bed & Breakfast accommodation during 2015/16, there are still too many households in temporary accommodation which is inadequate for their needs, and the needs of their children. Similarly, there are large numbers of individuals in high-cost care homes who could benefit from greater independence in an appropriate supported setting.

The proposed redevelopment of Knowles House aims to provide good quality housing for vulnerable households, while also generating substantial revenue savings in two key areas of expenditure – Temporary Accommodation (TA) and care homes. In summary, the proposal is to redevelop the site to provide approximately 85 new TA units and 40 units of supported housing, together with replacement non-residential space.

In addition to temporary accommodation provision, the proposal will deliver supported housing in line with the NAIL programme. NAIL accommodation is being created with individualised, person centred on-site care and support to enable Brent residents, who would otherwise need to be placed in a care home setting, to be supported in the community and to maintain their health, wellbeing and independence in a home of their own.

Who is affected by the proposal?

The proposal primarily affects households currently in temporary accommodation awaiting suitable permanent accommodation, households applying as homeless in future and other households on the Needs Register. In addition, the proposal affects those in need of supported housing, in particular people currently living in a care home setting.

Could the proposal impact on people in different ways because of their equality characteristics?

Some protected groups are over-represented among homeless households. This is partly due to the criteria through which priority need is established under the relevant legislation: for example, a household may be regarded as being in priority need owing to age, to a physical disability or mental health condition or to pregnancy. It is also an effect of poverty and disadvantage: for example, some ethnic groups, such as Black Africans, are over-represented among homeless households compared to their presence in the general population.

With regard to the NAIL element of the proposal, the main relevant group is older people, although there is potential for the programme to assist younger people with physical or learning disabilities.

Could the proposal have a disproportionate impact on some equality groups? If yes, indicate which equality characteristic(s) are impacted

Yes, although the impact will be positive, through provision of appropriate accommodation to meet the needs of the groups noted above.

Would the proposal change or remove services used by vulnerable groups of people?

The proposal will change services used by vulnerable groups but, as noted above, the change is expected to result in improved services.

Does the proposal relate to an area with known inequalities?

Yes – see above.

Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

Yes – see above.

Does the proposal relate to one of Brent's equality objectives?


The proposal relates to the following objectives:

- To know and understand all our communities
- To ensure that local public services are responsive to different needs and treat users with dignity and respect

Recommend this EA for Full Analysis?

No.

However, it should be noted that this proposal is one of a range that comprise the Temporary Accommodation Reform Plan, details of which are set out in a separate report to the March 2016 Cabinet meeting. A full analysis has been recommended in relation to the Temporary Accommodation Reform Plan and the impact of proposals relating to Knowles House will be considered as part of this exercise. Although it is anticipated that the impact of the proposals for Knowles House will be positive, ongoing monitoring of this and other areas will be undertaken to assess the outcomes following implementation.

 Brent	<p style="text-align: center;">Cabinet 11 April 2016</p> <p style="text-align: center;">Report from the Strategic Director Children and Young People</p>
For Decision	Wards affected: ALL
Determination of the proposal to expand and alter the age-range of Roe Green Infant School from September 2016	

1.0 Summary

- 1.1 In line with the School Place Planning Strategy approved by Cabinet in November 2015, Brent Council has proposed the expansion of Roe Green Infant School by including the Strathcona site and a change in its age-range at the Strathcona site. This proposal has the support of the Governing Body of Roe Green Infant School. This proposal makes permanent the provision called Roe Green Strathcona that was initially established on a temporary basis.
- 1.2 These changes enable the provision that was established temporarily at the Roe Green Strathcona site to be made a permanent part of the school and for the Strathcona Road provision to provide 30 places a year for children from Reception to Year 6. There is no change to the Roe Green Infant provision at the Princes Avenue site which would continue to provide 120 places per year group for children from Reception to Year 2 as well as a nursery with 40 full-time equivalent places.
- 1.3 This report informs the Cabinet of the outcome of the statutory consultation on the proposal and recommends that the statutory proposal to expand and change the character of Roe Green Infant School be approved.
- 1.4 The representation period on the proposal ended on 24 March 2016. This report also informs the Cabinet of the responses to the informal and formal consultations.

2.0 Recommendation

The Cabinet is recommended to:

- 2.1 approve the expansion of Roe Green Infant School, a community school, by one form of entry (from 120 Reception places to 150 Reception places a year – 120 at the Princes Road site and 30 at the Strathcona Road site)
- 2.2 approve that the age-range of the Roe Green Strathcona site be changed from 4-9 to 4-11. These changes will take effect from 1 September 2016.

3.0 Background

- 3.1 In October 2014, the Cabinet approved a School Place Planning Strategy. A refresh of the strategy was considered by Members at the November 2015 Cabinet and agreed. This established the need for a continuing programme of provision of additional school places and, for the first time, a set of principles which the council would use to determine its future decision making on school place planning. These were established in the context of the overall objective of securing sufficient high quality school places for all Brent's children in line with the council's statutory responsibilities. The strategy also established that the council would aim to meet the DfE guideline of having a five per cent vacancy rate to allow for mobility and fluctuations as well as to support parental preference. Currently the vacancy rate in Brent primary schools is 2.2 per cent.
- 3.2 Roe Green Infant School is situated in Planning Area 1 in the north of the borough which covers the Queensbury/Fryent/Welsh Harp wards. This Planning Area shows a deficit of Reception places throughout the next 8 academic years and is close to the Barnet and Harrow borders. Roe Green Strathcona is situated in Planning Area 2 in the north-westerly part of the borough and covers the Kenton/Northwick Park/Preston/Barnhill wards. This Planning Area shows a deficit of Reception places up to and including the 2016/17 academic year, increasing to a sufficiency in the following six academic years that will help offset the deficit in Planning Area 1.
- 3.3 The Governing Body of Roe Green Infant School agreed to manage the temporary provision at the Strathcona site at a Governing Body meeting of 14 January 2014. The Roe Green Strathcona site admitted its first pupils in March 2014 following discussions with schools in autumn 2013 about the need for more school places to be opened during that academic year as a result of rising birth rates and new families moving into the borough to existing and new housing. The urgent need for places meant that the places could only be established through the expansion of existing schools. The Strathcona Road site admitted pupils into Reception, Year 1 and Year 2 classes, so enabling the Council to fulfil its statutory duty to provide sufficient school places.

- 3.4 The Strathcona Road site (Wembley, HA9 8QR) was previously an adult day centre which had been semi-derelict for some time. Brent Council refurbished the building to provide modern toilets, new furniture and a new production kitchen.
- 3.5 Roe Green Infant School agreed to manage the Strathcona Road site as an expansion of their existing provision, and so be responsible for educational provision and staffing in the same way as at their original Princes Avenue site.

The proposal

- 3.6 The proposal would change the legal nature of Roe Green Infant School so that it permanently includes the Strathcona Road provision. This is achieved by changing the legal age range of the school so that it is for children between the ages 4 – 11 (excluding the nursery) and increasing the total number of permanent pupil places for children in Reception or above at the school from 360 currently to 570, with:
- Princes Avenue site (NW9 9JL) having a nursery for 40 full time equivalent places, and then Reception to Year 2 provision that admits up to 120 pupils each year into Reception i.e. 4 classes. This is the provision that already exists on the site. No changes are proposed for the Princes Avenue site. Children would continue to apply to other schools for their Year 3 to Year 6 education.
 - Strathcona Road site (HA9 8QL) having provision for children in Reception to Year 6, with up to 30 children admitted each year into Reception i.e. one class. There is an additional class in the current Year 2 cohort who would remain at the site until they complete Year 6. All children currently at the Strathcona Road site would remain there to the end of Year 6.
- 3.7 The following table shows the 2015/16 provision and the provision in 2020/21:

Table 1: The current places in Roe Green Infant School for the current 2015/2016 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
<i>Permanent-Princess Avenue</i>	120	120	120	0	0	0	0	360
<i>Temporary – Strathcona Road</i>	30	30	60	30	30	0	0	180
Total	150	150	180	30	30	0	0	540

Table 2: The available places in the school year by 2020/21 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
<i>Permanent – Princes Avenue</i>	120	120	120	0	0	0	0	360
<i>Permanent – Strathcona Road</i>	30	30	30	30	30	30	30	210
Total	150	150	150	30	30	30	30	570

- 3.8 There is no requirement for planning permission or capital investment to implement this proposal – the necessary works at the Strathcona Road site have been completed since they were required prior to the admission of the temporary classes in March 2014.

Background information for Roe Green Infant School

- 3.9 Roe Green Infant School is located at Princes Avenue, NW9 9JL. It is a Community school (i.e. maintained by the local authority). It offers co-educational places for pupils aged 4-7 years. The current capacity of Roe Green Infant School is 360 places for children in Reception to Year 2, plus 40 full-time equivalent places in a nursery. The admission number for each year group between Reception and Year 2 is 120.
- 3.10 Roe Green Infant School meets Brent Council’s criteria for expansion because it is judged as ‘outstanding’ by Ofsted at its most recent inspection (July 2010). Roe Green Infant School has an exceptional reputation and is consistently popular with parents.
- 3.11 Roe Green Infant School is led, managed, and staffed as a single school, with teaching and leadership staff operating across both sites and the Governing Body being accountable for performance at both sites. The Headteacher has previous experience of leading a primary school.
- 3.12 In 2015/16 Strathcona has 6 classes ranging from Reception to Year 4. The accommodation at the site is sufficient to permanently accommodate one class for every year group from Reception to Year 6, and also to allow the additional class that is currently in Year 2 to remain on site through to the end of Year 6.
- 3.13 The Strathcona provision has now been in place for two years, and includes children who are two years in excess of the statutory age range of Roe Green Infant School. There is a legal requirement to publish statutory proposals in order to make permanent any increase in the upper age range of the school which is anticipated to be in place for more than two years and in respect of any temporary expansions that have been in place for three years. Accordingly, this proposal is required at this time to give certainty to Roe

Green Infant School and to the children and families attending Strathcona that the pupils in Year 4 can remain at the school for Years 5 and 6.

Impact upon Roe Green Junior School

- 3.14 Roe Green Junior School is on the same site as the Princes Avenue site of Roe Green Infant School. Both schools are separate entities. Children who attend the Princes Avenue site of Roe Green Infant School will continue to apply for a school place for their Year 3 to Year 6 education. Roe Green Infant School will remain as a feeder school to Roe Green Junior School. There is no change proposed for Roe Green Junior School.
- 3.15 Children who attend the Strathcona site would attend that site until the end of Year 6 and then apply for secondary school. In the same way as children at other primary schools, they would automatically continue from Year 2 to Year 3 and would not need to make any application.

Admissions

- 3.16 The Strathcona provision was established to meet already existing demand for places for children in Reception and Year 1. Because of its temporary nature it has not been included in the co-ordinated admissions cycle and has been treated as a bulge each year. As part of making the provision permanent, the Council and Governing Body would wish to include Strathcona within the admissions arrangements for Roe Green Infant School overall. The distance between the sites (over 4 miles by car) means that parents are likely to want to prioritise a specific site as part of the Reception admissions arrangements since they will not want to be allocated to the other site. The next opportunity to consult upon the admissions arrangements for Roe Green Infant School is during winter 2016/17 for determination by the Council (as the admissions authority) by 28 February 2017 and to take effect for the 2018/19 academic year. This work will be taken forward if the recommendations are approved. For entry in 2016, parents have already submitted their on-time preferences and places at Strathcona will be allocated to parents where their other preferences have not been able to be met. Arrangements for 2017/18 are being developed.

Statutory Process – Four Stages

- 3.17 Since January 2014 the statutory school expansion process has four stages - Stage 1 Publication, Stage 2 Representation (formal consultation), Stage 3 Decision, Stage 4 Implementation.
- Informal consultation
- 3.18 Brent Council carries out an additional stage of informal consultation prior to the formal Stage 1 publication of the statutory proposal. This additional informal consultation is seen as good practice by the Department for Education.
- 3.19 The informal consultation consists of:

- a detailed consultation document outlining the proposal, timelines, background information, next steps, list of consultees, response slip and details of the public meeting. This document is given to every child at the school to give to their parents. In addition copies are hand delivered to homes and businesses in the local vicinity starting with the nearest streets surrounding the school. The document is also posted on the school website and school gates and on the Brent consultation website.
- at least one public meeting is held at the school concerned with representatives from the governing body and the council.

3.20 This approach provides opportunity for discussion with staff, parents, and local residents about the issues that need to be addressed / considered before a formal proposal is published. This enables any misunderstandings or ambiguity to be addressed.

Roe Green Infant School informal consultation

3.21 Brent Council carried out an informal consultation with key interested parties on the alteration proposals. The consultation document is attached as Appendix 2. Over 1750 copies of the consultation document were distributed through hand delivery, email and/or internal/external post:

- the document was available at the consultation meetings
- the document was placed on the school website and the Brent consultation website
- approximately 300 copies were emailed out, including to all Councillors in Brent, all Brent schools, neighbouring boroughs and other statutory consultees.

3.22 The informal consultation began on 22 January 2016 and ended on 14 February 2016. All applicable statutory requirements to consult in relation to these proposals have been complied with.

3.23 Two consultation meetings were held about the proposal, one at each of the Roe Green Infant School sites (Princes Avenue and Strathcona Road) on 8 February 2016. Notes of these meetings can be found at Appendix 3.

3.24 81 responses were received, of which the majority were from staff at Roe Green Infant School. Responses were received via post and email.

Table 3: Breakdown of responses by decision

	Number of responses received	Percentage of response overall
Agree with proposal	67	82.7%
Disagree with proposal	04	5.0%
No distinct decision provided	10	12.3%
Total responses	81	100.0%

Table 4: Breakdown of responses by person

	Staff	Parents	Local residents	Governors	Others	Total
Agree with proposal	45	17	1	2	2	67
Disagree with proposal	0	1	1	0	2	4
No definite decision provided	0	5	1	0	4	10
Total responses	45	23	3	2	8	81

3.25 All 81 responses can be found in Appendix 4.

Stage One - Publication of Statutory Notice

3.26 Following careful consideration of the responses in the consultation stages outlined above, Brent Council published the Statutory Notice in the Brent and Kilburn Times on 25 February 2016 proposing the expansion and age-range change for Roe Green Infant School. Notices were also displayed on the school gates at both sites, on the school website, on the Brent Council consultation website.

3.27 The statutory notice is attached as Appendix 5.

Stage Two – Representation (formal consultation)

3.28 The statutory notices (published on 25 February 2016) were followed by a four week statutory period (Representation stage), which ended on 24 March 2016, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal (in this consultation) and ensures that they will be taken into account by the Cabinet when the proposal is determined.

3.29 In total two representations were received during statutory consultation period. The first was against the expansion due to traffic congestion at the Strathcona site. The second response listed concerns and sought reassurance with the change in character for Roe Green Infant School but did not state clearly whether they were for or against the proposal. Both representations can be found in Appendix 6.

Stage Three – Decision

3.30 A statutory proposal must be determined in accordance with regard to the statutory ‘Decision-makers Guidance’. The current guidance (published in January 2014) includes a range of factors that should be considered by the Decision-Maker which are set out and considered in the following sub-paragraphs:

- 3.30(a) Consideration of consultation and representation period: These complied with the statutory requirements. The significant majority of responses to the informal consultation were in favour of the proposal. There were no issues raised through the informal or statutory consultation that required the proposal to be reconsidered.
- 3.30(b) Educational standards and diversity of provision: Roe Green Infant School is judged 'outstanding' by Ofsted and is consistently popular with parents. Roe Green Infant School would be expected to be approved for conversion to academy status if it made an application under the provisions of the Academies Act 2010.
- 3.30(c) Demand for places: The School Place Planning Strategy demonstrates the need for additional primary school places, and the permanent expansion of Roe Green Infant School provides additional capacity in Planning Area 2 which in turn enables greater provision of places for Planning Area 1 which continues to show a deficit (and where the Princes Avenue site of Roe Green Infant School is situated).
- 3.30(d) School size: Establishing a 1FE all-through primary provision at the Strathcona site provides greater choice for local parents, and enables it to be educationally and financially more resilient as part of Roe Green Infant School.
- 3.30(e) Proposed admission arrangements: Currently there is no mechanism for parents to select the Strathcona site. By making the provision permanent it enables the authority (as the admissions authority for Roe Green Infant School because it is a community school) to consult in winter 2016/17 upon admissions criteria for 2017/18 year that would enable parents to express a preference for the Strathcona provision.
- 3.30(f) National curriculum: As a maintained school, Roe Green Infant School already follows the national curriculum and will continue to do so.
- 3.30(g) Equality issues: These are set out in further detail in section 6 below and the draft Equality Impact Assessment provided in Appendix 7.
- 3.30(h) Community cohesion: Roe Green Infant School at both of its sites serves a community that is diverse and promotes an ethos of tolerance and respect for all pupils and their families. This includes promoting British Values, and understanding of and respect for all cultures and faiths.
- 3.30(i) Travel and accessibility: The admissions criteria for Roe Green already prioritise local applications and will continue to do so. Providing the ability for parents to express a preference for Strathcona will result in more local children attending that site as well.
- 3.30(j) Capital: No capital investment is required to implement this proposal.
- 3.30(k) School premises and playing fields: The Strathcona site has been equipped with external play equipment and astroturf to maximise the usability of its

external space. The pupils at Key Stage 2 use the large hall for gymnastics and dance and the external space for team games. In addition they go swimming at Harrow Leisure Centre.

- 3.30(l) Expansion: Discussions about the use of the Strathcona site for educational provision commenced in spring 2013, and discussions with schools started early in autumn 2013 to secure a school that would be willing to run the provision. Roe Green Infant School met Brent Council’s criteria for expansion, were willing to expand onto the Strathcona site, and presented a compelling vision for how the expansion would aid pupils at both sites while being managed as a single school. Teaching and leadership staff at Roe Green work across both sites, and pupils move between sites for shared activities such as football (Strathcona to Princes Avenue), choir (Princes Avenue to Strathcona), and the single School Council. School trips (such as to the theatre) are run for pupils at both sites as single trips. The Governing Body receives reports about the performance of year groups overall, and also by site to enable it to understand and challenge performance. The school runs as a split-site single school.

