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MEETING

BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE

DATE AND TIME

WEDNESDAY 18TH APRIL, 2012

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE (Quorum 3)

Chairman: Councillor Hugh Rayner (Chairman),
Vice Chairman: Councillor Brian Salinger (Vice-Chairman)

Councillors

Maureen Braun
Dean Cohen
Jack Cohen

Brian Gordon
Kath McGuirk
Alison Moore

Rowan Turner
Barry Rawlings

Substitute Members

Julie Johnson
John Marshall

Susette Palmer
Lord Palmer

Alan Schneiderman
Daniel Seal

You are requested to attend the above meeting for which an agenda is attached.

Aysen Giritli – Head of Governance

Governance Services contact: Melissa James 0208 358 7034

Media Relations contact: Sue Cocker 020 8359 7039

CORPORATE GOVERNANCE DIRECTORATE

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Meeting	Business Management Overview & Scrutiny Committee
Date	18 th April 2012
Subject	Pedestrian Safety, East Finchley Update Report
Report of	Scrutiny Office
Summary	This report provides Members with an update on the holistic impact assessment of the East Finchley area.

Officer Contributors	Melissa James, Overview & Scrutiny Officer
Status (public or exempt)	Public
Wards affected	East Finchley
Enclosures	None
For decision by	Business Management Overview and Scrutiny Committee

Contact for further information:

Melissa James Overview & Scrutiny Officer, Corporate Governance Directorate

020 8359 7034, melissa.james@barnet.gov.uk

1. RECOMMENDATION

- 1.1 **That the Committee consider the initial findings of the East Finchley Impact Assessment provided by officers from the Environment, Planning and Regeneration directorate and make appropriate comments/recommendations to the relevant Cabinet Member or officers (as appropriate) in respect of the issues raised.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Business Management Overview and Scrutiny Committee, 29th February 2012, Decision item 9, Pedestrian Safety, East Finchley

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to deal with petitions received from members of the public in a timely way and in accordance with the provisions of the Council's Constitution carries a reputational risk for the authority.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 ("the Act"), the council has a legislative duty to have 'due regard' to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.
- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role in relation to diversity and inclusiveness;
and

- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Any financial implications arising from the East Finchley Impact Assessment are expected to be contained within the Environment, Planning and Regeneration Budgets.

7. LEGAL ISSUES

- 7.1 None.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.
- 8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).

9. BACKGROUND INFORMATION

- 9.1 On the 29th February 2012, the Business Management Overview and Scrutiny Committee considered a petition received by the Council in relation to Pedestrian Safety, East Finchley. The Lead Petitioner addressed the Committee regarding safety concerns for pedestrians using the route along Church Lane, High Road and Creighton Avenue in East Finchley.
- 9.2 The Committee requested that Officers from the Environment, Planning and Regeneration directorate carry out, in consultation with the Walk Safe N2 campaign group:
- an assessment of the impact the proposals identified in the petition could have upon the area, and
 - to consider any other safety measures which could lead to a solution to provide a safer environment.
- 9.3 Officers from the Environment, Planning and Regeneration directorate informed the Committee that a holistic impact assessment of the area had already commenced, which would consider crossing facilities, road junctions and other empirical evidence. The initial findings of this review would be reported to the Cabinet Member for the Environment at the end of March 2012.

- 9.4 The Business Management Overview and Scrutiny Committee requested that a report be provided at its meeting on the 18th April 2012 on the findings of the impact assessment of the East Finchley area.
- 9.5 Officers from the Environment, Planning and Regeneration directorate will attend the meeting and provide to the Committee a verbal update.
- 9.6 The Business Management Overview and Scrutiny Committee are asked to comment and make recommendations in respect of the information provided at the meeting.

10. LIST OF BACKGROUND PAPERS

- 10.1 None

Legal: JH
CFO: JH/MC

Meeting	Business Management Overview and Scrutiny Committee
Date	18 th April 2012
Subject	Regeneration Review
Report of	Leader of the Council / Cabinet Member for Regeneration
Summary	Annex 1 provides the Committee with the Cabinet Resources Committee report on the Regeneration Review – Action Plan and Next Steps.

Officer Contributors	Andrew Travers, Deputy Chief Executive Lucy Shomali, Assistant Director, Strategic Planning & Regeneration
Status (public or exempt)	Public
Wards affected	All
Enclosures	Annex 1: Regeneration Review – Action Plan and Next Steps, Report to Cabinet Resources Committee on 28 February 2012
For decision by	Business Management Overview and Scrutiny Committee

Contact for further information: Lucy Shomali, lucy.shomali@barnet.gov.uk, Tel: 020 8359 4749

1. RECOMMENDATION

- 1.1 That the Business Management Overview and Scrutiny Committee consider the Regeneration Review – Action Plan and Next Steps, as set out in the report to the Cabinet Resources Committee attached at Annex 1 to this report, and make appropriate comments and/or recommendations on the proposals contained therein to the Leader of the Council.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Business Management Overview and Scrutiny Committee, 5 September 2011, Decision Item 4, Regeneration Strategy – the Committee considered the Regeneration Strategy and made comments and recommendations to Cabinet.
- 2.2 Cabinet Resources Committee, 28 February 2012, Regeneration Review – the Cabinet Resources Committee are being requested to agree the findings of the Regeneration Review and proposed next steps (as set out in the attached Action Plan).

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the draft 2012/13 Corporate Plan are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb
- 3.3 Corporate priorities and policy considerations as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

4. RISK MANAGEMENT ISSUES

- 4.1 To enable the Council's Overview and Scrutiny function to provide a critical friend challenge to the executive, it is essential that the Committee have the opportunity to provide a robust, proportionate and timely challenge to key Executive decisions as they progress through the council's decision-making framework. Failure to facilitate scrutiny of significant decisions in this way might result in reputational damage to the council.
- 4.2 Risk management considerations as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

5.2 Equalities and diversity considerations as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 Use of resources considerations as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

7. LEGAL ISSUES

7.1 Legal considerations as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

8. CONSTITUTIONAL POWERS

8.1 Council Constitution, Article 6 – details the scope of the Council's Overview & Scrutiny Committees.

8.2 Council Constitution, Overview and Scrutiny Procedure Rules – details the terms of reference of the Council's Overview & Scrutiny Committees. The Business Management Overview and Scrutiny Committee has within its terms of reference responsibility for "...the review of the policy framework and development of policy and strategy not within the remit of other overview and scrutiny committees."

8.3 Constitutional powers as they relate to the Regeneration Review are set out in the Cabinet Resources Committee report attached at Annex 1.

9. BACKGROUND INFORMATION

9.1 The Committee are requested to consider the findings of the Regeneration Review, as set out in the report to the Cabinet Resources Committee set out in Appendix 1, and make appropriate comments and/or recommendations to the

Leader of the Council.

- 9.2 The Committee are requested to note that the Cabinet Resources Committee considered the Regeneration Review at their meeting on 28 February 2012. As the Business Management Overview and Scrutiny Committee meeting is taking place after the Cabinet Resources Committee, Scrutiny Members are being requested to make their representations directly to the responsible Cabinet Member, the Leader of the Council. The Leader will be requested to provide a formal response to the Committee to any comments and/or recommendations made.

10. LIST OF BACKGROUND PAPERS

- 10.1 None

Legal – TE

Finance – MC/JH

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Annex 1

Meeting	Cabinet Resources Committee
Date	28 February 2012
Subject	Regeneration Review – Action Plan and Next Steps
Report of	Leader of the Council, Cabinet Member for Regeneration
Summary	This report sets out the background to and recommendations of the Regeneration Review which was undertaken during autumn 2011 and included an evaluation of existing and planned regeneration schemes to ensure current approaches are capable of delivering cross-cutting regeneration objectives.

Officer Contributors	Andrew Travers, Deputy Chief Executive Lucy Shomali, Assistant Director, Strategic Planning & Regeneration
Status (Public or Exempt)	Public
Wards affected	All
Enclosures	Appendix A – Regeneration Review and Action Plan
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

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1. RECOMMENDATIONS

It is recommended that Cabinet Resources Committee:

1.1 Agree the findings of the Regeneration Review and the proposed next steps (as set out in the detailed Action Plan attached as Appendix A) with the following actions delivered as a priority:

- (i) A review of the structure and skill set of the Regeneration Service to be concluded by end of March 2012
- (ii) A major review of programme management to include Member involvement in the Regeneration Board, and establishment of a new, internal Regeneration Programme Board and reconstituted Project Boards to be completed by end of March 2012
- (iii) The development of a Corporate Property Strategy and asset register to be completed by May 2012
- (iv) A Skills, Employment and Enterprise Strategy to be prepared with particular focus on 16-24 year olds and post riot actions for adoption by Cabinet April 2012

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet 22 November 2004 (item 8) approved the Three Strands Approach: Protect, Enhance and Grow as the basis for planning, development and regeneration of the borough.
- 2.2 Cabinet 6 September 2010 (item 6) approved the publication version of the Local Development Framework Core Strategy.
- 2.3 Cabinet 14 September 2011 (item 6) approved the draft Regeneration Strategy.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Council's Regeneration Strategy sits within the context of two other key documents, the Council's Sustainable Community Strategy and the Local Development Framework (LDF) - the Borough's spatial development strategy. It supports the 'successful London suburb' corporate priority and is a key part of delivering the 'enhance' and 'consolidated growth' elements of the Three Strands Approach outlined in the LDF. It also sits alongside the Council's Housing Strategy.
- 3.2 In attracting significant private sector investment, the regeneration in the borough supports the Council's corporate priority 'better services with less money'.
- 3.3 It also captures our ambition to ensure that residents and businesses in the borough can take responsibility for sharing in Barnet's success, which supports the Council's corporate priority of 'sharing opportunities, sharing responsibilities'.

4. RISK MANAGEMENT ISSUES

- 4.1 Although there is significant private sector investment planned for the borough, we recognise that our regeneration was planned in a different economic climate. Delays in our estate regeneration programme associated with the current economic downturn could result in additional financial demands on the Housing Revenue Account to manage and maintain housing stock on the regeneration estates over an extended period. The Regeneration Strategy provides a coherent framework to respond to evolving government and Council

objectives and the changing funding agenda. The scope of the Regeneration Review specifically covers analysis of this risk and how it should be mitigated.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Generally, Barnet is a diverse and successful place with residents able to achieve their aspirations. Within this overall picture there are areas where this may not always be the case and the regeneration strategy is targeted to address this.
- 5.2 The Regeneration Strategy will ensure that regeneration develops cohesive communities, meeting the needs of all that live within them. The regeneration schemes are working in partnership with key stakeholders and local residents to:
- create more homes - particularly family homes - with rebalanced housing tenure and more mixed communities
 - create new school places to meet the needs of the growing younger population
 - ensure services are available to support our increasing older population
 - maximise employment and training opportunities for those furthest from the labour market to access new job opportunities resulting from regeneration
 - provide new and accessible community facilities and open spaces for all residents to use
- 5.3 The Regeneration Review makes recommendations to ensure due regard to equality and diversity considerations for regeneration in the borough.

6. USE OF RESOURCES IMPLICATIONS

- 6.1 The Regeneration Strategy recognises that our regeneration schemes were planned in a different economic climate meaning that there are new challenges around delivery. The Regeneration Strategy asks key strategic questions about the delivery of successful regeneration schemes for Barnet and sets out what will enable us in delivering our strategic objectives ensuring that we respond to the changing financial context.
- 6.2 The Regeneration Review has examined the Council's and partners' delivery capacity in relation to regeneration and identified gaps in both capacity and technical skills. It also considers project and programme management arrangements including budget management and cost recovery, ensuring optimum use of resources.
- 6.3 The Regeneration Review is funded from existing Regeneration resources.

7. LEGAL ISSUES

- 7.1 The recommendations that have been set out in this report are aimed at achieving greater efficiencies around the Council's regeneration activities. The Council currently has 3 executed Principal Development Agreements and a co-operation agreement for its Regeneration or Regeneration type schemes. In implementing the recommendations in this report and the action plan the Council must have regard to its obligations under these long term agreements and should ensure that it continues to meet its obligations within the agreements and that any changes to the agreements accord with the change mechanisms within the respective Agreements.

8. CONSTITUTIONAL POWERS

- 8.1 Constitution (Part 3) – Responsibility for Functions – Section 3.8

9. BACKGROUND INFORMATION

- 9.1 Regeneration in Barnet is estimated to be bringing £6 billion of private sector investment into the Borough over the next 25 years. This investment will bring benefits to the Borough through attracting new businesses and promoting business growth and economic vibrancy; providing new and existing residents with new schools, community facilities, and improvements to open spaces. There will also be improvements to public transport and road networks to the benefit of all who live, work in or visit Barnet.
- 9.2 However, there are a number of challenges to managing change and maximising these opportunities. The external environment has significantly changed since Barnet's regeneration was originally planned with the economic downturn affecting commercial viability, and public expenditure being reduced. At the same time new models of funding have been proposed which give local areas more flexibility to generate revenue and provide a potential opportunity.
- 9.3 The demography of the Borough also continues to change rapidly including an influx of new communities and increasing birth rates in many communities leading to a growth in our young population with pressure on services, particularly primary school places.
- 9.4 Cabinet approved a new Regeneration Strategy for the borough in September 2011 which sets out a number of strategic objectives for the borough and its regeneration schemes. These are to:
- Enhance Barnet as a Successful London Suburb through delivery of quality new places and neighbourhoods in the areas of the borough in greatest need of investment and renewal
 - Deliver sustainable housing growth and infrastructure, and improve the condition and sustainability of the existing housing stock
 - Ensure residents in all areas of the borough can share in Barnet's success while taking responsibility for the well-being of their families and their communities
 - Promote economic growth by encouraging new business growth while supporting local businesses and town centres
 - Help residents to access the right skills to meet employer needs and take advantage of new job opportunities
- 9.5 At the same time the consultancy Regenfirst were commissioned to undertake a review of the council's regeneration activity with an assessment of existing and planned regeneration in the borough against the agreed strategic objectives in the Regeneration Strategy. The purpose of the review was to:
- Assess deliverability and viability of the major regeneration schemes
 - Assist the Council in developing appropriate capacity for delivery
 - Assist the Council in developing effective executive and political governance
 - Assist the Council in identifying opportunities to sustain delivery through securing new funding opportunities
- 9.6 The review has identified that significant progress has been made on establishing a clear strategic framework for regeneration in Barnet and in progressing a number of the major regeneration schemes. However, the review identifies a number of key actions to be taken forward to ensure that the opportunities from regeneration are maximised for the borough.
- 9.7 In terms of the broader Strategic Framework the review has identified the need for a greater focus in Barnet on sustainable transport, education provision and infrastructure delivery. The review has also confirmed the need for a clear action plan on enterprise and skills to be developed through close working with partners. The need for an integrated Corporate Property Strategy and Asset Management Plan is also identified.

- 9.8 In terms of the approach to Strategic Funding the review highlights the need to expedite production of the HRA Business Plan and to review relationships with Registered Social Landlords and take a more collaborative, site based approach to delivery of affordable housing with key partners. In terms of specific funding sources to support delivery of infrastructure the review proposes a pragmatic approach to the setting of a Community Infrastructure Levy for Barnet to incentivise growth and the opportunity to pursue a TIF at Brent Cross Cricklewood.
- 9.9 In terms of the detailed review of the viability and deliverability of the individual regeneration schemes the report concludes that the Council has successfully turned around Stonegrove/Spur Road and Dollis Valley over the past two years and that Mill Hill East and Granville Road are at the point of deliverability. However the review concludes that Grahame Park and West Hendon need urgent remedial action and that the viability of Brent Cross Cricklewood is challenged by current market conditions.
- 9.10 The report concludes that there is a need for a renewed focus on delivery which allows for flexibility over the 10-20 year life of the major regeneration schemes. It also proposes a review of leadership within the Council to ensure responsiveness around delivery and a renewed approach to project and programme management to speed up implementation and a clearer approach to the communication and marketing of the regeneration opportunities in Barnet.

10. Next Steps

- 10.1 A detailed action plan is attached as Appendix A which sets out the work streams required to address the issues raised by the review and ensure a fit for purpose approach to delivering regeneration in Barnet. The key next steps in relation to this are:
- A review of the structure and skill set of the Regeneration Service to be concluded by end March 2012
 - A major review of programme management to include Member involvement in the Regeneration Board, and establishment of a new, internal Regeneration Programme Board and reconstituted Project Boards
 - The development of a Corporate Property Strategy and development of an asset register to be expedited
 - A Skills, Employment and Enterprise Strategy to be rolled out with particular focus on 16-24 year olds and post riot actions

11. LIST OF BACKGROUND PAPERS

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regenfirst

Barnet Council

Review of Regeneration Functions

February 2012
Final Report

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Executive summary and recommendations

Introduction and Methodology

Barnet Council has commissioned Regenfirst to undertake a rapid review of its regeneration function, to assess the deliverability of its major regeneration projects against its emerging revised Regeneration Strategy and to assist the Council in developing appropriate capacity for delivery and effective executive and political governance arrangements. The review includes an examination of the Council's strategic framework, its key projects and the current delivery arrangements. The review commenced in September 2011 and was completed in December 2011.

The review has been undertaken in two stages: the first stage was undertaken through a combination of desk top analysis, together with structured interviews and informal discussions with the Council's own officers from a number of departments, the lead member, and key external partners including delivery partners, key professional advisers and the HCA and GLA. The analysis and interviews undertaken informed the review of the linkages and issues between the Council's emerging strategy and its planning, skills/enterprise, housing, property and capital strategies; and informed the assessment the Council's capacity to deliver its own regeneration programme based on analysis of its staffing team, in-house skills and external support, governance and programme management arrangements.

The second phase was an assessment of the viability and deliverability of the key projects within the Council's regeneration programme. Drivers Jonas Deloitte were engaged to assist with the technical financial assessment. The second phase took the form of desktop analysis of information provided by the Council, and structured discussions/workshops with the Council's in house team.

The review has four sections: the Strategic Framework, the Strategic Funding Opportunities, the Viability of Schemes and Delivery Capacity.

Strategic Framework

The Council has relatively recently undertaken the process of formalising a strategy around its regeneration projects, most of which have been in development for some time. The Council's intention is that its strategic framework should be light touch, giving expression to borough's Sustainable Community Strategy, and specifically the priority of ensuring that the borough is "A Successful London Suburb".

The Council has clearly made significant progress in pulling together a strategic platform over the past eighteen months. There is still a lot more to do, as some fairly big gaps need to be filled and some strategic approaches need to be honed, but a clearer picture is beginning to emerge of the Council's priorities and aspirations. It is not always obvious who the audiences are for the different documents, and the lack of a clear house style makes it harder to appreciate that they are a suite of documents. These are primarily presentation points, but tackling them could help with overall direction of travel and would serve to strengthen strategic focus.

Recommendations

The Council should consider strengthening the presentation of the Regeneration Strategy so that it communicates greater vision for the whole borough, rather than being a collection of projects. This could be achieved by including a greater focus on

the “Protect” and “Enhance” elements of the three strand approach, and providing illustrative material. As part of this, the Council needs to consider who the audience for the strategy should be.

The Council’s approach to sustainable transport needs to be reviewed, corporately. A workshop with key senior staff would be a starting point, to review (and to challenge) some of the assumptions in the LDF and the IDP, with a regard for deliverability and timescales in the current economic climate.

Work on the Council’s education estate needs to be expedited, and brought into the remit of the Regeneration Board. Education estate objectives should be made explicit in the Regeneration Strategy, to provide reassurance to local communities.

The Council should consider updating its Borough Investment Plan, reflecting new information in the LDF, IDP and the current understanding of scheme viability. The document should have a greater focus on marketing the borough to potential investment partners.

The Council should develop a clear action plan for enterprise and skills, which reflects sectoral aspirations and that works primarily through partner organisations such as JCP, Middlesex University and Barnet College.

The Council should develop an integrated Corporate Property Strategy, Asset Management Plan and digital asset register, as a matter of urgency.

The Council should prepare a Capital Strategy, setting out its key priorities for capital investment and clearly articulating the application to those priorities of its available resources through prudential borrowing, the HRA business plan, the use of CIL/s.106, the new homes bonus, potential use of Tax Increment Finance.

Internal and external communications require attention. Partners are not well informed about the Council’s strategic direction, and they are keen to be involved in events and activities which promote the borough.

Strategic Funding

The strategic funding context for regeneration has changed significantly over the course of the past year to eighteen months, as a result both of the Government’s policy on fiscal restraint, particularly with regard to public sector spending, and its policy changes for delivery and financing of local government generally and housing and associated infrastructure in particular.

The new regime seeks to incentivise growth. The principal aim of the Localism Act is to transfer powers and functions to local authorities, and to give them the formal powers and fiscal incentives to raise the profile of their areas, strengthen local democracy and boost growth.

The reform of council housing finance, removing the old subsidy system, introducing self financing to local authorities’ housing revenue account, together with the introduction of flexible tenancies, and changes to the provision of affordable housing grant through contracts with Registered Providers will give a greater degree of choice to the Council in funding affordable housing.

The streamlining of development benefits to fund infrastructure through the replacement of complex planning obligations with the community infrastructure levy will be a more flexible tool than the S1.06 regime, and will be potentially more lucrative in the long term.

The forthcoming reform of the business rates system seeks to ensure that the benefits of growth are felt locally. The opportunity to raise funding through Tax Increment Financing will be key to success for schemes such as Brent Cross Cricklewood.

As other forms of formula based grant and subsidy are gradually removed as the government rebalances the national ratio of debt to public spending, the local benefits from growth will become significantly more important, proportionately, to local areas' core financing strategy.

While the market conditions are currently challenging, the underlying demand for growth in Barnet gives the Council choices about the way to proceed. Properly managed, growth should provide new funding opportunities for the Council to direct into its investment needs, according to its own policy objectives, to benefit its residents and existing and future businesses.

The work currently being undertaken in different services within the Council (the Housing Revenue Account Business Plan, the Community Infrastructure Levy, the implications of Business Rate Reform and fiscal measures such as the New Homes Bonus, and the preparatory work for Tax Increment Financing) needs co-ordinating.

Each of these is potentially highly beneficial to the borough, but they only support each other if each is optimised as opposed to maximised, and the delicacy of the balance between them is maintained at a strategic level.

Recommendations

The Council should expedite the production of its HRA business plan, and link the use of any headroom for borrowing with the achievement of wider regeneration strategy objectives.

The Council should review its relationships with housing Registered Providers and develop a more overtly collaborative, site based approach with key partners to ensure that they invest maximum levels in the borough.

Community Infrastructure Funding provides a significant opportunity for funding infrastructure in the borough. However, the Council should take a pragmatic approach to CIL (and to the continued use of S.106, where appropriate) given market conditions. It can be reviewed in future if and when market conditions improve.

Further work on the total cost of the infrastructure requirement at Brent Cross is still being undertaken. This should be expedited: until it is completed, detailed modelling on how TIF could work for the borough is impossible to undertake. It is very clear that without some form of TIF or bond the Council's aspirations for Brent Cross/Cricklewood will be hard to realise.

A co-ordinated and well articulated capital investment strategy, building on all the opportunities set out above, has the potential to serve as an effective prospectus for

the Borough that will give it an enviable position in London and in the country as a whole.

The Council should also look at the opportunities that its regeneration programme brings to give added value to other priorities – such as improving adult social care outcomes through provision of smaller premises and lifetime homes/neighbourhoods.

Viability

The Council has an ambitious regeneration agenda, with a number of large schemes which are at varying stages of delivery. Most of the Council's schemes are housing led most (although not all) seek to improve the condition and environment of council housing stock through replacement and refurbishment, funded in significant part by the introduction of homes for sale to the regeneration estates.

Most of the schemes were designed at a time when the market for homes for sale was extremely buoyant. That is no longer the case. All of the schemes have been the subject of considerable effort over the last few years to address problems with viability and deliverability. In a number of cases these efforts have been successful. However, on the more complex schemes, viability in the current market is still a major problem.

The review looked in particular at Grahame Park, West Hendon, Stonegrove/Spur Road, Dollis Valley and Granville Road.

As part of this review the Council, with Regenfirst's assistance, commissioned Drivers Jonas Deloitte (DJD) in early October 2011 to assist with assessing the viability and deliverability of each of the Council's regeneration schemes, and to provide technical support for the scheme viability element of the review.

The viability analysis looked at the following, on a scheme by scheme basis:

- Land value/receipt
- Site abnormalities
- Planning status/risks
- Infrastructure costs
- Build costs
- Grant/grant security
- Housing decant issues
- Sales values
- Commercial yields (where relevant)
- Development returns (to partners)

DJD graded each of these aspects, per scheme, according to a traffic light system:

- Green:** No anticipated concern – this is within acceptable market levels/anticipated position
- Amber:** Potential concern – adjustments may have material impacts on viability / acceptable subject to formal agreement
- Red:** Point of concern – Potential for major impact on deliverability /viability.

Each scheme has been given an overall grading. In summary these ratings are:

Stonegrove/Spur Road	Green Amber Red
Dollis Valley	Green Amber Red
Granville Road	No rating (too early in scheme development)
Grahame Park	Green Amber Red
West Hendon	Green Amber Red
Mill Hill East	Green Amber Red

The Council has successfully “turned around” two of its principal regeneration schemes, Stonegrove/Spur Road and Dollis Valley over the past two years. The same robust commercial approach is now being taken with Granville Road and subject to the outcome of the current competitive dialogue process, the scheme has every chance of delivery.

Mill Hill is an innovative regeneration scheme, where the Council is using its assets and forward funding in a very commercial way to achieve significant long term benefits.

Grahame Park and West Hendon are not viable in their current form. However both remain very important to the overall achievement of the Council’s long term regeneration objectives along the A5 corridor: aspirations for Colindale and, in the longer term, Brent Cross/Cricklewood will not happen if these two key regeneration sites do not fulfil their potential; moreover the Council will have to invest heavily in the fabric of fundamentally inadequate stock, which would not represent good value for money.

Brent Cross/Cricklewood is one of the most ambitious regeneration projects in London, but in the current economic climate, there is a need for a more detailed approach than this review can offer, looking at the liabilities, particularly in the early phases, assessing the role the Council should take, particularly as a major landowner, and reviewing options for effective project management for a scheme of this size and complexity.

What is clear is that the vision for Brent Cross/Cricklewood is a once in a century opportunity. The Council’s commitment to facilitating the implementation of the vision commands enormous respect amongst partner agencies. The challenge, in the economic circumstances is enormous but it should undoubtedly remain a high order priority for the Council.

Recommendations

Genuine open book based monitoring and effective dialogue with delivery partners must be maintained on Stonegrove/Spur Road, Dollis Valley and Granville Road once the competitive dialogue process has completed.

At Mill Hill East, the early costs should be kept under careful review.

The Council must also ensure that the major scheme risks at Mill Hill East, the provision of the new school and the relocation of the depot – are delivered in a timely and cost effective way, as failure to do so will have significant scheme and reputational costs.

Grahame Park and West Hendon require root and branch review of the scheme objectives and a revised assessment of the best approach to regeneration. Work on the review of West Hendon is already underway; Grahame Park needs to follow as a matter of urgency.

All the schemes face a significant challenge in decanting existing secure and non secure tenants, and concluding satisfactory agreements with leaseholders. The challenge needs to be accurately mapped, for each scheme, and a strategy needs to be developed as a matter of urgency. This will require close co-operation with Barnet Homes – indeed, they should probably be tasked with leading on this project.

Delivery

The Council has significantly reorganised its regeneration service over the past year. Partly, this has been done to strengthen the links between strategy and delivery services; partly it has been done to reduce costs. This has resulted in the combining of the function of Regeneration with that of Strategic Planning.

While this approach has yielded benefits, the focus going forward is likely to be on delivery, and on getting optimum benefits for the borough from the new regeneration funding opportunities set out in section 3 above.

Given that the regeneration schemes can take a decade or more to implement, the strategies and frameworks will need to flex and change according to external conditions. This will need stronger leadership in future.

Project management, programme management and governance arrangements have been the focus of change over recent months, to introduce greater rigour. Given the size of Barnet's regeneration agenda, however, these areas are still in need of some attention and refinement, if they are to be fit for purpose in an environment where there is a very varied mix of advisers and providers.

Barnet has choices about how it effectively manages its development and renewal functions in the future. The majority of the delivery is in effect already outsourced. Going forward, a strategic client team will be required that pulls together a number of functions and provides both leadership and capacity within the Council to ensure its many partners deliver investment and regeneration in a cost effective and efficient way.

Recommendations

The Council's future need for regeneration is a focus on delivery, which should prompt a review of the organisational arrangements, and in particular a strengthening of the understanding and application of the financial mechanisms that the Council can bring to kick-start delivery.

Leadership within the regeneration service is a key area which needs addressing by the Council. The opportunity to develop a specialist client function is an opportunity to re-introduce a greater degree of delivery focused leadership.

The Council should urgently consider recommissioning key consultancy services, on the basis of a specific discipline, and for a meaningful period of time, with outcome rather than output based specifications. This would enable the Council to develop stable and trust based relationships, with a smaller number of longer term advisers.

The Council needs to change its internal project management capacity. It needs fewer, more technically skilled project managers.

Financial management needs to become more rigorous, with a business planning approach, careful budgeting and strict cost/time management against budgets.

A refresh of the standard gateway approach should be considered to inform the stages of programme management and cost control.

The remit of the Board needs redefining and should take on some decision making powers, in line with delegated authority.

Terms of reference for project boards should be refreshed, and should enable appropriate decision making on scheme progress.

The extent of delegation to officers is a cultural matter that varies from Council to Council, but it would be helpful if the scope for delegation to officers could be expanded, perhaps within a range of tolerance relating to cost or values or to variances within an initial set of approvals.

Linked to this, there is also an argument for reporting slightly differently on regeneration schemes, with an annual progress report to the Council. Overall, this would provide momentum and an opportunity to report success, rather than the minutiae of delivery.

A strategic client function should be designed, which is both "thin" and "intelligent", which strengthens links with Strategic Property functions and with the client function for the Barnet Group.

1 Introduction

1.1 Purpose of review

Barnet Council has commissioned Regenfirst to undertake a rapid review of its regeneration function, to assess the deliverability of its major regeneration projects against its emerging revised Regeneration Strategy and to assist the Council in developing appropriate capacity for delivery and effective executive and political governance arrangements. The review includes an examination of the Council's strategic framework, its key projects and the current delivery arrangements. The review commenced in September 2011 and was completed in November 2011.

Following the submission of the final report and its presentation to and discussion with the Chief Executive and the Council's Regeneration Board (in December 2011) an Action Plan has been developed to guide the implementation of the findings.

1.2 About Regenfirst

Regenfirst are regeneration specialists with a proven track record of delivering measurable and lasting improvements to deprived urban areas. We offer solutions that integrate fully the physical, environmental, economic and social dimensions of regeneration in practical ways. We succeed in creating real change by fully understanding the complex organisational and political context in which our clients operate and by using government initiatives and funding streams as a means to an end rather than allowing regeneration to be driven by them.

Our commitment to quality means that we are a small company in which the Directors deliver most of the work in person. We are proud of our flexibility in meeting client and partner requirements and our ability not only to deliver projects to agreed budget and timescale but to bring real added value to every piece of work.

1.3 Review methodology

The review has been undertaken in two stages: the first stage was undertaken through a combination of desk top analysis, together with structured interviews and informal discussions with the Council's own officers from a number of departments, the lead member, and key external partners including delivery partners, key professional advisers and the HCA and GLA. The analysis and interviews undertaken informed the review of the linkages and issues between the Council's emerging strategy and its planning, skills/enterprise, housing, property and capital strategies which was discussed in an interim report; and informed the assessment the Council's capacity to deliver its own regeneration programme based on analysis of its staffing team, in-house skills and external support, governance and programme management arrangements (the results of which are set out in section 5 of this report).

The second phase was an assessment of the viability and deliverability of the key projects within the Council's regeneration programme. Drivers Jonas Deloitte were engaged to assist with the technical financial assessment. The second phase took the form of desktop analysis of information provided by the Council, and structured discussions/workshops with the Council's in house team. Viability reports relating to

5 of the Council's principal schemes have been produced; an explanation of the approach and summary findings are set out in section 4 of this report.

1.4 Acknowledgements

Regenfirst would like to thank staff at the London Borough of Barnet who assisted in the preparation of the review: in addition to those who were formally interviewed and/or took part in workshops, we would like to extend our particular thanks staff in the project management team, especially Tony Westbrook, Abid Arai and Susan Botcherby, who were generous with their time and support during the conduct of the review. Lindsey Hyde and Helen Barbour gave invaluable assistance with organisational and administrative matters. Hayley Woollard assisted with financial information. We are grateful to the borough's external partners and advisers who agreed to be interviewed in the course of the review and who provided significant additional information and invaluable insights. While it was agreed that individual contributions would remain anonymous the participation of the following organisations is gratefully acknowledged: Barratts; Barnet College; BPP Regeneration; CBRE; Genesis; Greater London Authority; Hammerson; Homes and Communities Agency; Jobcentre Plus; Metropolitan Housing; Middlesex University (RedLoop); PriceWaterhouseCoopers; St George; Trowers and Hamlins; Turner and Townsend and 3Fox International. Finally, we would like to thank Steven Spicer and Neil Gammie of Drivers Jonas Deloitte, Jamie Ounan and Chris Twigg of CILKnowledge and Wayne Shand of EDP Ltd who contributed particular expertise to the review, all of it essential to the findings of the final report.

2 Strategic framework

2.1 Context

The Council has only relatively recently undertaken the process of formalising a strategy around its regeneration projects, most of which have been in development for some time. The Council's intention is that its strategic framework should be light touch, giving expression to borough's Sustainable Community Strategy, and specifically the priority of ensuring that the borough is "A Successful London Suburb".

The overarching Regeneration Strategy serving as a core document with the Housing Strategy and enterprise and skills strategy being subsidiary documents to the Regeneration Strategy. Key planning documents such as the LDF sit alongside these and together they build upon the Council's three strands approach, Protect, Enhance and Grow, which is the basis for the development and regeneration of the borough and which seeks to direct housing growth and significant new commercial activity to the A5 Corridor where most of the borough's regeneration sites are located.

A detailed analysis of the strategic approach has already been provided in the course of this review, in the form of an interim report. The detailed discussion will not be repeated, but the key conclusions and recommendations are set out below.

2.2 The Regeneration Strategy

The key strength of the Regeneration Strategy is its simplicity, although the intended audience for the strategy is not entirely clear

Perhaps the weakness of the Regeneration Strategy is that it remains a collection of projects and these relate more to the "Grow" elements of the three strand approach rather than Protect and Enhance, which misses the opportunity to celebrate the conservation status of the vast majority of the borough.