Next Steps

- 3.31 The anticipated dates for the key project milestones following a decision by the Cabinet to determine this proposal to alter Roe Green Infant School are set out in the timetable below:

Table 5: Project milestones

Milestone	
Cabinet Decision to expand the school and change its age-range	April 2016
School officially changes age-range and expands	September 2016
Council (as admissions authority) consults on admissions arrangements for 2017/18	Winter 2016/17
Council (as admissions authority) determines admissions arrangements for 2017/18	By 28 February 2017

4.0 Financial Implications

- 4.1 The capital works have already been completed and were funded from the School Expansion Programme.
- 4.2 The additional pupils will result in increased revenue costs associated with the additional provision. These costs will be met from Roe Green Infant School’s budget, which will increase proportionately based on the formula allocation from the DfE. However, the proposed intake of additional pupils will mean that the school will not receive the increased grant until the following financial year as the calculation is based on the previous October’s pupil numbers. As such the school will require funding equivalent to 7/12 of the total additional grant to

meet the costs of the expanded pupil numbers until the following year's allocation is received. This shortfall in funding will be provided from existing Dedicated Schools Grant revenue budget as funding has been set aside for additional classes.

5.0 Legal Implications

- 5.1 The procedure for the enlargement and age-range change of Roe Green Infant School is as required by The Education and Inspections Act 2006 (as amended by the Education Act 2011) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The local authority is entitled to make prescribed alterations to Roe Green Infant School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedules 2 and 3 Regulations.
- 5.2 The authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Schedule 3 paragraph 3 of The School Organisation Regulations 2013.
- 5.3 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The local authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 5.4 The Brent Cabinet acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 of the School Organisation Regulations 2013.
- 5.5 The public sector equality duty under section 149 of the Equality Act 2010 requires the Local Authority when exercising its functions to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not share that protected characteristic. The protected characteristics covered under the Act are Age, disability, gender reassignment, marriage and civil partnership (only in respect of eliminating unlawful discrimination) pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality) religion or belief (this includes lack of belief) sex and sexual orientation. Due regard means giving relevant and proportionate consideration to the duty, in that whenever significant decisions

are being made consideration must be given to the impact/affect that implementing a particular decision will have in relation to equality before making that decision.

- 5.6 An Equality Impact Assessment has been carried out and is attached at Appendix 7 to this report.
- 5.7 The Cabinet would need to have regard to guidance issued by the Secretary of State before making a decision upon this proposal entitled School Organisation Maintained Schools – guidance for proposers and decision makers January 2014 - <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.
- 5.8 If the local authority fails to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the School Adjudicator for decision. They must forward the proposals within one week from the end of the two month period.

Decision Making:

- 5.9 The Department for Education does not prescribe the exact process by which a decision-maker carries out their decision-making function. However, the body or individual that takes the decision must have regard to the statutory 'Decision-makers Guidance' (at Annexe B). The factors considered as part of this are outlined and considered in paragraph 3.30 above.

Types of Decision

- 5.10 When issuing a decision, the decision-maker can:
- reject the proposal;
 - approve the proposal without modification;
 - approve the proposal with modifications, having consulted the LA and/or governing body (as appropriate); or
 - approve the proposal – with or without modification – subject to certain prescribed events (such as the granting of planning permission) being met.
- 5.11 A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the governing body (as appropriate) and the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Rights of appeal against a decision

- 5.12 The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:
- the local Church of England diocese;
 - the local Roman Catholic diocese; and
 - the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.
- 5.13 On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for its decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

6.0 Diversity Implications

- 6.1 Roe Green Infant School has an ethnically diverse pupil population and catchment of pupils who need places. The expanded schools would enable the council to provide additional new places required for Brent's growing pupil population.
- 6.2 The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported as the school expansion programme is reviewed.
- 6.3 An Equality Impact Assessment has been completed for the proposed expansion of Roe Green Infant School - Appendix 7.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 With the expansion of pupil numbers there is likely to be an expansion of posts rather than a reduction. The costs relating to the need to provide for additional pupils will be covered by the Dedicated Schools Grant allocated through the funding formula.

8.0 Background Papers

- 8.1 School Organisation Maintained Schools - Guidance for proposers and decision-makers - January 2014

9.0 Appendices

- Appendix 1 Map of Brent Schools
- Appendix 2 Roe Green Infant School consultation document
- Appendix 3 Roe Green Infant School notes of the consultation meetings
- Appendix 4 Roe Green Infant School informal consultation responses
- Appendix 5 Roe Green Infant statutory notice (stage 1 of the statutory process)
- Appendix 6 Roe Green Infant School statutory consultation responses
- Appendix 7 Draft of the Equality Impact Assessment for Roe Green Infant School

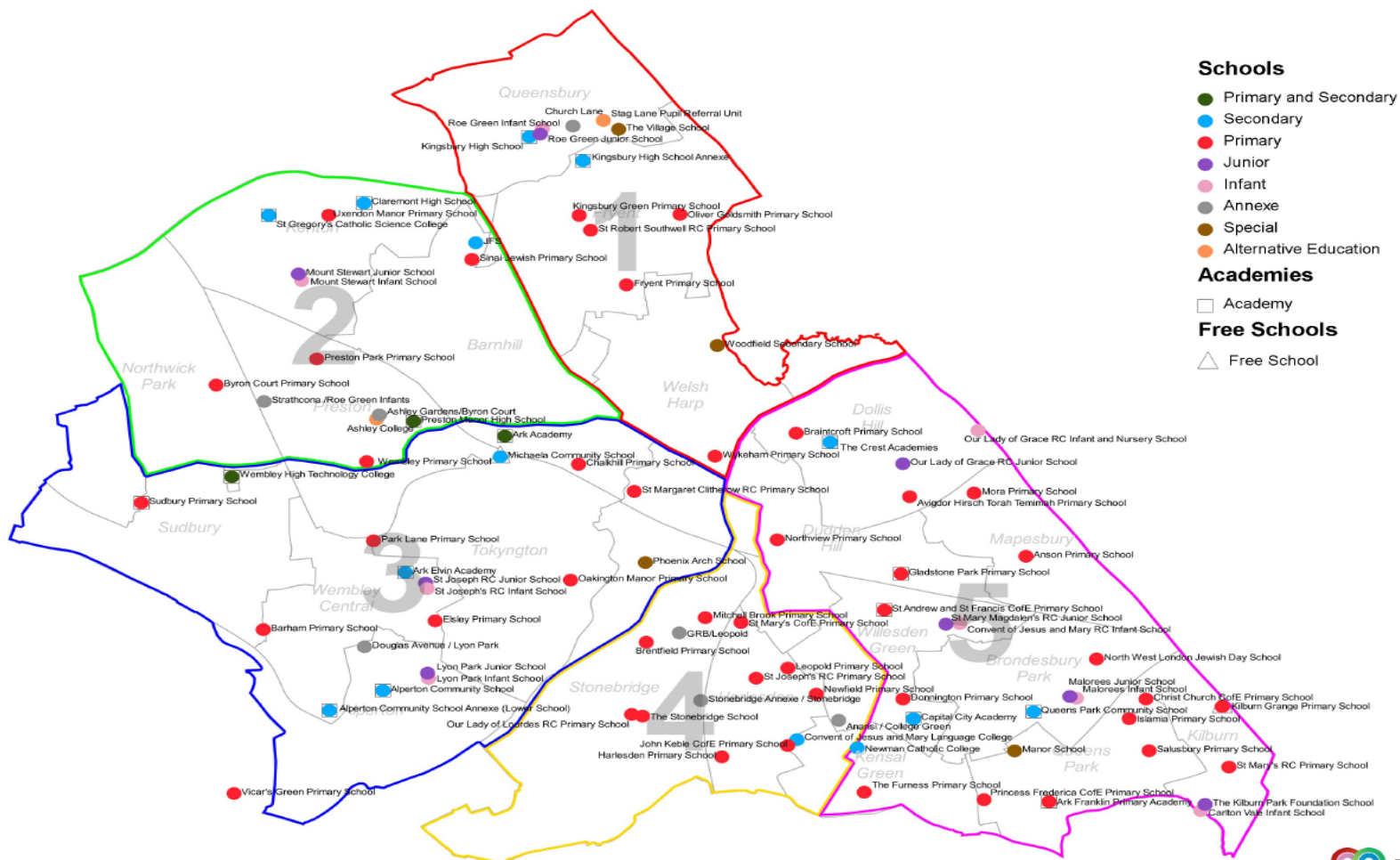
Contact Officers

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Cate Duffy
Interim Operational Director Early Help and Education
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GAIL TOLLEY
STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE

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A Public Consultation

Proposed Change of Character of Roe Green Infant School from September 2016

For further information please attend one of the meetings:

- Princes Avenue site (NW9 9JL): Monday 8th February at 6pm
- Strathcona Road site (HA9 8QL): Monday 8th February at 9:15am

1.	<p>The proposal</p> <p>Brent Council is proposing to make permanent the provision called Roe Green Strathcona that was established on a temporary basis in January 2014. This provision is part of Roe Green Infant School, with the Headteacher and Governors of Roe Green Infant School responsible for provision across both sites (Princes Avenue and Strathcona Road). We are therefore proposing to change the legal nature of Roe Green Infant School so that it permanently includes the Strathcona Road provision – this requires changing the legal age range of the school so that it is for children between the ages 3 – 11 and increasing the total number of permanent pupil places for children in Reception or above at the school from 360 currently to 570, with:</p> <ul style="list-style-type: none"> • Princes Avenue site (NW9 9JL) having a nursery for 40 full time equivalent places, and then Reception to Year 2 provision that admits up to 120 pupils each year into Reception. This is the provision that already exists on the site. No changed are proposed for the Princes Avenue site. Children would continue to apply to other schools for their Year 3 to Year 6 education. • Strathcona Road site (HA9 8QL) having provision for children in Reception to Year 6, with up to 30 children admitted each year into Reception. There is an additional class in the current Year 2 cohort who would remain at the site until they complete Year 6. All children currently at the Strathcona Road site would remain there to the end of Year 6. <p>The following table shows the 2015/16 provision and the provision in 2020/21:</p>
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Table 1: The current places in Roe Green Infant School for the current 2015/2016 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
<i>Permanent-Princess Avenue</i>	120	120	120	0	0	0	0	360
<i>Temporary – Strathcona Road</i>	30	30	60	30	30	0	0	180
Total	150	150	180	30	30	0	0	540

Table 2: The available places in the school year by 2020/21 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
<i>Permanent – Princes Avenue</i>	120	120	120	0	0	0	0	360
<i>Permanent – Strathcona Road</i>	30	30	30	30	30	30	30	210
Total	150	150	150	30	30	30	30	570

The school is led, managed, and staffed as a single school, with teaching and leadership staff operating across both sites and the Governing Body being accountable for performance at both sites. The distance between the sites, however, means that parents are likely to want to prioritise a specific site as part of the Reception admissions arrangements and it is intended that parents will be able to do this.

2. Background and rationale

The Roe Green Strathcona site admitted its first pupils in March 2014 following discussions with Brent schools in autumn 2013 and the agreement of Roe Green Infants in January 2014 and refurbishment of the Strathcona building. The Strathcona site was opened due to the need for extra primary school places as a result of rising birth rates and new families moving into the borough to existing and new housing. As part of its statutory duty to ensure sufficient school places for local children, the Council works closely with schools to determine whether they are able to expand. Since 2006 the Council has created over 4,500 additional permanent primary school places, and an additional 1,800 temporary places.

What we now call Roe Green Strathcona, Strathcona Road, Wembley, HA9 8QL was previously a community centre which had been semi-derelict for some time. Brent Council refurbished the building to provide modern toilets, new furniture and a new production kitchen.

Roe Green Infant School agreed to manage the site as an expansion of their existing provision, and so be responsible for educational provision and staffing in the same way as at their original Princes Avenue site. Roe Green Infant School meets Brent Council's criteria for expansion because it is judged as 'outstanding' by Ofsted at its most recent inspection (July 2010); in addition the Headteacher has previous experience of primary provision and spends part of her time at each site. By

expanding and increasing the age-range of the school, Roe Green Infant School is able to enable more children to attend an outstanding school and enhances its capacity to further improve provision to pupils at both of its sites. Roe Green Infant School has an exceptional reputation and is consistently popular with parents.

In 2015/16 Strathcona has 6 classes ranging from Reception to Year 4. The accommodation at the site is sufficient to permanently accommodate one class for every year group from Reception to Year 6, and also to allow the additional class that is currently in Year 2 to remain on site through to the end of Year 6.

The Council's projections of future demand for school places show that the provision at the Strathcona Road site will continue to be required. It is therefore necessary to make the provision at the Strathcona Road site permanent and formalise it within the admissions system so that parents are able to select it. Making the provision permanent requires formally changing the age range of Roe Green Infant School to include the Key Stage 2 pupils at the Strathcona Road site and also increasing the total number of students that the school is able to permanently accommodate.

Although demand for Reception places is currently projected to reduce from September 2016, demand for admissions in year groups other than Reception is projected to continue to grow. The birth rate in Brent is also increasing again after a drop in 2011/12. The Council anticipates that additional Year 1 bulge/temporary provision will be needed in 2016.

Roe Green Infant School is situated in Planning Area 1 in the north of the borough which covers the Queensbury/Fryent/Welsh Harp wards. This Planning Area shows a deficit of Reception places throughout the next 8 academic years. It borders Planning Area 2 where there is a projected surplus in Reception places. It is also close to the Barnet and Harrow borders.

Strathcona is situated in Planning Area 2 in the north-westerly part of the borough and covers the Kenton/Northwick Park/Preston/Barnhill wards. This Planning Area shows a deficit of Reception places up to and including the 2016/17 academic year, increasing to a sufficiency in the following six academic years.

3. Does this affect Roe Green Junior School?

Roe Green Junior School is on the same site as the Princes Avenue site of Roe Green Infant School. Both schools are separate entities. Children who attend the Princes Avenue site of Roe Green Infant School will continue to apply for a school place for their Year 3 to year 6 education. Roe Green Infant School will remain as a feeder school to Roe Green Junior School. **There is no change proposed for Roe Green Junior School.**

Children who attend the Strathcona site would attend that site until the end of Year 6 and then apply for secondary school. In the same way as children at other primary schools, they would automatically continue from year 2 to Year 3 and would not need to make any application.

4. How you have your say

Brent Council and Governors of Roe Green Infant School would welcome your views on this proposal to expand the age-range and size of Roe Green Infant School to permanently include the Strathcona Road provision.

The consultation closes on 14th February 2016 – please ensure that you have your say before then.

Please have your say:

- Complete the Response Form and return by email or post or to the school reception at Roe Green Infants (either Princes Avenue or Strathcona Road)
- Email: judith.joseph@brent.gov.uk
- Post: Judith Joseph, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ

Attend one of the meetings:

- Princes Avenue site: Monday 8th February at 6pm
- Strathcona Road site: Monday 8th February at 9:15am

A limited translation service can be provided for this document on request to judith.joseph@brent.gov.uk

5. Next steps

If, after the consultation, Brent Council decides to proceed with the age-range change and expansion then a statutory proposal will be published in accordance with school organisation legislation. This would be expected to be published shortly after February half-term.

For four weeks after the publication of the Statutory Proposal anyone can comment on the proposal, expressing support, opposition, or any other comments. Following the representation period, Brent Council's Cabinet Committee will make a decision about whether the proposal is approved. This decision will be made in accordance with Government guidance for school organisation decisions and will include consideration of consultation and statutory proposal responses. Brent Council must make its decision within two months of the end of the four week representation period for the statutory proposal – it is anticipated therefore that this decision would be taken in April.

10. Consultees

This document is being sent to:

Roe Green Infant School and Strathcona: parents, staff, governors and student council

All maintained schools and Academies in Brent

Brent Council

Westminster Diocesan Education Service

London Diocesan Board for Schools

London Borough of Ealing

London Borough of Barnet

London Borough of Camden

London Borough of Harrow

London Borough of Hammersmith and Fulham

London Borough of Westminster

Royal Borough of Kensington and Chelsea

Local Resident Associations

All Councillors

Local Member of Parliament

All Brent Customer Service Shops

All Brent Libraries

All Brent Children Centres

Sport England

Secretary of State, School Organisation Unit

Local private nurseries

Any trade unions who represent staff of Roe Green Infant School and Strathcona

Representatives of main trade unions in Brent

Early Years and Family Support Service

Early Years Quality and Improvement Team

Parent and Toddler groups in the area

Any other appropriate groups

Roe Green Infant School Consultation Response Slip

Please tear off and return by: **14th February 2016**

I agree / disagree with the proposal to change the age range and capacity of Roe Green Infant School so that it includes the Strathcona Road provision
Delete as appropriate

Comments:

(Please use the back of this form if you require more space)

Signed

Parent / member of staff / other*please specify*

Please send to Judith Joseph:

- Post: Judith Joseph, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 0FJ
- Email: judith.joseph@brent.gov.uk

Comments continued:

About you

By answering the following questions, you will help us ensure that we deliver a fair service to all our community. You do not have to give us this information, but we hope you will. All information will be treated in the strictest of confidence and will only be used to monitor and improve Brent Council services.

Gender (please tick one):

Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
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My age group (please tick one):

0 -15	<input type="checkbox"/>	16-24	<input type="checkbox"/>
25-34	<input type="checkbox"/>	35-44	<input type="checkbox"/>
45-54	<input type="checkbox"/>	55-64	<input type="checkbox"/>
65-74	<input type="checkbox"/>	75+	<input type="checkbox"/>

Which one of these groups do you feel you belong to (please tick one)?