Therefore, it doesn't quite provide a borough wide vision. Some fairly minor changes in presentation could help it reassure visually the large sections of the borough's residents which expect to see their localities protected from growth. Moreover, in those areas where the aim is to both repair the fabric of the borough and improve the aspirations and life chances of its residents some rather more people oriented "whole life" illustrative tableaux would be helpful.

2.3 Local Development Framework (LDF)

The Core strategy, Development Management Policies and other key development plan documents are at an advanced stage, with final preparations underway for an imminent Examination in Public. The only detailed focus for this review has been on the Infrastructure Delivery Plan and related proposed Charging Schedule for the Community Infrastructure Levy. A discussion of CIL is included in section 3 of this report, which looks at strategic funding.

The only substantive comment on the LDF as a whole is that the current policy framework does not yet adequately reflect sustainable transport objectives, particularly in the key growth locations along the A5 corridor. Restraint based traffic management will not deter growth and investment where there are moderately good public transport alternatives, and their - strictly targeted - adoption will serve to protect surrounding areas.

2.4 Infrastructure Delivery Plan (IDP)

A significant amount of work has been done over the last few months to bring the Infrastructure Delivery Plan up to a standard whereby it captures most of the Council's strategic infrastructure needs to deliver the ambitious regeneration aspirations.

The biggest gap in the IDP is education estates planning and associated work on the Council's own asset base to identify land to address the shortfall in places, currently at primary school level and, within the plan period of the IDP, at secondary level. Clear articulation of plans for school places should probably be referenced in the overarching Regeneration Strategy to address this issue. Tracking of the education estate planning work should also be brought into the remit of the Regeneration Board, such is its importance.

Another gap relates to community facilities. This has recently been the focus of some corporate attention, and work is being undertaken to crystallize the Council's approach. Again, key conclusions should probably be added to the Strategy to provide greater relevance to communities outside the growth areas.

Transport works are one of the key priorities in the IDP, and it is very important that these elements are fully understood and there is corporate support for the approach being taken, including political support. Transport works are also adding significantly to the burden of costs on regeneration projects, as demonstrated in the consideration of the viability of individual schemes, and the impact of this burden needs to be understood. Housing growth will undoubtedly lead to increases in traffic demand but there are ways of managing traffic (including parking policies) that can dampen increases. Some roads improvements could also be undertaken as final phases of regeneration schemes rather than early phases, which would help cash flow but would also help to manage increased demand.

There is some evidence that the approach to traffic and transport planning is not yet as corporate in its approach as it needs to be, and this perhaps requires some attention, with some clear shared objectives established. A starting point would be a workshop, with senior staff fully engaged, to test the traffic and engineering assumptions of the IDP and to map these against financial planning assumptions and regeneration scheme phasing assumptions.

2.5 Housing Strategy

The housing strategy deals principally with plans for the Council's own stock management and investment and it has been revised to take account of the myriad of new central government policy changes and initiatives in housing. Given the fundamental policy directional changes it is required to convey, and the uncertainties that still surround the impact of those changes, it is a remarkably succinct and clear

document which has been prepared with lay audiences in mind and sets out the key changes and their implications with simple, straightforward and dispassionate terminology.

Critical to the housing strategy will be the Council's plan for the use of additional borrowing it may choose to undertake following reform of the HRA subsidy system. The business plan for this is still in preparation, and is the focus of analysis and discussion in the latter stage of this review.

There is a further housing strategic document that is worth commenting upon. Barnet was the first London authority to produce, in March 2010, its Borough Implementation Plan (BIP) in response to the HCA's request for these to facilitate that organisation's short lived policy instrument, the Single Conversation. Although Barnet's BIP was probably overly optimistic about the Council's readiness to deliver its aspirations, the work that has been done since on the LDF, the IDP and the Housing Strategy, plus a better understanding of the viability of key projects, arguably puts the Council into a much stronger position

An updated version of the BIP, perhaps with more of a "marketing" title and feel, clearly targeted at investment and development partners and potential partners, could be timely, involving relatively little effort and expense.

2.6 Enterprise and Skills Strategy

Regenfirst has undertaken a detailed review of Barnet's economic development activities. This section summarises the key findings and recommendations from that review.

The Barnet Economic Insight (BEI)

The Barnet Economic Insight (BEI) is limited as a policy tool due to its reliance on national statistics which are very out of date. However, having produced the document Barnet has an opportunity to use its publication to embed partnership working around the task gathering and maintaining a core of economic intelligence - this could include the following:

- Working with Middlesex University to create a data and analytical repository of local information and intelligence
- Engaging public sector partners to improve the depth of local data
- Linking data collection to major regeneration projects, with developers as sponsors and partner users of the data, to inform the delivery and marketing of new schemes.

The document could usefully be succeeded by a regular (bi-annual) bulletin that provides a thematic analysis of key economic issues and offers a small set of core economic indicators. If provided electronically, this could provide links to other sources of data (in a directory format) for partners/developers in need of specific data.

Skills, Employment and Enterprise Issues Paper

The paper would benefit from being summarised with a narrower range of issues and options identified for discussion, following the simpler and more accessible format of the Regeneration and Housing Strategies. An outcome of this process must be a clear and deliverable action plan that tasks partners with responsibility for leadership on key actions.

There is a seeming reliance on the forecast growth of 22,500 jobs over the next 20 years. The achievement of this growth will take significant effort. This highlights a key task (not referenced in either document) of developing an inward investment strategy, linked to the planned development schemes – especially at Brent Cross/Cricklewood.

The Council needs be clearer on how the available evidence supports its proposed interventions, and needs to indicate what the intended outcomes are: *how* the success of any interventions will be measured. Some specific examples of thematic interventions and actions follow:

- **Promoting enterprise** – there is already a significant level of self-employment and given the relative affluence, skills level and dominance of professional occupations there should be capacity to expand this further. Activities could include building relationships with Middlesex University (i.e. for formal training in enterprise and innovation); engaging flexible business space operators in discussions about new developments / refurbish existing premises; encouraging the Chamber of Commerce to support business networking; and supporting Barnet College in the development of vocational and professional P/T training at level 4.
- **Employment** – while the borough has overall a good employment rate there are pockets of long term unemployment. The primary goal of this must be corralling mainstream services provided by JCP and its partners to intensively focus on areas of deprivation – setting benchmarks and targets to close the gap with the remainder of the borough. This could include job brokerage – public sector and retail.
- **Skills** –there would seem to be two strands, reflecting and supporting sectoral aspirations - upskilling unemployed people (through integrated employment and skills programmes) focusing on employability; and refining higher level skills offer looking at foundation degrees, higher level apprenticeships, and part-time CPD and professional accreditation..

There should also be strong strategic and operational links to the major regeneration schemes. This could include early agreement on the provision of funded apprenticeship places (at least one for each £1m of capital spend is standard practice in regeneration areas elsewhere in the capital).

2.7 Property

Barnet does not currently have a Property Strategy, an Asset Management Plan or a comprehensive property database. An ambitious regeneration agenda, such as Barnet's, suggests that it would be expedient for asset management information and planning to form part of the comprehensive and corporate strategic approach, so that

current and future use of operational property and sites is planned in accordance with wider regeneration opportunities and aspirations.

Moreover, use of property instruments such as compulsory purchase powers, disposal at less than best consideration for regeneration benefits, and/or deferred purchase disposal with a sales price reliant on overage or profit share clauses rather than upfront capital sums for land are all powers that the Council holds that can unlock stalled schemes or new regeneration opportunities. Similarly, use of covenants can protect long term uses for specified community benefits. An asset strategy should set out the circumstances in which the Council might use such instruments.

National and regional government policy stresses the use of publicly owned land, including local authority land, to deliver regeneration benefits and particularly housing growth. The development of a clear asset strategy, linked to regeneration plans and underpinned by a comprehensive and annually updated asset management plan which demonstrates optimum use of the Council's own assets for regeneration may help to protect against national or regional government intervention to release land for development.

Given Barnet's aspirations for comprehensive outsourcing of services including property, urgent consideration should be given to the development of a digital database and an asset management plan before outsourcing takes place. An essential first step will be to ensure that property is understood to be a corporate function, with all property centrally owned and budgets relating to property centrally held.

2.8 Capital Strategy.

Another area that needs some attention is the Council's own capital strategy. Asset disposals, the HRA borrowing strategy, General Fund Prudential Borrowing, use of CIL/S.106/new homes bonus, potential use of Tax Increment Financing and the inter-relationship between these different mechanisms will also all need to be clearly articulated. Work on all these areas is underway, but a clear, co-ordinated and evidenced strategy will be important to the Council's credibility, both with central government and with potential investment partners. Given the scale of the investment that Barnet is seeking to make in the borough and the long term nature of the programme of renewal, it will be hard to keep track of priorities and delivery against those priorities unless there is a clear strategy.

2.9 Communications

The Council does not currently have a strategic approach to communications and marketing on its regeneration programme as a whole or on its individual schemes.

The problem with this is that lack of communication leaves a vacuum, and in the absence of information investors and residents may assume the worst or the best, either of which is difficult to correct.

In the past, Barnet has not had to communicate to investors. The borough has always been a relatively low risk choice for investors, and relative to the rest of the Country it still is so. But these are times of change and uncertainty, the Council has some difficult regeneration schemes still to get off the ground, where new investors

are going to have to be convinced that they can succeed where others (in partnership with Barnet) have failed. The Council will need to signal its continued ambition, commitment, innovation, flexibility and confidence.

Elsewhere a London a very commercial approach is taken to regeneration communication, recognising that the development industry is a niche and not one within which many councils operate confidently. The Council has had previous discussions with one of the leading specialist commercial regeneration companies in London, 3Fox International, and a proposal has been put to the Council, based on existing arrangements with Bromley, Croydon, Ealing and the London Thames Gateway, which would require some modest investment from the Council but which draws primarily on sponsorship.

This model involves a tailor made approach with potential for a regeneration magazine, an e: newsletter and an event or a series of events to stimulate discussion on regeneration on terms that are recognisable and useful to the commercial and investment sector, where traditional local government mechanisms are not. A showcase event can be a particularly useful approach not just to marketing the borough to potential investors; but also to engaging existing partners, who are often reluctant to get involved in formal partnership structures such as an LSP. Several of the Council's partners interviewed for this review stated that they wished to be better informed, and would be keen to be involved in activities and events that promote the borough.

As Barnet refines the audience for its regeneration strategy, launches new regeneration partnerships at Dollis Valley, Granville Road and Mill Hill, and refreshes existing partnerships (possibly) at West Hendon and Grahame Park, this structured commercial approach to communications may be worth investigating.

A reworked proposal from 3Fox International, based on discussions that took place some months ago, has also been sent to the Council to assist progress.

2.10 Strategic framework - conclusions

The Council has clearly made significant progress in pulling together a strategic platform over the past eighteen months. There is still a lot more to do, as some fairly big gaps need to be filled and some strategic approaches need to be honed, but a clearer picture is beginning to emerge of the Council's priorities and aspirations. It is not always obvious who the audiences are for the different documents, and the lack of a clear house style makes it harder to appreciate that they are a suite of documents. These are primarily presentation points, but tackling them could help with overall direction of travel and would serve to strengthen strategic focus.

2.11 Recommendations

The Council should consider strengthening the presentation of the Regeneration Strategy so that it communicates greater vision for the whole borough, rather than being a collection of projects. This could be achieved by including a greater focus on the "Protect" and "Enhance" elements of the three strand approach, and providing illustrative material. As part of this, the Council needs to consider who the audience for the strategy should be.

The Council's approach to sustainable transport needs to be reviewed, corporately. A workshop with key senior staff would be a starting point, to review (and to challenge) some of the assumptions in the LDF and the IDP, with a regard for deliverability and timescales in the current economic climate.

Work on the Council's education estate needs to be expedited, and brought into the remit of the Regeneration Board. Education estate objectives should be made explicit in the Regeneration Strategy, to provide reassurance to local communities.

The Council should consider updating its Borough Investment Plan, reflecting new information in the LDF, IDP and the current understanding of scheme viability. The document should have a greater focus on marketing the borough to potential investment partners.

The Council should develop a clear action plan for enterprise and skills, which reflects sectoral aspirations and that works primarily through partner organisations such as JCP, Middlesex University and Barnet College.

The Council should develop an integrated Corporate Property Strategy, Asset Management Plan and digital asset register, as a matter of urgency.

The Council should prepare a Capital Strategy, setting out its key priorities for capital investment and clearly articulating the application to those priorities of its available resources through prudential borrowing, the HRA business plan, the use of CIL/s.106, the new homes bonus, potential use of Tax Increment Finance.

Internal and external communications require attention. Partners are not well informed about the Council's strategic direction, and they are keen to be involved in events and activities which promote the borough.

3 Strategic Funding

3.1 Context

The strategic funding context for regeneration has changed significantly over the course of the past year to eighteen months, as a result both of the Government's policy on fiscal restraint, particularly with regard to public sector spending, and its policy changes for delivery and financing of local government generally and housing and associated infrastructure in particular.

The previous approach (within the framework of which most of the Council's Regeneration Schemes were initially designed) sought to prescribe growth in specific areas and to direct various grant regimes (most of them complex and cumbersome) to support that growth, the new regime largely removes targets but seeks to incentivise growth. The principal aim of the Localism Act is to transfer powers and functions to local authorities, and to give them the formal powers and fiscal incentives to raise the profile of their areas, strengthen local democracy and boost growth. The reform of council housing finance, removing the old subsidy system, the streamlining of development benefits to fund infrastructure through the replacement of complex planning obligations with the streamlined community infrastructure levy, and the forthcoming reform of the business rates system all point to a serious intention to ensure that the benefits of growth are felt locally. As other forms of formula based grant and subsidy are gradually removed as the government rebalances the national ratio of debt to public spending, these local benefits will become significantly more important, proportionately, to local areas' core financing strategies.

The principal changes directly relevant to the Council's future approach to Regeneration are as follows:

3.2 Housing finance

There are three significant changes:

- Self financing
- Flexible tenancies
- Registered Provider contracts

Self financing

As far as council housing is concerned, the previous subsidy system (whereby rental income from council housing was in effective centralised and redistributed, along with borrowing credits, by central government) by is being replaced with "self financing". While prudential borrowing regulations will continue to ensure that any borrowing by an individual council is affordable locally, each individual council will in future have control over its own assets, the borrowing those assets can responsibly generate, and the retention of any surplus rental income from its stock. This will give local authorities direct benefits from cost controls and efficiencies and they will have the freedom to determine where and how they should direct investment in new or

existing stock. Barnet is a net beneficiary from the removal of the subsidy system. The Council has estimated that approximately £35 million of additional funding can be generated over the next 22 years, depending on the approach taken locally to prudential borrowing and repayment. Taken with the £8 million already earmarked within the HRA capital programme for the regeneration schemes, this funding is likely to be all it can rely on as its own contribution for further decent homes type investment, the comprehensive regeneration of estates where stock is not worth investment, and any new build that the Council itself wishes to deliver. A business plan led programme of expenditure is in early stages of preparation in Barnet, and stock condition information is still being verified. However, it should be remembered that, as with any borrowing, protecting the long term health of the asset base will be essential. The more that an investment programme extends and improves (for the long term) the asset base, the more borrowing the Council will be able to sustain, and the more revenue income it will be able to draw on from that asset base. Short term or cosmetic improvements to stock which is scheduled to be demolished will not only eat into the capital available from the current borrowing headroom, they will proportionally damage long term income *and* investment opportunities.

Flexible tenancies

The second significant change in housing finance relates to the effect of (future) tenancies. In future, the Council will be able to offer more flexible tenancies rather than tenancies for life. The standard period of tenancy is expected to be five years, although Councils have the discretion to offer much longer tenancies and, in exceptional circumstances, shorter ones (although not less than two years). Coupled with the freedom to control additions to housing waiting lists and the duty to offer a permanent council home to those in need (although still retaining the obligation to house those in need) Councils will have more freedom to control burgeoning demand, and to incentivise people to move to non social housing options, thus releasing stock and enabling a greater proportion of HRA expenditure to be directed to longer term investment options rather than short term emergency provision. The redefinition of affordable rents, to reflect local housing markets (the aim is that affordable rents should be 80% of market rents, nationally – in London this is more likely to be between 60-80%) also helps this more flexible approach to managing tenancies. Barnet's revised housing strategy fully embraces the freedoms and flexibilities that these reforms confer.

Registered Provider contracts

The third significant change involves funding to Registered Providers (housing associations/registered social landlords). Previously, the grant regime for registered providers was a complex three year rolling programme of investment, where qualifying organisations bid for varying amounts of grant to fund new housing, with different regimes applied to the units arising via s.106 agreements with private house builders, units arising from land acquired by qualifying organisations, and units arising from land acquired from local authorities – and different rules applied according to whether the units represented replacement or additional stock. Grant was paid at trigger points: completion of sale or transfer of land, receipt of planning consent, start on site and practical completion. The complexity made forward planning extremely difficult, both for the Homes and Communities Agency and for the individual Registered Providers. Delays at land acquisition and planning stages have long been cited as particular difficulties. Under the new regime, Registered

Providers are being given three year contracts, with substantial grant allocations up front, and a contractual obligation to deliver a given number of units (at affordable rents). They have discretion to apply the grant themselves to schemes, as long as they deliver against their contractual units, within an overall monitoring regime. This means that Registered Providers will be extremely careful about which local authority areas they operate in. They will want councils who can be relied upon to deliver land (still assumed to be at nil value, and this will be monitored) in a timely way; to grant planning permission in a timely way, and to allow them to deliver affordable rent compliant schemes. The assumption from central government and the HCA is that s.106 schemes will not receive grant – they will be self financing. This may well push down the proportion of units that can be delivered on private schemes as viability will become much harder to achieve. However, strategic alliances are developing between private developers and Registered Providers because, while the initial proportion of affordable homes do not attract grant, additional units transferred to Registered Providers can. This may well provide a viability solution to some of the borough's struggling schemes. Barnet should be well placed to attract the investment available to Registered Providers, if it continues to be clear, consistent, effective and timely in its approach to land, housing policy and planning strategy and delivery.

3.3 Funding Infrastructure - the Community Infrastructure Levy

Although originally proposed by the previous government, the Localism Act has reaffirmed the importance of the Community Infrastructure Levy as a principal mechanism for funding infrastructure. The rates will apply to most development in a locality, whereas nationally only 14% of residential development is subject to a S.106 agreement, and only 7% of non residential development. It is intended to give greater transparency and certainty to the process of securing financial gain from development. It can be set locally, reflecting local infrastructure needs as set out in the Infrastructure Delivery Plan for a local area, and while the charging schedule will be subject to an independent examination by a planning inspector, the approach taken by each individual authority will be very much one of policy. In London, the Mayor is also setting a CIL rate against all development, payable as the "first" charge, weighted on an authority by authority basis (in Barnet, the Mayor's rate will be £35 per square metre on all chargeable development. Effectively this is a top slice from the overall charge on a development, not an additional charge). Care will need to be taken by each authority to strike an appropriate balance in setting the rate(s) in a local authority area, to secure optimum funding without adding so heavy a financial burden that viability is threatened, or, even though viability is not totally undermined, profit levels become so unattractive that developers go elsewhere. An example of the CIL element of a scheme's costs is shown in Figure 1.

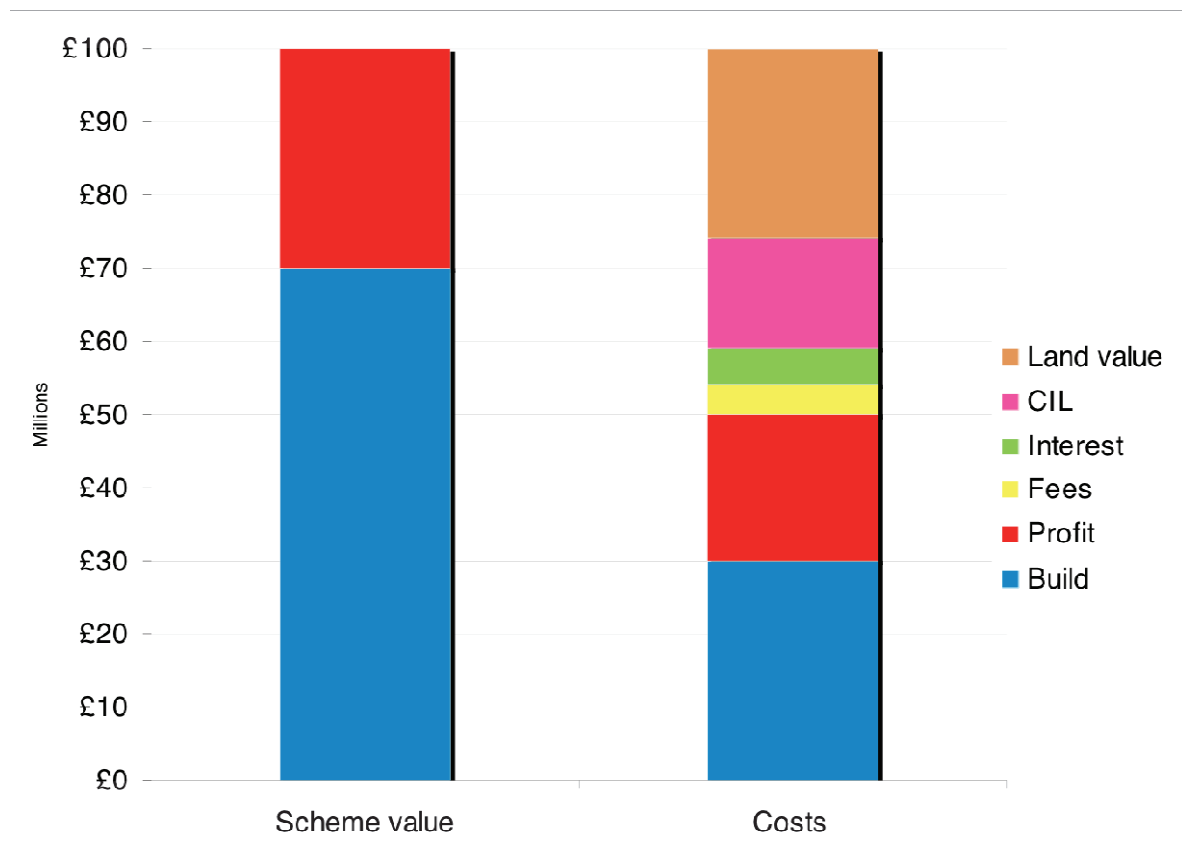
Other sources of funding (capital funding for schools growth is a good example) are being cut back, although small amounts of transitional funding have been made available so, as with housing capital, the freedoms and flexibilities that Councils are given are being balanced with a strong financial incentive to accept economic and housing growth. In Barnet, the work to establish locally appropriate CIL rate(s) is at an advanced stage, informed by the work on scheme viability of the current review (see Chapter 4).

A separate workshop on options for the CIL charging strategy was carried out with officers from a range of Council departments by specialist consultants CILKnowledge on 12 October as part of the overall review. A report setting out the options and their impacts has been submitted to the Council by CILKnowledge.

An early decision on CIL will be an important item of clarity and therefore incentive to developers seeking to invest in the borough. It will also be important for the Council to assess its approach to CIL charging in the context of other the application of other funding solutions available to it, and to take a long term approach.

As discussed in section 2.8 of this report, an overarching capital strategy related to the IDP and the Regeneration Strategy will be an important tool.

Figure 1. CIL as a percentage of scheme costs – indicative example



3.4 Business Rate Reform

The Localism Act signals the intention of the Government to ensure that business rates are retained within a local area, and become a more transparent part of the total funding available to that local authority, in place (or partly in place) of the current central government grant based funding allocation. While the Localism Act speak of giving more freedom to offer business rate discounts to help to attract firms, investment and growth, it also makes it clear that any such decision would have to be funded by the local authority. Again, greater freedoms are accompanied by strong incentives in this regard – if a local authority retains the long term benefit of

new business growth, then shorter term incentives may be worth considering. Government Announcements on the future direction of Business Rates as a local rather than a central government fiscal measure are expected imminently. The future of Business Rates is of particular interest to Barnet because it has long been considering some form of Tax Increment Financing, whereby the future value of NRRI is captured to fund major infrastructure, particularly relating to Brent Cross and Cricklewood. The Barnet Bond proposal made to the last government was a form of TIF. Government policy on TIF is still emerging, but decisions will be easier for the borough and its delivery partners in Brent Cross when it can be assessed in the context of the whole direction of Business Rate Reform.

3.5 Other Relevant Funding Considerations

The New Homes Bonus is a further source of funding which is likely to be of interest to Barnet, given the scope for housing growth in the borough. The potential benefit to the borough of the New Homes Bonus between 2010-11 and 2016-17 is estimated to be £39 million, based on LDF housing growth projections, although this will depend on future government policy on discounting, for example for empty properties brought back into use. As with other sources of funding, this represents an incentive to the borough to plan and manage its growth effectively, and once market conditions ease, and the borough's approach to contributing positive uplift to local market conditions becomes clear (through its policy on CIL, HRA borrowing, investment from retained business rates etc) then expenditure of the new homes bonus can be factored in as a significant source of capital.

3.6 Strategic Funding - Conclusions

In conclusion, while the market conditions are currently challenging, the underlying demand for growth in Barnet gives the Council choices about the way to proceed. Properly managed, growth should provide new funding opportunities for the Council to direct into its investment needs, according to its own policy objectives, to benefit its residents and existing and future businesses. The work currently being undertaken in different services within the Council (the Housing Revenue Account Business Plan, the Community Infrastructure Levy, the implications of Business Rate Reform and fiscal measures such as the New Homes Bonus, and the preparatory work for Tax Increment Financing) needs co-ordinating. Each of these is potentially highly beneficial to the borough, but they support each other if each is optimised, and the delicacy of the balance between them is maintained at a strategic level.

3.7 Recommendations

The Council should expedite the production of its HRA business plan, and link the use of any headroom for borrowing with the achievement of wider regeneration strategy objectives.

The Council should review its relationships with housing Registered Providers and develop a more overtly collaborative, site based approach with key partners to ensure that they invest maximum levels in the borough.

Community Infrastructure Funding provides a significant opportunity for funding infrastructure in the borough. However, the Council should take a pragmatic approach to CIL (and to the continued use of S.106, where appropriate) given

market conditions. It can be reviewed in future if and when market conditions improve.

Further work on the total cost of the infrastructure requirement at Brent Cross is still being undertaken. This should be expedited: until it is completed, detailed modelling on how TIF could work for the borough is impossible to undertake. It is very clear that without some form of TIF or bond the Council's aspirations for Brent Cross/Cricklewood will be hard to realise.

A co-ordinated and well articulated capital investment strategy, building on all the opportunities set out above, has the potential to serve as an effective prospectus for the Borough that will give it an enviable position in London and in the country as a whole.

The Council should also look at the opportunities that its regeneration programme brings to give added value to other priorities – such as improving adult social care outcomes through provision of smaller premises and lifetime homes/neighbourhoods.

4 Scheme viability

4.1 Context

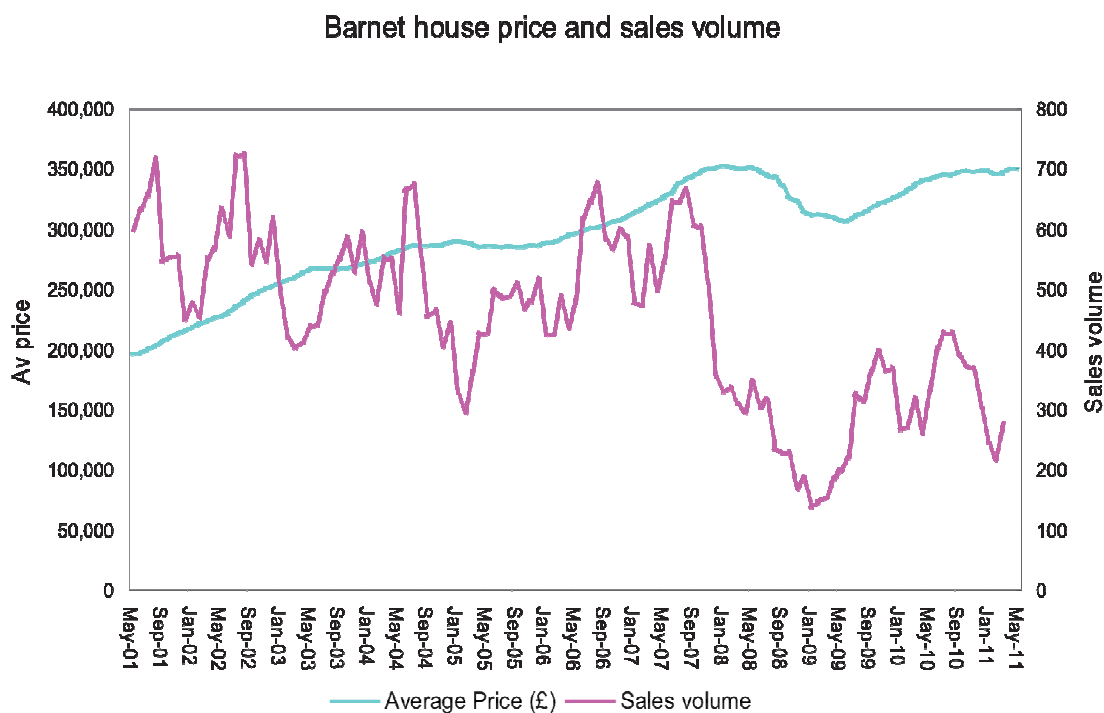
The Council has an ambitious regeneration agenda, with a number of large schemes which are at varying stages of delivery. Most of the Council's schemes are housing led most (although not all) seek to improve the condition and environment of council housing stock through replacement and refurbishment, funded in significant part by the introduction of homes for sale to the regeneration estates. Most of the schemes were designed at a time when the market for homes for sale was extremely buoyant. That is no longer the case. All of the schemes have been the subject of considerable effort over the last few years to address problems with viability and deliverability. In a number of cases these efforts have been successful. However, on the more complex schemes, viability in the current market is still a major problem. The review looked in particular at Grahame Park, West Hendon, Stonegrove/Spur Road, Dollis Valley and Granville Road.

4.2 Market conditions

The economic conditions within which Barnet, like other local authority areas, must now operate have changed significantly over the past 18-24 months. This is partly to do with the state of the global and national economy, and partly the result of significant changes in policy direction for local government funding generally, and regeneration/growth funding in particular. It should be stressed that Barnet's position is relatively favourable, compared with other local authority areas. London overall is coping with economic downturn better than the country as a whole; the local economy is relatively strong (see the discussion on Barnet's enterprise and skills approach at 2.6 above) and there is scope for managed growth in the locality. If the growth agenda is effectively managed, Barnet could be well placed to benefit from the new funding regimes, and to place the borough in a very good position to benefit further when the global and national economic position improves.

The negative conditions faced by the housing sector in particular have been well publicised. The Government has recently (21 November 2011) published a new strategy with a range of measures aimed at tackling some of the problems in the sector, including access to mortgage finance for first time buyers, access to development finance for house builders (particularly smaller firms), access to public land on a "build now, pay later" basis, tackling empty homes and restarting the right to buy programme for social housing tenants. The strategy also emphasises the importance of previously announced changes, including those to housing finance in the public sector, to tenancy provisions and to finance for infrastructure.

Figure 2. House prices and sales 2001-2011



The market conditions that the strategy seeks to tackle have been very evident in Barnet, particularly on the regeneration schemes. While house prices have remained relatively steady, the volume of sales has not recovered from the position before the global downturn (see Figure 2). New build has been especially slow. The market sale (usually 1-2 bedroom) units in higher density flatted developments are principally aimed at first time buyers or small-scale investment/buy to let purchasers. These are exactly the people who will struggle to find a deposit, or a buy to let mortgage, the latter especially in developments that are considered higher risk by mortgage lenders. For the buy to let market, the return on investment in the locations represented by the regeneration estates will be more marginal than elsewhere in London. The reputation of some of the estates will also deter buyers, unless and until the regeneration programmes reach a greater momentum than is currently the case. Moreover, before the downturn, these types of properties were generally purchased off plan, and mortgage finance for off plan sales is now virtually impossible to find in the UK. This pushes the developers into a situation where they are building blocks at risks – and they will do this only very slowly, if at all, in high risk locations. The effect of this should not be underestimated.

The fiscal measures announced in the new housing strategy may go some way to alleviating the worst aspects of the downturn, but their effectiveness will be dependent on the public sector at the local level, as well as nationally, embracing their direction of travel and accepting some of the risks and challenges that will be required to harness growth locally. The range of public sector funding opportunities is rather different from those that existed previously, but their use is now very much a matter for local decision.

4.3 Viability assessments - approach

The Council commissioned Drivers Jonas Deloitte (DJD) in early October 2011 to assist with assessing the viability and deliverability of each of the Council's regeneration schemes, and to provide technical support for the scheme viability element of the review. This will inform the Council's approach going forward, both to inform the Council's own negotiations and decisions on individual schemes and the Council's future policy approach on regeneration generally and on matters such as CIL implementation and the use of grant and capital regimes.

The regeneration schemes assessed were:

- Stonegrove/Spur Road
- Dollis Valley
- Granville Road
- Grahame Park
- West Hendon
- Mill Hill East

The viability review took place in a series of intensive workshops with Council officers and the lead consultant (Regenfirst) during October and November. Detailed information on each scheme (development agreements, planning consents including s.106 agreements, information on funding agreements from HCA etc) was provided, where possible, to inform both the discussion and the subsequent analysis provided by DJD.

The analysis varied slightly according to each regeneration project: they are at different stages of implementation; the levels of detailed information available therefore vary from scheme. Moreover, they are different in terms of objectives and approach. However, the template for analysis covered the following:

Issue	Detailed Elements
Land Value/receipt	Level of Receipt Timing profile Conditions to receipt
Site abnormalities	Known abnormalities Anticipated abnormalities Mitigation measures Cost estimates
Planning status/risk	Existing consents Conditional positions Barriers to implementation Compulsory Purchase (linked to decant and/or land assembly as appropriate)
Infrastructure Costs	Defined requirements Payment profiles Trigger dates

Build Costs	Total costs Work in Progress Cost to completion Development programme review
Grant/grant security	Grant payment profile Conditional positions Trigger dates Repayment mechanisms
Housing decant issues	Decant Plan Re-location / Decant options Leasehold/Freehold buy back progress
Sales values	Correct product placement Projected sales values (private and affordable) Sales revenue received Sales revenue to be received Incentives Sales strategy Sales programme
Commercial yields (where relevant)	Level/type of commercial accommodation Occupier potential
Development Returns (to partners)	Basis of profit (cost/value) Level of profit – split by development type Timing of return

DJD graded each of these aspects, per scheme, according to a traffic light system:

Green: No anticipated concern – this is within acceptable market levels/anticipated position

Amber: Potential concern – adjustments may have material impacts on viability / acceptable subject to formal agreement

Red: Point of concern – Potential for major impact on deliverability /viability.

Each grading is accompanied by a commentary setting out the basis for concern.

Each scheme is given an overall grading. In summary these ratings are:

Stonegrove/Spur Road	Green Amber Red
Dollis Valley	Green Amber Red
Granville Road	No rating (too early in scheme development)
Grahame Park	Green Amber Red
West Hendon	Green Amber Red
Mill Hill East	Green Amber Red

The detailed assessments are attached as appendices to this review. Currently, however, there is no detailed assessment for Grahame Park. This is very disappointing to Regenfirst and to DJD, and is due to significant change in circumstances at that project during the course of the review. There is an absence of detailed information on those circumstances and therefore a review is impossible to undertake. This is being followed up, and it is hoped that a similar assessment for Grahame Park can follow.

4.4 Stonegrove/Spur Road

Overall rating: AMBER

Scheme background and current position

Stonegrove and Spur Road Estates were built in the 1960s and 1970s, and comprise a mixture of 11 storey tower blocks and four storey maisonette blocks. The total site area is 11.5 hectares (28.4 acres). The proposed scheme seeks to demolish all 603 existing properties and to provide not more than 937 dwelling, with a minimum of 280 social rented dwellings and a minimum of 137 shared equity and shared ownership dwellings, and up to 520 private for sale dwellings. The Principal Development Agreement also provides for the provision of a community hall, a replacement church and for employment and training initiatives.

The variation of the Principal Development Agreement (PDA) in October 2009 and March 2011 along with the grant funding of £9.65m has enabled the scheme to proceed and coupled with the current level of private sale being achieved should secure the remainder of the total development of 656 units.

The next phase Academy Court which will provide a further 67 private units will be completed in Autumn 2012. However given the timeframe for the delivery of the scheme it would not be unreasonable to assume that there will be further movements with regards to sales values, both up and down which may impact on the proposed timeframe for delivery of the scheme.

A major condition of the HCA funding was that none of the HCA grant shall be used as land receipts payments by the Council. The effect of this is that £5m of land receipts will be deferred until 2017, the expected completion date, and will come from an overage agreement which relies on the project making a profit.

The CPO process has started and this, when granted, will provide the Council with greater comfort in respect of the delivery of vacant possession for the total scheme and with the benefit of £9.65m of grant this should secure delivery of the scheme. Should the CPO fail or become elongated for any reason this would be a concern for delivery of vacant possession.

Assessment

In overall terms the scheme is assessed as **AMBER**.

Taking all of the above into account and the progress on both the development build programme and sales the scheme is now gaining momentum and subject to no

fundamental change in the current market conditions will continue in line with the proposed timetable.

Commentary

This scheme was in an extremely precarious position in 2009. Over the past two years, the combined efforts of the Council's regeneration efforts, the Homes and Communities Agency and the Lead Partner (Barratts) have turned it into a highly promising scheme that will regenerate the wider area as well as the immediate estate area. The Council's innovative and flexible approach to securing delivery in difficult market conditions is an exemplar, and subject to market conditions remaining stable, the Council should see a return on its financial investment within five years.

4.5 Dollis Valley

Overall rating: AMBER

Scheme background and current position

Dollis Valley comprises a 1960's / 1970's housing estate. The estate comprises 9.7 hectares of land. Development has not yet commenced. A development partner consortium (Countryside Homes and London and Quadrant) has just been selected via competitive dialogue selection process.

The objectives of the regeneration scheme, and the basis of the contract with the preferred development partner consortium, are as follows:

- Between 523 and 1,000 new homes are provided, of which a minimum of 230 are to be affordable rented to replace the existing Council owned homes
- Overall a minimum of 50% of the homes to be constructed are required to be private sale homes
- A minimum of 50% family housing is constructed including not less than 248 houses
- The provision of a community facility.

The competitive dialogue process has proved to be successful with the appointment of Countryside Properties (UK) Limited, London & Quadrant Housing Trust and Countryside Properties plc

Assessment

The overall rating for the scheme is **AMBER**.

This is a new partnership and the selection has been based upon a robust mechanism undertaken over a two year period. This has produced a development proposal that still needs to be worked up in full detail to include financial and cost considerations.

There is an agreed draft Principal Development Agreement (PDA) in place and the appointment letter to the developer will require them not to change what has been agreed. It is of paramount importance that the Council take a lead role in structuring a programme of events to address the areas noted above to ensure that progress

can be made as effectively as is possible and that conditions to the proposed terms by the developer can be released / waived at the earliest of opportunities.

Commentary

This is another scheme that was seriously compromised two years ago, with a development partner who was unable to progress the scheme. The Council has taken a proactive and innovative approach, with markedly more commercial objectives. There are risks in the approach, in that challenge from the former partner remains a possibility, albeit a remote one in the current market. However, the re-specification of the project, and a carefully OJEU compliant approach to procurement is a credible piece of risk management, and demonstrates that the Council has developed an effective and credible approach to managing adverse market conditions.

4.6 Granville Road

No Rating

There is no Overall Rating for Granville Road as it is too early in the process to form a judgement.

Granville Road currently provides a Housing Estate of 3 tower blocks and three low rise blocks built in the 1960's / 1970's.

A planning brief was completed in 2008 but plans were stalled due to the decline in the residential market.

In July 2009 the Cabinet Resources Committee approved the formal acceptance of the award of funding of £7.011 million from the London Development Agency to improve the three tower blocks and upgrade 179 homes on the Estate and to undertake a parallel process for the wider estate regeneration and procurement process. These works are in progress.

In October 2009 the Cabinet approved officers to procure the production of a masterplan to guide the development and regeneration of the wider Estate on a commercial basis.

In June 2010 the Council approved the appointment of external consultants to seek a development partner through a competitive tender process to enter into a joint venture to take forward Phase 2 of the regeneration of the estate.

In June three parties were invited to participate in a dialogue process. During this period the bidders are invited to work up the proposal they submitted as their Outline Solutions in greater detail.

4.7 Grahame Park

Overall rating: RED

Scheme background and current position

Grahame Park is Barnet's largest housing estate with 1,777 homes built by the GLC in the 1970s. The regeneration proposals for Grahame Park form a central part of the Colindale Area Action Plan that aims to create a vibrant new community with major infrastructure improvements, improved transport links and community health facilities.

A rebuilding programme is planned to transform the estate over the next 15 years. This will entail the demolition of 1,314 homes, retention of 463 homes and construction of 3,440 new homes. The outline masterplan for the regeneration of the whole estate was approved by The Council's Planning and Environment Committee in September 2004.

A Principal Development Agreement for the regeneration was signed between the Council and Choices for Grahame Park (a subsidiary of Genesis Housing Group) in January 2007.

The regeneration is proposed to be implemented on a phase by phase basis, dependent on satisfactory re-housing of existing residents before their homes are demolished, with a significant programme of sales of new private homes.

A demonstration phase of 32 homes was completed in October 2007, 13 of which were for affordable rent, 3 for low cost home ownership and 16 for market sale.

Phase 0 received detailed planning consent in July 2008 for 39 units, all for outright sale. The programme has been heavily delayed with practical completion now expected in November 2012.

Phase 1a has 319 homes, of which 155 are for private sale, 134 affordable rent and 30 shared ownership. Project Satisfaction was achieved in July 2009 with construction starting the same month. In February 2011 the marketing of sales units commenced.

Phase 1b received committee approval for reserved matters in June 2011. The phase comprises of 446 mixed tenure homes, retail units, library, community centre and housing office. Practical completion is estimated at August 2017. The viability appraisal, dated July 2011, produced a positive return. However, there are now serious concerns with regard to the way forward for the regeneration of Grahame Park. In a series of meetings between the Council and Choices for Grahame Park and between Regenfirst and Genesis Housing Group, it became clear that there are now very serious viability issues for Phase1B and unless these can be resolved it is difficult to see how the scheme can progress further or beyond the current phase.

In a paper submitted to the Council by Choices for Grahame Park on 21 November 2011, the origin of the viability issues (which had been discussed at detailed planning stage) were attributed to:

- increased/higher standards than envisaged in the original masterplan

- unusually expensive infrastructure requirements
- the requirement to provide community infrastructure without income
- fewer but larger units
- lower sales values

The seriousness of the situation is now compounded by dropping sales values and a serious slowing down in sales rates; increases in building and a significant increase in the financing costs.

Assessment

The overall assessment of this scheme is **RED**.

This assessment is provided in the absence of detailed figures, which are still in preparation.

Commentary

The lack of information available to the Council in relation to the problems discussed above needs to be rectified quickly because (quite aside from the original brief for the Regeneration Review) there are clearly going to need to be major revisions to the Principal Development Agreement and these changes will require evidence. The partners therefore need to produce a full suite of information to inform the Council's actions going forward, and the Council should take careful professional and legal advice on the nature and extent of the information required, and give a reasonable deadline for its production.

However, the regeneration of Grahame Park remains very important to the Council – both for the residents that live on the estate and for the wider Colindale area, which is a major priority for the borough. If Grahame Park is not transformed into a viable mixed community, with an environment and a social mix that drives development values and social aspiration up, then Colindale as a whole will fail to regenerate in the way that the Council and the local community wish.

Radical solutions are clearly required if the Regeneration of Grahame Park is to be achieved. It is unlikely that small changes to the overall masterplan or short term fixes such as the provision by the Council of capital grants will resolve the underlying problems of viability.

There are, however, some new opportunities for Grahame Park. Changes in affordable housing policy, with the introduction of affordable rented products, new home ownership incentives and shorter tenancies mean that the mix of housing offered on the scheme can be radically reviewed. The Council has been in talks with Barnet College about the potential for a new college building, co-located with the proposed new library, which could bring further opportunities for a more vibrant and sustainable development mix and would also help with the overall scheme viability. Barnet Homes (The Barnet Group) has also expressed an interest in an office location on the scheme, which would again improve the mix, the footfall/customer base for commercial uses such as small shops and cafes, and provide a guaranteed future commercial income for the space that the Group would occupy, which would make financing easier.

A new masterplan is clearly required for the future phases on the regeneration scheme. The Council should consider undertaking this as an area action plan, rather than an outline planning application, as this gives much greater flexibility in future planning (and financing) terms. The Council needs to review its demands, in terms of social and physical infrastructure, with a view to driving costs of build down (not to mention future running costs).

It is probable that a new approach to partnership will be required for future phases. The total scheme is a very large one for a single registered provider to take forward, particularly in the current market. The potential for a number of different partners should be explored, with the risk spread between more organisations (potentially including the Council).

A clear decant programme and strategy needs to be developed, for secure and non secure tenants. This should be easier, given the new opportunities that changes in affordable housing policies allow, but it must be recognised by the Council that the lack of this has been a matter of anxiety for Choices, and for Barnet Homes. Either the Council, or Barnet Homes, should be tasked with undertaking this, to inform a new masterplan/area action plan and an approach to phasing development.

This needs to be done quickly. It would be a missed opportunity if the Council now took a defeatist approach and spent significant sums of money on the existing properties on the estate. This would signal that Grahame Park will never change. The homes on the estate, and their environment, are not fit for purpose. It would be better for the Council to buy some of the for sale homes and use them for decant purposes, to free up opportunities for early development by a new partnership. The Council (or Barnet Homes) would then have a long term stake, against which to raise finance for its own participation in a new partnership, or an asset that could be sold on when the economics of housing regeneration improves.

The Council has successfully rescued regeneration schemes at Stonegrove and at Dollis Valley over the past two years, and has shown by its approach to Mill Hill East that it is prepared to be innovative. Grahame Park now needs the same dedication and innovation. It remains, together with Brent Cross/Cricklewood, probably the most transformational and ambitious regeneration project that the Council is engaged in, and one of the biggest housing regeneration projects in London.

4.8 West Hendon

Overall rating: RED

Scheme background and current position

The West Hendon Estate was constructed in late 1960's and is located in the southern part of the London Borough of Barnet, between a section of the A5 Edgware Road known as The Broadway and the Welsh Harp Reservoir.

The West Hendon Regeneration Scheme received outline planning consent in July 2005 subject to an agreed Section 106.

In August 2006 the Council entered into a Principal Development Agreement (PDA) with Barratt Metropolitan LLP to provide for the regeneration of the estate.

In December 2007 the Planning and Environment Committee approved the demolishing of the former Lakeview Children's Centre and the redevelopment of the site with 8 affordable units subject to completion of a Section 106 Agreement.

The initial phase comprising the Pilot Phase and Phase 2A (Lakeside) is under construction. Completion of the Pilot Phase of 8 affordable units is expected late 2011 and Phase 2A, containing 151 private and 35 affordable homes, is due to complete in 2012.

The Masterplan originally developed is no longer seen as financially viable given the subsequent changes to the economic climate, and more specifically the housing market. A June 2010 assessment by Barratt Metropolitan LLP (consisting of Barratt Homes and Metropolitan Housing Trust and known as BMLLP) showed a very significant deficit, which has led to a comprehensive review of the scheme over the next six months.

At present BMLLP and the Council are reviewing the Masterplan, which, due to the changing economic position, is presently unviable.

Five major replacement options are being developed by CBRE and Allies & Morrison.

All the options follow the residential development quantum of the extant permission, requiring the construction of 1,977 residential units. 247 of these would be Affordable units, and 253 have been allocated to shared ownership and shared equity. The commercial element of the scheme varies among the five options, and in terms of space ranges from provision of 10,764 sq ft (Options 3,4,5) to 80,987 sq ft (Option 1).

Assessment

The overall rating for this scheme is **RED**.

This is a regeneration scheme, not a Greenfield development site. There are greater up-front risks on this scheme and the development needs pump priming to get it started. If this doesn't move forward, there will be a need to do decent homes works (for which it is understood there is no identified budget) at a significant cost.

DJD and Regenfirst are in agreement that the masterplan review was needed and that the Council should work with BMLLP to continue to review the masterplan options and progress with the scheme which offers optimum, key, development output relative to major costs, i.e. limit land assembly as required and seek a reduced level of commercial accommodation.

A timeline of key events is also important to consider, especially given various longstop dates for drawing down grant, potential call in by the GLA due to the reduced number of affordable units likely to be proposed etc.

We are of the opinion that the Council should seek to re-negotiate on various elements of the PDA if the development scheme is changing, i.e. slight adjustments to profit margins have a significant impact on viability.

It is fundamental that the Council receives copies of the full development cash flows and cost plans for the later phases to underpin the appraisal front sheets provided.

At present it is not possible to review the timing of the phases, or determine when profit is taken, how sales are programmed etc, all of which have a fundamental impact on the development viability.

We are also of the opinion that there is a need for a clear strategy for dealing with residents / leaseholders and a route to securing buy-backs.

A review of the proposed A5 works is also required to determine what is reasonable within the context of the proposed development rather than trying to over-burden a development which is already experiencing difficulties.

The report regarding the Master Plan review is due on the 14th December 2011 and we understand that report will address a number of issues raised in the viability assessment.

Commentary

West Hendon is a very important scheme for Barnet's overall programme of regeneration. It is an important transformational project for the A5 Corridor, setting the pace (or otherwise) for the longer term regeneration of Brent Cross/Cricklewood. It is a long standing aspiration of the Council to achieve comprehensive regeneration, including regenerating the district centre and improvements to the A5 itself. The residents on the estate have been waiting for many years for progress against the scheme's objectives. The partnership with Barratts and Metropolitan Housing Trust has become strained over the past two years due to lack of progress – there is frustration on all sides.

The initiative, prompted by the Council but funded by Barratts, to revisit the masterplan is a welcome example of a problem solving approach. It would be very disappointing if the Council were to reduce its overall vision for the transformation of the estate and revert to a refurbishment option. In the current market conditions, it will be challenging to find a redevelopment option, and the longer term ambitions and benefits from the scheme (e.g. to the district centre and to the A5 itself) may take longer to realise as a result – although all are still considered by all parties to be essential long term ingredients of/outcomes of the programme.

Over the next six to twelve months the scheme requires the attention and the commitment that the Council has demonstrated in bringing Dollis Valley and Stonegrove back to broadly viable and deliverable status. The opportunity at West Hendon is proportionately greater than either of those schemes, and has the potential to deliver long term financial and regeneration benefits. For the next few months, the Council should continue to look to the long term, and seek, with its partners, a solution that invests in West Hendon's transformation.

4.9 Mill Hill East

Overall rating: AMBER

Scheme background and current position

The land at Mill Hill East is located approximately 9 miles north west of central London. The nearest underground to the site is Mill Hill East (Northern Line), with

West Finchley, Woodside Park and Finchley Central are located within one mile of the site. The Inglis Consortium, comprising VSM Estates, Annington property and the London Borough of Barnet (LBB) are the owners of the landholdings.

The Council's land is situated in the south of the overall Mill Hill East AAP area, to the east of Mill Hill underground, station. The surrounding areas have a suburban character and are surrounded by Green Belt to the North and East.

The overall assumption in the Business Plan is that the landowners work together to provide serviced plots by preparing the site, developing key infrastructure and undertaking Section 106 works. Thereafter the objective is phased sales of the plots to prospective developers terminating in December 2020.

The site area is Approximately 34.35 hectares (84.63 acres)

The proposed development is anticipated to be built out over a period of approximately 10 years.

The site has been granted outline planning permission for 2,174 homes. Permission is also included for a primary school with community facilities, small-scale retail units and office and workshop employment space.

The first two serviced land parcels are currently being marketed by Knight Frank:

Lot 1

58 units, all houses
100% private housing (no affordable)
3.4 acres (1.38 hectares)

Lot 2

107 units, comprising 80 houses and 27 apartments
Conversion of the locally listed Officers Mess building to apartments and a GP surgery
100% private housing (no affordable)
9.6 acres (3.89 hectares)

Assessment

The overall scheme is assessed as **AMBER**

The proposed serviced land disposal scenario presents the Council with an opportunity to optimise its land holding through co-working with other land owners. This basis also means that the Council receives land receipts from land sales as opposed to potential returns through active involvement in the development of a development site. The ability to realise a capital receipt at given times in the land disposal programme is therefore more certain, the amount however is clearly subject to close monitoring of cost expenditure and active marketing.

There are and will remain a number of risks over the course of the development programme, i.e. the relocation of the Council's depot, significant infrastructure costs, market fluctuations etc.

Moving forward we would expect that the consortium work collectively to drive value from the development and address at an early stage any issues that may impact on

viability and propose and action suitable measures to mitigate any risks to optimising the return.

There is also the opportunity if required for the Council to sell on their land holding as at today. This would be at a discount to the potential land receipt that may be secured over time, and at greater risk, but could provide the Council with a significant, early land receipt. By taking this route, any potential upside will be lost, but likewise, the noted development risks and potential market fluctuations may be avoided.

Commentary

Mill Hill East is a new approach for Barnet Council. It is unlike the other regeneration schemes; the intention is not to use market for sale housing to cross subsidise the re-provision of affordable homes that cannot economically be brought up to decent homes standard, and to regenerate the neighbourhoods within which they are located through introduction of a better mix of tenure. It is a more aggressively commercial approach, the Council is behaving as a developer, taking a long-term view and seeking long term returns on its (not insignificant) contribution to the cash flow position of the overall scheme.

This is a strategic property approach which inevitably carries risks but the return will be proportionately high. It is the kind of entrepreneurial approach which is lauded as good practice by central government, and which the forthcoming general power of competence for local government, enabled in the Localism Bill seeks to promote.

The Council must, however, watch its reputation with its partners in the consortium. Delays on matters such as planning or highways powers will be extremely damaging. The Council also needs to be sure that it is managing the risks associated with the relocation of the depot and the provision of the new school effectively and efficiently. There are, for example, currently discussions about the size of the school required, and how it is to be delivered. The Council needs to make this decision quickly and efficiently, and stick to that decision. The other members of the consortium will expect the Council, as an equity stakeholder, to deliver efficiently, or to share the costs of delay.

The Council also needs to watch its own costs against the scheme. Unlike the other regeneration schemes the costs the Council takes out to fund its own project management are not “hidden”, they will be top sliced from any profit the Council makes. This is a good commercial discipline – as long as the Council is disciplined.

If the Council can manage these challenges, then Mill Hill East potentially provides a blue print for other opportunities in the future – not least the potential of Brent Cross / Cricklewood, where the Council would do well to consider the longer term benefit that would come from an equity stakeholder approach, rather than a traditional sale of freehold/long leasehold for shorter term capital gain.

4.10 Brent Cross/Cricklewood

Brent Cross/Cricklewood is one of the most ambitious regeneration schemes in London. The Council and Hammersons have put a great deal of work into

developing a comprehensive approach, with significant investment in infrastructure proposed to support the new development that is envisaged, and the whole will provide much needed transformation if the shopping centre is to retain its competitive position against newer centres, particularly Westfield. The scheme was developed in a more buoyant economy, and while the necessary investment in “secured” via a robust s.106 agreement, the changed economic circumstances mean that both the planning and the commercial agreements will need some degree of review. The scope for Tax Increment Financing will also need to be reviewed in the light of changes to Business Rate policy, as noted above, and again, the changed economic circumstances mean that the scope for tax base related income should be thoroughly re-assessed.

Hammersons have already started this process, working with the council, potential partners including Barratts, and advisers (Price Waterhouse Coopers and others). Because this work is ongoing, it has not been possible to do a detailed assessment of the viability of the scheme. There is a need for a more detailed approach than this review can offer, looking at the liabilities, particularly in the early phases, assessing the role the Council should take, particularly as a major landowner, and reviewing options for effective project management for a scheme of this size and complexity.

What is clear is that the vision for Brent Cross/Cricklewood is a once in a century opportunity. The Council’s commitment to facilitating the implementation of the vision commands enormous respect amongst partner agencies. The challenge, in the economic circumstances is enormous but it should undoubtedly remain a high order priority for the Council.

4.11 Viability – conclusions

The Council has successfully “turned around” two of its principal regeneration schemes, Stonegrove/Spur Road and Dollis Valley over the past two years. It has taken a very commercial approach to these schemes, taken specialist advice, used robust competitive dialogue processes to appoint commercial partners and despite the market challenges it can be reasonably confident, going forward, of the viability of those schemes, if genuine open book based monitoring and effective dialogue with delivery partners is maintained.

The same robust commercial approach is now being taken with Granville Road and subject to the outcome of the current competitive dialogue process, the scheme has every chance of delivery.

Mill Hill is an innovative scheme, where the Council is using its assets and forward funding in a very commercial way to achieve significant long term benefits. This can and should inform future regeneration strategies, not least at Brent Cross/Cricklewood. The challenge will be to keep the early costs under careful review, and to ensure that the major risks for which the Council is responsible – the provision of the new school and the relocation of the depot – are delivered in a timely and cost effective way, as failure to do so will have significant scheme and reputational costs.

Grahame Park and West Hendon are not viable. Both need root and branch review of the aims, objectives and delivery mechanisms involved. Both remain very important to the overall achievement of the Council’s long term regeneration

objectives along the A5 corridor: aspirations for Colindale and, in the longer term, Brent Cross/Cricklewood will not happen if these two key regeneration sites do not fulfil their potential; moreover the Council will have to invest heavily in the fabric of fundamentally inadequate stock. Work on the review of West Hendon is already underway; Grahame Park needs to follow as a matter of urgency.

4.12 Recommendations

Genuine open book based monitoring and effective dialogue with delivery partners must be maintained on Stonegrove/Spur Road, Dollis Valley and Granville Road once the competitive dialogue process has completed.

At Mill Hill East, the early costs should be kept under careful review.

The Council must also ensure that the major scheme risks at Mill Hill East, the provision of the new school and the relocation of the depot – are delivered in a timely and cost effective way, as failure to do so will have significant scheme and reputational costs.

Grahame Park and West Hendon require root and branch review of the scheme objectives and a revised assessment of the best approach to regeneration. Work on the review of West Hendon is already underway; Grahame Park needs to follow as a matter of urgency.

All the schemes face a significant challenge in decanting existing secure and non secure tenants, and concluding satisfactory agreements with leaseholders. The challenge needs to be accurately mapped, for each scheme, and a strategy needs to be developed as a matter of urgency. This will require close co-operation with Barnet Homes – indeed, they should probably be tasked with leading on this project.

5 Delivery

5.1 Context

The Council has significantly reorganised its regeneration service over the past year. Partly, this has been done to strengthen the links between strategy and delivery services, partly it has been done to reduce costs. This has resulted in the combining of the function of Regeneration with that of Strategic Planning.

Since regeneration is a non statutory service (unlike planning and housing) this approach has been common to many Councils facing the pressures of an urgent need to cut costs. Furthermore, in Barnet, there has been an extra incentive to remove costs, with most operational functions of the Council earmarked for transfer to an external partner. It makes sense for the Council to extract savings before this process takes place.

The revised structure of the service is set out in Figure 3 below.

Figure 3. Current structure of Strategic Planning & Regeneration



There have clearly been benefits from bringing key environmental services such as highways and transport under a common management structure. Furthermore, the combination of the function for strategic planning with that of regeneration has enabled the most senior officer with specialist responsibility for Regeneration (the Assistant Director, Planning and Regeneration) to develop the more clearly codified strategic approach as described in section 2 of this review. While this approach has yielded benefits, the focus going forward is likely to be on delivery, and on getting optimum benefits for the borough from the new regeneration funding opportunities set out in section 3 above.

5.2 Leadership

The question of professional (as opposed to political) leadership within the Regeneration service has been raised in the course of this review by a number of internal and external interviewees. Leadership in this context is perhaps best described as the “ringmaster”, on whom partners and stakeholders can rely to maintain an overall strategic focus and to maintain the pace of implementation, while also resolving issues that arise on delivery.

The intentions of the Council at a senior level with regard to regeneration are clear. Almost every partner interviewed was confident that senior managers are fully committed to the agenda, capable of delivering against promises. However, there are inconsistencies, which suggests that there may need to be a more effective strategic, decision making and problem solving approach below Chief/Deputy Chief Executive level.

Given that the regeneration schemes can take a decade or more to implement, some continuity in leadership is also quite important. While the corporate “memory” for the overall purpose of and need for regeneration schemes needs to be maintained, there also needs to be the confidence to take a more flexible approach to implementation, and this willingness to be flexible needs to occur as a preventative measure, before schemes get into difficulty. The Regeneration Service has amply demonstrated its ability to rethink delivery. A number of partners drew attention to the fact that strategies, masterplans, and even Principal Development Agreements, are the starting point or the framework for implementation, but when programmes are long term and complex those frameworks will need to flex and change according to external conditions, and they welcome the leadership approach that encourages this flexibility, and facilitates it through the partnership structures put in place to manage implementation.

“You have to start with a masterplan. But anyone who does regeneration knows that what is finally delivered will be different. A real partnership needs the structures in place to manage this.”

The most frequently cited area where partners would like a clearer demonstration of leadership was the “ringmaster” function with other Council service areas. Highways, planning and housing policy and property were all cited, where leadership was considered necessary to drive a more responsive culture. There were also some areas where there was a quite strongly perceived difference between the Council’s stated policy and the approach taken at a junior level by officers, which clearly needs some intervention. It was perhaps telling that one of those partners (when challenged) had not bothered to escalate this because the process of escalation was considered “too difficult” at Barnet. Partners need to know who they can go to with problems, to get both a hearing and, more importantly, resolution. They accept that they will not always get what they want, but they want to know who is “in charge”.

Another aspect of this frustration lies with perceived slow and bureaucratic decision making, which is also seen as symptomatic of weak leadership, although it is rather more complex than this. Decision making is considered further in the section on governance, below.

5.3 Project management

Project management capacity is spread between two teams in the Strategic Planning and Regeneration Service: The Principal Project Manager, who has two senior project managers working to him, and the Regeneration and Development Manager, who has a number of assistant project managers who work to an intermediary manager in her team (that intermediary manager is responsible primarily for employment and skills, and in this work effectively reports on these matters directly to the Assistant Director, so the management structure is somewhat haphazard in this area). There is a graduate trainee and some project support officers, also reporting to the intermediary manager, but the core project management team is thus seven people.

The small team is heavily reliant upon a range of advisers and professional consultancy support, covering project monitoring, cost consultancy, development finance and viability, valuation, land assembly and legal support for all the stages of planning, development and implementation.

This mix of internal and external project management resource makes for a complex suite of management relationships, the responsibility for management of which lies with the Principal Project Manager, whose deployment of them has provided a major impetus over the past eighteen months to kick start stalled schemes at Dollis Valley and Stonegrove, and to maintain momentum at Brent Cross / Cricklewood. The diversion of one of the senior project managers to Mill Hill East for a substantial proportion of his time has similarly enabled that project to progress to a position where implementation is a real prospect. However, the huge amount of effort that has gone into “rescuing” these projects cannot be underestimated.

The resources of the team will be severely stretched if Grahame Park and West Hendon are to be similarly rescued, while the others retain enough care and continued attention to ensure they remain on track. The current team structure and resource, even with significant external support, cannot, realistically, spread itself quite so thinly. Expanding the current team is unlikely to be an option, and in any case it would probably be the wrong solution. The team needs more senior, experienced capacity, not just more people. A revised approach to the use of external support, and a more rigorous approach to clienting is likely to be a more cost effective solution.

The Council could probably get more from its external support than it currently obtains. The specifications for the external support were prepared in different times, to service different purposes, and they need review. Indeed, the clarity (or otherwise) of briefs/specifications was raised (by the technical and professional advisers) as a particular barrier to the Council obtaining a flexible service, responsive to changing circumstances. A co-operative approach to respecifying a commission to sharpen its focus and improve upon deliverables would be the best solution, rather than adhering to what has become, over time, an inadequate brief.

The difficulties around monitoring progress are also clearly a frustration to all parties. The Council itself finds it very difficult to obtain information from partners (indeed, this difficulty has slowed the conduct of the current review) and it is clearly not (yet) in a position to command a meaningful open book relationship with its partners, despite the protestations of those partners that they wish to work in this way. Some

specific work, with the existing partners, on the details of the open book approach the Council needs to take in future would help this. The Council's inability to obtain information in a timely way was cited by advisers as one of the most significant barriers to efficiency.

Going forward, greater clarity is required in defining the roles and responsibilities of the in house project managers/liaison officers (with the emphasis probably on more assertive liaison with other parts of the Council, picking up on some of the issues raised in section 5.2 on Leadership) and those of external advisers, who have the technical skills to undertake project management and review, but whose commissions need to be revised to more closely reflect this.

This should not be interpreted entirely as a demand to use more expensive consultancy time. It is a challenge to the Council to become a more intelligent client. The partner organisations are already paying for both the advisers and the in-house team; they accept this, but they want better, not more. There is also potentially the opportunity for some skills transfer, if external advisers are used more creatively. Some of the internal officers can undoubtedly rise to the challenge, with better leadership and support, some training and a more precise definition of their intelligent client-cum-liaison officer/problem solver role.

5.4 Programme management and governance

Programme Management

Programme Management regimes in Barnet have been the subject of some changes in the past few years. Capital programme management has been overhauled and new arrangements made for delivery and monitoring, although these have not been entirely consistently applied.

For most of the Council, major projects and capital delivery are managed through the Commercial Services Team, who maintain some effective partnering arrangements procured through a competitive dialogue team. This was established in particular to secure the delivery of a challenging primary school building programme, which has now delivered 17 schools in a timely and cost effective way.

In theory, the regeneration programmes are subject to the same programme management reporting as the major schemes – a stronger corporate regime was introduced a year ago after a significant overspend on the delivery (by the engineering team) of the Aerodrome Road Bridge. The regeneration project managers now submit project monitoring information, but it is seen as a tick box exercise that is not really relevant to their own programmes.

Indeed, the Regeneration schemes have historically been separate to the corporate procedures. They were subject to their own investment approvals processes. Until recently there was no Board; this has now been rectified but the Regeneration Board serves an information sharing purpose; and also provides for some policy development and refinement, with slightly lighter touch progress and financial monitoring.

It seems that part of the reason for the regeneration schemes being somewhat “outside” the Council's standard procedures is that expenditure incurred by the Council was funded either through the Housing Revenue Account (or more precisely

by the capital funding raised against the HRA) or by recharges to the delivery partners, or by various grant regimes or discrete funding pots related to housing, regeneration and planning (including such sources as growth area funding, s.106 funding etc). These are both complex and largely separate from the rigorous pressures to keep costs down which are associated with the general fund account (including the borrowing supported by general fund account) and block grants for education capital. This is not to say that they are wasteful, but the process of budget management is less rigorous (indeed, in regeneration the various charges for fees and costs for salaries are all reconciled against the available budgets at the end of the year in a deft but less than transparent way) and there is currently no clear fee allocation and time-charging discipline, on a project by project basis, within the team. A more rigorous, business planning approach is needed.

Governance

Governance of Regeneration schemes is often complex, due to the range of stakeholders involved and the level of decision making required. There are three “layers” of governance: the first is the formal decision making, by the Council Members either in Cabinet or other constituted decision making structures of the Council, required to release funding and to adopt or change formal partnership agreements. There may be an informal precursor to the formal decision making, in the form of briefing sessions involving cabinet members, but these do not take formal decisions.

The second layer is the partly formal, partly informal governance of projects and programmes by the Council’s management team to ensure that they are fully compliant with Council policy and procedures, including those on procurement and financial management. These are formal when senior officers are exercising formally delegated powers, and informal when they are formulating the recommendations to the Council’s Cabinet, Cabinet members with delegated authority, and other constituted decision making structures.

The third layer is the governance of each project by the Council and its delivery partners. This level is informal, in that all but the most basic decisions will form recommendations to the layers of governance described above.

Each of these layers is distinct, and the arrangements for each needs to be effectively designed and proportionate.

There is another level of governance on the regeneration schemes, again informal, and this is the involvement of residents and tenants. This layer is absolutely essential, and each of the Regeneration Schemes (with the exception of Mill Hill East, which is different in nature) has its own residents’ forum, or board. The degree to which the residents’ boards exercise influence over decisions varies from scheme to scheme, and it is not within the remit of this review to analyse them. Changes can be very hard to negotiate. However, it is worth pointing out that the most successful schemes provide for resident engagement rather than control, particularly at the early stages, unless a ballot is required (and in Barnet, fortunately, only Grahame Park was set up in such a way as to require a ballot). Engagement is easier – and more successful – once there is a significant degree of certainty about progress. It is notoriously difficult to engage residents on a large scale in relatively abstract discussions, especially when momentum on a scheme has been lost. Arrangements for resident involvement should therefore be reviewed, on a scheme by scheme

basis, to ensure that it is proportionate and will serve to assist progress not to delay it.