Asian Indian	<input type="checkbox"/>	Asian Pakistani	<input type="checkbox"/>
Asian Bangladeshi	<input type="checkbox"/>	Asian Other	<input type="checkbox"/>
Black Caribbean	<input type="checkbox"/>	Black African	<input type="checkbox"/>
Black Other	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Mixed White and Black Caribbean	<input type="checkbox"/>	Mixed White and Black African	<input type="checkbox"/>
Mixed White and Asian	<input type="checkbox"/>	Mixed Other	<input type="checkbox"/>
White British	<input type="checkbox"/>	White Irish	<input type="checkbox"/>
White Other	<input type="checkbox"/>	Other Ethnic Group	<input type="checkbox"/>

Other Ethnic Group - please specify

Roe Green Infant School informal consultation meeting notes

Meeting 1 - Monday 8th February at 9:15am Strathcona Road site (HA9 8QL)

Present:

Nicole Lobo – Executive Headteacher
Jag Sidhu – Associate Headteacher
Elizabeth McLaren – Deputy Headteacher
Carmen Coffey – Head of Parent and Pupil Service
Judith Joseph – School Place Planning Officer
2 members of Roe Green Infant staff
2 members of the public

Headteacher, Nicole Lobo introduced the panel and gave the background as to why the Governing Body has agreed to consult to change the character of Roe Green Infant School on a permanent basis, including it will be one school on a split site, the ethos of the school will remain the same, there are joint school events and staff opportunities.

Carmen Coffey explained the reasons why new school places are required, including: the increase in birth rates and migration, the school age population increased by 18% between 2008 and 2015, many primary schools in the local area have already expanded, Brent has a statutory duty to give an education to all resident children of school age, the big increase in Reception applications for September 2013 lead to the temporary provision at Strathcona being created, this consultation is to make it a permanent arrangement.

Question 1: My son is in Reception at Strathcona, should I move him?

Response: No, as the outcome of the consultation is not known yet.

Headteacher Nicole Lobo closed the meeting by saying she is happy with the arrangements and proud of the staff and production kitchen. It is a very welcoming school.

Judith Joseph explained the consultation process i.e. informal consultation followed by a statutory consultation consisting of 4 stages:

Stage 1: issue statutory notice
Stage 2: formal consultation
Stage 3: Brent Cabinet decision
Stage 4: implementation

Meeting 2 - Monday 8th February at 6pm Princes Avenue site (NW9 9JL)

Present:

Gloria Amadi - Chair of the Governing Body, Roe Green Infant School

Nicole Lobo – Executive Headteacher

Elizabeth McLaren – Deputy Headteacher

Jag Sidhu – Associate Headteacher

Carmen Coffey – Head of Parent and Pupil Service

Judith Joseph – School Place Planning Officer

20 people – mainly staff of Roe Green Infant School and a few from Roe Green Junior School

Gloria Amadi introduced the panel and the reasons for the consultation.

Nicky Lobo explained that there are currently two schools on the Princes Avenue site – Infants and Juniors, however if the proposal is approved the infant school will have two sites – Princes Avenue and Strathcona Road. She spoke about the revised curriculum and the house point system that will exist. The school will be fully staffed with no supply teachers.

Carmen Coffey explained that there has been an increase in the primary population by 18% between 2008 and 2015 and around 6800 new primary places have been created since 2008 in Brent (temporary and permanent). There are enough school places spread across the borough but there are still pockets of high demand that has not been met. There is evidence that birth rates fell in the 2011/12 across London but they are going back up. Brent has a statutory responsibility to ensure all residents of statutory school age has a school place. Expanding the age range of an infant school is unusual though. Strathcona is a temporary provision which the Governing Body of Roe Green Infant School and Brent Council would like to be made permanent.

Question 1: Would the school have to become an Academy?

Response: No

Children who live locally to Princes Avenue would be offered places at the Princes Avenue site and those who live locally to Strathcona Road would be offered places at the Strathcona Road site subject to parental preference and sibling connections. All children will be offered a school place in accordance to the highest ranked preference that the council can meet.

Question 2: If parents request Roe Green Infant but are offered Strathcona would the children move site a vacancy arose?

Response: This depends on the request and the ranking of that child on the waiting list.

Question 3: If Cabinet decides against the proposal will the current pupils go to Year 6?

Response: We need to take advice on that

Judith Joseph explained the consultation process i.e. informal consultation followed by a statutory consultation consisting of 4 stages:

Stage 1: issue statutory notice

Stage 2: formal consultation

Stage 3: Brent Cabinet decision

Stage 4: implementation

Roe Green Infant / Strathcona informal consultation responses as at 14 February 2016

Agree =	67	[Staff = 45, Parent = 17, Local resident =1, Governor = 2, Other = 2]
Disagree =	04	[Staff = 0, Parent = 1, Local resident =1, Governor = 0, Other = 2]
No firm decision either way =	<u>10</u>	[Staff = 0, Parent = 5, Local resident =1, Governor = 0, Other = 4]
Total =	81	

Agree	Response number reference	Comment	Parent/ member of staff / other	Gender
Agree 1	RGI 1	On the condition that working conditions are not worsened for existing staff the Brent Teachers Panel agrees with this proposal.	Brent Teachers Panel	
Agree 2	RGI 2	I am [identity removed] from the Eskdale / Lowerwater Close estate at the back of the school. Please, please can you be in contact with the 223 bus that brings parents / pupils to school each day. Bus service does not run enough buses and is very unreliable. Now, due to the school, overcrowded and elderly residents sometimes are not able to board the bus. Over the years we have tried to improve service to no avail. Now with more people using the service, if they don't put on more buses and regular it will be a nightmare. Please this needs to be addressed by Brent Council to [the] bus company and enforced.	Local resident	Female
Agree 3	RGI 3	I agree with the proposal to change the age range and capacity of the Roe Green Infant School so that it includes the Strathcona Road provision. Basis for my view is that there is NO impact on the Princes Avenue site and Roe Green Junior School.	-	-
Agree 4	RGI 4	1. Roe Green Strathcona is necessary as school places are short. 2. It would be unfair to move children after nearly 2 years in a school.	Roe Green Governor	Male

		3. I have visited Roe Green Strathcona and it would be a pity not to keep it open as so much money has been spent on it and it has a great atmosphere for learning.		
Agree 5	RGI 5	As long as it doesn't affect much we are happy for this change in the school. It's for everyone's betterment.	Parent	
Agree 6	RGI 6	<i>No additional comment provided</i>	Parent	Female
Agree 7	RGI 7	<i>No additional comment provided</i>	Parent	Female
Agree 8	RGI 8	<i>No additional comment provided</i>	Parent	Female
Agree 9	RGI 9	<i>No additional comment provided</i>	Parent	-
Agree 10	RGI 10	<i>No additional comment provided</i>	Parent	Male
Agree 11	RGI 11	<i>No additional comment provided</i>	Parent	Male
Agree 12	RGI 12	<i>No additional comment provided</i>	Member of Staff	Female
Agree 13	RGI 13	<i>No additional comment provided</i>	Parent	Female
Agree 14	RGI 14	<i>No additional comment provided</i>	Member of Staff	Female
Agree 15	RGI 23	I think it would be of benefit of the whole community to establish the school (Roe Green Strathcona) on a permanent basis.	Governor	-
Agree 16	RGI 24	No comments	Parent	-
Agree 17	RGI 25	<i>No additional comment provided</i>	Member of Staff	-
Agree 18	RGI 26	<i>No additional comment provided</i>	Member of Staff	-
Agree 19	RGI 27	<i>No additional comment provided</i>	Member of Staff	-
Agree 20	RGI 28	<i>No additional comment provided</i>	Member of Staff	-
Agree 21	RGI 29	<i>No additional comment provided</i>	Member of Staff	-
Agree 22	RGI 30	<i>No additional comment provided</i>	Member of Staff	-
Agree 23	RGI 35	Roe Green Strathcona School is a very good school, very safe and with good progresses in every year. This school has good teachers and highly trained. My son has made great progress in this school and I am very pleased. This school is safe and has a good organisation system.	Parent	-
Agree 24	RGI 36	<i>No additional comment provided</i>	Parent	Male
Agree 25	RGI 37	<i>No additional comment provided</i>	Parent	Male
Agree 26	RGI 38	- Recycling of a semi derelict building - High quality primary education for a burgeoning population ...	Parent and Local resident	Male

		What is there not to like (as they say) except perhaps the burgeoning population!		
Agree 27	RGI 39	It is a very good school. My daughter is very happy to go there and she has made a lot of progress.	Parent	Male
Agree 28	RGI 41	<i>No additional comment provided</i>	Staff member	Female
Agree 29	RGI 42	<i>No additional comment provided</i>	Staff member	-
Agree 30	RGI 43	<i>No additional comment provided</i>	Staff member	Female
Agree 31	RGI 44	Everyone should have a school closer to their home. School is one of the most important institutes in a human being's life. Everyone should have the right to education. There is no better place in invest than schools.	Parent	Female
Agree 32	RGI 45	<i>No additional comment provided</i>	Staff member	-
Agree 33	RGI 46	<i>No additional comment provided</i>	Staff member	Female
Agree 34	RGI 47	<i>No additional comment provided</i>	Staff member	Female
Agree 35	RGI 48	<i>No additional comment provided</i>	Staff member	Female
Agree 36	RGI 49	<i>No additional comment provided</i>	Staff member	-
Agree 37	RGI 50	<i>No additional comment provided</i>	Staff member	-
Agree 38	RGI 51	<i>No additional comment provided</i>	Staff member	-
Agree 39	RGI 52	<i>No additional comment provided</i>	Staff member	-
Agree 40	RGI 53	<i>No additional comment provided</i>	Staff member	-
Agree 41	RGI 54	<i>No additional comment provided</i>	Staff member	-
Agree 42	RGI 55	<i>No additional comment provided</i>	Staff member	-
Agree 43	RGI 56	<i>No additional comment provided</i>	Staff member	-
Agree 44	RGI 57	<i>No additional comment provided</i>	Staff member	-
Agree 45	RGI 58	<i>No additional comment provided</i>	Staff member	Female
Agree 46	RGI 59	<i>No additional comment provided</i>	Staff member	-
Agree 47	RGI 60	<i>No additional comment provided</i>	Staff member	Female
Agree 48	RGI 61	<i>No additional comment provided</i>	Staff member	Male
Agree 49	RGI 62	<i>No additional comment provided</i>	Staff member	Male
Agree 50	RGI 63	<i>No additional comment provided</i>	Staff member	Female
Agree 51	RGI 64	<i>No additional comment provided</i>	Staff member	Female
Agree 52	RGI 65	<i>No additional comment provided</i>	Parent	Female
Agree 53	RGI 66	<i>No additional comment provided</i>	Staff member	Female

Agree 54	RGI 67	<i>No additional comment provided</i>	Staff member	Female
Agree 55	RGI 68	<i>No additional comment provided</i>	Staff member	Female
Agree 56	RGI 69	<i>No additional comment provided</i>	Staff member	Female
Agree 57	RGI 70	<i>No additional comment provided</i>	Staff member	-
Agree 58	RGI 71	<i>No additional comment provided</i>	Staff member	Female
Agree 59	RGI 72	<i>No additional comment provided</i>	Staff member	Female
Agree 60	RGI 73	<i>No additional comment provided</i>	Staff member	-
Agree 61	RGI 74	<i>No additional comment provided</i>	Staff member	Female
Agree 62	RGI 75	<i>No additional comment provided</i>	Staff member	Female
Agree 63	RGI 76	<i>No additional comment provided</i>	Staff member	Female
Agree 64	RGI 77	<i>No additional comment provided</i>	Staff member	Female
Agree 65	RGI 79	<i>No additional comment provided</i>	Staff member	Female
Agree 66	RGI 80	<i>No additional comment provided</i>	Staff member	-
Agree 67	RGI 81	<i>No additional comment provided</i>	Parent	-
Disagree	Response number reference	Comment	Parent/ member of staff / other	Gender
Disagree 1	RGI 20	I believe [the] two schools, Roe Green Princes Avenue and Strathcona Road are two different places. Distance is not welcoming. I like to increase the size of both schools as general to help those kids who need school places, but I like to keep two separate schools.	Parent	Male
Disagree 2	RGI 21	<p>I disagree with the proposal to change the age range and capacity of Roe Green Infant School so that it includes the Strathcona Road provision.</p> <p>It appears that the classroom spaces will increase fairly largely by this proposed change. From the perspective of a pupil I would imagine that would not be good for learning and from the perspective of a teacher, I would imagine it would bring on even more problems trying to keep control of such a number of children. Can't imagine anyone winning out of this situation.</p> <p>I am concerned that Brent Council schools are having to take on schools from outside the catchment area. Perhaps the problem is that there are just not enough schools.</p>	Local Resident	Female

		The additional pupils bring additional traffic into the already congested area and being so close to Kingsbury High School, unless the school hours are handled so they don't coincide, I believe that is going to cause a real problem. Often gridlocked already and problems with inconsiderate drivers parking over drives, etc, I don't believe this is going to be a good move.		
Disagree 3	RGI 22	<p>I have read the information you kindly provided about the proposed change and have to say that I consider it a thoroughly bad idea. For a start, the reference to the outstanding status of the school is totally irrelevant, it was many years ago and it was "due to the strong leadership of both headteachers"(See Ofsted report). As you know neither of those heads is there any more.</p> <p>The two sites are too far apart. I believe there are two schools much nearer to the Strathcona site, Mount Stewart and Uxendon Manor both with very good Ofsted reports, both smaller than Roe Green. Why don't you try to cooperate with these?</p> <p>The head teacher of a school should be in the school at all times and not running between two sites and possibly having to attend to the day-to day running of the school over the phone while being stuck in traffic.</p> <p>You do not offer any explanation how you plan to manage the increase in the number of pupils in RGI without the same increase at RGJ.</p> <p>As things are the roads around RGI, RGJ and Kingsbury High are blocked solid twice a day by parents parking on Princes Ave, Bacon Lane and Northway. Residents often cannot leave their homes or return there because their driveways are blocked. No amount of complaining prompted any of these schools to do anything about this problem.</p> <p>I understand that you want to find places for the influx of children but the proposed solution is possibly the worst anybody can come up with.</p>	-	Female
Disagree 4	RGI 40	This site seems to be a waste of the council's funds. It is a school that is half empty. Not all the classrooms are fully occupied with children coming and going as it is seen as a school to place children while parents wait for the school of their choice. I am sure if you look in to records of children who have left since the school has been opened you will be surprised!	Other	-

		<p>Transport links are horrendous and if you miss a particular bus you are bound to be late for school. A few-parents-have expressed they are concerned of danger of vehicles around the top of the road and of people loitering along the top of the road.</p> <p>Congestion in the morning and afternoon is hazardous as parents cannot bring their cars down the road as it is absolutely not possible. The road runs down into an industrial estate. The school is overlooked by council houses and is in the midst of an industrial estate. A few parents have expressed concerns of having Nitrogen tanks in close proximity of the school.</p> <p>It's very confusing for parents as they apply to Roe Green Infant School and get the Roe Green Strathcona school site. We have come to know of at 2 different families who have children at each of the sites. This is horrible for the parents concerned and commuting to drop and collect children is really hard.</p> <p>If you would like to keep this school it should be completely independent of Roe Green Infant School on Princes Avenue. It should be a one form entry and all the classes should be fully occupied. Then, if parents want to apply to the Strathcona site they can do independently.</p> <p>A lot of parents see Roe Green Strathcona as a holding place until they get accepted by their first school choice. It is also very confusing applying for Junior places. Other parents are saying there are places available in Brent and not as everyone is being told about what is available. So many Primary schools have gone to larger form entries so there should be a shortage of places.</p> <p>I am sure it will not be an easy decision. But you have to think about the money used to fund this school which not is fully occupied. Some may think this is brilliant as this will seem like a private school with not so many children in classes.</p> <p>If you ask parents at both schools they will not be fully aware of what is going on.</p>		

No firm decision either way	Reference Number	Comment	Parent/ member of staff / other	Gender
No firm decision 1	RGI 15	The traffic chaos cause to local residents makes the Princes Avenue site wholly unsuitable for school purposes.	Local Resident	Male
No firm decision 2	RGI 16	<i>This form was signed by the parent but they did not indicate whether they agreed or disagreed with the proposal.</i>	Parent	-
No firm decision 3	RGI 17	<i>This form was signed but they did not indicate whether they agreed or disagreed with the proposal.</i>	-	Male
No firm decision 4	RGI 18	<i>This form was signed by the parent but they did not indicate whether they agreed or disagreed with the proposal.</i>	Parent	-
No firm decision 5	RGI 19	I have been very happy with Roe Green School for my son [name removed] who is in Year 5. I hope that [name removed] who is in Reception will go to the same school.	Parent	Female
No firm decision 6	RGI 31	<i>This form was signed by the parent but they did not indicate whether they agreed or disagreed with the proposal.</i>	Parent	Female
No firm decision 7	RGI 32	I would like to spread the school. I have 3 children in Roe Green, 2 in the junior and 1 in the infants.	-	-
No firm decision 8	RGI 33	<i>This form was signed by the parent but they did not indicate whether they agreed or disagreed with the proposal.</i>	Parent	Female
No firm decision 9	RGI 34	I have raised this with colleagues in Camden. Due to the location, and as there is already temporary provision at the site, we don't feel this would affect Camden schools. We have no further comments to add.	London Borough of Camden	-
No firm decision 10	RGI 78	<i>This form was signed but they did not indicate whether they agreed or disagreed with the proposal.</i>	-	Female

Statutory Notice

Alteration to Roe Green Infant School

Notice is given in accordance with section 19(3) and 21(2) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) that the Governing Body of Roe Green Infant School intends to make a prescribed alteration to Roe Green Infant School (Community), Princes Avenue, London, NW9 9JL (Department for Education number 3042042). The school has a nursery which provides 40 full time equivalent places.

Roe Green Infant School is a community school with a planned admission number of 360 places (4 forms of entry i.e. 4 classes in each of the 3 year groups – Reception to Year 2) for boys and girls between the ages of 4 – 6.

In addition Roe Green Infant School agreed to manage a site, known as Strathcona, (Strathcona Road, London, HA9 8QL) as an expansion of their existing provision, and so be responsible for educational provision and staffing in the same way as at their original Princes Avenue site.