In the case of formal joint ventures such as that for Mill Hill East, which is a formally constituted company, a further layer has been introduced, which is effectively an advisory board for the Council's two representatives to the Mill Hill East Company Board. A good deal of care has gone into the design of this advisory board. Given the uniqueness of the Mill Hill East structure, it is probably worthwhile for the time being, but it does seem in some senses unwieldy. The advisory group has no decision making powers, nor do the two Council representatives to the Mill Hill Board. They attend to discuss and deliberate, purposes, but decisions are made by the Mayor and Burgesses of the borough through the constituted Cabinet/Lead member/committee structure. In a sense, the Mill Hill East advisory group forms an internal function that mirrors that of the Regeneration Board (and the membership of the two have considerable overlap). If the Regeneration Board itself were refined into more discrete functions, arguably the Mill Hill East advisory group would become redundant. It does rather beg the question as to why "special" arrangements are necessary, and if they are necessary, how many such advisory groups the Council will end up needing, given the range of different delivery mechanisms now being contemplated around the Council. Rationalisation will become necessary.

The formal decision making undertaken by Cabinet/Lead Member or other committee is defined by the constitution. Barnet has taken a decision to delegate a considerable amount to lead members. This ought to speed up the decision making on major schemes, but it does not appear to do so. There is a perception amongst partners that procedures for decision making are deliberately slow, to deter them from seeking changes in approach. "DPR's" (Delegated Procedure Reports) are referred to as a major problem:

"Absolutely everything appears to need a lengthy formal reporting mechanism, with every part of the organisation having to clear a report before it goes to the cabinet member for a decision – the whole thing can take weeks. This is for everything, even minor traffic orders. In other Councils senior officer seem to have a level of delegated responsibility for the individual decisions that drive a major policy decision forward - and that makes for greater speed and flexibility".

From partners' perspective, the remoteness of elected Councillors from the day to day business while at the same time the reliance upon them to take detailed decisions on day to day business, is both cumbersome and damaging to their confidence.

The involvement of elected Councillors in day to day business is probably also affecting the Councillors' own confidence in schemes. At present, there is a strong atmosphere that progress is slow, that there are too many variances ("too much bad news") and too many delays, when actually variations within a range of tolerance are an absolutely normal part of complex project delivery and the delays are often caused by the decision making process rather than the substance of the change. It is also very expensive. Leaving aside the officer time from finance, legal, procurement and other team spent on report clearance, the Project Management officers themselves estimate that they spend about 20% of their time obtaining decisions, via Delegated Procedure Reports, on matters which, provided they are

within a range of tolerance, could be taken in a far less cumbersome way, not least through the Regeneration Board (or successor boards as appropriate).

One further issue that should be considered is that of governance via wider partnership structures, through involvement in the Local Strategic Partnership. Asked whether they thought such structures could perform a useful function in the borough, the private sector partners were not supportive, although many of them participate already, to different degrees, in other formal and semi formal partnerships such as the board for Barnet Homes and the Colindale Steering Group. The Registered Providers are almost as lukewarm - unlike other key partners in any given borough area (the Police, the NHS, further and higher education partners) they are active across many boroughs and often delegate attendance at such partnership groups to a junior level making their involvement less useful. On balance, therefore, it is probably more fruitful to look at other ways of engagement, on partner organisations' terms, using models similar to that developed in Bromley, described in section 2.9 above. This approach is based on communication, marketing and one off events to engage businesses locally in a way that is relevant to them, but achieves place based discussion and engagement.

In conclusion, a greater degree of robustness is required at the scheme governance level, and a greater degree of precision and specificity is required in the arrangements set up by senior managers. If these can be achieved, not in isolation but as part of a set of corporate standards that will be required as the Council moves to a commissioner rather than a direct provider of a range of services, then the elected members should have the confidence to withdraw from everyday decision making, and the implications that this level of involvement has for effective delivery.

5.5 Developing an integrated client function

Barnet has choices about how it effectively manages its development and renewal functions in the future.

The majority of the delivery is in effect already outsourced. Each of the Regeneration schemes has its own delivery partners, but nonetheless each scheme will need nurturing and monitoring, at a sufficiently senior level to overcome the inevitable challenges that the peaks and troughs of the regeneration function involve – whether this is delivering traffic management orders in a timely way, securing co-operation from housing management providers, urgent revisions to planning consents or development agreements, negotiations with grant funding agencies over cash flow or managing a sudden “state visit” by VIPs. As the landscape for the provision of these day to day services becomes more complex, the effectiveness of the client role will become increasingly important to overall momentum and quality control. It will have to be more and more strategic, less and less of a “marking and monitoring” function.

Over the past year, the emphasis has been on re-invigorating the overall strategy, and on kick-starting stalled projects with a fresh approach at Stonegrove, Dollis Valley and (to a lesser extent) Granville Road. The new approach represented by Mill Hill East has required substantial negotiation and commitment. Over the next 12 months, a similar level of commitment will be required to get West Hendon and Grahame Park back on track, if that is the desired objective of the Council, and to

establish a realistic delivery mechanism for implementing the Council's ambitions at Brent Cross.

However, strategic refresh is not an ongoing process. While the overall strategy needs to be kept under review, and maintained as a nimble and flexible framework, there comes a point when the Council has to draw a line under its strategic thinking, and turn its efforts in a more focused way to delivery.

The Council should now consider the best match or fit of competencies to equip itself to client a focussed delivery agenda with a range of partners, contractors and suppliers. Programme management and strategic financing opportunities are arguably more likely to provide a good match with project delivery, coupled with closer ties to the Strategic Property function, and with Council's principal housing services partner, Barnet Homes. Future competencies and synergies relating to each service area are discussed below.

Major Projects

A strategic function around both the existing major projects team in Commercial Services Directorate, and the Project Management Function in Strategic Planning and Regeneration is an obvious element for an integrated strategic client in the future. As with property above, this need not imply all the functions currently undertaken by those teams, some of which are due to be outsourced as one or other of the packages currently being considered under the One Barnet process. Overall direction and leadership would be provided, together with the essential liaison and problem solving approach described above. Relatively senior, highly skilled staff would client external providers, drawing on expert resource from support contracts. They would provide the overall drive and momentum for projects, together with quality control and the link back to the Council's Leader, Cabinet and elected members.

The major projects function will need to develop a more proactive approach to unblocking problems and barriers, particularly those where resolution is within the Council "family" of providers (for example, delays on signing off planning conditions or implementing traffic orders by an external provider of planning or highways services having expensive knock on effects on progress a delivery partner can make on site on one of the regeneration schemes; or delays with decanting of tenants or leaseholders preventing the release of land to another).

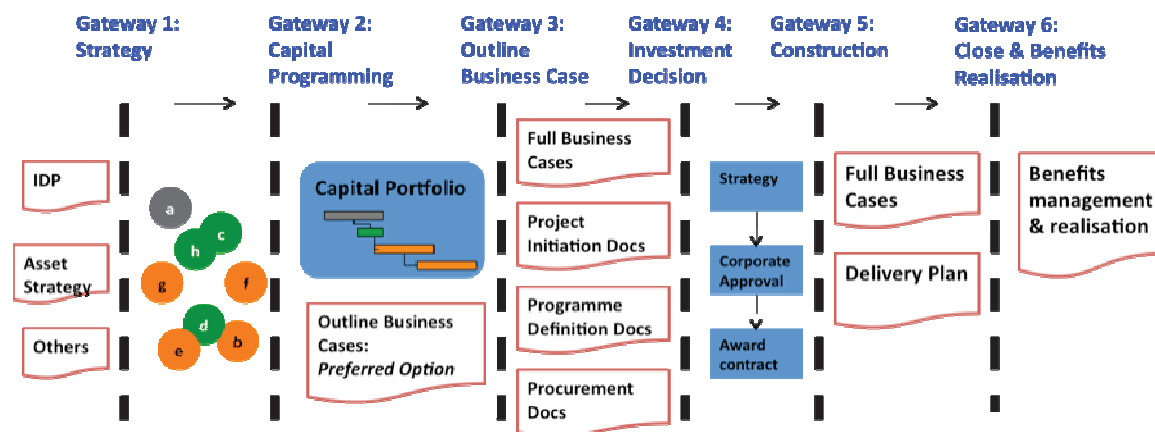
Risk management will also need to be fully owned by the strategic client; project monitoring (which may itself be procured externally) will need to secure success, not simply report on delays. One very important element of risk which this part of the client will need to manage is equalities impact assessment and effective approaches to managing that impact: EqlAs have not been done routinely on regeneration strategies and projects to date, and in future a proportionate approach will need to be adopted if projects are not to be subject to challenge.

Programme Management

A very effective and streamlined approach to programme management will be essential, and given the importance of effective programme management to the regeneration agenda and the Council's wider capital delivery responsibilities, it would seem sensible to locate this within a strategic client function.

However, given that most delivery will be externalised to a variety of different providers, the Council will need to review its approach and refresh its programme management systems, and especially its approach to gateway management and monitoring. These need to be robust and corporate, but at the same time proportionate and flexible. If the Council is to maintain control over the various delivery bodies, it will need to commission investment in a very deliberate way, in line with its adopted strategies, with very clearly defined outcomes at the point of commissioning and a robust approach to reviews. More emphasis will be needed on the earlier stages of gateways: strategic fit, feasibility, design etc – if the Council is to be comfortable with releasing substantial amounts of funding, from a variety of sources, to deliver against its objectives. An example of the gateway approach is set out in Figure 4. Clarity will be of the utmost importance given the number of partners likely to be involved at every stage.

Figure 4. A Gateway Approach to Programme Management



Significant expertise will be required in the procurement of supporting services; specifications will need to be outcome oriented and flexible, capable of ongoing review if unforeseen barriers arise. There are already good examples of this within the Council, with the delivery of the primary capital programme through strategic partnerships being one example. Scaling such good practice up, while keeping it meaningful to the providers of very different types of service, will be a challenge. It is therefore essential that the strategic client retains access to a high level of expertise on procurement within the team. Given the complexity of the services to be provided and the investment to be commissioned, the team will also need access to a range of frameworks to assist with the rapid procurement that is often necessary to respond to sudden changes in workload; partnering approaches and scope to call upon additional services within major contracts will also be a useful approach to manage peaks and troughs in demand.

Policy & Strategy

The Council will continue to require a competency around regeneration strategy and policy, albeit with a different focus. Where previously the strategy has looked at land use planning, to ensure that new statutory plans reflect regeneration objectives, future policy work is more likely to focus on new and innovative approaches to funding (which, as set out in Section 3) will be as much about opportunities arising

from sweating assets and the strategic use of borrowing), tracking and responding to changing market conditions and opportunities, ensuring that the Council and its partners are in a position to harness the benefits of central or London government initiatives on enterprise and skills development. It must be stressed that this is not a provider role: the actual work of policy and analysis itself may well be commissioned from strategic partners or one off providers.

Communication will be a significant part of this role: given the range of different providers that the Council will be relying upon. Again, there are some suggestions in the attached appendices, but there are different aspects to this role. One is ensuring effective two way communication with partners with up-to-date information about the local economy, the other is communicating a positive and progressive message about the Council's strategy and achievements to a wider audience of residents, locally businesses and potential investors. Again, the strategic client will not be actually undertaking the production and dissemination of the information, the task is to make sure it happens, and that it achieves the desired outcomes, in a cost effective and productive way.

These probably form the core functions of a strategic client for regeneration. However, there are two further synergies or adjacencies, which should in future work much more closely with the regeneration function, as follows:

Strategic Property

There is already a close theoretical fit between the function of strategic property and the function of regeneration. The regeneration schemes are based on the release of assets, for nil or for low consideration, to partner organisations in order to secure fit for purpose replacement affordable housing units within more mixed and therefore economically sustainable communities. In the wider context of regeneration, in response to a period of significant financial constraint, the Council is actively embracing innovative methods of service delivery and these will have an impact on the Council's assets.

The day to day management of the estate - both facilities management and commercial estate management - forms part of the Council's package of back office functions to be externalised, and there is a mature market for such functions. However, the proper performance of an externalised service will need to be cliented by a team which has good information about asset performance requirements and expectations. A strategy, supported by a robust asset management plan and a comprehensive asset register will be essential tools to manage the performance of external providers of asset related services.

Moreover, as described in Section 3 above, future financing options for securing regeneration are likely to be related to the strategic use of assets, whether as equity contributions to help with cash flow or, more traditionally, to support additional borrowing. The opportunities will need to inform the development of an asset strategy and supporting implementation plans. The innovative approach taken in the Joint Venture at Mill Hill East, where the Council's assets, alongside those of its partners, will be used to deliver new homes and a new school, is requiring some pump priming but is almost certain to deliver significant profit in the long term, is a good example of a more strategic asset lead approach. Variations on this approach should be explored on some of the Council's more challenging sites, as explored in the next section. Effective risk assessment and management will be required, and

this in turn will need a higher level of strategic property expertise than currently exists in the Council. This strategic function is, by common consent around the Council, currently lacking.

It may now be appropriate to forge a closer link between the strategic use of assets and the delivery of regeneration and change. There is scope to refresh some of the Council's existing contracts with property advisory services to create some longer term partnering arrangements on valuation, property options for key sites, development agreements and open book appraisals and so on. Longer term partnering arrangements will undoubtedly deliver better value for money than some of the short term, project by project commissions upon which the regeneration project managers rely, in the absence of either an internal capacity or a corporate or strategic externally procured capacity.

Barnet Homes/Your Choice (The Barnet Group)

A close working relationship between the Regeneration client, and the client function for Barnet Homes and the proposed Local Government Trading Company "Your Choice" for the provision of some adult social services may not be as obvious as is perhaps the case with the other functions described above. However, it is suggested here for a number of reasons.

Firstly, and at a very basic level, there is already an element of duplication between the work of Barnet Homes and the work of both the Housing Strategy and Performance Team and the Regeneration Development Team in the current Strategic Planning and Regeneration Division. There is scope for rationalisation between these functions, providing cost savings and efficiencies. Close working between the respective client teams would be well placed to identify and avoid similar duplication in future.

Secondly, there are some key areas where the functions of Barnet Homes, and some of the strategic housing functions (homelessness, housing allocations, tenancy reviews etc) which are to be passed to The Barnet Group are absolutely essential to the delivery of regeneration schemes. Barnet Homes still has varying degrees of housing management responsibility on the estates. Crucially, it has responsibility for rehousing the very large numbers of short hold tenancies on the estates, the timely delivery of which will be essential to delivery timescales. There is no comprehensive strategy for this, which is generally acknowledged to be a problem. The existence of an integrated client might force the pace on the development of such a strategy, borough wide and on an estate by estate basis.

Thirdly, there may well be funding opportunities available to Barnet Homes/The Barnet Group which are either not available to the Council, or which could be done more cost effectively by The Barnet Group. They could, for example, set up a subsidiary company that could provide market rented property, which might help to cash flow some of the Regeneration Schemes. They could occupy, at a commercial rent, purpose built office accommodation on one of the schemes (Grahame Park has been identified as a good strategic fit), which again would help with cash flow.

The Shape of an Integrated Strategic Client

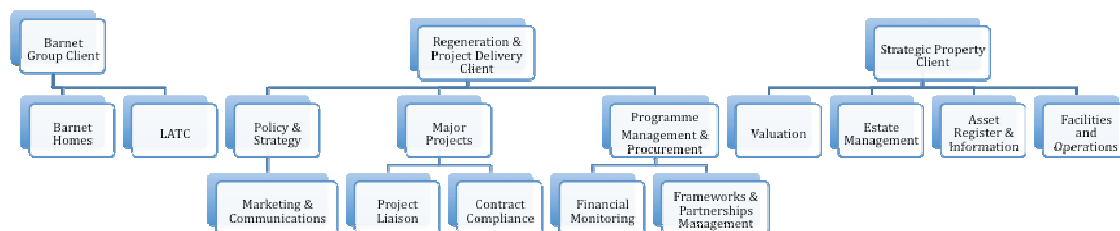
Based on the opportunities and the challenges described above, it is possible to envisage a strategic client team that pulls together a number of functions and

provides capacity to the Council to ensure its many partners deliver investment and regeneration in a cost effective and efficient way. A potential shape of that client is set out in Figure 5.

However, it is important to recognise that this shape is intended to prompt discussion. The structure is only indicative of functions, or a general capacity or skill that would be required within an integrated client. It does not, at this stage, suggest individual posts or job titles, nor should the descriptions in the functional boxes be assumed to refer to existing posts (or postholders) within the Council. The delivery of the functions identified are not all of the same scale or complexity, they might need to be undertaken by one or by several postholders, depending on that complexity, or they might be combined in different ways, or they might be procured via a partnership agreement (valuation is perhaps a good example of this).

There should perhaps be a recognition that, for a strategic client function to remain strategic, it should expect to employ a small number of relatively highly skilled professional staff, who manage variations of both quality and quantity of demands via access to frameworks and partners and who are therefore well trained, across the board, in contract management. The entire team will need to see themselves, and to be seen, as leaders who retain core responsibility for the delivery of quality outcomes for Barnet.

Figure 5. An integrated strategic client function



5.6 Delivery – conclusions

Project management, programme management and governance arrangements have been the focus of change over recent months, to introduce greater rigour. Given the size of Barnet’s regeneration agenda, however, these areas are still in need of attention and refinement, if they are to be fit for purpose in an environment where there is a very varied mix of advisers and providers.

Barnet has choices about how it effectively manages its development and renewal functions in the future. The majority of the delivery is in effect already outsourced, and this will increase under the Council’s future management structures. Going forward, a strategic client team will be required that pulls together the core functions

of project management, programme management and strategic funding management. This team will need to provide both leadership and capacity within the Council to ensure its many partners deliver investment and regeneration in a cost effective and efficient way.

5.7 Recommendations

The Council's future need for regeneration is a focus on delivery, which should prompt a review of the organisational arrangements, and in particular a strengthening of the understanding and application of the financial mechanisms that the Council can bring to kick-start delivery.

Leadership within the regeneration service is a key area which needs addressing by the Council. The opportunity to develop a specialist client function is an opportunity to re-introduce a greater degree of delivery focused leadership.

The Council should urgently consider recommissioning key consultancy services, on the basis of a specific discipline, and for a meaningful period of time, with outcome rather than output based specifications. This would enable the Council to develop stable and trust based relationships, with a smaller number of longer term advisers.

The Council needs to change its internal project management capacity. It needs fewer, more technically skilled project managers.

Financial management needs to become more rigorous, with a business planning approach, careful budgeting and strict cost/time management against budgets.

A refresh of the standard gateway approach should be considered to inform the stages of programme management and cost control.

The remit of the Board needs redefining and should take on some decision making powers, in line with delegated authority.

Terms of reference for project boards should be refreshed, and should enable appropriate decision making on scheme progress.

The extent of delegation to officers is a cultural matter that varies from Council to Council, but it would be helpful if the scope for delegation to officers could be expanded, perhaps within a range of tolerance relating to cost or values or to variances within an initial set of approvals.

Linked to this, there is also an argument for reporting slightly differently on regeneration schemes, with an annual progress report to the Council. Overall, this would provide momentum and an opportunity to report success, rather than the minutiae of delivery.

A strategic client function should be designed, which is both "thin" and "intelligent", which strengthens links with Strategic Property functions and with the client function for the Barnet Group.

6 Action Plan

Theme	Recommendation	Priority	Strategic Lead	Target Completion	Estimated Cost
Strategic Framework	Strengthen Presentation of the Regeneration Strategy	Medium	AD Strategic Planning and Regeneration	March 2012	Internal resources
Strategic Framework	Review Sustainable Transport approach and infrastructure requirements	High	Interim Director Environment Planning and Regeneration	March 2012	Cross-cutting. internal resource and consultant required c£25k
Strategic Framework	Expedite work on Education Estate	High	AD Policy Performance and Planning (Childrens Services)/AD Corporate Property and Asset Management	September 2012	Internal resources
Strategic Framework	Update Borough Investment Plan	Medium	AD Strategic Planning and Regeneration	July 2012	Consultant required C £25k

Strategic Framework	Joint Action Plan for Enterprise & Skills	High	AD Strategic Planning and Regeneration/AD Strategy (CE Service)	April 2012	Internal resources – other costs to be determined
Strategic Framework	Develop Corporate Property Strategy	High	AD Corporate Property and Asset Management	May 2012	Internal resources
Strategic Framework	Develop a cross-cutting internally and externally facing Communication Strategy	Medium	AD Comms/AD Strategic Planning and Regeneration	May 2012	Internal resources
Strategic Framework	Review opportunity to deliver wider adult social care objectives through regeneration delivery	Medium	Deputy Director Adult Social Care and Health/AD Strategic Planning and Regeneration	May 2012	Internal resources

Theme	Recommendation	Priority	Lead officer(s)	Target Completion	Estimated Cost
Strategic Funding	Develop HRA Business Plan	High	Interim Director Environment Planning and Regeneration/ AD Financial Services	February 2012	Internal resources
Strategic Funding	Review Housing Provider Relationships	Medium	AD Strategic Planning and Regeneration	March 2012	Internal resources
Strategic Funding	Set competitive CIL tariff	High	AD Strategic Planning and Regeneration	February 2012 (draft charging schedule)	Consultants already appointed
Strategic Funding	Review Infrastructure requirements at Brent Cross / Cricklewood – to further TIF development	Medium	AD Strategic Planning and Regeneration	March 2012	Consultants already appointed
Strategic Funding	Develop a Co-ordinated Capital Strategy	High	DCE/AD Strategic Finance	Feb 2012	Internal resources

Theme	Recommendation	Priority	Lead officer	Target Completion	Estimated Cost
Scheme Viability	Maintain rigorous monitoring of Stonegrove, Dollis Valley and Granville Road on Open Book basis	Ongoing	DCE/AD Strategic Finance	Every Quarter	Consultants already appointed to provide support
Scheme Viability	Develop a detailed cost/spending plan for Mill Hill East project management	Medium	Director of Commercial Services	June 2012	Internal resources
Scheme Viability	Develop project plan for depot relocation at Mill Hill East	High	AD Corporate Property and Asset Management	March 2012	Internal resources
Scheme Viability	Develop project plan for development of primary school at Mill Hill East	Medium	AD Policy Performance and Planning (Childrens Services)/AD Corporate Property and Asset Management	March 2012	Internal resources
Scheme Viability	Fundamental Review of Grahame Park masterplan and delivery	High	AD Strategic Planning and Regeneration	March 2012	Property Consultancy advice may be required circa £25k

Scheme Viability	Complete Review of West Hendon masterplan	High	AD Strategic Planning and Regeneration	January 2012	£50k (legal plus property consultants)- to be repaid by the Development Partners
Scheme Viability	Undertake mapping of decant needs at each of the regeneration estates, to inform decant strategies	High	AD Strategic Planning and Regeneration/Barnet Homes	March 2012	Internal resources although consultancy support may be required.

Theme	Recommendation	Priority	Lead officer(s)	Target Completion	Estimated Cost
Delivery	Strengthen organisational arrangements	High	DCE/Interim Director Environment Planning and Regeneration	April 2012	Internal resources
Delivery	Review Leadership of delivery and future strategic client	High	DCE/Interim Director Environment Planning and Regeneration	April 2012	Internal resources
Delivery	Refresh commissions of key consultancy services	High	DCE/AD Strategic Planning and Regeneration	March 2012	Internal resources including Procurement

Delivery	Improve Financial management (inc. chargeable time)	High	AD Strategic Planning and Regeneration	March 2012	Internal resources
Delivery	Refresh gateway approach to programme management	Medium	DCE/ AD Strategic Planning and Regeneration	March 2012	Consultant required c£20k
Delivery	Review terms of reference of Regeneration Board	High	DCE/AD Strategic Planning and Regeneration	March 2012	Internal resources
Delivery	Review delegation levels and authorities	High	DCE	March 2012	Internal resources
Delivery	Refresh terms of reference for project boards	High	AD Strategic Planning and Regeneration	March 2012	Internal resources
Delivery	Review Progress Reporting to Cabinet	Medium/low	DCE	June/November 2012	Internal resources
Delivery	Develop Integrated Strategic Client function	High/Medium	DCE	June 2012	Internal resources

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Meeting	Business Management Overview and Scrutiny Committee
Date	18 th April 2012
Subject	Housing Allocations Scheme- 6 month review
Report of Summary	Head of Strategy and Performance Appendix 1 provides the Committee with the Cabinet report outlining the Housing Allocations Review (6 Month Review and Localism Act changes)

Officer Contributors	Paul Shipway, Head of Strategy and Performance Chloe Horner, Housing Strategy and Business Improvement Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	Yes
Reason for urgency / exemption from call-in	N/A
Function of	Business Management Overview and Scrutiny Committee
Enclosures	Appendix 1- Housing Allocations Scheme- 6 month review- report to Cabinet on 4 th April 2012
Contact for Further Information:	Chloe Horner, Housing Strategy and Business Improvement Manager, 020 8359 4775, chloe.horner@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the Business Management Overview and Scrutiny Committee consider the outcomes of the Housing Allocations Scheme 6 month review which was reported to Cabinet on 4 April 2012, and make appropriate comments/recommendations as appropriate to the Cabinet Member for Housing.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 10 January 2011, Decision Item 6, Report of the Housing Allocations Overview and Scrutiny Panel – Cabinet accepted the recommendation made by the Panel that “... an evaluation of the new housing allocation policy be undertaken at six months with a further review after two years with the findings reported to the appropriate Overview and Scrutiny Committee.”
- 2.2 Business Management Overview and Scrutiny Committee, 11 July 2011, Agenda Item 13 – the Committee received an update on the implementation of Task and Finish Group / Scrutiny Panel recommendations accepted by Cabinet which included an update on the progress made in implementing the recommendation set out at 2.1 above as follows: “The policy will be evaluated after it has been in operation for six months (i.e. from 1st April 2011) and reported to the appropriate overview and scrutiny committee and Cabinet. Preparations for carrying out the evaluation are in hand.
- 2.3 Relevant previous decisions as they relate to the Cabinet decision are set out in the attached report as Appendix 1.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council’s priorities.
- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are:
- Better services with less money
 - Sharing opportunities sharing responsibilities
 - A successful London suburb
- 3.3 Corporate priorities and policy considerations as they relate to the Housing Allocations Review are set on in the Cabinet report attached in Appendix 1.

4. RISK MANAGEMENT ISSUES

- 4.1 To enable the Council’s Overview and Scrutiny function to provide a critical friend challenge to the executive, it is essential that the Committee have the opportunity to provide a robust, proportionate and timely challenge to key Executive decisions as they progress through the council’s decision-making framework. Failure to facilitate scrutiny of significant decisions in this way might result in reputational damage to the council.
- 4.2 Risk management considerations as they relate to the Housing Allocations

Review are set out in the Cabinet report attached in appendix 1.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 In addition to the terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer, including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety

5.2 Equalities and diversity considerations as they relate to the Housing Allocations Review are set out in the Cabinet report attached in appendix 1.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 The use of resources implications of the Housing Allocations Review are set out in the Cabinet report attached in appendix 1.

7. LEGAL ISSUES

7.1 The Housing Allocations Scheme was amended in the light of the Localism Act 2011. The legal issues are set out in the Cabinet Report attached at appendix 1.

8. CONSTITUTIONAL POWERS

8.1 Council Constitution, Article 6 – details the scope of the Council's Overview & Scrutiny Committees.

8.2 Council Constitution, Overview and Scrutiny Procedure Rules – details the terms of reference of the Council's Overview & Scrutiny Committees. The Business Management Overview and Scrutiny Committee has within its terms of reference responsibility for "...the review of the policy framework and development of policy and strategy not within the remit of other overview and scrutiny committees."

9. BACKGROUND INFORMATION

9.1 Barnet Council implemented a new Housing Allocations Scheme in April 2011 which was reviewed in November 2011. The Housing Allocations Scheme was also reviewed in the light of the permissive reforms set out in the Localism Act 2011. Changes to the Scheme were proposed and consulted upon during January and February 2012. Cabinet agreed a revised Scheme on 4th April 2012.

- 9.2 The details of the review are contained in the Cabinet report at appendix 1.
- 9.3 The Committee are requested to note that the Cabinet agreed a revised scheme on the 4th April 2012, prior to the scheme being considered by the Business Management Overview and Scrutiny Committee. Scrutiny Members are therefore requested to make their representations directly to the Cabinet Member for Housing. The Cabinet Member will be requested to provide a formal response to the Committee to any comments and/or recommendations made.

10. LIST OF BACKGROUND PAPERS

10.1 None

Cleared by Finance (Officer's initials)	MC/JH
Cleared by Legal (Officer's initials)	JO

AGENDA ITEM:	Pages –
Meeting	Cabinet
Date	4 April 2012
Subject	Housing Allocations Review
Report of	Cabinet Member for Housing
Summary	This report seeks approval for changes to the Housing Allocations Scheme following a 6 month review since its implementation and as a result of changes permissible since the Localism Act 2011 was enacted.

Officer Contributors	Pam Wharfe, Interim Director of Environment, Planning and Regeneration Paul Shipway, Head of Strategy and Performance Chloe Horner, Housing Strategy and Business Improvement Manager
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Status (public or exempt) Public

Wards affected All

Enclosures
Appendix 1: Housing Allocations Scheme- the full rules
Appendix 2: Summary of changes to scheme
Appendix 3: Summary of Equalities Impact Assessment
Appendix 4: Summary of consultation responses

For decision by Cabinet

Function of Executive

Reason for urgency / exemption from call-in Not applicable

Contact for further information: Chloe Horner, Housing Strategy and Business Improvement Manager, 020 8359 4775

1. RECOMMENDATION

- 1.1 That approval is given to the revised Housing Allocations Scheme as set out in Appendix 1 with the exception of paragraph 3.26 on discretionary succession.**
- 1.2 That the interim Director of Environment Planning and Regeneration is instructed to carry out consultation with secure council tenants on the proposals for the use of discretionary succession in the revised Housing Allocations Scheme as required under the Housing Act 1985 Section 102/3.**
- 1.3 That the Cabinet Member for Housing is authorised to implement paragraph 3.26 of the revised Housing Allocations Scheme following the consultation referred to in 1.2 and make further minor changes to the Housing Allocations Scheme.**
- 1.3 That the policy is reviewed after it has been in operation for two years and any further changes reported back to Cabinet.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet approved the existing Housing Allocations Scheme on 10 January 2011 (decision item 6) following an extensive period of consultation.
- 2.2 Cabinet approved the existing Housing Strategy on 12 April 2010 (decision item 8) including a target to review the Council's Housing Allocations Scheme.
- 2.3 Cabinet approved an update of the Housing Strategy to incorporate the Council's approach to social housing reform on 12 September 2011 (decision item 6).

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Council's Corporate Plan 2011/13 includes "Sharing opportunities, sharing responsibilities" as a corporate priority. Within this, the Council has set a strategic objective to ensure that effective and efficient housing advice and assistance is provided to residents in housing need. A key initiative to achieve this has been the implementation of the Council's new Housing Allocations Scheme from April 2011. This scheme has been reviewed to ensure that it is providing an efficient and effective service for people in high housing need.
- 3.2 The new Housing Allocations Scheme also contributes to corporate priorities "Better services with less money" by providing a more efficient service with better outcomes for customers. It also contributes to "Successful London Suburb" by recognising the contribution that people who work or volunteer make to the community.
- 3.3 The Council's Housing Strategy 2010 to 2025 identifies the importance of helping more people in low paid employment and training to gain access to social housing under the objective to "Promote mixed communities". The strategy also recognises that the private

rented sector can be a positive housing choice for people in housing need and that the Housing Allocations Scheme should reflect that.

- 3.4 The Localism Act¹ contains a number of provisions to give local authorities new freedoms and flexibility on housing matters, including the ability to determine the classes of person who may qualify for housing assistance in their area and to discharge its duty to homeless households by offering a home in the private rented sector. The Housing Allocations Scheme has been revised to enable Council to make use of these new powers.
- 3.5 The London Mayor included in the London Housing Strategy a commitment to establish a London-wide mobility scheme to help existing social housing tenants who need to move to another part of London because of work or to release a larger property. All boroughs will contribute 5% of their relets into the scheme which will then be made available to people who have registered for a move and there is a mechanism to ensure that a balance is maintained between households moving in and out of individual boroughs. The scheme is due to come into operation from May 2012 and changes are needed to the council's allocations scheme to enable the council to participate.
- 3.6 The revised Housing Allocations Scheme complements the Council's draft local tenancy strategy which moves away from the idea of lifetime tenancies for council homes and encourages households to be less dependent on the Council in the provision of their housing. The draft strategy also ensures that the limited supply of council housing is used in the most effective way.

4. RISK MANAGEMENT ISSUES

- 4.1 The Council could face legal challenges to decisions that it makes under the new Housing Allocations Scheme. This risk has been mitigated by undertaking consultation with stakeholders, in particular Housing Association partners and community representatives in the voluntary sector.
- 4.2 The Council will need to allow for further adjustments to the scheme once it is operating, to take account of any challenges that are made on a case by case basis. Independent legal advice has also been obtained on the proposed changes to the Housing Allocations Scheme.
- 4.3 Barnet Council is at the forefront of the permissive changes in the Localism Act 2011 and there is no current case law on these changes. Advice from Counsel has been received and it is considered as a low risk.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Housing Allocations Scheme agreed in January 2011 was subject to a full equalities impact assessment which included extensive consultation with residents and housing applicants on the former housing register. A further equalities assessment of the revised Housing Allocations Scheme has been undertaken to ensure it does not disadvantage any households on the basis of ethnicity, faith, gender, disability or sexual orientation or age. Three of the proposed changes were assessed initially as presenting equalities risks.
- 5.2 Extending the types of applicants that will not qualify for assistance

¹ Enacted on 17 November 2011

The main equalities risk identified was that some groups could be adversely affected by the introduction of additional criteria. A further risk is that information will not be held on non-qualifying cases in future and will not be available for the Council to review the data on such applicants.

5.3 Data² from current records shows that approximately 11% of customers currently banded or being assessed for housing need will no longer qualify for assistance. The data analysis³ shows that there are no disproportionate differences in gender, bedroom size required (household size), or age (except for younger people).

5.4 However the data shows a higher proportion of Black households and also of young people (aged 19 – 24 years) were amongst those who would no longer qualify. There were also a slightly higher proportion of disabled people. Overall the actual number of households affected is small and the impacts are mitigated through improvements to the scheme which ensure that scarce housing resources are being made available to those in most housing need.

5.5 Introducing 2 year local connection criteria

The main equalities risk identified was that some groups may be adversely affected by the introduction of the 2 year local connection criteria.

5.6 The data shows that 12% of customers currently banded for housing or being assessed will no longer meet the local connection criteria but that there are no differences by gender or disability.

5.7 The analysis found that the greatest impact will be on households with 3 bed need⁴ and the main impact would be on Asian and Black groups. There is also a slight impact on the over 60s but greater impact on people aged between 30 and under 50 yrs but overall the actual number of households affected is small. The impacts are also mitigated as the introduction of local connection criteria will contribute further to the aim that scarce housing resources are made available to those in most housing need that have the strongest connections to the borough.

5.8 Income and capital thresholds

For households with children, the threshold has been set at the median earnings for Barnet which is currently £36,200. For households without children the threshold will be median earnings minus 15% which is currently £30,800.

Earnings data is not held on the housing management system but income data from Barnet Homes residents' survey⁵ shows that between 2% and 4% of applicants may be outside the proposed thresholds.

5.9 Data is not available on the number of applicants with savings over £20,000; however, the number is likely to be low since 68% of Barnet Homes tenants are in receipt of housing benefit⁶. The Department for Work and Pensions Family Resources Survey⁷ shows that older people are the most likely to have savings over this amount.

² Source: Saffron Housing Management Information System

³ Limited disability data and no sexual orientation data pending changes to Saffron

⁴ 4 and 5 person households are also 3% higher than those with over 2 years residence in the borough

⁵ Status Survey 2008

⁶ Savings limit for Housing benefits is £16,000 (in most cases)

5.10 Although data monitoring and regular reviews of the scheme will continue to be undertaken it will not be possible to directly monitor cases that do not meet the new eligibility or local connection criteria since not all of these applications will be recorded. However we anticipate sufficient data being captured to allow continuous review and this will also be mitigated through periodic sampling and through future housing needs surveys or strategic market assessments.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 There are no direct resources implications from this report. There is a limited supply of social housing in Barnet and the revised Housing Allocations Scheme will ensure that resources are directed at the people in the highest housing need. For many years the Council maintained an open housing register which was expensive and wasteful to administer.

6.2 Any financial implications will be contained within the Barnet Homes budgets.

7. LEGAL ISSUES

7.1 Legal advice has been received about the detail of the Housing Allocations Scheme and minor changes made to it in response to this advice to ensure it is legally robust.

7.2 The legal requirements on consultation under S167 (7) Housing Act 1996 have been complied with.

8. CONSTITUTIONAL POWERS

8.1 Part 3 of the Constitution sets out the executive functions. The Cabinet Member for Housing is the lead on budget and policy formulation and implementation relating to housing under Part 3.2, Responsibility for Functions.

9. BACKGROUND INFORMATION

9.1 Barnet Council implemented a new Housing Allocations Scheme in April 2011. The aims of the new scheme were that it was more efficient and offered better outcomes for customers in housing need. There were 5 key changes from the scheme it replaced:

- Closure of open waiting list so that the Council no longer keeps the details of people who it is unable to help on a wasteful list
- Use of 4 simple bands⁸ instead of a complicated points system
- Assisted choice instead of bidding on Choice Based Lettings where the housing needs officer finds suitable housing for the client to choose from those that are available, having assessed their specific needs
- Recognising community contributions from people also in housing need, such as working, volunteering, training for employment, foster caring and former members of

⁷ Department of Work & Pensions Family Resources Survey 09/10

⁸ Bands:

Band 1	Reasonable preference:	Urgently need to move
Band 2	➤ Homeless	Need to move plus community contribution
	➤ Unsanitary/overcrowded housing	
Band 3	➤ Medical/welfare disability	Need to move only
	➤ Hardship reasons	
Band 4	People who would fall into a higher band but have had their reference reduced	

the armed forces

- Inclusion of Private Rented Sector (PRS) properties in selections of suitable properties for clients to move.

6 month review

- 9.2 A review of the new scheme took place in November 2011 to establish how well it was working.
- 9.3 The table below shows how many people were banded and housed in social housing in the first 6 months (1 April to 31 October 2011) of operation. Band 1 comprises the people in the most urgent housing need and existing tenants who are under-occupying family homes and have decided to trade down to a smaller property. Band 2 comprises people in housing need with Community Contribution. Band 3 comprises people in housing need who do not have Community Contribution. Band 4 is by far the largest band and this includes people who have had their preference reduced, for example they have no local connection or they are intentionally homeless⁹. It also includes people who have been placed in long-term temporary accommodation but as they are currently satisfactorily housed the Council will not in practice help them until the lease is coming to an end.

People in bands and housed in social housing to end October 2011

	Band 1	Band 2	Band 3	Band 4	Total
No. in band	242	306	421	2,052	3,021
No. in band housed	57	72	54	7	190

- 9.4 More people have been housed in social housing from band 2 than from band 1. Many people in band 1 are under-occupiers trading down and, therefore, have more specific requirements and so it takes more time to locate suitable properties.
- 9.5 When the scheme was developed it was not expected that social housing would be offered to people in the lowest housing band, although as the table shows. 7 households have been re-housed from band 4. However, analysis of these applicants showed that they were older people and the properties were sheltered housing units which can be more difficult to let.
- 9.6 From April to December 2011, 140 people¹⁰ were also housed into the private rented sector (PRS) but it is not currently possible to identify which band they were housed from.
- 9.7 The review considered the length of time it takes from application, investigation and banding for new housing applicants¹¹. It has taken an average of 29 days to assess and band these applicants. The quickest performance has been application and banding on the same day and this has happened 66 times.
- 9.8 Three quarters of households who have been awarded “Community Contribution” (band 2) have been awarded this because they are working. Community Contribution awards for other reasons, particularly volunteering, foster caring and former members of the armed

⁹ The number of people in band 4 with reduced preference to end October 2011 was 328

¹⁰ From Home Choice database

¹¹ People who applied for housing on or after 1 April 2011- the system identified 860 people who have applied and assessed since the new scheme started

forces, were very low. It is necessary to clarify in the scheme that within the Community Contribution policy it is the head of household or their partner that can be awarded the additional priority, and not children or other family members.

- 9.9 After working, the second most common reason for placement into band 2 was discretion. Given this, it has been important to ensure that there is clear guidance on and wording in the scheme on where discretion can be applied, including where a head of household has formal caring responsibilities and cannot therefore work or attend formal training.
- 9.10 Housing associations have generally been satisfied with recent performance on nominations. However, there has been no improvement in re-let turnaround for routine Barnet Homes voids but a significant improvement on regeneration lettings. It will be important to continue to monitor void times going forward and this issue will be addressed through the transfer of the Housing Service to Barnet Homes from April 2012.
- 9.11 A further outcome of the review has been how the Housing Allocations Scheme deals with young people under the Community Contribution policy. Under the existing scheme young people prioritised for move on are placed into the priority bands (bands 1 and 2), irrespective of whether or not they make a Community Contribution. However, discussions with housing officers through focus groups, and with staff in the Council's Children Services department, it was strongly felt that where possible young people should be expected to make a Community Contribution in order that they are placed in band 2.

Localism Act

- 9.12 The Housing Allocations Scheme has also been reviewed in the light of permissive reforms set out in the Localism Act 2011. In the past, legislation did not allow councils to adapt and to meet local housing needs. Social landlords did not have enough discretion over how they managed their housing in the best interests of their local community. The reforms, therefore, are intended to make the allocation of social housing fairer and more transparent.
- 9.13 One of the key reasons for Barnet Council when it made the initial changes to housing allocations in April 2011 was the need to refocus a limited resource at the people in the most housing need. This is particularly important in a borough like Barnet with high demand for housing because of excellent schools, green spaces and transport links.
- 9.14 The Localism Act gives councils the flexibility to redefine local connection. The current scheme¹² defines local connection as in Homelessness Code of Guidance 2006. This states that local connection will normally mean that an applicant has lived at least 6 of the last 12 months, or 3 of the last 5 years in the area.
- 9.15 In the revised scheme local connection will normally mean that an applicant has lived in Barnet for at least 2 years. Placement into temporary accommodation (TA) in Barnet by another borough will not normally count while placement into TA in another borough by Barnet normally will. This will ensure that the Council is able to prioritise the limited supply of available social housing to people who have a clear local connection with the borough. However, the Council recognises that there may be exceptional circumstances where the only way an urgent housing need, such as a threat to life or the police have recommended a move for safety reasons, can be resolved is through the use of

¹² This replaced a scheme that gave 200 additional "Barnet Residency" points to applicants who had lived in Barnet for at least 2 years.

discretion and the local connection rules may be waived in these circumstances.

- 9.16 The Localism Act allows councils to specify which classes of person qualify and do not qualify for housing assistance under their allocations scheme so that schemes reflect the fact that there are different levels of demand and need in different places.
- 9.17 Currently some people in housing need are placed into band 4 because they have no local connection or are intentionally homeless, or because they have broken their tenancy agreement. However, as Barnet is an area of high demand, realistically the Council is not in position to offer housing to these households as there are others in higher housing need in Bands 1, 2 and 3.
- 9.18 The Localism Act 2011 allows councils to identify types of applicants who will not be considered for re-housing so that they can target limited resources at the people in the highest housing need. The revised Housing Allocations Scheme proposes that the following applicants will not normally be placed into a housing needs band:
- Applicants with no local connection
 - Applicants overcrowded by 1 bedroom
 - Applicants convicted of housing or welfare benefits fraud
 - Applicants who have refused 2 reasonable offers of accommodation
 - Applicants found to be intentionally homeless
 - Applicants in long-term temporary accommodation
 - Applicants owning rent arrears, unless an agreement to repay them has been made and kept
 - Applicants with assets or income exceeding limits set out in the council's tenancy strategy¹³
 - Applicants in breach of a tenancy condition.
- 9.19 Households in long-term temporary accommodation will be assessed under the Housing Allocations Scheme before their current accommodation comes to an end, or if their current circumstances change.
- 9.20 Defining classes of person who will not qualify will enable the Council to direct its resources at the people in the greatest housing need. It is recognised in the Scheme that there may be exceptional circumstances, such as a threat to life, where discretion may be used and approved by a housing needs manager.

Other changes

- 9.21 Housing law means that certain household members are entitled to succeed to a council tenancy when the tenant dies. This statutory right only applies to the first time that a succession occurs. The policy on discretionary succession has been amended so that any further succession would only happen if the succeeding tenant would qualify for bands 1 to 3 under the revised Housing Allocations Scheme. The Council will have to undertake a Housing Act 1985 Section 102/3 consultation with existing secure tenants on a new tenancy agreement before the policy on discretionary succession can be implemented.
- 9.22 The Council intends to participate in pan-London mobility and the Housing Allocations Scheme has been amended to take account of the fact that 5% of re-lets will be allocated on a London-wide basis to existing social tenants.

¹³ The limits are median earnings for households with children (currently £36,200) and median earnings minus 15% for households without children (currently £30,800). People will also not normally be housed with assets of £20,000

- 9.23 A full list of the changes to the Housing Allocations Scheme, together with explanations, can be found in appendix 2. The full revised rules, with changes highlighted in red text, is located at appendix 1.
- 9.24 To ensure that the amended scheme continues to operate effectively and fairly, it is recommended that the Housing Allocations Scheme is subject to a further review after it has been in operation for 2 years.

Consultation

- 9.25 The Council has consulted on these changes with housing associations operating in the area as is required under the law. The consultation period was from 31 January 2012 to 2 March 2012. In addition, a housing forum meeting was held on 23 February 2012 to discuss the proposals. This also included representatives from the voluntary and community sector. A summary of the consultation responses is shown in appendix 4.

10. LIST OF BACKGROUND PAPERS

- 10.1 Housing Allocations Scheme 6 month review

Legal – BH
CFO – MC/JH

Barnet Council

The Housing Allocations Scheme March 2012

The full rules

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1. Context and Policy Aims

The Aims of Barnet Council's Allocations Scheme

This document describes the criteria and procedure that Barnet Council uses to prioritise housing applicants for the social housing¹ that we allocate to; i.e. homes owned by Barnet Council, and a proportion of homes owned by Private Registered Providers (housing associations) in the Borough and other areas covered by the North London Housing Sub-region² to which we make nominations). It also sets out other assistance that we provide to housing applicants, including advice and access to housing in the private rented sector.

In Barnet the demand for social housing is very much greater than the number of homes available. This Allocations Scheme describes how the Council prioritises housing applicants to ensure that those in greatest housing need, as described by the legal definition of Reasonable Preference (see section 3), are given a head start to access available social housing, compared with those who have no housing need, but who want to move to or within social housing.

Barnet Council's Allocations Scheme sets out in detail who is and who is not assisted under the scheme and how this is decided. It also sets out how to apply for housing and the standard of service that the council will aim to achieve.

The Allocations Scheme is designed to meet all legal requirements and to support and contribute towards the Council's wider objectives such as promoting mixed communities.

The key objectives of this Allocations Scheme are to:

- Provide a fair and transparent system by which people are prioritised for social housing.
- Help those most in housing need.
- Promote the development of sustainable mixed communities.
- Encourage residents to access employment and training.
- Recognise residents who make a contribution to a local community.
- Make the best use of Barnet's social housing.
- Make efficient use of our resources and those of our partner Registered Social Landlords.

Social housing in Barnet will be allocated through a property pool that will allow applicants to view available council and housing association homes, along with homes that the council has secured access to in the private rented sector. The system will be supported by a housing options approach giving applicants realistic

¹ Social housing is housing owned by local authorities and registered social landlords for which guideline rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements, as agreed with the local authorities or with the Homes and Communities Agency.

² Westminster, Camden, Islington, Haringey and Enfield

advice and promoting other housing options, such as low cost home ownership options and private sector renting.

We are committed to providing a fair and transparent service to everyone applying for housing under the Council's scheme and to allocate accommodation, in the majority of cases, to those households with the greatest need. In doing so we are also committed to ensuring that the allocation of homes is done in such a way as to promote social cohesion and promote mixed communities, to enhance Barnet's reputation as a place where people want to live.

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2. LEGAL CONTEXT

- 2.1 Barnet Council's Allocations Scheme sits within a legal framework which is summarised in this section.
- 2.2 The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an Allocations Scheme. A summary of the Allocations Scheme must be published and made available free of charge to any person who asks for a copy. This document and a easy to read summary of the scheme are available on the council's web site, www.barnet.gov.uk and paper copies will be provided on request.
- 2.3 The Housing Act 1996, (as amended) requires local authorities to give Reasonable Preference in their allocations policies to people with high levels of assessed housing need who are defined as:
- All homeless people as defined in Part VII of the Housing Act 1996 (whether or not the applicant is owed a statutory homeless duty and regardless of whether such cases have any local connection with Barnet Council);
 - People who are owed a duty under section 190 (2), 193 (2) or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any Housing authority under section (192 (3).
 - People occupying Insanitary, overcrowded or otherwise unsatisfactory housing;
 - People who need to move on medical or welfare grounds (including grounds relating to a disability);
 - People who need to move to a particular locality within the district to avoid hardship to themselves or others.
- 2.4 The Act also requires local authorities to state within the policy what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them. Our policy on choice is described below in Section 4.
- 2.5 **This Allocations Scheme complies with the requirements of:**
- **Housing Act 1996 (as amended)**
 - **Allocation of Accommodation: Code of Guidance for Housing Authorities 2002**
 - **Choice Based Lettings Code of Guidance for Housing Authorities 2008,**
 - **Fair and Flexible: Statutory guidance on social housing allocations for local authorities in England 2009**
 - **Localism Act 2012**
 - **London Housing Strategy**
 - **Barnet Housing Strategy.**

2.6 The Scheme also complies with the Council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between different racial groups, as well the duty to promote equality between disabled persons and other persons and between men and women.

2.7 This Scheme has considered:

- The Council's statutory obligations and discretion as to who is eligible for housing allocation
- The Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a 'head start' under the Council's Allocations Scheme.
- The Council's statutory discretion to grant "additional preference" and/or to determine priority between applicants with Reasonable Preference.
- The general and specific statutory discretions the Council can exercise when allocating housing in support of its Community Strategy.
- The Council also recognises its discretion to give additional preference to particular descriptions of people with urgent housing needs
- The Council's participation in the pan-London mobility scheme administered by the Greater London Authority

2.8 Tenancies for council homes are allocated according to the council's local tenancy strategy as required as part of the Localism Act 2011. Other registered providers have to take account of the Council's local tenancy strategy when setting their own policies.

OUR PRIORITIES FOR SOCIAL HOUSING

ELIGIBILITY

3.1 Anyone can approach the council for housing advice and assistance, however, the amount of social housing in Barnet is very limited, and the Council will no longer maintain an open housing waiting list³ containing households that it is unable to help access a council or housing association home.

3.2 People in the following criteria are not eligible for re-housing:

Those people subject to immigration control and certain other people from abroad excluded by law or regulation.

For more information on this please contact the Council.

In some instances a person may be eligible despite being subject to immigration control. The Council will disregard as members of the household those who are “restricted”, such as those who are:

- not eligible
- those who are subject to immigration control
- those with no leave to enter or remain in the UK
- those with leave but subject to a condition of no recourse to public funds.

For households eligible to be rehoused only because of the housing need of the restricted persons, the Council has a duty to arrange as far as practicable, an assured shorthold tenancy with a private landlord.

If the main applicant is eligible and not subject to immigration control, non eligible dependant children and other dependant family members **will be** taken into account.

Non dependant adult children, non relatives, carers, lodgers and live in help **will not** be taken into account.

Furthermore, due to shortage of properties with 4 bedrooms or more the Council will discuss with large households whether their application may be divided into two or more smaller households.

CLASSES OF PERSON THAT DO NOT QUALIFY

3.3 Having considered the changes made to the Housing Act 1996 Part VI in the Localism Act 2011, the following classes of person will not normally qualify for a place in a band. There is discretion to waive these classes in exceptional circumstances, as approved by an appropriate manager:

³ Also known as a Housing Register

- a. Applicants with no local connection to Barnet as set out at Para 3.4 (save for applicants placed in band 4 as in section 4 below)
- b. Applicants who are overcrowded by only 1 bedroom and this is their only housing need
- c. Applicants who have been convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation Offenders Act 1974. Any person caught by this may re-apply once this conviction is spent
- d. Applicants who have refused two reasonable offers of accommodation under the terms of this Allocations Scheme, see para 4.24
- e. Homeless applicants found to be intentionally homeless
- f. Homeless applicants to whom the main homelessness duty has been ended due to refusal of a suitable offer
- g. Homeless applicants placed in long term suitable temporary accommodation under the main homelessness duty unless the property does not meet the needs of the household or is about to be ended through no fault of the applicant see para 3,6
- h. Applicants with lawfully recoverable arrears or other housing related debt within the meaning of this Scheme
- i. Applicants whose income or assets exceeds the limits set by the Council (as these limits will change the Officers will use guidance to apply this test)
- j. Homeless applicants but assessed as having no priority need under the homelessness law
- k. Applicants who owe arrears of rent or other accommodation charges to the Council in respect of the current tenancy or former accommodation, unless an appropriate agreement has been reached and sustained for a reasonable period. In assessing the application for registration, the Council will take into account the size of the debt, the means to pay and the degree of need
- l. Applicants in breach of another condition of their Tenancy Agreement and this is accepted by both parties.

ASSESSMENT OF NEED

3.4 The council has developed a housing banding system to determine who will be prioritised for housing in the borough. The housing bands are summarised below and full details are set out in Annex 1:

Band 1: People who have a reasonable preference⁴ and are granted additional preference (being people with a very urgent need to move).

Band 2: People who need to move and fall within one of the reasonable preference categories but also qualify for the positive community contribution

⁴ a) people who are homeless (within the meaning of Part 7);(b) people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3); (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;(d)people who need to move on medical or welfare grounds [(including grounds relating to a disability)]²; and (e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

criteria such as being in employment, training or voluntary work. **People who currently live in supported housing who have been prioritised by Adult Social Care and Health as ready for independent living.**

Band 3: People who need to move and fall within one of the reasonable preference categories but do not qualify for the positive community contribution criteria

Band 4: People who need to move and have been awarded reasonable preference, but have had their preference reduced due to for example, no local connection.

LOCAL CONNECTION

- 3.5 Local connection within the terms of this scheme will normally mean that an applicant has lived in this borough, through their own choice, for a minimum of 2 years up to and including the date of their application, or the date on which a decision is made on their application whichever is later.

Accepted homeless households placed by this authority in accommodation outside Barnet will also have a local connection as long as they fulfil the two year residential qualification (time spent placed by Barnet in temporary accommodation outside the borough will count towards time spent in Barnet.

Local connection may also be awarded to people who need to move to a particular locality in the borough, where failure to meet that need would cause exceptional hardship to themselves or to others. Those without a local connection will not be eligible to be placed in bands 1,2 or 3 until this condition is satisfied.

People in the following categories will not normally be considered as having a local connection:

- Those placed in the borough of Barnet in temporary accommodation by another borough
- Those placed in the borough of Barnet in residential or supported housing by another borough
- Secure or flexible tenants of other boroughs
- Those who do not meet the residential criteria but who have family members in this borough.

- 3.6 Applicants who have been placed in long term temporary accommodation by the Council will not be placed in **a housing needs band**. This will be reviewed if the arrangement is due to expire within the next 3 months or there is a change in circumstances that may increase their priority under this scheme. Long term temporary accommodation includes⁵ private sector properties let via the council or a housing association under a leasing arrangement, and non-secure tenancies on the regeneration estates.

⁵ These examples do not represent an exhaustive list.

- 3.7 Applications for housing will be assessed by Housing Officers using information supplied by the applicant and as a result of further enquiries as appropriate. The Housing Officer will decide whether the applicant falls within the Council's housing banding system and if so which band will apply.
- 3.8 Applicants who are assessed as not falling within one of the Council's Housing Bands will only be offered housing advice and assistance as necessary.
- 3.9 The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:
- Threat to life
 - Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with another tenancy if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
 - Households who, on police advice, must be moved immediately due to serious threats to a one or more members of the household, or whose continuing occupation would pose a threat to the community.
 - Cases nominated under the Police Witness Protection Scheme or other similar schemes that the council has agreed to be part of.
 - An applicant who has an exceptional need that is not covered in the Allocations Scheme. For example, where child or public protection issues require rehousing or for severe domestic abuse where all other options to remain in the home have been considered.
 - Other exceptional circumstances as authorised by the Assistant Director Housing and Environmental Health or equivalent.
- 3.10 Medical priority will be awarded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing suitable alternative settled housing. Applicants who are assessed as having an overriding medical or welfare housing need will be placed in Band 1; the circumstances that justify this are detailed in Annex 1.
- 3.11 We will work together with social services and other agencies looking at supply and demand to identify clients currently in supported housing who are ready for independent living. Subject to these discussions and agreement that the client's housing needs cannot be met outside of social housing, **clients referred by Adult Social Care and Health** will be placed in Band 2, unless there is an urgent need to move in line with the Band 1 criteria.
- 3.12 **Where a young person is identified by Children's Services as ready to move on to other accommodation the young person will be placed in Band 2 or 3 subject to community contribution (unless there is an urgent need to move in**

line with the Band 1 criteria). The amount and type of contribution may vary for young people and the housing needs officer will have discretion to assess this as set out in Annex 3 to this scheme.

CONDITION AND SIZE OF ACCOMMODATION

- 3.13 All accommodation offered will be habitable and in reasonable repair.
- 3.14 The size of accommodation for which each applicant will be considered will depend upon the size and composition of the applicant's household. The requirements for each size of household are set out at Annex 2
- 3.15 Larger accommodation than specified in Annex 2 may be considered in exceptional circumstances on the recommendation of a specialist advisor, for example the Council's Medical Adviser, Occupational Therapy Service, or senior social worker.
- 3.16 In calculating the number of bedrooms available within properties the Council will treat every habitable room as a bedroom except kitchens, bathrooms and one room for use as a living room. The Council will normally consider additional downstairs rooms in houses for use as bedrooms in accordance with Housing Benefit regulations.
- 3.17 Cases of existing secure Council tenants agreed as Management Transfers (due to extreme circumstances such as violent assault, harassment etc) are able to move to alternative accommodation as the only viable resolution to their current difficulties. These moves should however not be at the expense of others. Therefore their move will only be to the same size and type of accommodation as they currently occupy regardless of their actual housing need.

COUNCIL TENANTS

- 3.18 Council tenants wishing to move from their existing home will be assessed in the same way as other applicants applying for housing advice and assistance under this scheme.
- 3.19 Applications for transfer may be made jointly by separate tenants of the Council who wish to apply for housing together, on the condition that both tenancies will be relinquished if the Council makes an acceptable offer of a transfer to a third property.
- 3.20 On occasion it may be necessary for a council tenant to move out of their existing home to allow major works to be carried out or because their home is due to be demolished. In these circumstances, the Council will use its discretion to prioritise a move to a suitable alternative home by placing the tenant in Band 1 at an appropriate time.

- 3.21 Council tenants who have to move because major works are required to their home will have the option of moving back to their original home once the works have been completed.
- 3.22 The Council is undertaking a number of regeneration schemes. Under these schemes a large number of existing council homes will be demolished and replaced with new homes owned and managed by housing associations. Under this allocations policy, existing secure tenants whose homes are due to be demolished will have priority for the new replacement homes being provided on their estate in accordance with the provisions agreed for each estate, before they are made available to any other applicants.
- 3.23 Where a council tenant is imprisoned for a period of more than 12 months, and would therefore either accumulate rent arrears or possibly lose their tenancy, they can voluntarily give up their tenancy. Upon release they would be made a direct allocation of a secure property that meets their needs. The size of accommodation would be the same as their previous tenancy, or a size that meets their needs under the terms of this policy, whichever is smaller. This will not apply to tenants who have been imprisoned in relation to a crime that would enable the Council to seek repossession of their accommodation- where this applies the Council will normally take repossession action.

HOUSING ASSOCIATION TENANTS

- 3.24 Housing association tenants will be assessed in the same way as other applicants applying for housing advice and assistance under this scheme.

MUTUAL EXCHANGES

- 3.25 Secure tenants have certain rights in relation to exchanging their tenancies with other secure tenants and in relation to the circumstances in which a member of their household can succeed to their tenancy. These do not fall within the scope of this allocations scheme, and full details for how these schemes operate can be obtained from Barnet Homes or their Landlord in the case of Housing Association Tenants.

DISCRETIONARY SUCCESSION

- 3.26 Housing law means that certain household members are entitled to succeed to a council tenancy when the tenant dies. This statutory right only applies to the first time that a succession occurs, but beyond this, the council will use its discretion to allow additional successions to take place in the following circumstances:
- The person applying for succession has lived continuously in the property as their principle home for twelve months before the death of the tenant and

- They are the spouse, civil partner, a close relative of the tenant, or someone who had to live with the tenant in order to provide them with care, without which the tenant could not have maintained their tenancy and
- They would qualify for the property they have applied to succeed to under the council's allocations policy.

Where a property is not suitable for the person applying to succeed, for example because it is too large, the council will assist them to find alternative accommodation if they qualify for help under the allocations scheme, this could include an offer of accommodation in the private rented sector.

Where a discretionary succession is agreed, the tenancy will be treated as a new tenancy under the Council's Tenancy Strategy – this means that in most cases a flexible tenancy will be granted, unless the applicant falls within a category of people who will still be granted a lifetime tenancy, for example a former member of the armed forces.

SERVICE TENANCIES

- 3.27 Employees of the council or Barnet Homes who have a service tenancy associated with their employment may be rehoused by the council in certain circumstances as set out in Annex 4. This will be achieved outside of assisted choice through the operation of clause 4.11 of this scheme.

4. **HOW THE COUNCIL ALLOCATES PROPERTIES**

THE PROPERTY POOL AND ASSISTED CHOICE

- 4.1 Barnet Council operates a property pool and assisted choice lettings system. This means that the council will maintain a list of properties that are available to let to housing applicants who fall into one of the housing bands described in Annex 1. This will include properties in the council, housing association and private rented sectors.
- 4.2 Priority for council and housing association properties being let as secure or assured tenancies will be determined by housing band, with those applicants in Band 1 having a greater priority than those in bands 2-4, and those in band 2 having a greater priority than those in bands 3-4, and so on. Within bands, priority will be determined by date order⁶
- 4.3 In considering priority for re-housing between applicants with a similar priority under the banding scheme, the Council will also take account of the immediacy of need of each applicant. This means, for example, that where two applicants in the same band are interested in the same property, preference may be given where one of the applicants is facing a more immediate loss of their existing home than the other.
- 4.4 To avoid the loss of properties available to the Council, properties in the private rented sector will normally be made available on a first come first served basis to applicants across bands 1-4. Where more than one applicant is being considered for a private sector property, priority will be determined by band and date in band.
- 4.5 Applicants will be asked to choose a property or properties to view from a selection of those that are available and meet their needs, and will be asked to accept one of these as their offer of re-housing.
- 4.6 If no suitable properties are available, the applicant's case will remain open until a property becomes available and their Housing Officer will be proactive in working with them to secure a home.

EXCEPTIONS TO ASSISTED CHOICE

- 4.7 Available properties which are adapted or which are suitable for adaptation **and Extra Care and Sheltered Plus housing** or which are otherwise potentially suitable for applicants with a substantial disability or other special **or support** needs may be allocated outside strict banding and date order priority.
- 4.8 An allocation may also be made outside banding priority in the case of a Council tenant who is willing to transfer from a property which s/he does not require and which is particularly suitable for an applicant with **special or support needs**.

⁶ Date order means that date that an applicant was placed in the housing band

- 4.9 Applicants who have a special need for adapted property or other particular type of accommodation which is in very short supply may be invited to consider suitable property which becomes available outside of the areas preferred by the applicants concerned.
- 4.10 Applicants who have given up their council tenancy whilst they are in prison as set out in 3.23 above.
- 4.11 The Council reserves the right to restrict the operation of the property pool to certain groups of applicants or to make direct offers of accommodation to households waiting for re-housing in order to fulfill its fiduciary or housing management duties and responsibilities, including achieving a balance of lettings as set out in the Council's letting plan.
- 4.12 Special allocation arrangements may apply in respect of properties available for letting on new-build developments.
- 4.13 Decisions to allocate properties outside of the property pool and assisted choice under 4.7 to 4.12 will be authorised by a senior housing officer. In addition, decisions under 4.11 and 4.12 will be notified to an appropriate senior representative of the Council.

PAN-LONDON MOBILITY

- 4.14 Barnet Council participates in pan-London mobility (PLM) arrangements⁷ and accordingly up to five percent of the properties that become available to the Council for re-letting or nomination each year will be made available to transferring tenants from other London local authorities participating in the scheme.
- 4.15 Homes under this scheme are allocated according to the PLM allocations scheme rules and not the rules outlined in this scheme. Full details of the PLM scheme can be found at www.london.gov.uk.
- 4.16 Existing tenants of Barnet Council can make transfer applications through PLM to be considered for vacancies in other London local authority areas.

TYPES OF PROPERTY

- 4.17 Some properties or blocks of properties are designated for allocation only to applicants sharing a common characteristic or need, for example:
- Properties in blocks of flats for people aged over 40, or aged over 50.
 - Properties in sheltered housing developments for people over 60,
 - Properties in supported housing schemes offering special services,
 - Individual properties which are adapted or otherwise particularly suitable for applicants who use a wheelchair, or

⁷Currently known as London Moves

- Houses will normally only be allocated to households with children under the age of 10, unless there is an overriding medical or social need for urgent rehousing

SELECTION OF PROPERTIES

4.18 In selecting properties from the property pool for applicants to consider, the Council will normally take into account the following factors:

- The number of bedrooms required (see Annex 2)
- Any essential requirement concerning the type or location of rehousing
- The housing band into which the applicant's case falls

4.19 The Council will not normally take into account:

- Non-essential preferences concerning the location or type of rehousing requested by the applicant.
- An applicant's preference as between an allocation of a Council property, a nomination to a housing association property or **an allocation to the private rented sector**.
- The standard, type or location of the applicant's current accommodation (except where this is related to the assessment of their need)

SUITABILITY OF OFFERS OF REHOUSING

4.20 Where accommodation is offered through the assisted choice process described above, an applicant will normally be expected to accept an offer of a property that meets their specified needs. Suitable offers are those that are deemed as suitable and appropriate to meet the housing and medical needs of the household concerned.

4.21 The Council will seek to take into account applicants' particular or special needs but it will not always be possible to ensure that these needs are met. In considering what is reasonable, the Council will have regard to the overall supply of Council accommodation and the demands placed upon it by all priority groups.

4.22 As a guideline and subject to the individual circumstances of each application, the Council will normally consider that a property is suitable if:

- It is located close to an area which the applicant has selected or an area that the Council considers to be reasonable.
- It is sized in accordance with the criteria in Annex 2.
- It complies with any recommendation made by a Medical or other relevant advisor.

4.23 An offer of accommodation which is arranged by way of a nomination to a housing association will be considered to be as reasonable as an offer of a council tenancy.

4.24 If a housing applicant refuses two reasonable offers of accommodation through the assisted choice scheme or a direct allocation, they will be removed from the banding system.

4.25 An applicant whose housing priority has been reduced to Band 4 under 4.22 will not be entitled to be placed in a higher band under this allocations policy again for a period of 12 months from the date that the Council notified them of its decision, except where there has been a material change in circumstances such that the offer of rehousing would no longer be suitable, for example because of an enlargement in the applicant's household or a deterioration in ill health.

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PROCEDURE FOR APPEALS AND REVIEWS

- 5.1 All applicants have the right to request general information about their application, including whether they are entitled to any preference for housing and whether and when suitable accommodation will be offered to them. Decisions made under this policy will be notified to applicants in writing and applicants are entitled to request information concerning the facts of their case that have been taken into account.
- 5.2 Applicants who are unhappy with a decision made under this policy should in the first instance contact the housing officer who has dealt with their case and explain why they think that the decision is not reasonable.
- 5.3 The applicant will be notified whether the decision still stands and the reasons for this usually within 48 hours
- 5.4 If an applicant wishes to take the matter further, they can make a request for a formal review of the decision within 21 days. In these cases the applicant will be invited to make a written submission stating the reasons for their request for a review and the Council will seek any further information it requires, including advice from medical and other specialist advisors. Formal reviews will be conducted by a team leader or manager within the Council's Housing Service with no previous involvement in the case who will notify the applicant of the outcome of the review including the reasons for their decision within 56 days.
- 5.5 Where an applicant wishes to appeal the suitability of an offer of accommodation under 5.1 of this policy, the property will be held available whilst the appeal is considered where this is not likely to lead to an unreasonable delay in letting the property.
- 5.6 Where an applicant requests a formal review concerning the suitability of accommodation under 5.3 of this policy, the property will not normally be held available whilst the appeal is considered.

GENERAL RULES AND CONDITIONS

DECISIONS

- 6.1 All decisions taken under this policy will be by fully trained housing officers within the Council's Housing Service unless otherwise specified. Housing Officers are supported by Team leaders and Senior Managers.

REQUESTS FOR ASSISTANCE

- 6.2 Requests for housing assistance must be made to the Housing Service. The Council aims to notify applicants of the result of the assessment of their priority under the Housing Banding System within 14 days. However, in cases where a medical assessment or other special assessment is required, it may take longer to notify the result.