During the 2015/2016 academic year Strathcona has 6 classes ranging from Reception to Year 4. The accommodation at the site is sufficient to permanently accommodate one class for every year group from Reception to Year 6, and also to allow the additional class that is currently in Year 2 to remain on site through to the end of Year 6.

In summary there are currently 540 places between both sites (360 permanent at Princes Avenue + 180 temporary at Strathcona Road) excluding nursery places. The proposal is to increase the places to (360 permanent + 210 permanent respectively).

Brent Council is proposing to make permanent the provision at Strathcona by changing the legal nature of Roe Green Infant School so that it permanently includes the Strathcona Road provision – this requires changing the legal age range of the Strathcona site so that it is for children between the ages 4 – 11 and increasing the total number of permanent pupil places for children in Reception or above at the combined school from 360 currently to 570.

If the proposal to expand and change the age range at the Strathcona site is approved the temporary places will officially become permanent places until there is one class in each year group at Strathcona. Places at the Princes Avenue site will remain the same. All 570 children will be accommodated between both sites. All 570 places will be permanent places.

All applicable statutory requirements to consult in relation to these proposals have been complied with. There will be no change to the existing Special Educational Needs arrangements at the school.

The distance between the Princes Avenue and Strathcona sites (over 4 miles by car) means that parents are likely to want to prioritise a specific site as part of the Reception admissions arrangements. Therefore as part of making the Strathcona provision permanent, the Council and Governing Body would wish to update the admissions arrangements for Roe Green Infant School so that they include the Strathcona Road site.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Judith Joseph, School Place Planning Officer, Children and Families, London Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal in writing by sending them to Judith Joseph, School Place Planning Officer, Children and Families, London Borough of Brent, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk. The last date for representations is **24 March 2016.**

Signed: Cate Duffy, Operational Director, Early Help and Education

Publication Date: Thursday 25 February 2016

Explanatory Notes

Children placed at the Roe Green Infant site will continue to apply for a junior transfer to Roe Green Junior School (or any other junior school of choice) after Year 2.

Children placed at the Roe Green Strathcona site will transfer automatically from Year 2 to Year 3.

Roe Green Infant / Strathcona statutory consultation responses

Representation 1

I am a resident of Pempath Place which is next to Roe Green Infant School [Strathcona site]. I would like to put on record my disagreement with the expansion of the school on the basis that the school currently causes congestion of the local area and parents parking in our private car parks to drop their children off. The school is at the bottom of a narrow road where motor repair companies operate and there is also an entrance to an industrial estate. The area was never designed to hold a school and is unsuitable to do so. Carlton Avenue East is also a narrow road with a blind bend and the congestion the additional pupils would create would make this dangerous for all concerned and a black spot.

Representation 2

With regards to Brent Council's proposal to make permanent the temporary places established by Roe Green Infants School at the Strathcona site, which would result in increasing the total number of permanent pupil places for children in Reception thru to age 11 at the school from the current 360 to 570, I would like to offer the following comments which a slight concern that there could result an over-provision in the borough.

- Has Brent Council taken account of all the other expansion programs across Brent in under 11's provision ie there are already extra places created at Preston Park Primary, Wembley Primary, and expansion programs across most primary schools either under review or in the pipeline. Surely, there are sufficient places currently?
- Are all the classes currently at Strathcona accommodating pupils at full capacity ie 30 per class or are there lots of places in each of the other years above Reception?
- Roe Green Junior School is a permanent, long-established, thriving and successful Junior school. Will there be safe-guards in place to ensure that the places at this school on Princes Avenue site are always filled first thereby not jeopardising the junior school.

Although Brent Council states that both schools at Princes Avenue site are "separate entities", the local residents, former parents and themselves now parents at the schools would not wish to jeopardise the continuity of Roe Green Junior School or impact indirectly by way of over-provision by the Council.

Equality Analysis- Roe Green Infant School

Stage 1 Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The proposal is to change the character of Roe Green Infant School by expanding on a separate site and change the age range for that site only.

The consultation is to seek approval to increase pupil numbers and the age range on the Strathcona Road site.

The objectives are to meet the growing demand for primary school places and to extend outstanding provision to a wider number of pupils.

The expected outcome is to make Roe Green Infant School a split site school. These changes enable the provision that was established temporarily at the Roe Green Strathcona site to be made a permanent part of the school and for the Strathcona Road provision to provide 30 places a year for children from Reception to Year 6. There is no change to the Roe Green Infant provision at the Princes Avenue site which would continue to provide 120 places per year group for children from Reception to Year 2 as well as a nursery with 40 full-time equivalent places.

The expansion is required as currently the demand for primary school places in Brent cannot be met by the existing capacity in schools.

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

Pupils

Parents

Residents in the Princess Avenue area i.e. Queensbury ward

Residents in the Strathcona Road area i.e. Preston ward

Staff and Governors at Roe Green Infant School and the Strathcona Road site

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

Yes

- Age
- Disability

3.2 Could the proposal have a disproportionate impact on some equality groups?

If you answered 'Yes' please indicate which equality characteristic(s) are impacted

Yes

- Age
- Disability

3.3 Would the proposal change or remove services used by vulnerable groups of people?

Yes

Roe Green Infant School provides education for a variety of pupils with varying educational needs. The proposed expansion will change pupil numbers and may impact those with special educational needs (SEN) more than children without these disabilities.

3.4 Does the proposal relate to an area with known inequalities?

No

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

Yes

- Age
- Disability

3.6 Does the proposal relate to one of Brent's equality objectives?

Yes

Equality Objective 3 - To work in partnership with voluntary and community led organisations to ensure that services are delivered to the wider community- is engaged by this proposal.

The main aim of this proposal is to widen education provision in the Roe Green Infant catchment area. Through our consultation periods we have met with a number of stakeholders to ensure they are informed about the proposal.

This proposal also relates to equality objective 4: To encourage residents to participate and engage with us in order to help us to shape local priorities and improve our performance in service delivery across the protected groups. The consultation process opens dialogue with local residents about their beliefs on school structure. In doing so we gather a wealth of information on the quality of education currently provided by the schools and resident's views on how to improve, as well as community issues such as traffic and parking. As a result we are able to work with the local communities in devising effective strategies for the future to alleviate current problems.

Recommend this EA for Full Analysis?

Yes

4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.

Stage 2: Analysis

5. What effects could your policy have on different equality groups and on cohesion and good relations?

5.1 Age (select all that apply)

- Positive Yes
- Neutral
- Negative

Please give details:

Roe Green Infant School is a community school (on Princes Avenue) with a planned admission number of 360 places (4 forms of entry i.e. 4 classes in Reception, Year 1 and Year 2) for boys and girls between the ages of 4 – 7.

In addition from March 2014 Roe Green Infant School agreed to manage additional temporary places in an annexe known as Strathcona due its site on Strathcona Road. The proposal to make this provision permanent would change the legal nature of Roe Green Infant by changing the legal age range of the school so that it is for children between the ages 3-11 rather than 3-7 and increasing the total number of permanent pupil places for children in Reception or above at the school from 360 currently to 570

The positive impact of the proposal is that there will be additional places for children in the north of the borough who need a school place. The increase in places will also give parents additional choice for a school place.

Queensbury Ward – Princes Avenue site

The 2011 census showed that over a fifth of the population was under 18, 22.7% similar to 22.6% for Brent. 1 in 8 residents were aged 65 and over, 12.3% compared to 10.6% for Brent. Queensbury had a slightly smaller working age (16 to 64) population than Brent, 67.6% compared to 69.2%.

The age profile of Queensbury's population was similar to that of Brent, with a slightly smaller proportion of people aged 20 to 44, 39.9% compared to 43.4% in Brent; and a slightly larger proportion aged 45 and over, 35.1% compared to 31.7% in Brent.

The median age, at 34, was higher than Brent's median age of 32.

Preston Ward – Strathcona Road site

The 2011 census showed that over a fifth of the population was under 18, 22.9% similar to 22.6% for Brent. More than 1 in 8 residents were aged 65 and over,

12.4% compared to 10.6% for Brent. Preston had a slightly smaller working age (16 to 64) population than Brent, 67.3% compared to 69.2%. The age profile of Preston's population was similar to that of Brent, with a slightly smaller proportion of people aged 30 to 44, 23.1% compared to 24.5% in Brent; and a slightly larger proportion aged 65 and over. The median age, at 32, was the same as Brent's median age of 32.

5.2 Disability (*select all that apply*)

- Positive
 Neutral
 Negative

Please give details:

The additional places at the school will have the potential for a proportionate increase in the number of children with disabilities and a corresponding increase in staff.

During the 2014/15 academic year Roe Green Infant and Junior School (including Strathcona) had 1055 pupils on roll, of which 9 had SEN statements/(Education, Health and Care) EHC Plans and 91 required SEN support.

These 100 children requiring SEN provision had the following needs:

Moderate learning difficulty	35 (3.3%)
Speech, language and communication needs	32 (3.0%)
Specific learning difficulty	17 (1.6%)
Social, emotional and mental health	6 (0.6%)
Visual impairment	3 (0.3%)
Other difficulty/disability	2 (0.2%)
Physical disability	2 (0.2%)
Severe learning difficulty	1 (0.1%)
Hearing impairment	1 (0.1%)
Autistic spectrum disorder	1 (0.1%)

Queensbury Ward – Princes Avenue site

The proportion of residents who felt that they had good health increased from 71.3% in 2001 to 82.1% in 2011.

In November 2013, 0.9% (75 people) of Queensbury residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was slightly higher than the 0.8% rate for Brent, and the same as the rate for London.

In the census, 1 in 7 (14.9%) Queensbury residents considered that their health had a limiting impact on their day to day activities. This is similar to the rate for Brent of 14.5%.

7.3% of residents felt their day to day activities were limited a lot and 7.6% of residents felt their day to day activities were limited a little.

5.5% of Queensbury's residents felt that they had bad or very bad health, similar to the 5.4% rate for Brent. Across the ward, the rate varied from 4.4 to 8.0%.

Disability and ill health varied across Queensbury. 7.3% of residents felt that their health limited a lot their day to day activities, slightly higher than the 7.0% rate for Brent. Across the ward, the rate varied from 5.3 to 10.5%.

Preston Ward – Strathcona Road site

The proportion of residents who felt that they had good health increased from 70.9% in 2001 to 83.6% in 2011. In November 2013, 1.1% (95 people) of Preston residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was higher than the rate for Brent, 0.8% and London, 0.9%.

In the census, 1 in 7 (14.7%) Preston residents considered that their health had a limiting impact on their day to day activities. This is similar to the rate for Brent of 14.5%.

6.9% of residents felt their day to day activities were limited a lot and 7.8% of residents felt their day to day activities were limited a little.

4.7% Preston's residents felt that they had bad or very bad health, lower than the 5.4% rate for Brent. Across the ward, the rate varied from 3.0 to 7.0%.

Disability and ill health varied across Preston. 6.9% of residents felt that their health limited a lot their day to day activities, similar to the 7.0% rate for Brent. Across the ward, the rate varied from 4.5 to 11.2%.

5.3 Gender identity and expression (select all that apply)

Neutral

5.4 Marriage and civil partnership (select all that apply)

Neutral

5.5 Pregnancy and maternity (select all that apply)

Neutral

5.6 Race (select all that apply)

Positive

Ethnic breakdown of the Roe Green Infant and Roe Green Junior Schools

The pupil population at Roe Green Infant School and Roe Green Junior School is diverse. A recent study showing the ethnic breakdown of 975 pupils at the schools as at 2015 showed the following:

Asian – 51%

White – 23%

Black – 11%

Other – 9%

Mixed – 5%

No information – 1%

Queensbury Ward – Princes Avenue site

In the 2011 Census, 72.9% of the population of Queensbury were from black, Asian and minority ethnic (BAME) backgrounds higher than 63.7% in Brent as a whole. By contrast, 14% of people in England and Wales and 40% of people in London were BAME.

The largest BAME group in Queensbury were the Asian/Asian British: Indian or British Indian, 36.1% of Queensbury's population compared to 18.6% of Brent's population, followed by Black/African/ Caribbean/Black British: African 5.4%. The White: English/ Welsh/ Scottish/ Northern Irish/ British population at 12.1% was lower than the percentage for Brent 18.0%.

There was a lower proportion of Black/African/ Caribbean/Black British: Caribbean, 3.7% people and Black/African/ Caribbean/Black British: African, 5.4% in Queensbury than in Brent: 7.6% and 7.8% respectively. The Asian ethnic group percentage was larger than those for Brent: 54.3% compared to 34.1%. There was a smaller proportion of people from black ethnic groups in Queensbury: 10.9% compared to Brent's 18.8%.

0.1% of Queensbury's population were White: Gypsy or Irish Traveller which was on par with Brent, London and national figures.

Preston Ward – Strathcona Road site

In the 2011 Census, 70.1% of the population of Preston were from black, Asian and minority ethnic (BAME) backgrounds higher than 63.7% in Brent as a whole. By contrast, 14% of people in England and Wales and 40% of people in London were BAME.

The largest BAME group in Preston were the Asian/Asian British: Indian or British Indian: 26.4% of Preston's population compared to 18.6% of Brent's population, followed by Asian/Asian British: Pakistani or British Pakistani 5.5%. The White: English/ Welsh/ Scottish/ Northern Irish/ British population at 13.7% was lower than the percentage for Brent 18.0%.

There was a higher proportion of Asian/Asian British: Sri Lankan: 5.1% people in Preston compared to 2.9% in Brent. The Asian ethnic group percentage was larger than those for Brent: 45.9% compared to 34.1%. There was a smaller proportion of people from black ethnic groups in Preston: 13.7% compared to Brent's 18.8%.

0.0% of Preston's population were White: Gypsy or Irish Traveller which was lower than Brent, London and national figures.

5.7 Religion or belief (select all that apply)

- Positive
- Neutral Yes
- Negative

Please give details:

Queensbury Ward – Princes Avenue site

More people in Queensbury had a religion than Brent: 1 in 20 Queensbury residents stated that they had no religion, compared to 1 in 10 people in Brent. The largest religious groups in Queensbury were:

- Hindu (35.0% compared to 17.8% in Brent)
- Christian (32.8% compared to 41.5% in Brent)

- Muslim (17.4% compared to 18.6% in Brent).

The biggest changes to religious groups in Queensbury were:

- 72% increase to the proportion of Buddhist people
- 63% increase to the proportion of Muslim people
- 50% decrease to the proportion of Jewish people.

269 people stated that they were Jain and 73 people stated that they were Sikh.

Preston Ward – Strathcona Road site

More people in Preston had a religion than Brent: 1 in 15 Preston residents stated that they had no religion, compared to 1 in 10 people in Brent.

The largest religious groups in Preston were:

- Christian (34.6% compared to 41.5% in Brent)
- Hindu (26.3% compared to 17.8% in Brent)
- Muslim (19.5% compared to 18.6% in Brent).

The biggest changes to religious groups in Preston were:

- 89% increase to the proportion of Muslim people
- 61% increase to the proportion of Buddhist people
- 42% decrease to the proportion of Jewish people.

235 people stated that they were Jain and 128 people stated that they were Sikh.

5.8 Sex (select all that apply)

- Positive
- Neutral Yes
- Negative

Please give details:

During the 2014/15 academic year 55% of the pupils at Roe Green Infant and Roe Green Junior schools were boys and 45% were girls.

Queensbury Ward – Princes Avenue site

Men made up slightly under half of the population of Queensbury: 7,506 people in Queensbury were men and 7,649 were women.

There were 55 fewer men than women at age 16 to 64. The population aged under 18 had 92 more boys than girls.

Queensbury's population aged 65 and over had more women than men: 1004 women and 844 men

Preston Ward – Strathcona Road site

Men made up slightly under half of the population of Preston: 7,720 people in Preston were men and 7,754 were women.

There were 176 more men than women at age 16 to 64. The population aged under 18 had 42 more boys than girls.

Preston's population aged 65 and over had more women than men: 1090 women and 835 men.

5.9 Sexual orientation (select all that apply)

- Positive
- Neutral Yes
- Negative

Please give details:

N/A

5.10 Other (please specify) (select all that apply)

- Positive
- Neutral Yes
- Negative

Please give details:

N/A

6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.

- Yes
- No

7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

What did you find out from consultation or data analysis?

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?

How did your findings and the wider evidence base inform the proposal?

The consultation process to change the character of Roe Green Infant School was in 5 parts (the first part being non statutory):

- Part 1 - Informal consultation (non statutory)
- Part 2 - Statutory notice
- Part 3 - Formal consultation - Representation
- Part 4 - Decision by the Brent Cabinet
- Part 5 - Implementation if the Brent Cabinet agrees the proposal

Detailed consultation documents were drafted and agreed with the governing body of the school. 1450 copies were printed and delivered each child for their parents and to the local community of both sites and approximately 300 copies were emailed to a variety of people and organisations as outlined in the attached document. Consultation meetings for parents and residents were held to discuss the proposal.

81 responses were received for the informal consultation – 67 (82.7%) for the proposal to make Strathcona a permanent provision, 4 (5%) against and 10 (12.3%) gave not precise decision.

The Statutory Notice for the formal consultation can be found here:

http://brent-consult.limehouse.co.uk/portal/candf/proposed_changes_to_roe_green_infant_school

STAGE 3: ACTION PLANNING

Now, you will respond to your findings from the analysis stage and complete an action plan. At this stage you need to think about how to remove or reduce all the negative impacts that you have identified and how to maximise any opportunities to promote equality. This might mean making changes to your proposal or to the way that it is implemented.

8. What actions will you take to enhance the potential positive impacts that you have identified?

Currently the demand for primary school places in the Brent cannot be met by the existing capacity in schools. The number of children seeking a primary school in Brent is increasing year on year. This is due to several factors e.g. the renewed popularity of Brent schools, the inward migration of families into the borough, the new housing developments throughout the borough attracting new families and the rising birth rates. As a result, in areas of high demand there are insufficient school places.

The change of character would impact the type of places offered by Roe Green Infant School. The proposed permanent expansion will provide 30 permanent places in each of the 7 year groups providing more choice for parents and a school place for children without a school.


9. What actions will you take to remove or reduce the potential negative impacts that you have identified?

Roe Green Infant School is located on a split site. The location of the main school is in the middle of a densely populated residential area. This site will not face any changes as the additional 210 permanent places will be located approximately 4 miles away i.e. the Strathcona site on Strathcona Road, which has a mixture of residential and industrial buildings surrounding it.

Increasing the current temporary places to 210 permanent places at the Strathcona site may have a number of effects on local residents e.g. a gradual increase in noise, traffic and parking outcomes for those in close vicinity of the school. These affects could be limited by the school reviewing its travel plan, speaking with parents to walk their children to school and respect the residents living close to the school by not parking across their drives or driving in a dangerous manner.

10. Please explain how any remaining negative impacts can be justified?

There are no remaining negative impacts.

 Brent	<p style="text-align: center;">Cabinet 11 April 2016</p> <p style="text-align: center;">Report from the Strategic Director of Regeneration and Environment</p>
<p>For Action Wards Affected: All</p>	
<p style="text-align: center;">Authority to award the works contracts for the Design and Build of Phase 3 Primary School Expansion Projects</p>	

Appendix 1 is Not for Publication.

1.0 Summary

- 1.1 This report requests authority to award a number of separate contracts for the design and build of school expansions at Byron Court Primary School, Elsley Primary School, The Stonebridge Primary School and Uxendon Manor Primary School as required by Contract Standing Order No 88. This report summarises the processes undertaken in tendering these contracts and, following the completion of the evaluation of the tenders, recommends to whom the contracts should be awarded.

2.0 Recommendations

- 2.1 Cabinet is recommended to:

2.1.1 Byron Court Primary School

- 2.1.1.1 Delegate authority to make the final decision to award the two stage design and build contract for the expansion of Byron Court Primary School to Morgan Sindall Group to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief Finance Officer following successful completion of all associated matters including planning approval. The first stage of the contract (Preconstruction Services Agreement) to commence following award.

- 2.1.1.2 Delegate authority to trigger the entry into the stage two main works contract to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief Finance Officer following successful conclusion of the Pre Construction Services Agreement.
- 2.1.2 Elsley Primary School
 - 2.1.2.1 Subject to planning approval detailed in paragraph 3.4 and table 2, award the two stage design and build contract for the expansion of Elsley Primary School to Lakehouse Contracts Ltd with the first stage of the contract (Preconstruction Services Agreement) to commence following award.
 - 2.1.2.2 Subject to planning approval detailed in paragraph 3.4 and table 2, award the fixed cost lump sum works contract (contract 1) to Lakehouse Contracts Ltd
 - 2.1.2.3 Delegate authority to trigger entry into the stage two main works contract to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief Finance Officer following successful conclusion of the Preconstruction Services Agreement.
- 2.1.3 The Stonebridge Primary School
 - 2.1.3.1 Subject to planning approval detailed in paragraph 3.4 and table 2, award the two stage design and build contract for the expansion of The Stonebridge Primary School to Morgan Sindall Group with the first stage of the contract (Preconstruction Services Agreement) to commence following award.
 - 2.1.3.2 Delegate authority to trigger entry into the stage two main works contract to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief Finance Officer following successful conclusion of the Preconstruction Services Agreement.
- 2.1.4 Uxendon Manor Primary School
 - 2.1.4.1 Award the two stage design and build contract for the expansion of Uxendon Manor Primary School to Morgan Sindall Group with the first stage of the contract (Preconstruction Services Agreement) to commence following award.
 - 2.1.4.2 Delegate authority to trigger entry into the stage two main works contract to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief Finance Officer following successful conclusion of the Preconstruction Services Agreement.

3.0 Detail

Background

July 2014

Page 2

- 3.1 In August 2012 Members approved a four year rolling School Expansion Programme Portfolio to address the demand for primary school places up to 2016-17. Officers have developed those plans, reporting to Members on various occasions. In October 2014 a School Place Planning Strategy was approved and subsequently updated in a report to Cabinet in November 2015. These reports have established the requirement for additional school places.
- 3.2 Projects within that overall Portfolio were formally allocated to Programmes of expansion. The Phase Three Permanent Primary School Expansion Programme was approved by Cabinet in January 2015 and this report focusses on the following projects from this phase.

	No. of additional places	Equivalent Forms of Entry (FE)	Total FE on completion
Byron Court Primary	420	2	5
Elsley Primary	420	2	4
The Stonebridge Primary	210	1	3
Uxendon Manor Primary	420	2	4
Total number of places	1,470	7	

Table 1 – Phase 3 Permanent Primary School Expansions that this report covers

- 3.3 Statutory consultation was completed as part of the expansion projects at Byron Court Primary School, Elsley Primary School, The Stonebridge Primary School and Uxendon Manor Primary School. Cabinet approved the permanent expansions (subject to planning approval being obtained) on 16 March 2015, 24 August 2015, 1 June 2015 and 24 August 2015, respectively.
- 3.4 Planning permission has been sought for each school. At the time of drafting this report decisions are expected at the following Planning Committee meetings:

School	Planning Committee Meeting Date
Byron Court Primary School	9 March 2016
Elsley Primary School	6 April 2016
The Stonebridge Primary School	6 April 2016
Uxendon Manor Primary School	9 March 2016

Table 2 – Planning Committee Dates

A decision to approve the applications for both Byron Court and Uxendon Manor was made by Planning Committee on 9 March 2016. At the time of drafting, the planning decision notice for Byron Court could not be issued due to a request for the Secretary of State to consider calling in the planning committee decision. This call-in decision is expected to be made before the date of the Cabinet meeting. Delegation to the Strategic Director of Regeneration and Environment in consultation with the Chief Legal Officer and Chief

Finance Officer to award the contract for Byron Court is sought in order to address any call in issues.

3.5 Table 3 below provides a synopsis of the work that each expansion project includes. Subject to Cabinet awarding the contracts as recommended, the Pre Construction Services Agreement (PCSA) periods are expected to last 16 weeks and the construction works to take 12 months. Therefore, each expansion is anticipated to complete ready for the 2017-18 academic year.

School	Project Synopsis
Byron Court Primary School	<ul style="list-style-type: none"> • Demolition of the existing dining hall, kitchen and three single storey classroom blocks to make way for the 2FE expansion. • The new block will be a two-storey modular block hosting 20 classrooms, group rooms, reception rooms and a staff room linked at ground floor to a new hall and kitchen. • External works will be provided including a new MUGA, additional car parking and an extension to the existing to the existing hard and soft play areas.
Elsley Primary School	<ul style="list-style-type: none"> • Contract 1 (fixed cost lump sum) provides four temporary classrooms, a MUGA and new fencing • Construct a new two storey classroom block linked to the main school building and associated external landscaping works
The Stonebridge Primary School	<ul style="list-style-type: none"> • Construct a new access road, demolition works, site set up and enabling works for contract 2. • A new two storey classroom block with multi purpose hall, re-modelling and renovation of the existing building most significantly the installation of a new lift and stair core • Link bridge and external works including demolition of one of the detached school buildings
Uxendon Manor Primary School	<ul style="list-style-type: none"> • Construction of a new single-storey, four classroom block • Demolition of existing buildings on site to make way for construction

	of new buildings including a new multi purpose hall and two storey, 16 classroom extension as well as landscaping, internal remodelling and removal of temporary decant accommodation
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Table 3 – Synopsis of expansion

- 3.6 Cabinet approved the Phase Three Permanent Primary School Expansion procurement methodology in September 2014. This report detailed the two-stage design and build process to be used. This is a different procurement approach to that used in previous school expansions programmes.
- 3.7 This two stage approach is a variant of the traditional design and build model. The first stage, known as the Pre Construction Services Agreement (PCSA), is based on a cost made up of the contractor’s preliminaries, over-heads and profits, design and survey costs and any other pre-construction works that are specified. In this stage the appointed contractor works alongside the Council and school to develop the designs and tenders work packages to its sub contractor supply chain. The resulting cost triggers stage two (construction or works) and transfers the risk and responsibility to the contractor.
- 3.8 The contractor is appointed for both stages at stage one but there is no obligation on the Council to accept the price of the works contract at stage 2. The forming of tender packages and subsequent tender returns is carried out under an open-book approach so the Council is able to observe how the appointed contractor is forming their stage two costs before accepting them. This allows the contractor to get a fuller understanding of the client’s requirements compared to a single stage design and build contract. If the stage two price is not acceptable, the Council has the option not to trigger stage two and allow the contractor to return with a more agreeable cost. Alternatively, the Council could not trigger stage two and re-start the tendering process.
- 3.9 Elsley Primary School also includes a fixed cost lump sum (single stage design and build contract) contract. This delivers temporary accommodation to allow for the remodeling works within the existing school building.

The tender process

- 3.10 The new contracts will be let using 2011 JCT Pre Construction Services Agreement for the PCSA periods for 16 weeks and the stage 2 contracts and the Elsley Primary School fixed cost contract will be let using the 2011 JCT Design and Build Contract with client amendments. The Design and Build contracts will be for 24 months (12 months construction and 12 months defect liability period).

3.11 The tender process was carried out in accordance with the pre-tender considerations approved by Cabinet in September 2014. Advertisements were placed in the Official Journal of the European Community (OJEU) and on Contracts Finder for all contracts. Contractors were provided with an outline specification and details of the tender approach and were invited to complete shortlisting questionnaires (PQQ) using the Council's Electronic Tendering Facility. Table four below details the dates the OJEU notices were issued, the number of elicited initial enquiries and the subsequent number of contractors who completed and submitted the PQQ for each opportunity. Each contract opportunity was tendered separately and evaluated separately by the panel.

School	OJEU Notice Date	Number of expressions of interest elicited	Number of contractors who completed and submitted PQQ
Byron Court Primary School	19 August 2015	63	10
Elsley Primary School	3 December 2015	35	10
The Stonebridge Primary School	23 October 2015	61	15
Uxendon Manor Primary School	26 October 2015	57	13

Table 4 – OJEU notice date, Expressions of Interest, Completed PQQs

3.12 PQQ shortlisting was carried out on the basis of the contractors' financial viability, Health & Safety viability, Equality viability, Environmental viability and technical ability. This allowed shortlists of contractors to be invited to tender, to be agreed. Table five details the date the invitations to tender (ITT) were issued and to the number of contractors the invitations were issued to.

School	Date ITT issued	Number of contractors issued to
Byron Court Primary School	28 October 2015	5
Elsley Primary School	19 January 2016	6
The Stonebridge Primary School	20 January 2015	6
Uxendon Manor Primary School	18 December 2015	5

Table 5 – ITT issue date and contractors invited to tender

3.13 The tendering instructions stated that the contracts would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following:

- Price (50%)
- Quality assessment (50%)
 - Project and Cost Management
 - Construction Programme
 - Project Understanding and Client Liaison
 - Quality
 - Health and Safety
 - Innovation
 - Sustainability (including Social Value)

3.14 Tenderers were required to submit additional information providing details of their proposed arrangements for performing the contract including (but not limited to) the following:

- Employment and Skills Plan
- Contract Programme
- Resources/employees to be used to deliver the contract

Evaluation process

3.15 The tender evaluation was carried out by a panel of officers from the Council’s Capital Programme Team (Regeneration and Environment). Also in attendance were representatives from the project consultant teams; Curl La Tourelle + Head Architects, South Studio Architects, Capita Property and Infrastructure (Project Managers/Employers Agent) and Mott MacDonald (Cost Consultants).

3.16 All tenders had to be submitted electronically and Table 6 below details the date tenders were due, the date opened and the number of valid tenders received for each opportunity. Each member of the evaluation panel read the tenders and used evaluation sheets to note down their comments on how well each of the award criteria was addressed, in accordance with the published evaluation matrix.

School	Date Tenders were due	Date Tenders were opened	Number of tenders received
Byron Court Primary School	26 November 2015	26 November 2015	4
Elsley Primary School	15 February 2016	15 February 2016	6
The Stonebridge Primary School	15 February 2016	15 February 2016	3

Uxendon Manor Primary School	25 January 2016	25 January 2016	4
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Table 6 – Tender due dates, opening dates and number of valid tenders received

3.17 The panels for each tender opportunity met and each quality submission was marked by the whole panel against the quality award criteria. Interviews were held with each bidder to clarify aspects of the bidders submitted tenders. The interviews were not scored but formed a part of the evaluation process and provided clarification, as necessary, arising from the tenders. The evaluation panels then met after the interviews to finalise the quality scoring for each opportunity. The dates for the tender evaluation meetings and interviews are listed in Table 7 below.

School	Date of initial tender scoring evaluation	Date of bidder interviews	Date of final tender scoring evaluation
Byron Court Primary School	2 December 2015	8 December 2015	15 December 2015
Elsley Primary School	19 February 2016	26 February 2016	26 February 2016
The Stonebridge Primary School	18 February 2016	25 February 2016	25 February 2016
Uxendon Manor Primary School	5 February 2016	11 February 2016	11 February 2016

Table 7 – Tender Evaluation Panel and interview dates

3.18 Brent's appointed Cost Consultants (Mott MacDonald) undertook a detailed evaluation of pricing submissions. This review process included checking for any formulaic or mathematical errors and issuing queries to each contractor to clarify any qualifications or exclusions in order to 'normalise' the tenders and to ensure a compliant bid was achieved. This process is necessary in order to score the tenders on a like-for-like basis and ensure that no contractor had excluded an item of work which would provide an advantage in terms of financial scoring.

3.19 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. Table 8 below details the highest scoring tenderer for each opportunity as identified by their letter from Appendix 1 and their name in order to detail who to award the contracts to.

School	Highest Scoring Tenderer	Corresponding Appendix 1 letter
Byron Court Primary School	Morgan Sindall Group	BC Contractor D

Elsley Primary School	Lakehouse Contracts Ltd	EL Contractor D
The Stonebridge Primary School	Morgan Sindall Group	SB Contractor C
Uxendon Manor Primary School	Morgan Sindall Group	UM Contractor D

Table 8 – Highest Scoring Tenderers

3.20 The earliest the contracts will commence will be on 25 April 2016 following the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.6 below. Some of the proposed contracts are subject to grant of planning permission and other associated matters and these contracts will therefore only commence after successful resolution of such matters.

4.0 Financial Implications

4.1 The Council's Contract Standing Orders state that works contracts exceeding £500k shall be referred to the Cabinet for approval of the award of the contract.

4.2 The estimated values of the contracts are over this threshold across the length of the contracts (see Table 9). Please note the total values in Appendix 2 include the normalisation process detailed in paragraph 3.19. The values in table 9 below are the tendered prices with amendments due to errors and qualifications as per paragraph 3.18.

School	Highest Scoring Tenderer PCSA Value	Highest Scoring Tenderer Tendered Contract 1 Value	Highest Scoring Tenderer Tendered Stage 2 Value	Highest Scoring Tenderer Total Value
Byron Court Primary School	£232,197.75	n/a	£9,233,600.40	£9,465,798.15
Elsley Primary School	£260,977.50	£413,988.74	£6,724,444.60	£7,399,410.84
The Stonebridge Primary School	£168,638.13	n/a	£6,422,030.26	£6,590,668.39
Uxendon Manor Primary School	£120,392.40	n/a	£7,762,492.74	£7,882,885.14

Table 9 – Values of contracts and construction budgets

- 4.3 As described in paragraphs 3.6 – 3.8, the two stage design and build contract allows the contractor to build up their cost for stage 2 (the works) and it is possible the cost may change compared to the tendered stage 2 values. However, the process is open book so officers and Brent's appointed consultancy team can monitor the progress, review value for money and ensure the stage 2 costs come in as close to the tendered values as possible.
- 4.4 The value of submitted tenders proposed for approval are within budget allocations as submitted to Cabinet and Full Council as part of the 2016/17 Budget Setting report.
- 4.5 The financial standing of the recommended tenderers was considered during the PQQ element of the process and were found to be satisfactory in relation to forecast contract value.

5.0 Legal Implications

- 5.1 The value of the contracts over the contract's lifetime is higher than the EU threshold for Works and the award of the contracts therefore is governed by the Public Procurement Regulations 2015 (the "EU Regulations"). The awards are subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.2 Contract Standing Order 88 requires Cabinet to approve award of High Value contracts. Therefore, Cabinet is requested to approve the award of the two stage design and build contract for all schools to the highest scoring tenderers listed in Table 8 for the values in Table 9.
- 5.3 The council is proposing to use a two stage award process. EU law prevents the Council from holding negotiations with tenderers on price or other aspects of bids prior to award of the contracts. To ensure compliance with EU law, the Council must therefore award contracts in respect of both stages of the project at Stage 1 in order to be able to discuss design and price changes in detail and agree a final Contract Sum with one tenderer in respect of each contract. Following agreement or determination of a satisfactory Contract Sum during Stage 1 of each project, the Council may, at its discretion, trigger Stage 2 (the main construction phase) by giving the contractor notice that it is required to enter into the main contract.
- 5.4 Officers are seeking delegated authority from Members to the Strategic Director of Regeneration and Environment in consultation with the Chief Finance Officer and the Chief Legal Officer to enter into the stage 2 works contracts. If the Council decides for financial or good other reason not to proceed to the construction phase with the contractor, the parties' relationship will come to an end in accordance with the

provisions of the initial appointment and the main contract will not come into effect.

5.5 Should Members be minded to approve the delegation to the Strategic Director of Regeneration and Environment in consultation with the Chief Finance officer and Chief Legal Officer to enter into the proposed stage 2 works contracts as stated in the recommendations of this report, then Officers are advised to publish the delegated authority decision by way of a report on the Council's website as an officer decision. This will also apply to the decision to award the contract for both stages for Byron Court.

5.6 As advised in the Cabinet Report requesting authority to tender this contract dated 15 September 2014, the Council must observe the EU Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the contract can be awarded. Therefore once the Cabinet has determined which tenderer should be awarded the contract, all tenderers will be issued with written notification of the contract award decision. A minimum 10 calendar day standstill period will then be observed before the contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.