PERSONS ELIGIBLE FOR ASSISTANCE

- 6.3 Persons entitled to assistance must be members of the applicant's immediate family who normally reside with the applicant. Any other person or persons will only be considered as entitled if the Council is satisfied that it is reasonable for that person to reside with the applicant. This will normally exclude lodgers or anyone sub letting from the applicant.
- 6.4 The Council may also refuse to consider an application for assistance or someone's inclusion on an application if the person concerned (i.e. other than the applicant) has made a separate housing application.

EVIDENCE OF IDENTITY AND HOUSING CIRCUMSTANCES

- 6.5 All applicants must provide satisfactory evidence of identity and past and current residences for themselves and all household members. The Council will request documentary evidence from each applicant and will conduct such further enquiries as are reasonable in the circumstances. An application will be cancelled if the applicant has failed to provide documentary evidence or other information reasonably required by the Council in order to validate the application.
- 6.6 The Council will normally carry out a visit to each applicant's residence if their priority is sufficient for an allocation of housing under this scheme. Visits conducted will include an inspection of the accommodation and facilities and are normally but not necessarily arranged by appointment.

INCOME AND SAVINGS

- 6.7 All prospective new tenants will be required to supply evidence of their financial income and resources. Where applicants are not able to show current entitlement to Income Support, verification of income and savings will be required prior to applicants being offered accommodation. Households with children who have an income that is at median Barnet earnings (currently £36,200) or households without children who have an income at median Barnet earnings less 15% (currently

£30,770) will not normally be placed into a band or offered social housing. Similarly where applicants have resources above the level set by the Council (£30,000 capital or savings) they will not normally be placed into a band or offered social housing. Households with incomes or assets below these limits will only be banded if they meet the criteria set out in this scheme.

CHANGES OF CIRCUMSTANCES

6.8 Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:

- a change of address, for themselves or any other person on the application.
- any additions to the family or any other person joining the application
- any member of the family or any other person on the application who has left the accommodation.
- any change in income or savings.

6.9 Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary.

6.10 The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant.

INVESTIGATION OF FRAUD

6.11 The Council recognises its duty to protect the public resources it administers. Detailed enquiries about applications will therefore be made in order to guard against misrepresentation and fraud. Such enquiries will be made in all cases where applicants appear to have sufficient priority for an offer for rehousing, and in other cases as resources allow and may be made at any time either at the time of application or subsequently including after any grant of tenancy. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed.

6.12 Any applicant seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances is liable to have his/her application cancelled. Prosecution will be considered where it appears to the Council that a criminal offence has been committed. Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.

MEMBERS OF THE COUNCIL, STAFF MEMBERS AND THEIR RELATIONS

6.13 In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or rehousing from members of the Council, employees of the Council or associated persons must be disclosed. These applications will be

assessed in the normal way but any allocation of housing will require special approval by a Team Leader in the Housing Service.

EQUAL OPPORTUNITIES AND MONITORING

- 6.14 The Council is committed to the principle of equal opportunities in the delivery of all its services.
- 6.15 Applicants will be invited to indicate if they wish to make use of the Council's translation and interpretation services, or if they require other special services as a result of visual impairment, hearing difficulties or other disability.
- 6.16 Confidential interview facilities are provided at all housing offices. There is full access to the housing office at Barnet House for people who use a wheelchair. Home interview services are available for applicants who are elderly or who experience mobility difficulties.
- 6.17 The Council will seek to ensure that its allocation policies are being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender or disability. The information provided will be kept confidential and treated with respect. The council believes it is important to understand the different communities who apply for housing and it is only by asking these questions that we can check we are operating a fair system.
- 6.18 All applicants for housing or rehousing will be asked to provide details of ethnic origin, faith, sexuality and disability. This will not, however, be a requirement for acceptance of an application. Equalities records will be kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly.
- 6.19 Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.

CONFIDENTIALITY

- 6.20 The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.
- 6.21 The disclosure of information about any housing application to a third party is prohibited except on a "need to know" basis in the following circumstances:
- to plan and provide assistance jointly with health and social services agencies in appropriate cases.
 - for the purpose of fraud detection, the prevention of crime, and the promotion of community safety.
 - to enable efficient administration of offers of rehousing, lettings, housing association nominations, and rent and benefit accountancy etc.

- where disclosure is a legal requirement.

ACCESS TO PERSONAL DATA

- 6.22 The Data Protection Act 1998 (DPA) provides individuals with a right to request access to any of their personal data held by the Council, and a right to know where the data came from, how it is used and why it is held. Such a request is called a “subject access request” and applies to personal data in housing files.
- 6.23 Subject access requests should be made in writing to the Head of Housing and must describe the information sought. Applications must state their name and provide proof of their identity, such as a copy of a passport, driving license, or recent utility bill.
- 6.24 Any applications made by third parties on behalf an applicant (for example by a lawyer acting for a client) must be accompanied by written evidence of authority to act. If this is not possible by reason of disability then the Council should be contacted in order to make alternative arrangements.
- 6.25 The Council may charge a £10 fee to handle a subject access request. There is no charge for students, pensioners, staff, benefit claimants and those on Income Support.
- 6.26 Once the Council has received the information, documentation and fee (if charged) referred to above in paragraphs 6.23, 6.24 and 6.25, it must begin processing the request and respond within 40 calendar days. There is a limited range of exemptions from the right of subject access.
- 6.27 Housing files may contain information about other people (third parties), such as details of complaints made by other tenants, or comments made by housing staff. If the Council cannot respond to a request without giving information about other people, it is not obliged to include this information in its response unless they consent, or unless it thinks it is reasonable in all the circumstances to disclose this information without their consent.
- 6.28 Under the DPA applicants may also have the right to challenge tie information held on them and may request the correction of records which they believe to be inaccurate. Such challenges should be made in writing and addressed to the Head of Housing.

ACCESS TO OTHER INFORMATION

- 6.29 Anyone has the right to request access to recorded information held by the Council, either under the Freedom of Information Act 2000 (FOIA) or, for environmental information, the Environmental Information Regulations 2004 (EIRs).
- 6.30 Requests under the FOIA must be made in writing, must include the applicant’s name and a correspondence address and must specifically describe the

information requested. Requests under the EIRs must also comply with these regulations except that they can be made verbally. Please address requests under the FOIA or EIRs to the “FOI Officer” at the Council’s postal address or to foi@barnet.gov.uk.

6.31 Once a valid request has been reviewed the Council must usually respond within 20 working days.

6.32 Requests made by individuals for their own personal data will be treated as “subject access requests” under the DPA (see 6.22 to 6.28 above).

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ANNEX 1 – BARNET HOUSING BANDS

Band 1: Urgent Need to Move due to Reasonable Preference PLUS additional priority and a local connection ⁸	
	Summary Guide of Criteria ⁹
Emergency medical or disability Reasonable preference category S.167(2)(d)	<ul style="list-style-type: none"> • Where an applicant's condition is expected to be terminal within a period of twelve months and rehousing is required to provide a basis for the provision of suitable care. • The condition is life threatening and the applicant's existing accommodation is a major contributory factor. • The applicant's health is so severely affected by the accommodation that it is likely to become life threatening. • The applicant is unable to mobilise adequately in their accommodation and requires rehousing into accommodation suitable for their use. • The applicant's accommodation is directly contributing to the deterioration of the applicant's health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months. • Where overcrowding in the property leaves the applicant at risk of life threatening infection.
Exceptional Circumstances Welfare and Hardship Criteria Reasonable preference category S.167(2)(e)	<ul style="list-style-type: none"> • Emergency need to move determined by the Council and authorised by the Assistant Director for Housing or equivalent.
Exceptional need to move Reasonable preference category S.167(2)(e)	<ul style="list-style-type: none"> • Applicants who need to move due to domestic abuse, extreme violence or extreme harassment. • Extreme violence or harassment will be verified by the Police and/or other agencies as necessary. This may include where a move is necessary to protect a witness to criminal acts. • Agreed in exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is a high risk to the tenant or their family's safety if they remain in the dwelling/area. For social housing tenants

⁸ As defined in paragraph 3.4 of this scheme

⁹ This summary guide of criteria does not represent an exhaustive list of all applicants entitled to reasonable preference

	<p>transfers will be to properties of the same size or smaller if they are under-occupying and type where required, but locations or areas are likely to change.</p> <p>Examples of exceptional circumstance cases are given in the policy at paragraph 3.9</p>
<p>Disability need to move on hardship grounds Reasonable preference category S.167(2)(d)</p>	<ul style="list-style-type: none"> • This is any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces
<p>Release of adapted property Reasonable preference category S.167(2)(e)</p>	<ul style="list-style-type: none"> • Where a tenant is willing to transfer to a suitable non adapted property and is releasing an adapted house or designated older persons property.
<p>Statutory Overcrowded Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Tenants who are statutorily overcrowded
<p>Acute Overcrowding Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Where a household is 3 bedrooms short of the bedroom standard outlined in Annex 2.
<p>Private sector properties insanitary or unfit. Those living in insanitary conditions where the conditions pose an ongoing and serious threat to health; Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Private sector tenants and residents of dwellings that the Council's Private Sector Housing Team has determined that the property poses a category 1 hazard under the Housing Health and Safety Rating System (e.g.: crowding and space, excessive cold or risk of falls) and the Council are satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, <u>and</u> there is no prospect of the problems being remedied within a 6 month time period. • A private sector property either owned or rented where a statutory notice has been issued by the environmental health department that an unfit property is to be demolished under the Housing Act 2004.
<p>Under-occupation Reasonable preference category S.167(2)(e)</p>	<ul style="list-style-type: none"> • Where a secure Council tenant will release a home with two or more bedrooms by moving to a property with fewer bedrooms than they currently have. • Housing association tenants who will release a home with two or more bedrooms are eligible if their landlord agrees that the vacated property can be used for a nomination by the council

Major works or demolition Reasonable preference category S.167(2)(c)	<ul style="list-style-type: none"> Where a council tenant has to move either temporarily or permanently whilst major works are undertaken or where their home is due to be demolished
Foster carers referred by the Council's Children's Service Reasonable preference category 167(2) (d) or (e)	<ul style="list-style-type: none"> Foster carers approved by the Council whose housing prevents them from being able to start, or continue, to provide foster care.

Band 2 Need to move – Reasonable Preference plus Community Contribution and a local connection¹⁰

	Summary of Criteria
Homeless Households owed a full homeless duty under section 193(2) or 195(2). Reasonable Preference categories s167(2) (b)	<ul style="list-style-type: none"> People who are owed a duty under section 193 (2) Or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) -- This means households who are homeless or threatened with homelessness and in priority need Note for cases owed a full homeless duty by any other Council they will receive a reduced preference for not having a local connection to Barnet Council (until they acquire a local connection with the borough).
Overcrowded by the Bedroom standard. Reasonable Preference category s167(2)(c)	Where a household is 2 bedrooms short of the bedroom standard outlined in Annex 2.
Applicants living in unsatisfactory housing lacking basic facilities. Reasonable Preference category s167(2)(c)	<p>Applicants without access at all to any of the following facilities. No access to:</p> <ul style="list-style-type: none"> a bathroom or kitchen an inside WC hot or cold water supplies, electricity, gas or adequate heating <p>Applicants who occupy a private property which is in disrepair or is unfit for occupation and is subject to a Prohibition Order and recovery of the premises is required in order to comply with the Order as defined by Section 33 of the Housing Act 2004.</p> <p>Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.</p>
Medical grounds Reasonable Preference category	Where an applicant's housing is unsuitable for severe medical reasons or due to their disability, but who are not

¹⁰ As defined in paragraph 2.4 of this scheme

s167(2)(d)	housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health.
Hardship or welfare need to move for care or support Reasonable Preference category s167(2) (c) and (d)	Those who need to move to give or receive care that is substantial and ongoing. Those who need to access social services facilities, and are unable to travel across the Borough. Those who need to take up (or continue) employment, education or a training opportunity that is not available elsewhere <u>and</u> who do not live within reasonable commuting distance.
Housing need due to age Reasonable Preference category s167(2)(d)	Older or disabled applicants seeking Retirement or Extra Care or Sheltered Plus housing
Ready to move on from Council accredited supported care schemes Reasonable Preference category s167(2)(c)	An applicant is ready to move to independent settled housing on the recommendation of the support worker or equivalent. The applicant is in need of medium to long term rather than short term ongoing tenancy support. That support package has been assessed and is in place.
Move on from Care Reasonable Preference category s167(2)(c)	A care leaver is ready to move to independent settled housing and is genuinely prepared for a move to independent living. They possess the life skills to manage a tenancy including managing a rent account. The care leaver is in need of either a long term or medium term tenancy support. That support package has been assessed and is in place.
Discretionary Succession	Where the Council has agreed to grant a tenancy under clause 3.26 of this policy.
Existing Foster carers approved by the Council willing to provide care for an additional child Reasonable preference category 167(2) (d) or (e)	Where a Foster carer already providing a home for at least one foster child offers to provide care for an additional foster child

Band 3 : Need to move – Reasonable Preference BUT no Community Contribution and a local connection¹¹

Summary of Criteria

Applicants in this Band will have the same element of housing need / Reasonable Preference as those applicants in Band 2 BUT will not have the Community Contribution or Working Household award as defined section 3 part 3 of the policy. Once a Community Contribution or Working Household award is given, the applicant will be moved into Band 2.

Band 4: Reduced Priority : Need to Move - Reasonable Preference but with Reduced Priority

Summary of Criteria

Applicants owed Reasonable Preference but who have been given reduced priority as they do not have a local connection but are owed, or are likely to be owed, the main homelessness duty under Housing Act 1996 Part VII) 193(2)

Customers in this band have reduced preference and are extremely unlikely to be offered social housing but may be helped to find a home in the private rented sector.

¹¹ As defined in paragraph 2.4 of this scheme

ANNEX 2

SIZES OF HOMES

- The number of bedrooms you need depends upon the size of your family.
- The chart shows the size of home that we consider you need.
- A single parent is counted as a couple and an unborn baby is counted as a child.
- Single people without children are usually offered studios.
- Two children of the opposite sex under ten will be expected to share a bedroom.
- Some retiring staff are contractually entitled to one bedroom more than they need.
- Council or Housing Association tenants trading down from properties with three or more bedrooms may choose a property with one bedroom more than they need
- Sometimes Housing Associations adopt different criteria for determining the number of bedrooms a household requires.

SIZE OF FAMILY	SIZE OF PROPERTY
Single person	Bedsit/single person home
A couple without children	1 bedroom
Two adults of the same sex and generation* for example, flat sharers, or two brothers	2 bedroom
A couple expecting a child or with a child, including an adult son or daughter.	2 bedrooms
A couple with two children of the same sex	2 bedrooms
Two adults of opposite sex who do not live as a couple, for example, brother and sister	2 bedrooms
A couple with two children of opposite sex and both under ten	2 bedrooms
A couple with two children of opposite sex one of whom is over ten	3 bedrooms
A couple with three children	3 bedrooms
A couple with four children (all of the same sex or two of each sex)	3 bedrooms
A couple with two children of the opposite sex under ten and one dependant relative (for example, widowed mother)	3 bedrooms
A couple with four children (three of one sex and one of the opposite sex)	3 or 4 bedrooms depending on the age of the children
A couple with more than four children	4 bedrooms
A couple with three children and one dependant relative	4 bedrooms
*less than 20 years apart but does not apply to parents/children	

ANNEX 3

COMMUNITY CONTRIBUTION: HOW PRIORITY IS AWARDED

Community Contribution

People who play a part in making their neighbourhood strong, stable and healthy – those who help make it a good place to live, work and play – are valuable people. They are the backbone of their community, and the Council believes such people should be allocated social housing to continue contributing to sustaining local communities in the area where they contribute.

The Community Contribution priority scheme is a Barnet Council policy which gives the main applicant or partner increased priority for housing when they have reasonable preference and qualify under the community contribution criteria described below. These applicants will be placed in Band 2 by virtue of this award.

Community Contribution Awards – How they work in practice

Applicants must have a *current positive residence history* to qualify for a Community contribution award.

1. No on-going culpable involvement in anti-social behaviour or criminal activities.
2. No breaches of tenancy within the last 3 years
3. No outstanding **lawfully recoverable** housing-related debt over £100.
4. Not have an outstanding unspent conviction

Increased priority for housing is given to those applicants who demonstrate a commitment to contribute to the Borough's economic growth as working households or who make a contribution by their contribution within communities. Applicants can access increased priority for housing in five ways;

1. Working Households

This policy aims to support the economic growth of Barnet.

We want to encourage people who can, to work and want to raise levels of aspiration and ambition. We will offer increased priority to applicants who are working but are on a low income and will therefore find difficulty in accessing outright Home Ownership or Low cost low Ownership. Applicants who have reasonable preference can receive increased priority to Band 2 by virtue of their "working" status.

Definition of Working Households

Households where at least one adult household member is in employment. For the purposes of this Allocations Policy employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 6 out of the last 12 months. Verification will be sought at point of application as well as point of offer under the same terms. Applicants must provide payslips, P60, bank statements or a verifying letter on headed paper in order to qualify.

2. Volunteering

Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application and the same at point of offer.

Volunteering must be for a not-for profit organisation that is registered with the Volunteer Centre Barnet or recognised by the Council, or a charity that is registered with the Charity Commission or is funded by the Council or another local authority. Tenants and Residents Associations which are constituted are classified as not-for-profit organisation. They must be registered with Barnet Council or a Registered Social Landlord to qualify.

Volunteering must be for a minimum of 10 hours per month.

Evidence required for voluntary work.

A letter on the organisation's headed paper from the manager responsible for volunteers confirming the applicant's involvement in a minimum of 10 hours per month of voluntary work for at least 6 months. This person must not be related to the applicant in any way.

3. Training or Education

We want to encourage people to move closer to gaining paid employment by gaining employability skills and becoming job ready. This may be achieved by attending higher or further education or by accessing a longer vocational course of study or engaging in a programme of work-related training courses. In all cases the course of study must lead to achieving accredited qualifications and / or certification by a registered awarding body.

Study or training may be undertaken at a range of recognised institutions and organisations such as: Further Education College; registered Private Training Provider; registered Voluntary Sector Organisation or University.

To be eligible for the vocational training award a person must initially access a recognised Information, Advice and Guidance (IAG) service, such as *Next Steps for Adults* or *Connexions* for young people up to age 19 years to develop an agreed employment action plan and to be signposted to relevant training providers. Candidates must be working towards gaining employment in a vocational occupation.

A person must have been studying or training against the eligible criteria and definition outlined, for a continuous period of at least 6 months up to the point of application and the same at point of offer. Applicants eligible for out-of-work related benefits must also be registered with Job Centre Plus and accessing mainstream job brokerage provision, thus actively seeking work (this may not apply to full time students dependent on the hours they are studying). This training must be in addition to, or supplementary to any mandatory training required and may be undertaken in conjunction with volunteering to gain further knowledge and experience.

Some people undertaking training are not actively seeking work. Where the Benefits Agency can confirm that the applicant is not required to actively seek work because of their circumstances, for example they have caring responsibilities, their training can be recognised in this policy.

All training must be a minimum of 10 hours a month.

Evidence required for Training element

Further/higher education candidates must supply evidence of:

- letter from college or university confirming participation in course of study for period of 6 months

For vocational training award the following evidence must be provided:

- an agreed employment action plan developed through a recognised IAG service plus verification of steps taken towards achievement of action plan targets
- certificate or letter from a registered awarding body for the course or by a recognised training provider as evidence of gaining a recognised vocational qualification or successfully completing accredited work-related training (over a continuous period of at least 6 months)

4. Ex service personnel

Applicants who have served in the British Armed Forces and lived in Barnet for at least 6 months immediately prior to enlisting, will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army.

Service with the armed forces will be confirmed with the Royal British Legion.

5. Registered Foster Carers

We recognise the contribution that Barnet foster carers make towards ensuring that children in Barnet's care receive a good service. In order to qualify for a community contribution award under this policy, applicants will require a letter from the council's Children's Service confirming that they have been approved as a Barnet foster carer and that they are in a position to take one or more placements.

6. Carers

Applicants who undertake formal care of dependents and are in receipt of DLA higher rate or carers allowance or care element DLA will qualify for the community contribution award under this policy.

7. People with disabilities and older residents

Whilst many older people and those with disabilities work or volunteer, there may be circumstances in which frailty or a disability prevents this, or means that the full eligibility criteria set out above can not be met. Housing Officers will consider such cases on an individual basis and use their discretion to award a community contribution where they consider this is appropriate.

8. Young people

Generally young people (applicants aged 25 and under) will be required to meet the full community contribution criteria outlined above. However housing needs officers will have discretion with regard to the length of time a young person has been in employment. In addition where a young person is able to participate in volunteering and is not in employment or training the number of hours per month required is 20 hours,

Young people referred by Children's Services

In some circumstances a young person in supported housing may not have a full current positive residence history. Where the scheme manager is satisfied that the young person is no longer in breach of their tenancy agreement or licence and is complying with the conditions of the tenancy Housing Officers will consider such cases on an individual basis and use their discretion to award a community contribution where they consider this is appropriate.

Where a young person has been referred by Children's Services the following will qualify for community contribution award:

- Firm offer and proof of acceptance onto formal study or training as set out in paragraph 3 above
- In employment
- Volunteering for 20 hours per month. Volunteering defined in paragraph 2 above

Annex 4

SERVICE TENANCIES

Re-housing for former Service Tenants Length of Service	Eligibility	Entitlement
Less than 7 years	<ul style="list-style-type: none">• Retiring or transferring to non-residential employment• Was a council tenant before taking a service tenancy• Dependent children• Vulnerable because of ill health or disability	Bedrooms according to need (as defined in annex 2 of this Scheme)
More than 7 years	<ul style="list-style-type: none">• Any service tenant leaving employment or transferring to non-residential employment• Spouses/partners left on death or separation	Bedrooms according to need
More than 15 years	<ul style="list-style-type: none">• Retiring or transferring to non-residential employment	1 extra bedroom

APPENDIX 2 - summary of proposed changes

This table summarises the proposed changes to the housing allocations scheme and the reasons for them. The actual wording is shown in red on the full draft scheme.

Para/ page ref	Proposed change	Explanation
2.5	Rewording to make it clearer what the allocations scheme complies with including requirements of Localism Act, the London Housing Strategy and Barnet’s Housing Strategy	Sets out updated and clearer legal context
2.7	Scheme has taken into account participation in pan-London mobility scheme	Pan London mobility is a new scheme which is due to be launched in May 2012. Participation will be subject to Cabinet decision.
2.8	Tenancies to council housing subject to rules set out in council’s tenancy strategy	Provides linkage to the council’s tenancy strategy which is due to be considered by Cabinet in April 2012.
3.2	Define persons who the council may disregard as “restricted” and subject to immigration control	Makes restricted persons section much clearer
3.3	Certain “classes” of person will not be placed into a housing priority band including applicants: <ul style="list-style-type: none"> • with no local connection • overcrowded by only 1 bedroom • convicted of housing or welfare benefits fraud • who have refused 2 reasonable offers of accommodation • found to be intentionally homeless • in long term temporary accommodation • owing rent arrears unless an agreement to repay them has been made and kept • those with assets or income exceeding limits set in the council’s tenancy strategy • in breach of a tenancy condition 	Localism Act 2011 allows councils to specify classes of person who will not qualify for the scheme. This will enable the council to direct its resources to the people in the greatest housing need. This is important because of the limited availability of social housing.
3.5	Local connection in the scheme will normally mean that an applicant has lived in Barnet for at least 2 years of their own choice (i.e. not placed in temporary accommodation in Barnet by another local authority). This is a move away from the current scheme under which local connection is	Localism Act 2011 section 147 gives councils the flexibility to define local connection. This will ensure that the council is able to prioritise the limited supply of available social to people who have a clear local connection with the borough.

Para/ page ref	Proposed change	Explanation
	defined as having lived in the borough for 6 of the previous 12 months or 3 or the previous 5 years.	
3.12	Young people referred by Children's Service will be placed in band 2 or 3 depending on community contribution	This clarifies the way that community contribution will be applied to these cases.
3.26	Discretionary succession- proposal to link this to whether applicant would qualify in Bands 1, 2 or 3 under the allocations scheme. New tenancies to be flexible unless applicant would qualify for a lifetime tenancy under the tenancy strategy.	This provides a fair way of ensuring that council homes are allocated to those that are in housing need, and brings allocations scheme in line with the Tenancy Strategy
4.13	Authority to make direct offers changed to senior housing officer	This has been changed as a result of the changes to the structure of the housing department from April 2012
4.14,4.1 5 4.16	Details of pan-London mobility scheme and link to website	Will enable the council to participate in the pan London Mobility Scheme.
4.19	The council will not normally take into account an applicant's preference as between council, housing association or private rented housing (PRS) when offering properties from the property pool.	From April 2012 the Localism Act enables councils to discharge homelessness duty to people with priority need who are not intentionally homeless into the PRS
6.7	Income and savings to match tenancy strategy- draft tenancy proposes borough median earnings (£36,200) for households with children and borough median earnings less 15% for households without children (£30,770). The Capital/Savings limit will be reduced from £50,000 to £30,000.	These changes bring the allocations scheme into line with the draft tenancy strategy which is due to be considered by Cabinet in April 2012.
6.22, to 6.32	Charging for access to personal information and Freedom of Information	Access to personal data/FOI charges need to comply with the council's current Corporate Governance guidelines
Annex 1- page 25	Housing association tenants who under-occupy their property.	Makes it clear that where the council can nominate back to a property a housing association tenant under-occupying by 2 beds or more will be in the same band as council tenants in the same situation
Annex 1- page 28	Band 4 reasonable preference with reduced priority- people with no local connection but owed, or likely to be owed, the main homelessness duty under Housing Act 1995 Part VIII.	Under the existing scheme, Band 4 includes a large number of cases with low priority for re-housing that the council is unable to help. Many of these cases are in Band 4 because

Para/ page ref	Proposed change	Explanation
	Other reasonable preference categories with reduced priority will no longer be banded in line with 3.3 classes of people that do not qualify for the scheme.	they are intentionally homeless because of rent arrears or a breach of tenancy, have refused reasonable offers of accommodation or have incomes or assets higher than those stipulated in the allocation scheme. This change means that only people who are owed a homeless duty but have no local connection will be included in Band 4, who may be assisted to move into the private rented sector, but are unlikely to be offered social housing.
Annex 2- page 29	Sometimes housing associations adopt different criteria	This is to be clear that the size requirements in the scheme are specific to council homes and housing associations may not apply them in the same way
Annex 3- - page 30	Main applicant or partner can qualify for community contribution under this policy	Makes it clear that children or other household members can not qualify
Annex 3- - page 30	Working must be for 6 months rather than 9 months as in current allocations scheme	This brings working into line with volunteering
Annex 3- page 32	Some people are training but not actively seeking work because the Benefit Agency does not require it. They can still qualify for community contribution	People on ESA or Income Support with a young child or with children on High or Middle rate DLA are not required to find work but may be on training
Annex 3- page 32	Applicants who undertake formal care of dependents and in receipt of higher rate DLA can qualify for community contribution	Formal caring is considered to be a valid community contribution
Annex 3- page 33	Young people referred by children's services are now expected to have a community contribution to be placed into band 2 but the housing officer will have discretion regarding the length of time they have been in employment	Young people can be encouraged to develop their skills by, for example. working or volunteering and they may be on a training course

Appendix 3

Summary Equalities Assessment – proposed changes to the Housing Allocations Policy

1. Introduction

The housing allocations scheme has been operating since April 2011 and this assessment has considered the changes to the scheme following a 6 month review since its implementation and as a result of changes permissible through the Localism Act 2011.

This assessment of the new housing allocations policy has been carried out to ensure that the proposals do not disadvantage any households on the basis of ethnicity, faith, gender, disability, age or sexual orientation (groups with protected characteristics under the Equality Act 2010).

Overall the Council has ensured that due regard has been paid to the equalities implications of the new policy and the impacts on the various diverse sections of Barnet’s communities and residents.

We have considered a range of data and information:

- operation of the current housing allocations scheme
- income and savings data
- the consultation process.

2. Background

The Council’s approach is to try to determine the levels of risks to communities and to the Council, where policies will have a positive impact on some groups and where there is a risk of a potentially detrimental effect on others. Following an initial equalities risk assessment 3 of the proposed changes were identified that may present equalities risks and issues:

- Extending the types of applicants that will not qualify for assistance
- Introducing local connection criteria
- Income and capital thresholds

The EA has considered these risks in detail and sets out our findings and actions to mitigate any concerns identified. These are summarised below against a set of key equalities questions that the council uses when undertaking EA’s.

1. Are there differential service outcomes for the different communities using our services?	2. Measures to re-dress these differences (mitigation / response)
<p>Current records¹ show that approximately 11% of customers currently banded or under investigation for housing will no longer qualify for assistance and further analysis² has shown that people from certain groups will not meet the qualification criteria:</p> <ul style="list-style-type: none"> - A higher proportion of Black households amongst those who would no longer qualify (12% compared to 6% of banded customers). - A higher proportion of people aged 19 – 24 years (24% compared to 14% of banded customers). A slightly higher proportion of disabled people (8.5% compared to 7.2% of banded customers). <p>Further analysis of applicants aged 19 – 24 years that would no longer qualify shows that the main ethnic group is White British requiring 2 bed accommodation and that they are largely female (83%).</p>	<p>The data analysis³ shows that there are no disproportionate differences in gender, bedroom size required (household size), or age (except for younger people, see below).</p> <p>Overall the actual number of households affected is small (see tables) and the improvements to the scheme will ensure that scarce housing resources are being made available to those in most housing need.</p>

¹ Source: Saffron Housing Management Information System

² See tables

³ Limited disability data and no sexual orientation data pending changes to Saffron

<p>The data shows that 12% of customers currently banded for housing or under investigation will no longer meet the local connection criteria.</p> <ul style="list-style-type: none"> - The greatest impact will be on households with 3 bed need⁴ (25% compared to 19% of those with over 2 years residence). - Impact on Asian applicants (19% compared to 14% of those with over 2 years residence). - Next highest impact is on the Black grouping at (26% compared to 23% of those with over 2 years residence). - There is a slight impact on the over 60s but greater impact on people aged between 30 and 50 yrs (59% compared to 48% of banded customers). 	<p>The data shows that there are no disproportionate differences by age, gender or disability.</p> <p>Overall the actual number of households affected is small (see tables) and the improvements to the scheme will ensure that scarce housing resources are being made available to those in most housing need.</p>
<p>For households with children, an income threshold has been set at the median earnings for Barnet which is currently £36,200. For households without children the threshold will be median earnings minus 15% which is currently £30,800.</p> <p>Earnings data is not held on the housing management system but income data from Barnet Homes residents' survey⁵ shows that between 2% and 4% of applicants may be outside the proposed thresholds.</p> <p>Data is not available on the number of applicants with savings over £20,000 however the number is likely to be low since 68% of Barnet Homes tenants are in receipt of housing benefit⁶. The DWP Family Resources Survey⁷ shows that older people are the most likely to have savings over this amount (25% of all households). However 28% of pensioner couples have less than £1,500 in savings. For single male and single female pensioners, the figure is 40%. Over a quarter (26%) of single female pensioners have no savings at all. For single male pensioners, it is 28% and for pensioner couples, it is 17%.</p>	<p>Record applicant income and savings data in order to monitor the impact of the income and capital savings thresholds.</p> <p>Overall the actual number of households likely to be affected is small (see tables) and the improvements to the scheme will ensure that scarce housing resources are being made available to those in most housing need.</p>
<p>A further risk is that information will not be held on non-qualifying cases in future and will not be available to review the data on such applicants.</p>	<p>Although data monitoring and regular reviews of the scheme will continue to be undertaken it will not be possible to directly monitor cases that do not meet the new eligibility or local connection criteria since their applications will not be accepted or recorded. This will be addressed by periodic sampling and through future housing needs surveys or strategic market assessments.</p>
<p>3. What will be the impact of delivery of any proposed new services or functions on satisfaction ratings amongst different groups of residents?</p>	
<p>People who meet the eligibility criteria and income thresholds will be considered through the assessment</p>	<p>Clear and open information will be made available on operation of the new process and</p>

⁴ 4 and 5 person households are also 3% higher than those with over 2 years residence in the borough
⁵ Status Survey 2008
⁶ Savings limit for Housing benefits is £16,000 (in most cases)
⁷ Department of Work & Pensions Family Resources Survey 09/10

<p>process and may have a higher priority for re-housing, for these residents satisfaction is likely to increase. More resources (staff time and potentially accommodation) will be provided.</p> <p>There is a risk that some groups will be less satisfied with the changes.</p>	<p>outcomes.</p>
<p>4. Does the proposal enhance Barnet's reputation as a good place to work and live?</p>	
<p>The review of the scheme and response to the Localism Act demonstrates to residents that the council is able to develop innovative and bold solutions in order to be more cost effective and to tackle inequality. However some groups of residents may feel disadvantaged by the changes and consequently have less trust in the new process.</p>	<p>The system gives an honest and open reflection of the reality of the housing situation in the borough and this has been supported through the consultation.</p>
<p>5. Will members of Barnet's diverse communities feel more confident about the council and the manner in which it conducts its business?</p>	
<p>The changes to the scheme show that the council is continuously reviewing and improving the allocations policy. It has anticipated the flexibilities permitted through the Localism Act to further refine the scheme and to ensure that scarce housing resources are prioritised for local residents and those with a strong local connection in the most housing need. There is a risk that the further changes to the scheme may be more difficult for people to understand how their individual applications have been assessed.</p>	<p>The changes will be publicised and explained to community groups, information should be made available through the voluntary sector.</p> <p>Housing needs officers will be required to explain how they reached their decisions to applicants and applicants will be entitled to have decisions reviewed by a senior member of staff who has had no previous involvement in their case.</p>
<p>6. How will the new proposals enable the council to promote good relations between different communities?</p>	
<p>The proposed changes to the allocations policy are intended to reflect local priorities and to improve efficiency of the scheme. They build on the long term process of explaining how and continue to tackle inaccurate impressions of how housing is allocated. It is important that residents understand the reasons for the changes and that care has been taken to ensure all groups are treated equally.</p>	<p>Publicity about the changes should be presented in a variety of formats and a variety of media including easy read.</p>
<p>7. How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal?</p>	
<p>Statutory consultation has been carried out with registered providers and has also been undertaken through the Housing Forum with other organisations including CommUnity Barnet:</p> <ul style="list-style-type: none"> • 6 week consultation via the Council's website • On line survey 	<p>Information about the proposed changes has been provided through the Housing Forum which includes community and interest groups.</p>

Appendix 4- summary of consultation responses

Subject	Comments	Barnet Council's response
Fair process safeguards	Applicant should have right to respond to a banding decision and senior officer with no prior involvement should review the decision, possibly with involvement of other non-housing professional, e.g.: social services	Applicants do have a formal right of a review and this is completed by a team leader or other senior officer with no previous involvement in the case. Other services are asked to contribute when required.
Removing families in breach of tenancy agreement from banding system	Troubled families in breach of a tenancy condition such as rent arrears may need a multi-agency approach to solve their problems and this is better than removing them from the banding system	Such applicants are currently placed into band 4 even though there is very little chance of them being offered housing because there is a limited supply of housing. The Council has discretion to waive such exclusions in exceptional circumstances. Each individual case will be considered on its merits.
Removing applicants from banding system due to rent arrears	It is recommended that this is modified so that applicants with rent arrears are only excluded if they have failed to keep to an affordable repayment agreement	The individual circumstances of and reasons for any rent arrears will be taken into account in assessing applicants for housing and the Council can use discretion in exceptional circumstances.
2 year local connection	How will this interact with other boroughs, for example, where an applicant has lived in Barnet for 2 years but the last 5 months have lived elsewhere?	In the pre April 2011 scheme the 2 year rule effectively applied with the issuing of additional Barnet residency points. There is discretion to waive this requirement in exceptional circumstances.
Community contribution	Concerns about ability of single parents looking after children being able to work/volunteer to be awarded community contribution. Also concerns about reduced volunteering opportunities due to voluntary sector cuts	We will continue to work with organisations such as Community Barnet to promote opportunities for people to volunteer, including for single parents who are looking after children. We have changed the training element to ensure that single parents who are not required to be actively seeking work but

Barnet Council's response		Comments	
Subject			
Assets limits	These have been changed to replicate the assets limits in the new tenancy strategy but will be kept under review along with the income limits.	Concerns that the assets limits are too low	may be undertaking other training are recognised in the policy.
Discharging homelessness duty into the private rented sector	We strongly agree with this and are reviewing our tenancy relations function. We also intend to only discharge duty to landlords who have been accredited and this is supported by the Mayor of London.	It is recommended that this needs to be complimented by a stronger tenancy relations function	
Recording of requests for assistance	We do not routinely record initial requests for assistance due to limited resources but we will regularly monitor the quality of these decisions by undertaking spot checks, Also the appeals process is open to all applicants, including those who have not progressed to a full assessment.	Some people are turned away at the initial request for assistance stage before a full housing assessment is completed. Is this recorded?	
Overcrowding	We recognise that overcrowding by 1 bedroom can be problematical for a family and if there are other housing needs present we might be able to assist. Unfortunately, because of limited housing we cannot help families whose only housing need is overcrowding by 1 bedroom.	Families have to be overcrowded by 2 or more bedrooms to be able to move, including existing council tenants, but this may be detrimental to health and wellbeing	
Young people being referred by Children's Services	Although young people generally will be expected to make a full community contribution to be placed into band 2 we have recognised the particular circumstances of young people leaving care and being referred on by Children's Services. For these cases	Concerns about young people making community contribution and the use of fixed-term tenancies rather than lifetime tenancies	

Subject	Comments	Barnet Council's response
Fixed-term tenancies	Concerns about giving fixed-term tenancies to vulnerable people, including young people	<p>different rules will apply, for example they should be in employment rather than having worked for six months and they should have an offer of training rather than having been in training for 6 months. There is also discretion on a positive residency history.</p> <p>The reasons for using fixed-term tenancies have been set out in detail in the tenancy strategy. Young people and other vulnerable single people will be offered support and assistance during the fixed term tenancy to ensure it is sustainable. Individual circumstances will be reviewed towards the end of a fixed-term and young people will be offered guidance and support.</p>

Meeting	Business Management Overview and Scrutiny Committee
Date	18 April 2012
Subject	Website Transformation Project
Report of	Chief Executive's Service / Governance Service
Summary	A new Council website (including a replacement committee papers content management system) is scheduled to go-live on 17 April 2012. The Chairman has requested that officers from the Chief Executive's Service and Governance Service make a presentation to the committee on the new website and answer any questions arising.