5.7 Under sections 13 and 14 of the Education Act 1996 as amended by the Education Acts 2006 and 2011, the local authority has a general statutory duty to ensure there are sufficient school places available to meet the needs of the population in its area. The local authority must promote high educational standards, ensuring fair access to education opportunity and the fulfilment of every child's educational potential. To discharge this duty the local authority has to undertake a planning function to ensure that the supply of school places balances the demand for them.

6.0 Diversity Implications

6.1 Members are referred to the Equalities Impact Assessment from previous Cabinet reports as detailed in Table 10 below.

School	Cabinet Meeting date	Item	Appendix
Byron Court Primary School	16 March 2015	7	Included in background papers
Elsley Primary	24 August 2015	5	13

School			
The Stonebridge Primary School	1 June 2015	12	8
Uxendon Manor Primary School	24 August 2015	5	4

Table 10 – Equality Impact Assessments

6.2 The proposal for expansions at the Primary Schools are of a number of schools proposed within the Phase 3 Expansion Programme that has an ethnically diverse pupil population and catchment of pupils who need school places. Expansion provision will help to improve choice and enhance diversity and enable the Council to provide additional new places required for Brent’s growing pupil population.

6.3 The proposed expansions will enable the school to be used safely and easily by children with a wider range of needs.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 There are no staffing implications for Council staff as a result of these decisions however there are likely to be additional job and career opportunities for staff at the schools as a result of the additional pupils.

8.0 Public Services (Social Value) Act 2012

8.1 Whilst the Public Services (Social Value) Act 2012 (the “Social Value Act”) does not apply to works contracts, Officers have had regard to considerations relevant to the Social Value Act in this procurement, namely how the contract might improve the economic, social and environmental wellbeing of the borough.

8.2 Tenderers have been asked to submit Employment Skills Plans and these identify how the tenderers will use the expansion contracts to provide opportunities for local sub contractors and local people to gain experience and employment in the construction industry. Examples of actions within the plans include hosting open events to invite local suppliers to join the main tenderer’s supply chain to bid for packages of works and working with local employment agencies and partners to provide employment opportunities and training to local residents and pupils.

10.0 Background Papers

10.1 School Place Planning Strategy – November 2015

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ITT Title


Byron Court Primary School 2FE Expansion: ITT Evaluation

Section	Question			Bidders			
	Number	Title		BC Contractor A	BC Contractor B	BC Contractor C	BC Contractor D
Project and Cost Management	1	Management and resources	Weighting	8	8	8	8
			Bidder Mark (out of 5)	4	4	4	3
			Bidder Score	6.4	6.4	6.4	4.8
	2	Key Team personnel	Weighting	5	5	5	5
			Bidder Mark (out of 5)	4	3	5	4
			Bidder Score	4	3	5	4
	3	Supply Chain Management	Weighting	5	5	5	5
			Bidder Mark (out of 5)	4	3	4	4
			Bidder Score	4	3	4	4
	4	Cost Control	Weighting	3	3	3	3
			Bidder Mark (out of 5)	3	3	5	4
			Bidder Score	1.8	1.8	3	2.4
	5	Value Engineering	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	3	4	3
			Bidder Score	3	3	4	3
Construction Programme	6	Project Programme - PCSA	Weighting	7	7	7	7
			Bidder Mark (out of 5)	4	3	5	4
			Bidder Score	5.6	4.2	7	5.6
	7	Project Programme - Main Works Stage 1	Weighting	7	7	7	7
			Bidder Mark (out of 5)	3	4	5	3
			Bidder Score	4.2	5.6	7	4.2
	8	Project Programme - Main Works Stage 2	Weighting	8	8	8	8
			Bidder Mark (out of 5)	3	4	4	4
			Bidder Score	4.8	6.4	6.4	6.4
	9	Demonstrating Logistical Solutions	Weighting	3	3	3	3
Bidder Mark (out of 5)			3	1	5	5	
Bidder Score			1.8	0.6	3	3	
10	Commissioning/Handover at completion	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	4	5	5	5	
		Bidder Score	1.6	2	2	2	
Project Understanding and Client Liaison	11	Demonstrate client/school liaison methods	Weighting	2	2	2	2
			Bidder Mark (out of 5)	2	2	3	4
Bidder Score			0.8	0.8	1.2	1.6	
12	Live Environments	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	4	4	4	4	
		Bidder Score	1.6	1.6	1.6	1.6	
Quality	13	Delivery of Quality	Weighting	7	7	7	7
			Bidder Mark (out of 5)	4	5	5	4
			Bidder Score	5.6	7	7	5.6
	14	Quality Control	Weighting	7	7	7	7
			Bidder Mark (out of 5)	5	5	4	5
			Bidder Score	7	7	5.6	7
15	Proposed products/methods	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	3	4	3	4	
		Bidder Score	1.2	1.6	1.2	1.6	
Health & Safety	16	Project H&S Management	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	4	5	4
Bidder Score			3	4	5	4	
17	Identifying Risk	Weighting	4	4	4	4	
		Bidder Mark (out of 5)	3	3	5	4	
		Bidder Score	2.4	2.4	4	3.2	
Innovation	18	Innovative solutions/ideas	Weighting	5	5	5	5
Bidder Mark (out of 5)			2	1	4	4	
Bidder Score			2	1	4	4	
Sustainability (incl. Social Value)	19	Sustainable construction	Weighting	3	3	3	3
			Bidder Mark (out of 5)	4	3	4	4
			Bidder Score	2.4	1.8	2.4	2.4
	20	Training and Employment	Weighting	6	6	6	6
			Bidder Mark (out of 5)	3	3	3	4
			Bidder Score	3.6	3.6	3.6	4.8
21	Supply Brent	Weighting	4	4	4	4	
		Bidder Mark (out of 5)	1	2	4	4	
		Bidder Score	0.8	1.6	3.2	3.2	
Quality	Marks (max 100)		67.6	68.4	86.6	78.4	
	Weighting		50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		33.80	34.20	43.30	39.20	
Price	Price		£11,266,832.16	£9,900,311.68	£11,075,812.28	£9,483,806.19	
	Price Score		84.17	95.79	85.63	100.00	
	Weighting		50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		42.09	47.90	42.81	50.00	
Overall	Total		75.89	82.10	86.11	89.20	
	Rank		4	3	2	1	

Section	Question			Bidders					
	Number	Title		EL Contractor A	EL Contractor B	EL Contractor C	EL Contractor D	EL Contractor E	EL Contractor F
Project and Cost Management	1	Management and resources	Weighting	8	8	8	8	8	8
			Bidder Mark (out of 5)	4	4	3	4	4	2
			Bidder Score	6.4	6.4	4.8	6.4	6.4	3.2
	2	Key Team personnel	Weighting	5	5	5	5	5	5
			Bidder Mark (out of 5)	4	3	2	3	3	4
			Bidder Score	4	3	2	3	3	4
	3	Supply Chain Management	Weighting	5	5	5	5	5	5
			Bidder Mark (out of 5)	3	3	0	3	3	3
			Bidder Score	3	3	0	3	3	3
	4	Cost Control	Weighting	3	3	3	3	3	3
			Bidder Mark (out of 5)	4	3	3	3	4	3
			Bidder Score	2.4	1.8	1.8	1.8	2.4	1.8
	5	Value Engineering	Weighting	5	5	5	5	5	5
			Bidder Mark (out of 5)	3	3	1	3	3	3
			Bidder Score	3	3	1	3	3	3
Construction Programme	6	Project Programme - PCSA	Weighting	7	7	7	7	7	7
			Bidder Mark (out of 5)	3	4	3	3	3	3
			Bidder Score	4.2	5.6	4.2	4.2	4.2	4.2
	7	Project Programme - Main works stage 1	Weighting	7	7	7	7	7	7
			Bidder Mark (out of 5)	4	4	3	3	3	2
			Bidder Score	5.6	5.6	4.2	4.2	4.2	2.8
	8	Project Programme - Main Works stage 2	Weighting	8	8	8	8	8	8
			Bidder Mark (out of 5)	4	3	2	3	4	2
			Bidder Score	6.4	4.8	3.2	4.8	6.4	3.2
	9	Demonstrating Logistical Solutions	Weighting	3	3	3	3	3	3
			Bidder Mark (out of 5)	3	4	3	4	3	2
			Bidder Score	1.8	2.4	1.8	2.4	1.8	1.2
10	Commissioning/Handover at completion	Weighting	2	2	2	2	2	2	
		Bidder Mark (out of 5)	3	3	3	3	3	1	
		Bidder Score	1.2	1.2	1.2	1.2	1.2	0.4	
Project Understanding and Client Liaison	11	Demonstrate client/school liaison methods	Weighting	2	2	2	2	2	2
			Bidder Mark (out of 5)	3	4	3	5	4	2
			Bidder Score	1.2	1.6	1.2	2	1.6	0.8
12	Live Environments	Weighting	2	2	2	2	2	2	
		Bidder Mark (out of 5)	2	3	2	5	4	2	
		Bidder Score	0.8	1.2	0.8	2	1.6	0.8	
Quality	13	Delivery of Quality	Weighting	7	7	7	7	7	7
			Bidder Mark (out of 5)	3	4	3	4	4	3
			Bidder Score	4.2	5.6	4.2	5.6	5.6	4.2
	14	Quality Control	Weighting	7	7	7	7	7	7
			Bidder Mark (out of 5)	4	5	3	4	4	4
			Bidder Score	5.6	7	4.2	5.6	5.6	5.6
15	Proposed products/methods	Weighting	2	2	2	2	2	2	
		Bidder Mark (out of 5)	2	3	2	3	3	3	
		Bidder Score	0.8	1.2	0.8	1.2	1.2	1.2	
Health & Safety	16	Project H&S Management	Weighting	5	5	5	5	5	5
			Bidder Mark (out of 5)	4	4	4	4	4	4
			Bidder Score	4	4	4	4	4	4
17	Identifying Risk	Weighting	4	4	4	4	4	4	
		Bidder Mark (out of 5)	4	4	4	4	4	4	
		Bidder Score	3.2	3.2	3.2	3.2	3.2	3.2	
Innovation	18	Innovative solutions/ideas	Weighting	5	5	5	5	5	5
			Bidder Mark (out of 5)	3	2	2	4	4	4
			Bidder Score	3	2	2	4	4	4
Sustainability (incl. Social Value)	19	Sustainable construction	Weighting	3	3	3	3	3	3
			Bidder Mark (out of 5)	3	4	3	3	4	2
			Bidder Score	1.8	2.4	1.8	1.8	2.4	1.2
	20	Training and Employment	Weighting	6	6	6	6	6	6
			Bidder Mark (out of 5)	2	3	0	4	1	2
			Bidder Score	2.4	3.6	0	4.8	1.2	2.4
21	Supply Brent	Weighting	4	4	4	4	4	4	
		Bidder Mark (out of 5)	3	2	3	3	4	2	
		Bidder Score	2.4	1.6	2.4	2.4	3.2	1.6	
Quality	Marks (max 100)		67.4	70.2	48.8	70.6	69.2	55.8	
	Weighting		50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		33.70	35.10	24.40	35.30	34.60	27.90	
Price	Price		£10,511,850.02	£9,533,060.90	£8,316,227.32	£8,455,764.42	£8,421,098.43	£8,809,264.23	
	Price Score		79.11	87.24	100.00	98.35	98.75	94.40	
	Weighting		50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		39.56	43.62	50.00	49.17	49.38	47.20	
Overall	Total		73.26	78.72	74.40	84.47	83.98	75.10	
	Rank		6	3	5	1	2	4	

ITT Title		Stonebridge Primary School 2FE Expansion: ITT Evaluation				
Section	Question		Bidders			
	Number	Title	SB Contractor A	SB Contractor B	SB Contractor C	
Project and Cost Management	1	Management and resources	Weighting	8	8	8
			Bidder Mark (out of 5)	4	4	4
			Bidder Score	6.4	6.4	6.4
	2	Key Team personnel	Weighting	5	5	5
			Bidder Mark (out of 5)	4	4	4
			Bidder Score	4	4	4
	3	Supply Chain Management	Weighting	5	5	5
			Bidder Mark (out of 5)	3	3	4
			Bidder Score	3	3	4
	4	Cost Control	Weighting	3	3	3
			Bidder Mark (out of 5)	3	4	4
			Bidder Score	1.8	2.4	2.4
	5	Value Engineering	Weighting	5	5	5
			Bidder Mark (out of 5)	3	3	4
			Bidder Score	3	3	4
Construction Programme	6	Project Programme - PCSA	Weighting	9	9	9
			Bidder Mark (out of 5)	2	5	4
			Bidder Score	3.6	9	7.2
	7	Project Programme - Main works	Weighting	9	9	9
			Bidder Mark (out of 5)	2	5	4
			Bidder Score	3.6	9	7.2
	8	Demonstrating Logistical Solutions	Weighting	7	7	7
			Bidder Mark (out of 5)	3	4	4
			Bidder Score	4.2	5.6	5.6
	9	Commissioning/Handover at completion	Weighting	2	2	2
			Bidder Mark (out of 5)	2	3	4
			Bidder Score	0.8	1.2	1.6
Project Understanding and Client Liaison	10	Demonstrate client/school liaison methods	Weighting	2	2	2
			Bidder Mark (out of 5)	4	3	4
			Bidder Score	1.6	1.2	1.6
11	Live Environments	Weighting	2	2	2	
		Bidder Mark (out of 5)	4	3	4	
		Bidder Score	1.6	1.2	1.6	
Quality	12	Delivery of Quality	Weighting	7	7	7
			Bidder Mark (out of 5)	4	4	4
			Bidder Score	5.6	5.6	5.6
	13	Quality Control	Weighting	7	7	7
			Bidder Mark (out of 5)	4	3	4
			Bidder Score	5.6	4.2	5.6
14	Proposed products/methods	Weighting	2	2	2	
		Bidder Mark (out of 5)	4	4	5	
		Bidder Score	1.6	1.6	2	
Health & Safety	15	Project H&S Management	Weighting	5	5	5
			Bidder Mark (out of 5)	4	4	4
			Bidder Score	4	4	4
	16	Identifying Risk	Weighting	4	4	4
Bidder Mark (out of 5)			4	4	4	
Bidder Score			3.2	3.2	3.2	
Innovation	17	Innovative solutions/ideas	Weighting	5	5	5
			Bidder Mark (out of 5)	4	3	4
			Bidder Score	4	3	4
Sustainability (incl. Social Value)	18	Sustainable construction	Weighting	3	3	3
			Bidder Mark (out of 5)	4	4	5
			Bidder Score	2.4	2.4	3
	19	Training and Employment	Weighting	6	6	6
			Bidder Mark (out of 5)	2	3	4
			Bidder Score	2.4	3.6	4.8
20	Supply Brent	Weighting	4	4	4	
		Bidder Mark (out of 5)	3	4	4	
		Bidder Score	2.4	3.2	3.2	
Quality	Marks (max 100)		64.8	76.8	81	
	Weighting		50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		32.40	38.40	40.50	
Price	Price		£6,907,804.92	£7,805,014.94	£6,629,628.85	
	Price Score		95.97	84.94	100.00	
	Weighting		50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		47.99	42.47	50.00	
Overall	Total		80.39	80.87	90.50	
	Rank		3	2	1	

Section	Question			Bidders			
	Number	Title		UM Contractor A	UM Contractor B	UM Contractor C	UM Contractor D
Project and Cost Management	1	Management and resources	Weighting	8	8	8	8
			Bidder Mark (out of 5)	3	3	3	4
			Bidder Score	4.8	4.8	4.8	6.4
	2	Key Team personnel	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	3	3	4
			Bidder Score	3	3	3	4
	3	Supply Chain Management	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	2	3	3
			Bidder Score	3	2	3	3
	4	Cost Control	Weighting	3	3	3	3
			Bidder Mark (out of 5)	3	2	4	4
			Bidder Score	1.8	1.2	2.4	2.4
	5	Value Engineering	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	3	3	4
			Bidder Score	3	3	3	4
Construction Programme	6	Project Programme - PCSA	Weighting	7	7	7	7
			Bidder Mark (out of 5)	3	3	3	3
			Bidder Score	4.2	4.2	4.2	4.2
	7	Project Programme - Early/Enabling Works	Weighting	9	9	9	9
			Bidder Mark (out of 5)	3	3	4	4
			Bidder Score	5.4	5.4	7.2	7.2
	8	Project Programme - Main Works	Weighting	6	6	6	6
			Bidder Mark (out of 5)	3	3	4	3
			Bidder Score	3.6	3.6	4.8	3.6
	9	Demonstrating Logistical Solutions	Weighting	3	3	3	3
Bidder Mark (out of 5)			3	4	4	4	
Bidder Score			1.8	2.4	2.4	2.4	
10	Commissioning/Handover at completion	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	4	4	3	4	
		Bidder Score	1.6	1.6	1.2	1.6	
Project Understanding and Client Liaison	11	Demonstrate client/school liaison methods	Weighting	2	2	2	2
			Bidder Mark (out of 5)	3	5	3	4
Bidder Score			1.2	2	1.2	1.6	
12	Live Environments	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	3	5	3	4	
		Bidder Score	1.2	2	1.2	1.6	
Quality	13	Delivery of Quality	Weighting	7	7	7	7
			Bidder Mark (out of 5)	3	3	3	4
			Bidder Score	4.2	4.2	4.2	5.6
	14	Quality Control	Weighting	7	7	7	7
			Bidder Mark (out of 5)	3	4	3	4
			Bidder Score	4.2	5.6	4.2	5.6
15	Proposed products/methods	Weighting	2	2	2	2	
		Bidder Mark (out of 5)	2	3	3	4	
		Bidder Score	0.8	1.2	1.2	1.6	
Health & Safety	16	Project H&S Management	Weighting	5	5	5	5
			Bidder Mark (out of 5)	4	4	4	4
			Bidder Score	4	4	4	4
17	Identifying Risk	Weighting	4	4	4	4	
		Bidder Mark (out of 5)	4	4	4	4	
		Bidder Score	3.2	3.2	3.2	3.2	
Innovation	18	Innovative solutions/ideas	Weighting	5	5	5	5
			Bidder Mark (out of 5)	3	4	3	4
			Bidder Score	3	4	3	4
Sustainability (incl. Social Value)	19	Sustainable construction	Weighting	3	3	3	3
			Bidder Mark (out of 5)	3	3	3	3
			Bidder Score	1.8	1.8	1.8	1.8
	20	Training and Employment	Weighting	6	6	6	6
			Bidder Mark (out of 5)	4	3	3	4
			Bidder Score	4.8	3.6	3.6	4.8
21	Supply Brent	Weighting	4	4	4	4	
		Bidder Mark (out of 5)	3	3	4	4	
		Bidder Score	2.4	2.4	3.2	3.2	
Quality	Marks (max 100)		63	65.2	66.8	75.8	
	Weighting		50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		31.50	32.60	33.40	37.90	
Price	Price		£9,826,246.67	£7,979,629.14	£9,324,381.62	£7,882,885.14	
	Price Score		80.22	98.79	84.54	100.00	
	Weighting		50.00%	50.00%	50.00%	50.00%	
	Bidder Score (max 50%)		40.11	49.39	42.27	50.00	
Overall	Total		71.61	81.99	75.67	87.90	
	Rank		4	2	3	1	

 <p>Brent</p>	<p>Cabinet 11 April 2016</p> <p>Report of Strategic Director, Regeneration and Environment</p>
<p>Wards Affected: ALL</p>	
<p>The Provision of Civil Enforcement Agents for the Recovery of Parking and Traffic Debt</p>	

1.0 Summary

- 1.1 This report considers options open to the council in respect of the recovery of parking and traffic Penalty Charge Notice debt.
- 1.2 The council currently have contracts with four Civil Enforcement Agents (formerly known as certificated bailiffs), which all expire on 30th June 2016.
- 1.3 Cabinet is recommended to extend the contracts of two of the four existing contractors by one year, following a competitive process, and to delegate to officers the subsequent decision on a further one year extension. This will provide the council with sufficient flexibility to consider the potential for a consolidated approach to debt recovery.