Officer Contributors	Chris Palmer, Assistant Director (Communications) Andrew Charlwood, Overview and Scrutiny Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	N/A
Reason for urgency / exemption from call-in	N/A
Function of	Business Management Overview and Scrutiny Committee
Enclosures	None
Contact for Further Information:	Andrew Charlwood, Overview and Scrutiny Manager, 020 8359 2014, andrew.charlwood@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the Committee consider the presentation on the new Council website and make appropriate comments and/or recommendations.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Delegated Powers Report 1554, 29 January 2012, Committee Papers Replacement System – the Director of Corporate Governance approved under delegated powers the procurement of a replacement committee papers content management system.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.

- 3.2 The three priorities in the Corporate Plan 2012-13 are: –

- Better services with less money
- Sharing opportunities, sharing responsibilities
- A successful London suburb

- 3.3 Under the priority of 'Better services with less money', the council has the following strategic objective: An efficient council, with services designed to meet the changing needs of residents. In order to achieve this objective, the following major project has been identified: Promote greater transparency and local accountability by making more information easily accessible via an enhanced website.

4. RISK MANAGEMENT ISSUES

- 4.1 Risk management implications as they relate to the replacement committee papers content management system are addressed in Delegated Powers Report 1554.

- 4.2 Failure to deliver an enhanced website in accordance with the provisions of the Corporate Plan 2011-13 carries a reputational risk to the Council.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Under the Equality Act 2010, the council and all other organisations exercising public functions on its behalf must have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; b) advance equality of opportunity between those with a protected characteristic and those without; and c) promote good relations between those with a protected characteristic and those without. The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy; maternity; race; religion or belief; sex; and sexual orientation. The duty to eliminate discrimination also extends to marriage and civil partnership.

5.2 The new committee papers system will enable web content which relates to committee meetings to be tagged and indexed, improving the ability of website users to access relevant information. Furthermore, linking committee papers web content to the overall council website will improve accessibility for all groups.

5.3 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 Any financial implications will be managed within existing Service Directorate budgets.

7. LEGAL ISSUES

7.1 As addressed in the Delegated Powers Report 1554, section 100B of the Local Government 1972 (as amended by the Local Government (Access to Information Act) 1985) requires the council to publish agendas of formal meetings of the council a minimum of five clear working days in advance of the meeting. The proposed installation of new committee papers content management system is to enable the council to (i) meet its statutory obligation on an ongoing basis; and (ii) manage permissions around exempt information, as permitted by sections 100 A-G, I, and Schedule 12A of the Local Government 1972, to ensure that only those who are entitled can have access to the information electronically.

8. CONSTITUTIONAL POWERS

8.1 The scope of Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Constitution.

8.2 The Terms of Reference of the Overview and Scrutiny committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).

8.3 The Business Management Overview and Scrutiny Committee has within its terms of reference responsibility for the review of policies and strategies not within the remit of other overview and scrutiny committees.

9. BACKGROUND INFORMATION

9.1 The new Council website is scheduled to go-live on 17 April 2012. The Chairman has agreed that officers from the Chief Executive's Service should

deliver a presentation to the Committee on the progress of the Website Transformation project to date.

- 9.2 In addition to the new Council website, the Governance Service are delivering a new committee papers content management system which will also go-live 17 April 2012. Officers from the Governance Service will deliver a presentation to the Committee on the new system.

10. LIST OF BACKGROUND PAPERS

- 10.1 None

Cleared by Finance (Officer's initials)	JH/MC
Cleared by Legal (Officer's initials)	POJ

Meeting	Business Management Overview and Scrutiny Committee
Date	18 April 2012
Subject	Overview and Scrutiny Annual Report 2011/12
Report of	Scrutiny Office
Summary	The Overview and Scrutiny Annual Report, attached at Appendix A, provides the Council with details of overview and scrutiny work undertaken during 2011/12.

Officer Contributors	Andrew Charlwood, Overview and Scrutiny Manager Melissa James, Overview and Scrutiny Officer John Murphy, Overview and Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Overview and Scrutiny Annual Report 2011/12
For decision by	Council

Contact for further information:
 Andrew Charlwood, Overview and Scrutiny Manager
 020 8359 2014, andrew.charlwood@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the Committee endorse the Overview & Scrutiny Annual Report 2011/12 as set out at Appendix A for onward referral to Council.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Council, 19 May 2009, 'Report of the Special Committee (Constitution Review), 21 April 2009, 'Overview & Scrutiny: New Arrangements'
- 2.2 Policy and Performance Overview & Scrutiny Committee, 13 April 2010, 'Scrutiny Review of Effectiveness'
- 2.3 Business Management Overview & Scrutiny sub-Committee, 16 December 2010, 'Overview & Scrutiny Review'
- 2.4 Policy and Performance Overview & Scrutiny Committee, 6 April 2011, Overview & Scrutiny Review
- 2.5 Special Committee (Constitution Review), 6 April 2011, Overview & Scrutiny Review
- 2.6 Annual Council, 17 May 2011, Report of the Special Committee (Constitution Review)
- 2.7 Business Management Overview and Scrutiny Committee, 11 July 2011, Overview and Scrutiny Annual Report 2010/11
- 2.8 Council, 12 July 2011, Overview and Scrutiny Annual Report 2010/11

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priorities in the Corporate Plan 2012-13 are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 None in the context of this report.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010, the Council has a legislative duty to have 'due regard' to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.
- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Any financial implications will be managed within existing budgets.

7. LEGAL ISSUES

- 7.1 Overview and Scrutiny is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. Councils operating Executive Arrangements are required to create an Overview and Scrutiny Committee which is composed of councillors who are not on the Executive Committee of that council.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Constitution.
- 8.2 The Terms of Reference of the Overview and Scrutiny committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).
- 8.3 Overview and Scrutiny Procedure Rule 7 requires that the Business Management Overview and Scrutiny Committee will, each year, produce an Overview and Scrutiny Annual Report for Council.

9. BACKGROUND INFORMATION

- 9.1 Revised Overview & Scrutiny arrangements have been introduced in May 2009 and May 2011.
- 9.2 When the revised scrutiny arrangements were implemented in May 2009, it was agreed that the effectiveness of the Scrutiny function should be reviewed annually.
- 9.3 In accordance with the requirement, a review of effectiveness was carried out in early 2011. As a consequence of the findings of the review, the Council adopted a revised Overview & Scrutiny structure in May 2011.
- 9.4 Under the current structure, the Council has four Overview & Scrutiny Committees, together with scope for the establishment of Panels and Task and Finish Groups.
- 9.4 **Appendix A** provides a summary of the work undertaken by Barnet's Overview and Scrutiny Committees, Panels, and Task and Finish Groups during 2011/12.
- 9.5 The Committee are requested to endorse the Overview and Scrutiny Annual Report 2011/12 for reporting to Council on 10 July 2012.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

Cleared by Finance	JH/MC
Cleared by Legal	POJ

Barnet Council

Overview and Scrutiny Annual Report

2011/12

What is Overview and Scrutiny?

The Overview and Scrutiny function was formally introduced in local authorities by the Local Government Act 2000, and later extended under the Health and Social Care Act (2012) for (Health Scrutiny), as part of the, then, government's modernisation agenda.

Overview and Scrutiny is delivered through a committee structure and Councillors who are not part of the Executive sit on these Committees. Overview and Scrutiny Committees hold the Council's Cabinet to account by examining various functions of the Council, asking questions about how decisions have been made and considering whether service improvements are needed. Overview and Scrutiny raises issues that are important to local people and scrutinises the performance of the Council and partner organisations. It is a key mechanism for driving forward service improvement.

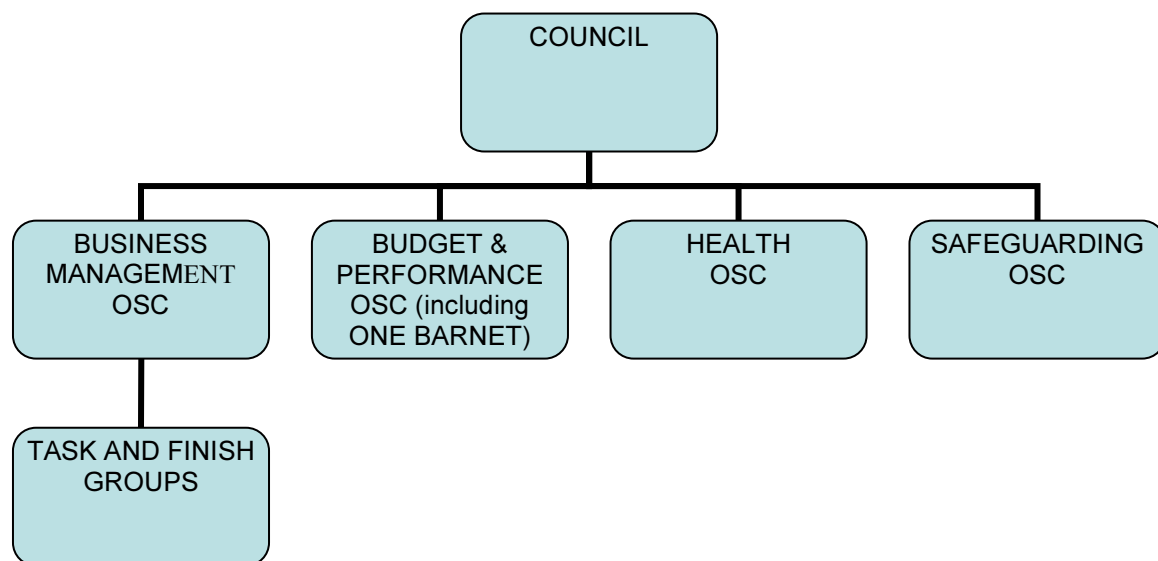
The Centre for Public Scrutiny *Good Scrutiny Guide* defines four principles of effective public scrutiny:

1. **Challenge:** to provide a "critical friend" challenge to executive policy-makers, external authorities and decision-makers
2. **Engagement:** to reflect the voice and concerns of the public and its communities
3. **Leadership:** to support Community leadership and effective representation
4. **Performance Improvement:** to drive improvement in public services

Overview and Scrutiny at Barnet

The London Borough of Barnet has 63 Councillors. The Executive (or Cabinet) is made up of the Leader of the Council and nine other Councillors. The other remaining non-executive Councillors are appointed to sit on Overview and Scrutiny Committees or other committees (e.g. planning or licensing committees) which are responsible for carrying out a range of governance functions for the Council.

In 2011-12 Scrutiny was delivered under the following structure:



Under this structure there are two committees which deal with statutory matters (Health Overview & Scrutiny Committee and Business Management Overview & Scrutiny Committee) and two other committees (Budget & Performance Overview & Scrutiny Committee and Safeguarding Overview & Scrutiny Committee). This structure was implemented in May 2011 following a review of the scrutiny arrangements introduced in May 2009.

Task and Finish Groups

Task and Finish Groups comprise five elected councillors who work together to undertake in-depth reviews of a service, policy or issue of concern to local people. Task and Finish Groups are time limited and normally complete their review within three months of being established, although this is flexible dependent on the topic under review.

The Business Management Overview & Scrutiny Committee is responsible for coordinating and monitoring the work of Task and Finish Group. The Committee consider topics suggested by non-Executive Members and determine which will progress to review. Once a review has been convened, political groups nominate councillors to serve on each Task and Finish Group. Task and Finish Groups are empowered to determine their own terms of reference and what evidence they wish to receive. At the conclusion of a review, the Task and Finish Group will make evidence based recommendations to the Cabinet or relevant partner organisation.

During 2011/12, five Task and Finish Groups have completed reviews into topics agreed by the Business Management Overview & Scrutiny Committee. The Task and Finish Groups completed this year include:

- Early Intervention and Prevention (Children's Services);
- Fostering and Adoption Recruitment;
- Contract Monitoring and Community Benefit;
- Carbon Footprint; and
- Health and Social Care Integration.

The Health and Social Care Integration Task and Finish Group which reported its findings to Cabinet on 4 April 2012, was a pre-decision scrutiny study. It is anticipated the findings of the Task and Finish Group will be used to inform the Strategic Outline Case for Health and Social Care Integration projects taking place with the Council and health partners.

During 2011/12, the Scrutiny Office introduced a mechanism to track the progress made by the council (or public sector partners) in implementing recommendations made by Task and Finish Groups which had been accepted by the relevant decision making body. Updates are regularly reported to the Business Management Overview & Scrutiny Committee, providing Scrutiny Members with an opportunity to monitor the outcomes of their work and challenge areas where they feel inadequate progress has been made. Further improvements to these arrangements will be delivered during 2012/13.

Overview and Scrutiny Panels

Scrutiny Panels operate in a similar way to Task and Finish Groups but comprise seven members (with substitutes) and some of their meetings are held in public. Scrutiny Panels also review services, policies or issues of concern to local people. In 2011/12 the Business Management Overview & Scrutiny Committee convened a Scrutiny Panel to consider the Supply of Secondary School Places in the borough.

This Panel was convened to respond to parental concerns about a lack of co-educational, non-selective secondary community school places in the south of the borough. In conducting the review, the Panel sought to engage with as many parents as possible who were considering options for secondary schools. As part of the evidence gathering, the Panel commissioned a survey of Year 5 parents in Barnet schools (both state and private) to identify the most important factors for parents in selecting a secondary school. In addition, written and oral submissions from parents and parent governors from local primary schools to hear about the issues parents were facing. Parents were also given an opportunity to address the Panel, Cabinet Member for Education, Children and Families and the Director of Children's Services.

A site visit was undertaken to an undersubscribed secondary school to speak to the Head Teacher about recent improvements in standards and his vision for the school.

Findings of the review were reported to Cabinet on 20 February 2012 and the Scrutiny Office will monitor outcomes arising through the recommendation tracking mechanism.

Pre-Decision Scrutiny

In 2011/12, all Overview and Scrutiny Committees regularly reviewed the Cabinet Forward Plan at their meetings to determine if there were any decisions that they wished to examine or comment upon before they were made. This involved Overview and Scrutiny Committees requesting reports, questioning Officers and Cabinet Members, and raising the concerns of local people and stakeholders. In some cases, Overview and Scrutiny Committees made comments and recommendations to the Cabinet or Cabinet Resources Committee which were considered in advance of the decision being taken.

Overview and Scrutiny Committees

Business Management Overview & Scrutiny Committee

The Business Management Overview & Scrutiny Committee continued its management of the call-in process, appointed to and monitored the work of five Task and Finish Groups and an Overview and Scrutiny Panels, and undertook pre-decision scrutiny of the Cabinet Forward Plan. It also considered reports on:

- Hendon Football Club
- Strategic Library Review / Library Strategy
- Regeneration Strategy
- Housing Strategy
- Finchley Church End Town Centre Strategy
- One Barnet – Future of Housing Services
- One Barnet – Local Authority Trading Company Business Case

Petitions

Following legislative changes arising from the Local Democracy, Economic Development and Construction Act 2009, the Committee took on additional responsibility for considering petitions which had received in excess of 2,000 signatures, triggering an provision to 'call an officer to account'. Petitions were considered in relation to the following issues:

- Hampstead Garden Suburb Library
- Friern Barnet Library
- Reverse Parking Charges Petition
- Pedestrian Safety, East Finchley

Call in

The Business Management Overview and Scrutiny Committee has the (statutory) power to 'call-in' a qualifying key decision before it is implemented. Calling-in a decision allows Overview and Scrutiny Members to review and challenge key decisions after they have been taken, but before implementation. Cabinet Members and Officers regularly attend the Business Management Overview &

Scrutiny Committee to answer questions and provide information to the Committee members.

Only key decisions as defined by Article 13 (b) (i) of the Constitution may be called in under Section 21 of the Local Government Act 2000.

A key decision under Article 13 (b) (i)

- a. must involve expenditure or savings in excess of £500,000 as well as otherwise being significant having regard to the council's budget for the service or function to which the decision relates, or
- b. to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough

In 2010/11, the Business Management Overview and Scrutiny Committee considered 17 requests call-ins. Full details of the items called in during 2011/12 are shown in Appendix 1.

Budget and Performance Overview & Scrutiny Committee

In 2011/12 the Budget and Performance Overview & Scrutiny continued its regular scrutiny of the Council's corporate performance information and improvement initiatives, and financial performance data. During the year, changes were made to the methodology for reporting corporate performance and financial outturn information, enabling Committee Members to pre-select issues of concern and receive briefings from Cabinet Members and officers. These revised arrangements will be kept under review in 2012/13, with adjustments made as appropriate.

During the year, the Committee considered reports on:

- Achieving Independence for Older People
- Waste and Recycling Performance
- Cashless Parking Operations
- Future of the Parking Service: Business Case
- One Barnet – New Support Organisation and Customer Services Organisation: Business Case
- One Barnet – Youth Offer Closure Report
- One Barnet – Adults In-House Service Review: Project Update

- Barnet Homes Quarter Four Performance Report
- One Barnet – New Support / Customer Services Organisation Output Specification
- One Barnet – Passenger Transport Service Delivery Recommendations
- Corporate Performance Results 2011/12
- Self Directed Support and Personal Budgets
- Development and Regulatory Services
- Parking Services
- Members Item – One Barnet Costs and Savings Breakdown
- One Barnet – Programme Highlight Report
- Quarter 3 2011/12 Corporate Performance
- Number of New Dwellings Started on Regeneration Schemes – Performance Update
- Barnet Homes Performance Report, April – December 2011
- Young People Not in Education, Employment or Training

Scrutiny of the Council's budget remained the key focus of the Committee. The November 2011 meeting was dedicated to scrutinising the proposals contained in the Cabinet report on Business Planning 2012/13 to 2014/15. Representatives from the Council's three other Overview and Scrutiny Committees were invited to attend and make representations to Cabinet Members on the budget proposals. Detailed and robust questions were put to Cabinet Members on the proposals relating to their service areas and recommendations were made for the Cabinet to take into account before the final budget was agreed by Council.

Safeguarding Overview & Scrutiny Committee

Throughout 2011/12 the Safeguarding Overview and Scrutiny Committee continued its scrutiny of the work of the Independent Safeguarding Children's Board, and Barnet's Multi- Agency Safeguarding Board. The Committee's work programme reflected the work taking place to drive improvements in the provision of education and social care for children and young people and adults in need of social care support.

In 2011/2012 the Committee scrutinised reports on:

- the Council's Child Protection Performance,
- Implications of the Special Educational Needs Green paper
- The Local Authority's changing relationship with Schools.
- Plan to address the recommendation of the Ofsted Inspection of Safeguarding and Looked After Children
- Children's Services Governance Structures
- Annual Complaints 2010/11(Adult Social Care)
- Local Account of Adult Social Care Services
- Transforming Child and Adolescent Mental Health Services in Barnet, Enfield and Haringey

The Committee also considered a joint Adult and Children's Services report on the Council's current safeguarding governance arrangements including levels of activity and the Council's Safeguarding responsibilities. Further scrutiny of the changing workforce approach to Safeguarding following the Munroe Review of Child Protection and its implications for Children's Services social work teams was also undertaken by the Committee.

Health Overview & Scrutiny Committee

The Health Overview and Scrutiny Committee had a very productive and challenging work programme in 2011/12. The work programme reflected changes facing local NHS services and the wider national health reforms. The Committee scrutinised the Quality Accounts of Barnet's health providers and provided statements for inclusion in each. The Committee also received reports on:

- Developing Dementia Services at the Royal Free Hospital
- Deep Vein Thrombosis
- Alzheimer and Dementia Services
- Child and Adolescent Mental Health Services
- Barnet's Joint Strategic Needs Assessment
- Fracture Clinic (Barnet General Hospital)
- Mental Health and Carers Procurement and Finances

- Mental Health Quality, Innovation, Productivity and Prevention Programme (QIPP)
- Elysian House / Springwell Centre
- Ear, Nose and Throat Services
- Maternity Services at Barnet and Chase Farm Hospital – Response to Care Quality Commission Review
- Cancer Care Model
- Barnet Hospital Parking
- Update on the Barnet Health and Wellbeing Board
- Barnet Clinical Commissioning Group
- Barnet Local Involvement Network Annual Report
- Barnet and Chase Farm Hospitals Update Report
- Health and Well Being Strategy

In January 2012, the Committee received support from the Centre for Public Scrutiny (CfPS) for developing a scrutiny framework for the Ageing Well Programme. A CfPS Expert Advisor assisted Scrutiny Members to develop and use a framework for evaluating potential scrutiny topics to ensure that only items of genuine public concern were included on the Committee work programme. The Scrutiny Office will work with Member on developing the Ageing Well framework, and developing a scrutiny framework that can be applied to the work programmes of all of the Council's scrutiny committees.

The Committee's Chairman and Vice Chairman continued to represent Barnet at meetings of the North Central London Sector Joint Health Overview and Scrutiny Committee, alongside neighbouring Councils, Enfield and Haringey. These meetings were attended by Senior Staff of NHS services across the North Central London sector where trends, pressures and priorities were regularly discussed. Minutes of the Joint Health Overview and Scrutiny Committee are now included in agenda for the Barnet Health Overview and Scrutiny Committee to ensure that Barnet Members have an effective oversight of this work.

Appendix 1 – Call-ins

Total Number of Call-ins by Year:

Year	Number
2006-07	53
2007-08	45
2008-09	40
2009-10	11
2010-11	24
2011-12	17

Detail of Call ins:

Date	Item called in
1 June 2011	Fairer Contributions Policy
1 June 2011	Adults In-House Business Case
11 July 2011	Safeguarding in Barnet
11 July 2011	Draft Corporate Plan 2011-13
11 July 2011	New Support and Customer Services Organisation Business Case
11 July 2011	Graham Park Area Regeneration Project
5 September 2011	Strategic Library Review

Date	Item called in
5 September 2011	Re-provision of Parking Services
16 November 2011	Housing Strategy
16 November 2011	Regeneration Strategy
16 November 2011	North London Waste Authority Inter- Authority Agreement
9 January 2012	Ex Hendon Football Club Ground and adjoining land Claremont Road, Hendon – Sale of Freehold Interest to Montclare Developments Ltd
9 January 2012	Award of Contract – Parking Enforcement and Related Services
9 January 2012	Environment, Planning and Regeneration Fees and Charges for 2012/13
29 February 2012	New Support and Customer Services Organisation: Business Case Update and Shortlist for Dialogue 2
29 February 2012	Community Library Process
29 February 2012	Governance of Strategic Partnerships

Meeting	Business Management Overview & Scrutiny Committee
Date	18 th April 2012
Subject	Task and Finish Groups / Scrutiny Panels – Recommendation Tracking
Report of Summary	Scrutiny Office This report provides the Committee with an update on the implementation of recommendations made by Overview & Scrutiny Task & Finish Group accepted by Cabinet.

Officer Contributors	Melissa James , Overview & Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Task & Finish Group Recommendations
For decision by	Business Management Overview and Scrutiny Committee

Contact for further information:

Melissa James, Overview & Scrutiny Officer, Corporate Governance Directorate
020 8359 7034, melissa.james@barnet.gov.uk

1. RECOMMENDATION

- 1.1 That the Committee consider and comment on the progress made in implementing Task & Finish Group/ Scrutiny Panel recommendations accepted by Cabinet, as set out in Appendix A.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 10 October 2010, Decision 5 (Report of the Business Management Overview & Scrutiny Sub-Committee: Task and Finish Group: Service Options for Remodelling Older People's Housing with Support)
- 2.2 Cabinet, 10 October 2010, Decision 8 (Report of the Business Management Overview & Scrutiny Sub-Committee: Task and Finish Group: Council's Response to Cold Weather)
- 2.3 Cabinet, 1 January 2011, Decision 6 (Report of the Housing Allocations Overview and Scrutiny Panel: Majority and Minority Reports)
- 2.4 Safer Communities Partnership Board, 7 March 2011, Item 2 (Report of the Domestic Violence Task and Finish Group)
- 2.5 Cabinet, 14th September 2011, Decision 11 (Report of the Fostering and Recruitment Task and Finish Group)
- 2.6 Cabinet, 20th February 2012 Decision 10 (Report of the Supply of Secondary School Places Overview and Scrutiny Panel)

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to monitor the progress made in implementing recommendations made by Task & Finish Groups and Overview & Scrutiny Panels which have been accepted by Cabinet carries a reputational risk to the authority through a failure to demonstrate the outcomes from Overview and Scrutiny work.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 ("the Act"), the council has a legislative duty to have 'due regard' to eliminating unlawful discrimination, advancing equality

and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.

5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the responsibility of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role with respect to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 Task and Finish Group reviews have the scope to consider value for money issues which identify how well the Council is managing and using its resources to deliver value for money and better and more sustainable outcomes for local people.

6.2 Where there are financial implications linked to recommendations, these are identified by the Task and Finish Group/Scrutiny Panel for Cabinet to consider alongside recommendations.

6.3 Any financial implications will be managed within existing Service Directorate budgets.

7. LEGAL ISSUES

7.1 Under Section 21 of the Local Government Act 2000, the Council's executive arrangements are required to include provision for appointment of an Overview and Scrutiny Committee with specified powers, including the power to make recommendations in respect of council functions. In respect of the exercise of the Business Management Overview and Scrutiny Committee's powers to coordinate and monitor the work of overview and scrutiny task and finish groups / scrutiny panels, it is good practice to monitor the progress and impact of recommendations made.

8. CONSTITUTIONAL POWERS

8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.

8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).

- 8.3 Item 8 of Business Management Overview & Scrutiny Committee Terms of Reference states that its role is:

“To coordinate and monitor the work of scrutiny panels and task and finish groups, including considering reports and recommendations and referring to the relevant decision-making body.”

9. BACKGROUND INFORMATION

- 9.1 In May 2009, the council adopted a ‘task and finish’ group approach to some of their overview and scrutiny work. Council agreed that task and finish groups would be time-limited to ensure that recommendations were made to the relevant decision-making body in a timely manner. On the whole, task and finish groups have completed their work over a three-month period. However, this timescale is flexible where circumstances mean that a review should be run over a shorter or extended period.

- 9.2 Since May 2009, a total of eleven task and finish groups and scrutiny panels have concluded their work on the following topics:-

- Enterprise in the Borough (3rd February 2010)
- School Places Planning (3rd February 2010)
- Advice Provision in the Borough (22nd February 2010)
- Homelessness and Young People (12th April 2010)
- Road Resurfacing (12th April 2010)
- Recycling and Waste Minimisation (6th September 2010)
- Remodelling Older People’s Housing with Support (20th October 2010)
- Council’s Response to Cold Weather (20th October 2010)
- Housing Allocations Overview and Scrutiny Panel (10th January 2011)
- Domestic Violence (7th March 2011)
- Fostering Recruitment (14th September 2011)

Dates that these groups reported their findings to Cabinet are detailed in brackets.

- 9.3 A further four task and finish groups have recently completed their work :

- Health and Social Care Integration (4th April 2012)
- Early Intervention and Prevention Services (Children’s Services) (4th April 2012)
- Contract Monitoring and Community Benefit (4th April 2012)
- Carbon Footprint (4th April 2012)
- Secondary School Places Overview and Scrutiny Panel(9th January 2012)

- 9.4 In order for the Business Management Overview and Scrutiny Committee to have an effective oversight of the work of task and finish groups, it is important for council services (or external bodies) to evidence the extent to which recommendations accepted by the Cabinet (or external agency) have

been implemented. To this end, the Scrutiny Office requested that services provide an update on the implementation of accepted recommendations at six-monthly intervals (from the date of reporting to Cabinet or external agency).

9.5 Updates are now due in relation to the following task and finish groups and overview and scrutiny panels:

- Remodelling Older People's Housing with Support
- Housing Allocations Overview and Scrutiny Panel
- Domestic Violence
- Fostering and Recruitment

9.6 An update from services in relation to the scrutiny panels/task and finish groups (referred to at 9.5 above) is set out at **Appendix A**. The Committee are requested to comment on information provided in the update report.