2 Recommendations

That Cabinet:

- 2.1 Authorises the extension of the contracts of two of the four incumbent Civil Enforcement Agents by one year, noting the rationale for doing so set out in the background to this report;
- 2.2 Delegates authority to the Strategic Director, Regeneration and Environment, in consultation with the Lead Member for Environment, to select which two Civil Enforcement Agent providers should have their contracts extended and varied;

- 2.3 Delegates authority to the Strategic Director, Regeneration and Environment to decide whether to extend the contracts of the two successful Agents by an additional year in 2017, aligning the contracts with the council's main Parking Management and Enforcement Contract as explained in 3.20;
- 2.4 Endorses the method proposed for selecting which two of the four existing contracts to extend, as set out in paragraph 3.21;
- 2.5 Agrees to the proposed variation of the contracts with two Civil Enforcement Agents to include the matters detailed in paragraphs 3.19 to 3.24; and
- 2.6 Agrees to the implementation of a new process and dedicated resource for the early write-off of unrecoverable debt following a determination of the likelihood of collection, as set out in paragraphs 3.13 and 3.29; and

3 Background

- 3.1 The council issues Penalty Charge Notices (PCNs) for a variety of parking and traffic infringements. There are four categories of PCNs:
 - CEO-issued PCNs: PCNs fixed to the windscreen of a vehicle or handed to the driver for parking contraventions, served under the provisions of the Traffic Management Act 2004.
 - CCTV Parking PCNs: PCNs served by post for parking contraventions, where the contravention has been captured by a CCTV camera, served under the provisions of the Traffic Management Act 2004 and limited by the Deregulation Act 2015.
 - CCTV Moving Traffic PCNs: PCNs served by post for moving traffic contraventions (e.g. stopping in a yellow box junction, turning left or right where the manoeuvre is prohibited), served under the provisions of the Transport for London and London Local Authorities Act 2003.
 - CCTV Bus Lane PCNs: PCNs served by post for Bus Lane infringements, served under the provisions of the London Local Authorities Act 1996.
- 3.2 The relevant statutes prescribe different timescales for increasing the charge (should prompt payment not be received), for serving subsequent notices, and for permitting challenges, representations and appeals.
- 3.3 Ultimately, non-payment of a PCN will result in the council formally registering the PCN as a debt at Northampton County Court as a precursor to issuing an external agent with a warrant to collect the outstanding debt on the council's behalf.

- 3.4 Typically, local authorities recover debt and close about 70% of all PCNs issued. The remainder are either cancelled following an upheld challenge, representation or appeal; or are deemed unrecoverable if the debtor cannot be traced. Unlike other debts raised by the council, with notices served to properties rather than individuals, the registered keeper of the vehicle is liable for parking and traffic Penalty Charge Notices. This means that the council are reliant upon name and address information provided by the DVLA for the service of statutory notices by post. Occasionally the information returned by the DVLA is inaccurate as a result of the registered keeper not notifying the DVLA of changes of address; and sometimes due to deliberate fraud. In addition, a significant number of vehicles are registered to out-borough addresses either in the U.K. or abroad.
- 3.5 In the 2015 calendar year, the council referred 22,728 cases to its Civil Enforcement Agent contractors. 3,460 of those warrants were returned to the council as 'paid in full', with the majority of the remaining warrants still live and pending recovery action. Warrants are valid for a full year from their date of issue.
- 3.6 Currently, all warrants are issued to the Primary Bailiff in the first instance. The Primary Bailiff then has 10 days to review the cases and assess the likelihood of collection. Should the Primary Bailiff determine that they are unlikely to collect the debt they must return the warrant to the council in order that it may be re-allocated to one of the three Secondary Bailiffs. In theory, the Secondary Bailiffs are then measured against one another, with the winner taking over as the new Primary Bailiff. In practice, this is a complex and client time-heavy process to manage. A warrant may stay live for up to a year so it can be difficult to assess performance over the short-term.
- 3.7 For those warrants issued to the Primary Bailiff which are retained, but not collected, the Primary Bailiff is contractually obliged to return the £7 debt registration fee to the council.
- 3.8 On the 6th April 2014 the *Taking Control of Goods Regulations* were introduced nationally as a means to standardise bailiff fees and practices. Fees which bailiffs may apply to debtors, in addition to the debt owed to the council, are now as follows:
- Compliance Fee: £75. Covers issuing a letter to the debtor, advising them of the outstanding debt, fees, how to pay, and the consequences should payment not be received.
 - Enforcement Fee: £235. Covers visiting the debtor's premises, and is fixed regardless of the number of occasions the bailiffs need to attend the property, the fee applicable remains the same.

- Sale / Disposal Fee: £110. Imposed should the bailiff need to transport goods, or incur administrative fees relating to the disposal of goods recovered.
- 3.9 In the 2015 calendar year, the councils' Civil Enforcement Agents earned £820k in fees paid by debtors. It should be noted that there are significant costs associated with debt collection. The profit earned by bailiffs on some cases may be marginal or non-existent depending on how many visits the bailiff has to make to recover the debt.
 - 3.10 In the 2015 calendar year, the council's primary bailiff declared that of the 22,728 warrants issued, only 6,242 were determined to be uncollectable within the 10 day period. These warrants were duly returned to the council and subsequently re-allocated to the secondary bailiffs.
 - 3.11 Generally, once warrants have reached the end of their life, the council would expect to see recovery rates (i.e. warrants returned as paid) of 20-25%. This level of success is typical for the U.K. The council is therefore incurring unnecessary expenditure on debt registration and processing costs for the remaining 75-80% of debts where the likelihood of collection is low or non-existent. Aside from the £7 debt registration fee, there are also costs associated with the processes for progressing debt, and also administrative costs for printing and posting a variety of pre-debt registration notices.
 - 3.12 Cleansing debt at an earlier stage in the Penalty Charge Notice's progression may reduce the council's avoidable expenditure. Most bailiff companies use external referencing agencies to determine the likelihood of collection. There is no reason why the council could not use the same approach at an earlier stage in the life of the PCN. Where there is no chance of collecting the PCN it may be prudent to write-off the charge earlier and save on unnecessary expenditure.
 - 3.13 Carrying out simple debt recovery processes may also help the council recover aged debt. With an expectation that bailiffs will recover 20-25% of warrants they are issued with, there are still opportunities for the council to consider in respect of the remaining 75-80%. It is not uncommon for councils to review aged debt up to six years old, and instruct contractors to carry out a large scale debt recovery exercise. Improved information on debtors may surface as years pass; for example debtors may register for new commercial or public services and then re-appear on tracing databases. Whilst the council will be unable to obtain a new warrant, a debt recovery process may be as simple as writing the debtor a letter to make them aware that the matter has not yet been resolved. Such a debt recovery exercise could be carried out on a commission only basis, with the debt collector offering the service in exchange for a percentage of the debt recovered.

Alternative Options Considered.

- 3.14 *Extend all four contracts, retaining the current format.* The council could opt to extend all contracts and retain the current method of working. However to do so would forego the opportunity to simplify the current process. As it stands, only the existing Primary Bailiff offers the council services over and above basic debt recovery; it is not commercially viable for secondary bailiffs to offer additional services as there is not a sufficient return for them in recoverable fees.
- 3.15 *Framework agreement.* The council's procurement team has carried out a search for relevant frameworks, but have not been able to find a suitable agreement.
- 3.16 *Re-tender the service.* It is not clear whether or not this option would attract any value over and above what may be achieved through extending contracts, working to a revised format as detailed in paragraph 3.18. The council would be unable to consider potential expenditure savings; the contract value is based upon applicable statutory fees which the bailiff may apply to cover the cost of recovering debt. The tender exercise would simply consider the qualitative aspects of debt collection and the incumbent providers are all reputable and well established firms with substantial experience of recovering parking and traffic debt for several local authorities.
- 3.17 *Extend two contracts, working to a revised format.* It is therefore proposed to extend two of the contracts, and implement a new method of working. Whilst the work under the contracts would largely remain the same, Officers would specify additional minimum value-added tasks for the bailiffs to complete as a minimum requirement. The existing providers would therefore be asked whether they agree to the potential extension of their contract on the basis that there are only two bailiff firms. The current contracts do allow for the Primary Bailiff to become the Secondary Bailiff and vice versa and therefore as well as not guaranteeing work, the contracts do provide for changes to the status of bailiffs during the term of the contract. Whilst the selection of two bailiff firms may benefit these firms, officers consider the changes will primarily benefit the council. Also, the contracts do allow each party to the contract to propose changes therefore providers would be asked whether they are willing to put forward additional proposals to improve current recovery methods. This option is recommended and is considered in further detail below.
- 3.18 The council is currently considering options for a more consolidated approach to debt recovery. This could include an option to bring some or all of its bailiff services in-house. However, detailed feasibility assessment is at an early stage and a timetable for decision making around this option has not yet been determined; in addition sufficient time

would need to be allowed to establish a service if this option were to be agreed. In order to provide flexibility around this option, it is proposed to extend the parking contracts by just one year initially. If the option to establish an in-house bailiff service is not taken forward then the two selected contracts would be extended by a further year to align with the expiry date of the council's main parking contract. It should be noted that the offer of just a single year extension may limit the opportunity to seek the potential benefits set out in paragraphs 3.22 to 3.26 below.

- 3.19 The council's main parking contract expires on the 3rd July 2018. Extending contracts relating to debt recovery to expire at the same time will allow the council to re-tender all parking contracts as one exercise. There is an intrinsic relationship between parking enforcement, parking IT, parking notice processing and parking debt recovery, and therefore some advantages to tendering all services simultaneously. The risks associated with managing the relationships and interactions between these key functions of parking management will be reduced through a reduction in stakeholders.

Preferred Option and Method of selection.

- 3.20 Subject to the incumbent bailiff firms indicating that they would be interested in their contract being extended on the basis that there are only two bailiff firms for the remaining term, officers would seek proposals from the interested forms as to methods in which existing recovery methods could be improved upon or augmented to add value over and above the recovery of debt. Officers would specifically seek variation proposals in relation to the matters detailed in paragraphs 3.22 to 3.26 inclusive below. Officers would fully review proposals for improved services and recommended the extension and variation of two of the contracts to the Strategic Director Environment and Regeneration.
- 3.21 *Social Value*: Much bailiff activity is focused on residents who may be unable or unwilling to manage finances effectively. The council will invite proposals to vary the contract whereby bailiffs re-invest some of their profits in the local community, particularly around themes which help vulnerable residents to manage their personal finances effectively. It should be noted that many debtors are residents of the borough.
- 3.22 *Debt Recovery processes under the 'Taking of Goods Regulations'*: Officers would ask for proposals to vary the contract whereby bailiffs would be specific about their recovery processes, including how they propose to interact with debtors. The council's objective would be for the bailiff to adopt a firm but fair approach, and exercise a degree of flexibility with customers who are genuinely making efforts to pay.
- 3.23 *Other Debt Recovery processes*. Officers would ask for proposals to vary the contract whereby bailiffs would propose additional debt recovery

measures for the council to consider. A recent soft market testing exercise indicated that all of the incumbent providers had ideas regarding additional debt recovery processes. For example, historical debt (up to six years old) could potentially be re-visited as information on debtors improves.

- 3.24 *Implementing processes which may reduce the council's expenditure.* There is no cost to the council for using the services of bailiffs, but there are costs associated with managing debtors. Direct costs include the formal registration of the charge as a debt at Northampton County Court (Traffic Enforcement Centre). The Parking service also incurs some costs associated with the administration processes for registering debts, and issuing instructions to bailiffs. Officers would ask for proposals to vary the contract whereby bailiffs would propose methods for reducing the council's expenditure
- 3.25 *Assisting the council in the preparation of debt:* Officers would ask for proposals to vary the contract whereby bailiffs would be asked to suggest ways to assist the council in the preparation of debt cases. The council's speed in processing debt may improve the chance of collection.

Feedback from incumbent providers.

- 3.26 Officers have already approached the incumbent providers to gauge what may be achieved through added value, and all have returned broadly comparable answers. Many of these relates to the themes that officers will request formal variation proposals for assessment.
- 3.27 It was evident in their responses that all providers were interested in offering a significant amount of value over and above basic debt collection. However, bailiffs would only be inclined to offer additional services on the basis of being the sole Primary Bailiff (using the existing recovery method), or being one of two Bailiffs directly receiving warrants from the council. It would not be a commercially viable proposition to offer additional services simply on the basis of receiving warrants in the capacity of just a Secondary Bailiff. It is also considered that having fewer bailiffs will assist Officers in more effectively operating the contracts.
- 3.28 The council also received some feedback on issues relating to client activity, specifically relating to potential improvements in the flow of accurate information to and from the bailiffs. This has a direct consequence on the ability of the bailiffs to recover debt.
- 3.29 To address this, the council could consider creating a new post within the Parking and Lighting Service for the specific purpose of managing debt recovery processes, including the debt cleansing activity outlined in paragraph 3.13. This approach has been followed successfully other London authorities. A business case would be prepared to demonstrate

that the additional debt recovered would more than cover the cost of an additional dedicated post.

4 Financial Implications

- 4.1 The council received income of £0.65m from bailiffs in the 2015 calendar year, specifically relating to the recovery of unpaid Penalty Charge Notices. This service is vital in ensuring that budgeted income forecast from the issue of Penalty Charge Notices is recovered.
- 4.2 The council forecasts income received from Penalty Charge Notices on a yield basis, using data relating to historical receipts to determine a likely recoverable value over an 18 month period. This method has proven to have a high degree of accuracy, but is reliant on the service continuing to follow the current practice of collection, including the issue of warrants to bailiffs.
- 4.3 A small provision has been retained within the parking revenue budget for bad debt provision (£0.32m). This would in future only be required if the estimated yield fell. Current receipts indicate that the yield is fairly static. Any fundamental legislative changes made, which impact on the price points of Penalty Charge Notices would need to be managed and reviewed as a cost pressure.
- 4.4 It is prudent to retain a small provision for variances in recovery in parking revenue. An adjustment is proposed for the 2016/2017 year to reduce the bad debt provision to £0.1m.

5 Legal Implications

- 5.1 Officers' preferred option is to extend two of the current contracts and to agree variations to these contracts to alter the way in which the contracts are operated. Relevant provisions exist to extend any or all of the current contracts by up to two years and the contracts include provision allowing for the parties to agree variations to the contracts.
- 5.2 Contracts for bailiff services are regarded as service concession contracts. Such contracts do not fall within the Public Contracts Regulations 2015 but will fall under the draft Concession Regulations 2016 (the draft Regulations") which are not yet in force but must be implemented by the UK Government by mid-April 2016. The threshold for application of the draft Regulations is £4,104,394 and therefore the current bailiff contracts will not be subject to the full requirements of the draft Regulations.
- 5.3 Given the draft Regulations will not apply to the proposed variation of current bailiff contracts, it is relevant to look at case law to establish whether a variation is permitted. For an amendment to be permitted it must not be a material amendment to the contract, namely one that

introduces conditions which would have allowed for the admission or acceptance of a different tender, or extends the scope of the contract considerably; or changes the economic balance of the contract in favour of the contractor. Members are referred to the body of the report, in particular paragraph 3.18, for further information.

- 5.4 The annual value of the bailiff contracts is such that the contracts are likely to be classed as High Value Contracts under the Council's Contract Standing Orders. As a result, if the option to re-procure was taken (rather than extension and variation of the existing contracts), they would have to be procured by way of tender process. Depending on the duration of the proposed contract and therefore its value, any procurement may also have to comply with the draft Regulations when these are enacted.
- 5.5 Under Section 55 of the Road Traffic Regulation Act 1984 (as amended, and hereafter referred to as "the 1984 Act"), enforcement authorities must keep account of their income and expenditure in respect of on-street parking places. The 1984 Act requires that any surplus must be applied towards specific purposes as set out under Section 55(4).

6 Diversity Implications

- 6.1 This report proposed to extend the provision of an existing service, and therefore there are no new diversity implications arising from this report.
- 6.2 Parking and Traffic Penalty Charge Notices are served to the registered keepers of vehicles as a consequence of parking or traffic infringements. At the time of service, it is not possible to distinguish individual characteristics of the recipients of this service. Debt recovery processes are an inherent part of the service.

7 Staffing Implications

- 7.1 Growth in the staffing budget would fund the provision of an additional dedicated debt recovery officer within the Parking and Lighting Service. A job description and person specification will be produced, and formally evaluated prior to recruitment.

8 Public Services (Social Value) Act 2012

- 8.1 The method of selecting which bailiff contracts to extend will take into account proposals to vary from contractors in respect of social value commitments.

Background Papers

- Executive Report, November 2013. Appointment of Certified Bailiffs for the collection of Penalty Charge Notice Debts.


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Strategic Director, Regeneration and Environment:

 Brent	<p style="text-align: center;">Cabinet 11 April 2016</p> <p style="text-align: center;">Report from the Strategic Director Regeneration and Environment</p>
For Action	Wards Affected: ALL
Source London	

1. SUMMARY

- 1.1. Brent Council is starting to receive requests from residents to provide the charging infrastructure that will enable them to charge their electric vehicles or enable them to consider purchasing one.
- 1.2. Charging infrastructure in Brent is currently insufficient to enable proper expansion of the electric vehicle charging point (EVCP) network or uptake of electric vehicles. This has been recognised and reflected as a commitment in the Long Term Transport Strategy in working towards reducing the negative effects of vehicle use and reducing the overall production of and exposure to all pollutants from Transport at every opportunity.
- 1.3. This report sets out a proposal to enable an increase in uptake of electric vehicles by Brent residents by entering into contract with BluePointLondon Ltd in respect of the Source London EVCP Scheme.

2. RECOMMENDATIONS

- 2.1. That Cabinet approves entering into contract in respect of the Source London EVCP Scheme with BluePointLondon Ltd on such terms as the Strategic Director Regeneration and Environment in consultation with the Chief Legal Officer may agree at the earliest possible date.
- 2.2. That Cabinet approves an exemption from the usual tendering requirements of Contract Standing Orders in respect of the direct award of the contract detailed in Recommendations 2.1 for the good financial and/or operational reasons set out in paragraph 3.6 of the report.

- 2.3. That Cabinet authorises the granting by the Council of leases and/or licences with mutual break clauses for current and future charging sites for a term of up to 99 years to BluePointLondon Ltd or their successors on Council owned land and public highway and otherwise on such terms as the Strategic Director Regeneration and Environment in consultation with the Chief Legal may agree.
- 2.4. That Cabinet endorses officer's work with BluePointLondon Ltd to identify suitable sites for on-street EVCP's with each site to be approved by Head of Transportation following public consultation.

3. BACKGROUND

- 3.1. Source London is a pan-London EVCP network which was started by the Mayor of London and Transport for London (TfL) to increase the uptake and usage of electric vehicles in London and contribute to improving the air quality as part of the Mayors Transport Strategy.
- 3.2. Brent Council currently has 57 EVCPs throughout the borough, of which 9 were included in the original TfL Source London contract. These 9 EVCPs are located within Brent owned car parks with the exception of one being on street, see Appendix A. The remaining 48 were not included in the original contract and are located in the Brent Civic Centre car park.
- 3.3. Under the original Agreement maintenance for the EVCPs was retained by Brent Council. The outcome from this is very little maintenance if any has been provided and as a result only 3 of the 9 EVCPs are operational (audited completed in June 2015).
- 3.4. To date, Officers have found it very difficult to provide a cost effective offer to electric vehicle users in maintaining the EVCP's we have already and installing new ones. The biggest barrier has been securing the electrical connection and funding to pay for electricity consumed.
- 3.5. TfL tendered out the Source London EVCP Scheme for a new supplier. On 1 July 2014, Brent Council received from TfL a novation agreement as well as proposed variations or amendments to the original Scheme Agreement. Seeking legal advice, the Council's view was that the proposed variations and amendments materially changed the existing agreements which could not be resolved within the timeframes given and as such exercised its right to withdraw.
- 3.6. Since 1 September 2014, BluePointLondon Ltd (part of the Bolloré Group) has taken over operations of Source London EVCP Scheme from TfL. The Source London EVCP Scheme is the only comprehensive EVCP scheme across London and the only scheme that offers operation, management and maintenance. As BluePointLondon Ltd have taken over operation of the

Source London EVCP Scheme, it is necessary to contract with BluePointLondon Ltd if the Council wishes to take advantage of the Source London EVCP Scheme.

- 3.7. Discussions have continued with BluePointLondon Ltd on a without prejudice basis as it was felt our objectives surrounding a network of EVCPs in the borough to improve air quality and reduce the number of cars in Brent are the same. It is also BluePointLondon's intention to introduce an electric vehicle car club which would also utilise the EVCP network.
- 3.8. Since taking over operations 10 London Boroughs have entered into the Agreement. These include Bromley, Camden, Greenwich, Hackney, Hammersmith and Fulham, Hounslow, Kensington and Chelsea, Lewisham, Southwark and Sutton.

4. DETAIL

- 4.1. The proposed agreement contains a number of changes to the original PanLondon Scheme (PLS) Agreement. These changes relate to terms which BluePointLondon believes are critical to the success of the scheme. In the main they are elements required to provide a quality service by being user-friendly and instils confidence to the customer that it will be operational for use at all times. The main changes are summarised as:

4.2. Maintenance

- 4.2.1. The aim of the changes is to implement a more robust maintenance regime which ensure faults can be identified, tracked and resolved in a timely manner. The proposed agreement sets out several maintenance scenarios that the Scheme Partner can choose, to include:
 - BluePointLondon assumes responsibility for maintenance of all charge points (Scheme Partners charge points in addition to any new they personally install in agreement with the Scheme Partner); or
 - Scheme Partner retains responsibility for managing a maintenance contract for their existing charge points.
- 4.2.2. If Brent Council was to maintain the EVCPs we would need to procure a separate maintenance contract to meet Source London requirements. At present Brent Council does not have a maintenance contract in place, or is funded to maintain EVCPs in the borough (the exception being for the EVCP's in the Civic Centre car park, which are not currently included in the Agreement). BluePointLondon would reimburse the cost of that maintenance subject to a costs cap of £500 per charge point per year. It is unlikely that this will be sufficient to cover the overall costs of work required and the maintenance contract costs. In addition there are contractual penalties in not meeting BluePoint London's requirements.

4.2.3. In view of the above, Officers favour the first of the options listed at paragraph 4.2.1 above, namely BluePointLondon assumes responsibility for maintenance of all charging points. Entering into a contract whereby the operation, management, maintenance and expansion of the EVCP network is the most cost effective as BluePointLondon will directly meet the entire costs for maintenance of the EVCP's.

4.3. Management

4.3.1. Under the agreement, BluePointLondon would take over the responsibility for collecting payments from scheme users for the use of the scheme. Where charge points are located in car parks where access is closed by a barrier and subject to an entry fee the Scheme Partner (Brent Council) will continue to charge scheme users.

4.3.2. BluePointLondon will assume responsibility for electrical supply contracts, including payment for electricity consumed. At present this is forming the biggest barrier to Brent expanding the EVCP network on its own, and considered a key benefit should approval be given to enter into contract with BluePointLondon.

4.3.3. Scheme Partners are required to keep their own charge points into the scheme for a minimum of 4 years. Following the expiry of this date, participation will be reviewed on an annual basis.

4.3.4. Where a charge point is proposed to be located in a Controlled Parking Zone (CPZ) where the Council charges for residential parking permits, the Council and BluePointLondon would need to discuss and agree separately the inclusion of such charge point into the Source London EVCP Scheme.

4.4. Technical

4.4.1. The proposed contract updates the original specification to enable BluePointLondon to have visibility of the data collected from each charge point through a monitoring system.

4.4.2. The monitoring system will enable BluePointLondon to identify and react to charge point faults in real-time and offer an improved customer service by enabling customers to reserve charge points and to use on a pay-as-you-go basis.

4.5. There is no term set for the contract, however, Brent Council can give 12 months written notice to withdraw at any time although there would be financial implications for withdrawal within the first 8 years of the contract.

5. **FINANCIAL IMPLICATIONS**

- 5.1. The agreement will mean that all costs related to the installation and maintenance of the EVCP's will be managed by them, including electricity supply and consumption costs. There will be no cost to Brent Council.
- 5.2. The Transportation Service is responsible for undertaking the feasibility studies and consultations to recommend suitable sites, and for contributing time towards the design and implementation of the scheme. These costs will be delivered through funding from the Local Implementation Plan.
- 5.3. At present there is no loss of income as our current network does not use on-street parking bays which have an income attributed to them, for example pay and display or Controlled Parking Zone. Where EVCP's are currently located in car parks these are not oversubscribed in use and revenue is still collected on these spaces.
- 5.4. There could be potential to generate additional income through careful analysis of potential new locations as BluePointLondon are wanting to expand the network. Where new parking bays are sited on existing waiting restrictions this would be entirely new revenue.
- 5.5. Where new charging point locations are proposed in existing income generating parking bays we will carefully examine the likely loss of parking revenue and parking stress levels to ensure that there is still sufficient parking available for local residents, businesses and visitors. However, Source London will pay fees to compensate for any potential losses in revenues. The fee structure has been set for London and is tiered based on London's tube zones. Brent spans zones 3 and 4 and therefore for each EVCP per year the Council would receive £500 for those located in zone 3 and £300 for those in zone 4.
- 5.6. In addition, once BluePointLondon achieves a positive cumulated net profit it will share 20% (subject to a maximum cap) of its annual profit with all scheme partners depending on the number of points each scheme partner has.

6. LEGAL IMPLICATIONS

- 6.1. S149 Equality Act 2010 provides that the Council must have due regard to the need to eliminate discrimination, and advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 6.2. It is proposed to enter into agreement with BluePointLondon which would undertake responsibility for operating, maintaining and expanding the existing EVCP network in Brent in collaboration with Brent Council but would be able to charge users of the network. Such contract is regarded as service concession contract, the consideration given by the contracting authority

consisting of or including the right to exploit the service or services to be provided under the contract.

- 6.3. The proposed contract with BluePointLondon does not have an end date (being reliant on either party terminating the contract) and as a result is valued on the basis that it will run for a four year term. This means that the contract would be classified as a Medium Value Contract under the Council's Contract Standing Orders and Financial Regulations.
- 6.4. This report also requests approval for an exemption from the usual tendering requirements of Contract Standing Order 84 (f) for Medium Value Contracts, in order to allow a direct award of a contract to BluePointLondon. Cabinet has the power to do this by virtue of Contract Standing Order 84(a), provided that Members are satisfied that there are good operational and/or financial reasons for doing so. Members are referred to paragraph 3.6 and should be satisfied that these provide good operational and/or financial reasons.
- 6.5. In addition, Members may only grant an exemption from tendering where there is no breach of domestic or European legislation. Such contract does not fall within the Public Contracts Regulations 2015 but will fall under the draft Concession Regulations 2016 (the draft Regulations") which are not yet in force but must be implemented by the UK Government by mid April 2016. The threshold for application of the draft Regulations is £4,104,394 and therefore the proposed contract will not be subject to the full requirements of the draft Regulations. However award of service concession contracts is subject to over-riding obligations of non-discrimination, fairness and transparency and there is EU case law to suggest that service concessions should be subject to some form of advertised process. However this is subject to an analysis of the nature of the service and whether there is likely to be cross-border interest. Given that BluePointLondon has been appointed to operate the Source London EVCP Scheme and this is the only such scheme in London, it is considered that there is likely to be limited cross-border interest and so the risk of successful challenge to award is considered limited.
- 6.6. There will be no relevant service provision change and as such, the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") will not apply.

7. DIVERSITY IMPLICATIONS

- 7.1. There are no known negative diversity implications, in contrast it is positive as it enables all vehicles to be considered for those that require a vehicle as their mode of travel whilst mitigating against harmful emissions. All electric vehicles licensed for use on the road by the Driver and Vehicle Licensing Agency (DVLA), including vans, scooters and motorcycle, are able to use the Source London EVCP network. This report is accompanied by an Equality Impact Assessment, see Appendix B.

8. STAFFING / ACCOMMODATION IMPLICATIONS (IF APPROPRIATE)

- 8.1. There are no requirements for increased staffing levels or alteration of accommodation to implement this proposal.

9. BACKGROUND PAPERS

- 9.1. None

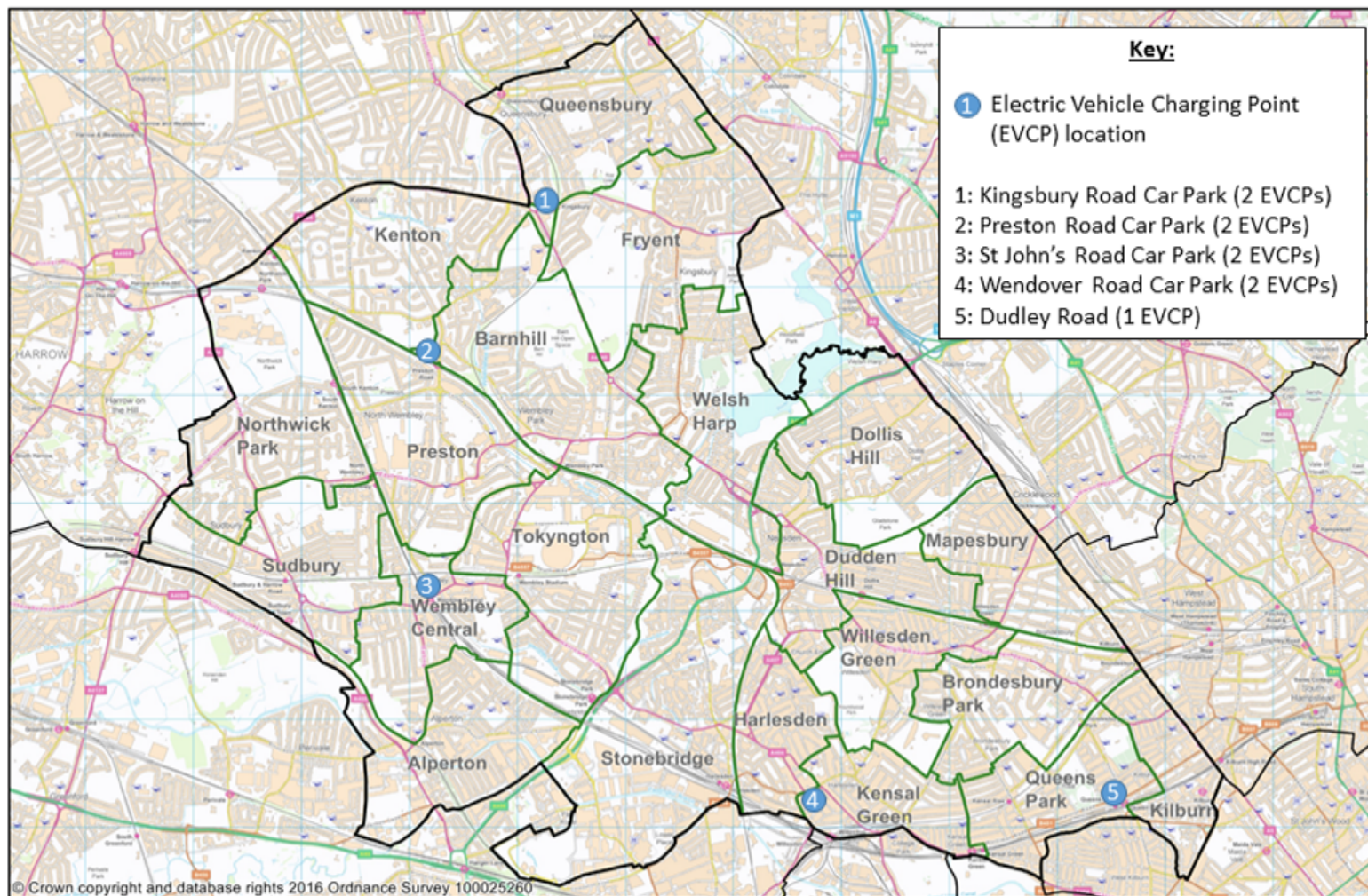
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Electric Vehicle Charging Point Locations



Joining the Source London contract for electric vehicles

Department

Environment and Neighbourhood Services

Person Responsible

Debbie Huckle

Created

4th February, 2016

Last Review

4th February, 2016

Status

Mapped

Next Review

4th February, 2017

Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

By joining the Source London contract Brent Council will be able to offer residents and visitors to the borough the opportunity to access electric vehicle charging points (EVCP's).

The objectives are:

Increase the use of sustainable modes of travel available in Brent
Reduce the exposure of Brent residents to PM and NO2 generated by non electric vehicles
Provide more EVCP's for residents at no cost to the Council
Improve the condition of the current EVCP's as the contract includes management and maintenance

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

The Source London offer will be available borough wide and membership will be available for everyone including residents, staff and external stakeholders.

It will not affect any one group more than another and new EVCP's will be considered in areas of high demand by residents.

Before new EVCP's are installed a site by site consultation will be conducted which will include a separate EA EA

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

- No

If you answered 'Yes' please indicate which equality characteristic(s) are impacted

3.2 Could the proposal have a disproportionate impact on some equality groups?

- No

If you answered 'Yes', please indicate which equality characteristic(s) are disproportionately impacted

3.3 Would the proposal change or remove services used by vulnerable groups of people?

- No

By entering into the Source London contract Brent will be providing an additional travel mode option for everyone

3.4 Does the proposal relate to an area with known inequalities?

- No

The Source London offer will be available borough wide

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

- No

If you answered 'Yes', please indicate which equality characteristic(s) are impacted

3.6 Does the proposal relate to one of Brent's equality objectives?

- No

The Source London contract relates to one of the health objectives to improve air quality by promoting the use of sustainable transport

Recommend this EA for Full Analysis?

No

Rate this EA

N/A

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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