9.7 Information contained within the Task and Finish Group update report will also be circulated to Members that served on the relevant task and finish. Those Members will be requested to feed back any comments that they have on the updates provided by services to the Business Management Overview and Scrutiny Committee Chairman and Scrutiny Office. Any comments will be reported to the Committee to enable appropriate action to be taken.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Legal: JH

Finance: MC/JH

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Key:

Green = fully implemented

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Domestic Violence Task and Finish Group – Safer Communities Partnership Board, March 2011			
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation One:</u> Consider commissioning psychological support services for child victims/witnesses of domestic violence to tackle the intergenerational cycle of violence in families” Agreed subject to resources	GREEN	<u>Safer Communities Partnership Board response to recommendation:</u> Agreed subject to resources <u>Update March 2012:</u> There are a number of projects in place including: Intensive Family Focus work which includes clinical psychology support; the Safer Families Project work; a youth engagement officer through Victim Support working on healthy relationships including work with the current DV agencies in the borough.	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children’s Service
Recommendation to SCPB (Not accepted)	Status	Information	Contact Officers
<u>Recommendation Two:</u> Amend the title of Barnet’s Multi-Agency Domestic Violence Strategy 2010/11 – 2012/13 to Barnet’s Call to End Violence against Women and Girls Strategy 2010/11 – 2012/13 to assist in	AMBER	<u>Safer Communities Partnership Board response to recommendation:</u> Not agreed at the time as the initial priority was to make progress on domestic violence rather than this wider, albeit important, agenda. <u>Update March 2012:</u> There is a commitment to review the existing strategy with partners during the summer of 2012 and then draft a new one for 2013/14 and beyond. This issue can be reconsidered as part of this process, subject to endorsement from Safer Communities Partnership Board and Domestic Violence Strategic	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children’s Service

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attracting Home Office funding		Board.	
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation Three:</u> Develop an action plan to detail how Barnet's Multi-Agency Domestic Violence Strategy 2010/11 – 2012/13 will be delivered, detailing shared objectives, timescales, key responsibilities of partners, monitoring arrangements and information sharing protocols	GREEN	<p><u>Safer Communities Partnership Board response to recommendation:</u> Agreed, as an action plan is already being developed utilising existing resources.</p> <p><u>Update March 2012:</u> The DV Strategy is being monitored by the DV Coordinator (see attached document)</p>	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children's Service
Recommendation to SCPB (accepted)	Status	Information	Contact Officers

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<u>Recommendation Four:</u> Develop a common assessment/referral framework and information sharing protocols for statutory and voluntary sector organisations providing domestic violence support services	GREEN	<u>Safer Communities Partnership Board response to recommendation:</u> Agreed – a multi-agency common assessment framework covering children and families already in place which will be adopted as appropriate <u>Update March 2012:</u> The Multi-Agency Risk Assessment Conference (MARAC) Information Sharing Agreement (ISA) has been revised and signed by partner agencies. The ISA will be reviewed annually through the newly created MARAC steering group going forward.	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children’s Service
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation Five:</u> Develop a commissioning strategy to ensure ongoing funding for key voluntary sector domestic violence support services in the borough, with sufficient weighting given to service user satisfaction in the strategy	GREEN	<u>Safer Communities Partnership Board response to recommendation:</u> Agreed by Domestic Violence Strategic Board and already in place <u>Update March 2012:</u> Solace have been awarded a 2 year contract (2012/13 – 14) Domestic Violence contract for: <ol style="list-style-type: none"> 1. Advocacy and Support Service 2. Refuge provision 3. Perpetrator service The DV coordinator is currently finalising the service specification and	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children’s Service

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		performance targets with Solace, with a go live date for 1 April'12. In addition, exit interviews have been conducted with existing DV providers.	
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation Six:</u> Consider undertaking visits to schools in collaboration with voluntary sector organisations to highlight the issue of domestic violence and increase awareness of available services	AMBER	<u>Safer Communities Partnership Board response to recommendation:</u> Agreed <u>Update March 2012:</u> Victim Support Barnet has a Youth Engagement Worker that is funded through a grant provided by LBB. Her role is to provide workshops and deliver presentations in schools, as well as to new services such as youth centres and Pupil Referral Units.	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children's Service
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation Seven:</u> Consider establishing Survivor Groups to enable self-help and provide a support	AMBER	<u>Safer Communities Partnership Board response to recommendation:</u> Agreed (subject to resources) <u>Update March 2012:</u> Current work includes the Safer Families Project which receives referrals	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and

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mechanism for victims and to inform future service delivery	R	from Social Care and takes place at three Children's Centres through Stay and Play, outreach and counselling for victims. Further provision will be developed through the newly commissioned refuge provision or advocacy support services.	Safeguarding Division, Children's Service
Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<u>Recommendation Eight:</u> Encourage NHS Barnet to provide an undertaking that senior and committed health representatives will regularly attend Multi-Agency Risk Assessment Conference, Domestic Violence Strategic Board (DVSB) and Domestic Violence Operational Group meetings	GREEN	<p><u>Safer Communities Partnership Board response to recommendation:</u> Agreed (subject to resources)</p> <p><u>Update March 2012:</u></p> <p>There has been an attendance at the Multi-Agency Risk Assessment Conference, Domestic Violence Strategic Board (DVSB) and Domestic Violence Operational Group meetings by health representatives; including mental health. However, referrals need to be increased by them to the Multi-Agency Risk Assessment Conference (MARAC). The Domestic Violence Operational Group meetings (DVOPS) keeps a regular log monitoring attendance by its partners. Membership is going to extend to include representation at the MARAC Steering group.</p>	Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children's Service

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Recommendation to SCPB (accepted)	Status	Information	Contact Officers
<p><u>Recommendation Nine:</u> Encourage NHS Barnet to establish a framework for providing effective guidance, training, information and referral mechanisms for front-line staff (including GPs, accident & emergency and midwives) to enable early intervention for victims of domestic violence, and that a monitoring system be developed to enable the DVSB to monitor delivery of this recommendation</p>	<p>AMBER</p>	<p><u>Safer Communities Partnership Board response to recommendation:</u> Agreed (subject to resources)</p> <p><u>Update March 2012:</u></p> <p>Initial contact has been made for the DV Coordinator to attend and speak at the GP CPD Sessions, on 20th March 2012 on domestic violence, to address referral processes and how to support patients, including victims and perpetrators.</p> <p>There is also a training session for newly qualified GPs that the DV Coordinator has been invited to deliver for the year 2012; which is part of their Safeguarding Children and Adults training programme. Since the MARAC Training course has been running since June 2011 on a monthly basis there has been a total of 20 health professionals that have attended these. In addition, the number and range of referrals are always monitored at the MARAC and in 2010, there was only 1 referral made by health services and there has been a slight increase to 3 in 2011.</p> <p>There will be ongoing work development with this sector to address their support for victims and perpetrators of domestic violence.</p> <p>All opportunities and scoping of this work will be brought back to the DVOPS Group and DVSB by Summer 2012.</p>	<p>Manju Lukhman – Domestic Violence Co-ordinator – Partnership, Prevention and Safeguarding Division, Children’s Service</p>

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Fostering and Recruitment Task and Finish Group – Cabinet, 14th September 2011			
Recommendation to Cabinet (accepted)	Status	Information	Contact Officers
<p><u>Recommendation one</u> That an online enquiry form be created on the Fostering page of the council's website, Barnet Online, to allow people thinking of fostering to register their interest with the Fostering Team.</p> <p>Complementing the creation of an online enquiry form, the Fostering Team should update the Fostering Information Pack provided via the Fostering webpage to include clear guidance on the type of personal information applicants will be expected to divulge during the application process.</p>		<p><u>Cabinet resolution:</u> "That the recommendations of the Task and Finish Group be approved as submitted."</p> <p><u>Update March 2012:</u> An online enquiry form has been developed and will go live with the Council's website in April.</p> <p>The Fostering Information Pack has been updated and is currently with the graphic design team. It will be completed and printed by the end of April 2012.</p>	<p>Ann Graham Assistant Director, Children's Social Care</p> <p>Debbie Gabriel Service Manager</p> <p>Debbie Biss Fostering Recruitment Team Manager</p>

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Recommendation to Cabinet (accepted)	Status	Information	Contact Officer
<p><u>Recommendation two</u> That the Fostering Team, as a means of enabling contact and mutual support among foster carers, should:</p> <p>(i) ensure the engagement of experienced foster carers to develop a support network for newly recruited foster carers via the proposed buddy scheme.</p> <p>(ii) as foster carers may not be able to attend the regular meetings of the Foster Carers Support Group due to child care commitments, the Fostering Team should identify suitable council properties in the borough to enable foster carers to bring children with them to assist in providing a local support group that meets their needs.</p>		<p><u>Cabinet resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update March 2012:</u></p> <p>A ‘buddy’ scheme for newly approved carers has been put in place for task-centred carers (carers looking after children whose future placement is still uncertain), linking them to experienced carers who support them through their early experiences as foster carers.</p> <p>Creation of a Peer Support Scheme - to extend opportunities for foster carers’ involvement by offering education, support and practical help.</p> <p>Introduction of monthly coffee mornings at Eversfield Centre, Mill Hill (from September 2011). These are co-hosted with Barnet Foster Carers. Toys and a soft play area are provided so that foster carers can bring their children with them.</p>	<p>Ann Graham Assistant Director, Children’s Social Care</p> <p>Debbie Gabriel Service Manager</p> <p>Debbie Biss Fostering Recruitment Team Manager</p>

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Recommendation to Cabinet (accepted)	Status	Information	Contact Officer
<p><u>Recommendation three</u> The Fostering Team continue to monitor, compare and contrast the cost of placements with independent fostering agencies as well as the content of support services provided by these agencies with in-house fostering services.</p> <p>The purpose of this monitoring being to ensure that by comparing and contrasting service provision the council is achieving value for money and identifies opportunities for service improvements and efficiencies.</p>		<p><u>Cabinet Resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update March 2012:</u> A cost comparison of in-house and Independent Fostering Agency (IFA) foster placements has been undertaken. This work has taken overheads associated with in-house foster placements into account, including support services.</p> <p>This cost comparison found that an in-house foster placement week for one child in 2010-11 financial year cost the council an average of £776. Over the same timeframe, an IFA foster placement week for one child costs the Council an average of £998 which is £222 more per week.</p> <p>Whilst the Council will always try and achieve best value for the public pound, it needs to balance this with its corporate parenting responsibility. Whilst every effort will be made to provide in-house foster placements, there will be occasions where an IFA foster placement will need to be taken up to deliver the best positive outcomes for these vulnerable young people. The balance of foster placement provision has been moved to provide the majority of foster placements in-house (please see recommendation four update for further details).</p>	<p>Ann Graham Assistant Director, Children’s Social Care</p> <p>Debbie Gabriel Service Manager</p> <p>Debbie Biss Fostering Recruitment Team Manager</p>

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		<p>There remains a role for IFA provision, particularly for children with complex needs. IFA foster placements and services are commissioned on the basis of individual children's needs. IFA placements will continue to be monitored to ensure every child in an IFA placement is there because professional judgement deems it the best way to meet the child's needs.</p> <p>This continual analysis will enable better targeting of the fostering recruitment programme to seek to recruit in-house carers to meet identified needs, for example, where there is demand for sibling group placements.</p>	
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Recommendation to Cabinet (accepted)	Status	Information	Contact Officer
<p><u>Recommendation four</u> The Fostering Team to focus customer research and analysis to ensure that future marketing campaigns include the targeting of demographic groups that are under-represented among the in-house foster carer pool when considered against the borough's overall demographic make up.</p> <p>Further, as a means of monitoring the effectiveness of marketing campaigns the Fostering Team continue to analyse the performance of ongoing and previous advertising and marketing campaigns and report:</p> <p>(i) The number of new foster carer recruitments</p> <p>(ii) The number of foster carers</p>		<p><u>Cabinet Resolution:</u> "That the recommendations of the Task and Finish Group be approved as submitted."</p> <p><u>Update March 2012:</u></p> <p>Foster Carers Recruited 2011/12 = 17</p> <p>Foster Carers Deregistered 2011/12 = 10</p> <p>Total number of placements as at the end of February 2012 = 226; 57% are in LLB foster placements. This exceeds the performance target of 55%</p> <p>Total number of LLB placements as at the end of February 2012 = 147; the performance target is 145 or over.</p> <p>Total number of IFA placements as at the end of February 2012 = 78: the performance target is 80 or less.</p> <p>We have received 40% of our enquiries through the internet (see graph below). This includes:</p> <ul style="list-style-type: none"> • internet advertising on Facebook, Netmums and the local Times newspapers website • through the Google search engine 	<p>Ann Graham Assistant Director, Children's Social Care</p> <p>Debbie Gabriel Service Manager</p> <p>Debbie Biss Fostering Recruitment Team Manager</p>

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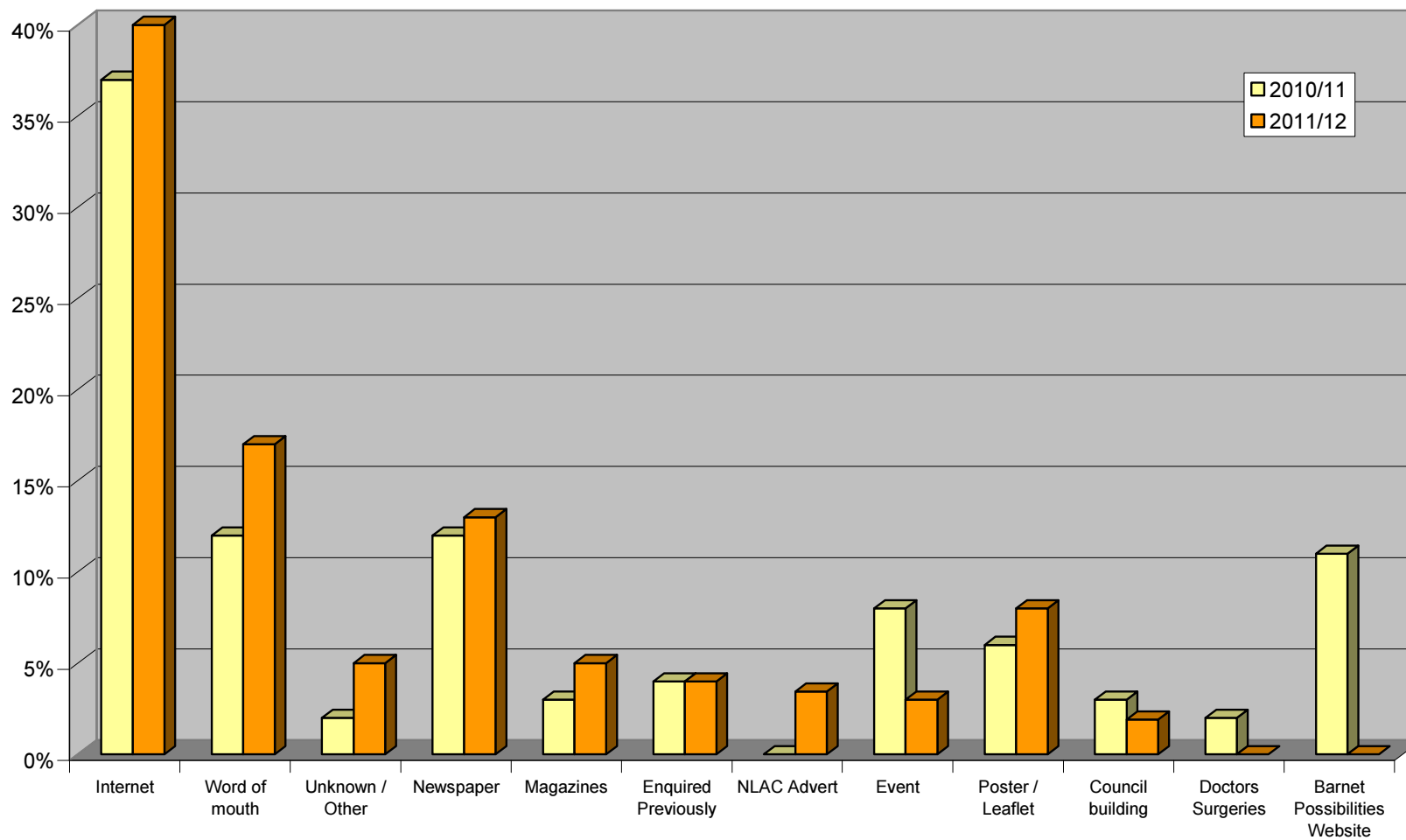
Green = fully implemented

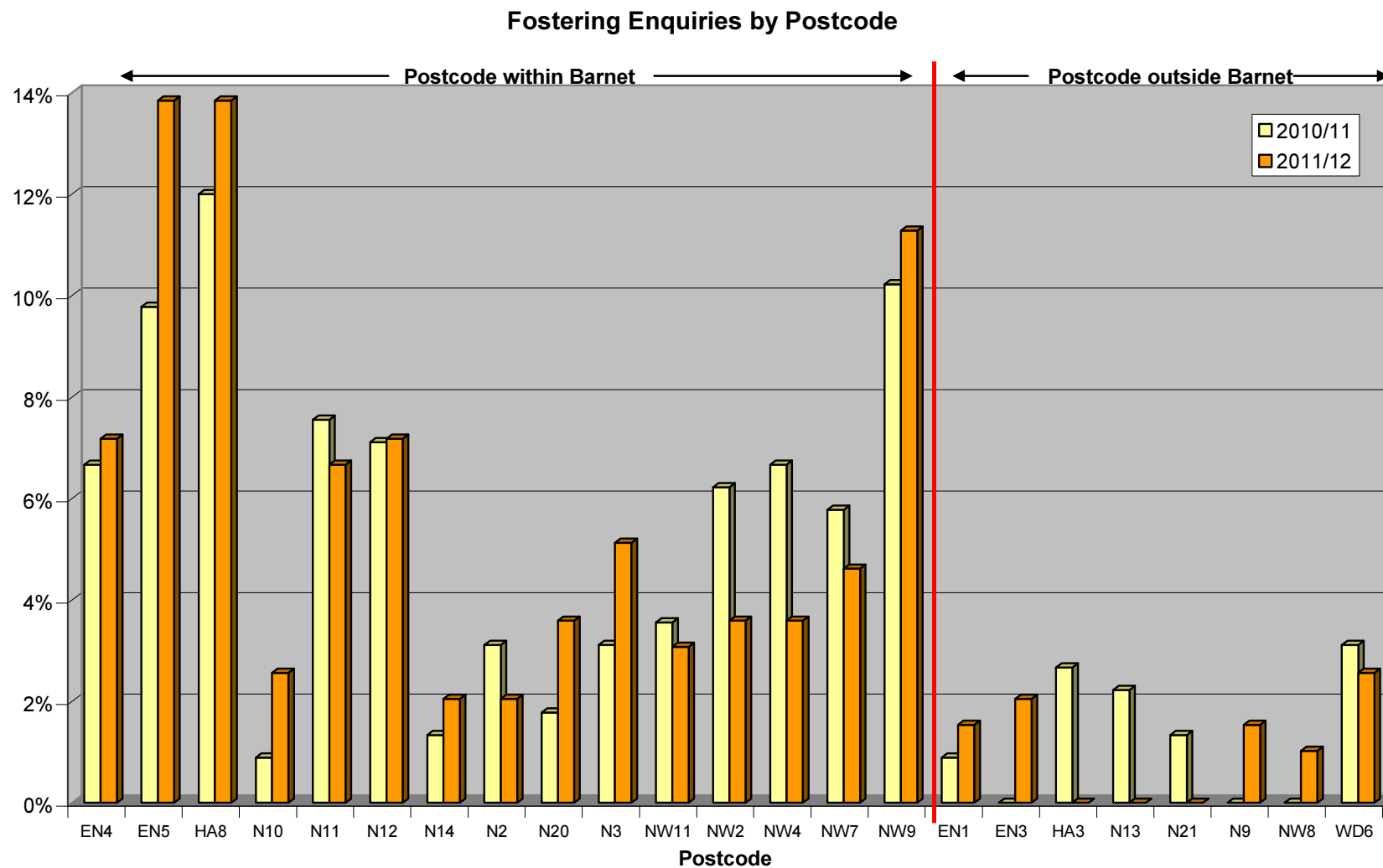
Amber = partially implemented

Red = no progress or significant delay in implementation

de-registering		<ul style="list-style-type: none">• through the North London Fostering Consortium website. <p>We expect this to increase significantly in the future therefore the new look website and enquiry form will be really beneficial.</p> <p>Other successful campaigns have included:</p> <ul style="list-style-type: none">• a newspaper wrap on the local Times newspaper (October 2011)• targeting 'Creative lifestyle' types using Mosaic typology. Posters were displayed in the following underground stations, the majority of which are within the borough boundaries. Stations included Totteridge and Whetstone, Hampstead, High Barnet, Edgware and Finchley.• 'word of mouth' through the foster carer referral reward scheme• joint fostering campaigns with the North London Adoption and Fostering Consortium. <p>An analysis of the home postcodes of enquirers (see final graph) shows that we have had more enquiries from areas in Barnet where 'Creative Professionals' live; particularly:</p> <ul style="list-style-type: none">• High Barnet• Barnet• Totteridge• Edgware• Finchley	
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Source of Fostering Enquiry





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Remodelling Older Peoples Housing with Support Task and Finish Group – Cabinet, 20 October 2010			
Recommendation to Cabinet (accepted)	Status	Information	Contact Officers
That any proposal to remodel the service ensure that due regard be given to equalities implications, and that a record of this is kept.	Green	<p><u>Cabinet resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update June 2011:</u> The recommendations of TFG were contained in the 14 February 2011 Cabinet report in paragraphs 9.6 to 9.8.</p> <p>A full Equalities Impact Assessment was carried out on the proposals put to Cabinet on 14 February 2011 and is contained in Appendix 4 of the Cabinet report.</p> <p>Equality and Legal duties of the Council are contained in paragraphs 5 and 7 respectively of the Cabinet report.</p> <p>Link to Cabinet report 14 February 2011: http://committeepapers.barnet.gov.uk/democracy/meetings/meetingdetail.asp?meetingid=6151</p> <p><u>Update January 2012</u> This recommendation was fully implemented within the 14 February 2011 Cabinet report.</p> <p><u>Update April 2012</u></p>	Mithu Ghosh, Project Manager, Older People Housing and Support, Strategic Commissioning Team, Adult Social Care and Health

Key:

Green = fully implemented

Amber = partially implemented

Red = no progress or significant delay in implementation

		This recommendation was fully implemented within the 14 February 2011 Cabinet report.	
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Key:

Green = fully implemented

Amber = partially implemented

Red = no progress or significant delay in implementation

Recommendation to Cabinet (accepted)	Status	Information	Contact Officer
That the sheltered housing service providers formulate a robust estate management strategy for sheltered accommodation, including a protocol for liaison between estate management and support services	Green	<p><u>Cabinet resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update June 2011:</u> The Council encouraged existing sheltered housing providers to consider enhanced housing management functions and details of this is contained in Para 6 of the Business Case as contained in Appendix 1 of the 14 February 2011 Cabinet report.</p> <p>As at April 2011, the majority of Providers have decided to go down the route of enhanced housing management. The remaining ‘support services’ to be funded by the Council will be the Sheltered Plus service.</p> <p><u>Update January 2012</u> Funding for the warden services ceased on 30 September 2011 with a contract for alarm only continuing thereafter. Following extensive liaison with the council’s ASCH, Housing and Benefits services, it is envisaged that most of the sheltered housing providers have employed existing Scheme Managers in the role of Enhanced Housing Managers</p> <p>Additionally, referrals were made to the Telecare team to install necessary equipment prior to 30 September to aid tenants’ level of safety once the support element stopped.</p>	Mithu Ghosh, Project Manager, Older People Housing and Support, Strategic Commissioning Team, Adult Social Care and Health

Key:

Green = fully implemented

Amber = partially implemented

Red = no progress or significant delay in implementation

		<p><u>Update April 2012</u></p> <p>A final Sheltered Housing Providers' Forum meeting was held on 14 December 2011. Those providers attending stated that the transition to enhanced housing management had gone smoothly.</p>	
That a robust programme of consultation be undertaken prior to any decision regarding service options, including proactive engagement with service users.	Green	<p><u>Cabinet resolution:</u> "That the recommendations of the Task and Finish Group be approved as submitted."</p> <p><u>Update June 2011:</u> Appendices 2 and 3 of the 14 February 2011 Cabinet report outline the results of the public consultation process and two interactive events with older residents.</p> <p><u>Update January 2012</u> This recommendation was fully implemented within the 14 February 2011 Cabinet report.</p> <p><u>Update April 2012</u> This recommendation was fully implemented within the 14 February 2011 Cabinet report.</p>	Mithu Ghosh, Project Manager, Older People Housing and Support, Strategic Commissioning Team, Adult Social Care and Health

Key:

Green = fully implemented

Amber = partially implemented

Red = no progress or significant delay in implementation

Recommendation to Cabinet (accepted)	Status	Information	Contact Officer
<p>That an alarm service be retained, and that the authority undertake, in conjunction with providers and service users, a review of alarms in sheltered accommodation for residents, including investigation of the installation of additional cords where required, and the possible provision of personal alarms.</p>	Green	<p><u>Cabinet Resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update June 2011:</u> Proposals to retain the funding for alarms in sheltered schemes and proposed reviews are contained in paragraph 4 of the Business Case in Appendix 1 of the 14 February 2011 Cabinet report.</p> <p>The provision of personal alarms will be considered as part of the Menu of Charged Services.</p> <p>The investigation of the installation of additional cords where required is a matter for individual sheltered housing providers and this recommendation will be passed onto them.</p> <p><u>Update January 2012</u> A ‘Support Options’ leaflet, (developed with a group of older people), was delivered to all sheltered housing residents at the beginning of October 2011. The leaflet contains information on, amongst other things:</p> <ul style="list-style-type: none"> ▪ Barnet Homes Assist Regular Check Service on the well-being of older residents on a regular basis. ▪ Telecare equipment ▪ Outreach Barnet Support providing short term housing related support ▪ Good Neighbour Schemes offer befriending, home visiting, and small domestic tasks to enable clients to continue living independently. 	<p>Mithu Ghosh, Project Manager, Older People Housing and Support, Strategic Commissioning Team, Adult Social Care and Health</p>

Key:

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		<ul style="list-style-type: none"> ▪ Extra Care Housing / Sheltered Plus Housing which provide an alternative if people need more support to live at home <p>Link to leaflet: S:\Commissioning & Supply Mgt\Commissioning\Projects\Housing & Support\10. Housing & Support Older People\Menu of Charged Services\MENU OF CHARGED SERVICES\J13712 Barnet SSFOP A5 12pp.pdf</p> <p><u>Update April 2012</u></p> <p>No further update</p>	
That any remodelling of support ensures that the subsequent service is arranged on as local a level as possible.	Green	<p><u>Cabinet Resolution:</u> “That the recommendations of the Task and Finish Group be approved as submitted.”</p> <p><u>Update June 2011:</u> Most sheltered housing providers have opted to retain an on-site staff presence and where possible the same member of staff as now.</p> <p><u>Update January 2012</u> Most of the Providers have employed existing Scheme Managers in the role of Enhanced Housing Managers</p> <p>Two Sheltered Plus Housing schemes were set up at the beginning of October 2011 and a third site is due to open after remodelling next year. Enhanced housing management is provided by a Scheme Manager during working hours and an emergency night time through Home and Community Support services to the most vulnerable residents in the schemes.</p>	Mithu Ghosh, Project Manager, Older People Housing and Support, Strategic Commissioning Team, Adult Social Care and Health

Key:

Green = fully implemented

Amber = partially implemented

Red = no progress or significant delay in implementation

		<u>Update April 2012</u> Work continues with Care Services Delivery, the Housing, Alarm and Home and Community Support providers to refine the provision and administration of the Sheltered Plus service.	
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1. Application for Judicial review (October 2011)

A resident of Hanshawe Drive made an application for Judicial Review on 24th October 2011 seeking an interim mandatory injunction to restrain further implementation of the 14th February Cabinet decision. Following a successful submission by the council, the court refused the application on 9th November 2011 on the basis that:

- the application was out of time, the substantive decision having been made on 14 February 2011.
- the council was pursuing a legitimate process to remodel and restructure its provision of sheltered housing;
- Sheltered Plus was available and the Claimant had not applied for this;
- Based on the documents submitted, there was no breach of contract as there was no contractual right to an on-site warden.

Despite this, the Claimant sought an oral hearing of her application which was set for 9 February 2012. The council's argument against this was that the court was right to dismiss the application for the reasons given in the order of 9th November 2011. In addition, implementation of the restructuring of sheltered housing provision was very well advanced and funding for wardens had in fact stopped on 30th September 2011. Therefore, any reversal of the original Cabinet decision would have a very considerable impact on both residents and providers of sheltered housing in the Borough. Just before the hearing, the Claimant withdrew her application for JR.

2. Solicitor's representation seeking to delay Barnet Homes' implementation of enhanced housing management

Hossacks solicitors, acting for two tenants from Hanshaw Drive wrote to the council on 3rd November 2011 seeking to delay Barnet Homes' implementation of enhanced housing management from 7th November 2011, which included the proposal to de-residentialise their Sheltered Housing Officers.

Key:

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Amber = partially implemented

Red = no progress or significant delay in implementation

The council responded that tenants had been notified of the changes on 6th and 11th October 2011 and undertook to give tenants five working days notice of change to the sheltered housing officer's accommodation. As a result, the immediate threat of an injunction has been lifted, although it is unclear whether a further challenge will be raised when the Sheltered Housing Officer is about to be rehoused.

Meeting	Business Management Overview and Scrutiny Committee
Date	18 th April 2012
Subject	Task and Finish Group Appointments
Report of	Scrutiny Office
Summary	This report proposes the establishment and appointment of Overview and Scrutiny Task and Finish Groups.

Officer Contributors	Melissa James, Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Business Management Overview and Scrutiny Committee

Contact for further information: Melissa James, melissa.james@barnet.gov.uk, Tel: 020 8359 7034

1. RECOMMENDATION

- 1.1 That the Business Management Overview and Scrutiny Committee consider the proposals for Task and Finish Group Reviews as set out in this report and establish and make appointments to three Task and Finish Groups.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Annual Council, 19 May 2009, Agenda Item 13.2.1, Report of the Special (Constitution Review) Committee, Overview and Scrutiny: New Arrangements
- 2.2 Policy & Performance Overview & Scrutiny Committee, 2 June 2010, Agenda Item 7 (Overview & Scrutiny Appointments)
- 2.3 Business Management Overview & Scrutiny Committee, 8th March 2012, Agenda Item 10 (Any other Item the Chairman Decides are Urgent)

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2012/13 Corporate Plan are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 A failure to monitor the Council's key priorities and improvement initiatives may result in reduced service quality and lower customer satisfaction. Failure to address issues of public concern through the overview and scrutiny process may also result in reputational damage to the Council.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 ("the Act"), the Council has a legislative duty to have 'due regard' to:
- eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
 - advancing equality of opportunity between those with a protected characteristic and those without and
 - fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, race, religion or belief, sex and sexual orientation.

It also covers marriage and civil partnership with regards to eliminating discrimination

5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

5.3 Task and Finish Groups will need to take into account equalities considerations throughout the lifecycle of the review and through the ongoing monitoring, via the Scrutiny Office, by implementation of accepted recommendations.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 Task and Finish Group reviews must take into consideration value for money considerations when conducting their work, including the costs and benefits (both financial and non-financial) associated with any recommendations made by the Group.

7. LEGAL ISSUES

7.1 None in the context of this report.

7.2 Any legal considerations as they relate to individual Task and Finish Group reviews will be addressed at the commencement and throughout the review process.

8. CONSTITUTIONAL POWERS

8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.

8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).

8.3 Item 7 and 8 of Business Management Overview & Scrutiny Committee Terms of Reference states that:

"The role of the Committee is to

"appoint scrutiny panels and Task and Finish Groups needed to facilitate the overview and scrutiny function" and to

“coordinate and monitor the work of scrutiny panels and Task and Finish Groups, including considering reports and recommendations and referring to the relevant decision making body.”

9. BACKGROUND INFORMATION

- 9.1 Since May 2009, 14 Task and Finish Group reviews have been completed. During the same period, an additional three Overview and Scrutiny Panels have been set up. Cabinet is scheduled to receive the final reports of the four most recent Task and Finish Group reviews at their meeting on 4th April 2012. Accordingly, resources are now available within the Scrutiny Office to support the next tranche of reviews.
- 9.2 Members have been requested to identify potential topics for Task and Finish Group reviews for the Business Management Overview and Scrutiny Committee to consider. Details of suggested topics are set out at below.

Topic for Task and Finish Group	Summary of Proposal
Children’s Centres	In-depth analysis of the role of Children’s Centres and their contribution to delivering the Council’s Early Intervention Strategy and supporting the Safer Families Project.
Fuel Poverty	Examine the issue of fuel poverty in Barnet (including number of residents classified as being in fuel poverty, financial / health impacts of fuel poverty and level of support available to assist residents).
Effectiveness of Task and Finish Groups	Examine the effectiveness of the Task and Finish Group reviews completed since May 2009. Review to consider effectiveness of: holding the Executive to account; success in developing policy and/or driving service improvements; and an evaluation of the impact of recommendations.
Road Safety	Examine the safety of Barnet’s roads, including accident statistics and potential cost effective road safety improvements
Affordability of Housing/ Empty Properties	Examine the affordability of housing in Barnet and the number of empty properties in the borough.
Tree Preservation Orders	Review of the current policies and their implementation. Particular consideration to be given to why the Council should take on unlimited

	liabilities in pursuing this policy (e.g. a tree is on private land and by imposing a Tree Preservation Order we are committed to spend thousands of pounds when the matter could be settled by civil processes)
Public Health Transition	Review to consider the Council's response to the transfer of responsibility for public health from the NHS to local authorities.
School Governors	Examine the role of school governors, legal responsibilities and identify examples of best practice for application in Barnet.

9.3 The Committee are requested to establish and appoint to three further Task and Finish Groups and to indicate their preference for the order in which these groups commence their work.

9.4 Any review recommended to go forward will be subject to an initial feasibility study to consider inputs, timescales, costs and potential outcomes.

10. LIST OF BACKGROUND PAPERS

10.1 None

Legal – JKK
Finance MC/JH

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Meeting	Business Management Overview & Scrutiny Committee
Date	18 th April 2012
Subject	Cabinet Forward Plan
Report of	Scrutiny Office
Officer Contributors	Melissa James, Overview and Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix – Cabinet Forward Plan of Key Decisions
Reason for urgency / exemption from call-in	N/A

Contact for further information:

Melissa James Overview & Scrutiny Officer, 020 8359 2014, melissa.james@barnet.gov.uk

1. RECOMMENDATION

- 1.1 That the Committee comment on and consider the Cabinet Forward Plan for February- May 2012 when identifying areas of future scrutiny work.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.

- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are:

- Better services with less money
- Sharing opportunities, sharing responsibilities
- A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 None.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010, the Council has a legislative duty to have 'due regard' to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.

- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 None in the context of this report.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview and Scrutiny Committees are contained within Part 2, Article 6 of the Council's Constitution

8.2 The Terms of Reference of the Scrutiny Committees are included in the Overview and Scrutiny Procedure Rules (Part 4 of the Council's Constitution).

9. BACKGROUND INFORMATION

9.1 Under the current overview and scrutiny arrangements, the Business Management Overview & Scrutiny Committee will ensure that the work of scrutiny is reflective of Council priorities, as evidenced by the Corporate Plan and the programme being followed by the Executive.

9.2 The Cabinet Forward Plan will be included on the agenda at each meeting of the Business Management Overview & Scrutiny Committee as a standing item.

9.3 The Committee is encouraged to comment on the Forward Plan.

9.4 The Committee is asked to consider items contained within the Forward Plan to assist in identifying areas of future scrutiny work, particularly focussing on areas where scrutiny can add value in the decision making process (pre-decision scrutiny).

9.5 When identifying items for pre-decision scrutiny, the Committee are requested to provide specific information on the rationale behind the pre-decision scrutiny request and the expected outcome to enable Cabinet Members and officers to prepare appropriately.

10. LIST OF BACKGROUND PAPERS

10.1 None

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**London Borough of Barnet
Forward Plan of Key Decisions
February 2012**

Contact: Jeremy Williams, Governance Service, 020 8359 2042

Jeremy.williams@barnet.gov.uk

Subject	Decision requested	Cabinet Member/ author	Consultation	Last date for reps	Documents to be considered
Cabinet 20 February 2012					
Business Planning 2011/12 – 2013/14	To agree the Financial and Business Planning process for the period 2012/13 to 2014/15.	Resources & Performance / Leader Andrew Travers	Programme of budget consultation to be carried out		Full report
Governance of Strategic Partnerships	To agree revised Governance arrangements for the council's strategic partnerships.	Leader / Customer Access & Partnerships Julie Taylor			Full report
Network Management Policy	To agree an approach to managing the council's road network	Environment Neil Richardson			Full report
Cabinet Resources Committee 28 February 2012					
Quarter 3 Monitoring and Performance Report	To seek the Committee's approval of the recommendations and forecast within the report and to approve virements and transfers.	Resources and Performance Maria Christofi			Full report
Treasury Management Outturn for quarter ended 30 December 2011	To receive a report providing an update on treasury management activity.	Resources and Performance John Hooton			Full report
Older Adults Framework Contract and Pricing Strategy	To seek agreement for a market strategy for older persons registered care.	Adults Kate Kennally			Full report
Debt write-off over £5000.00	To seek the approval to write-off debts over £5000.00	Resources and Performance			Full report

Community Infrastructure Levy	To seek approval of a preliminary draft charging schedule for Barnet	Maria Christofi Planning / Resources and Performance Martin Cowie / Lucy Shomali			Full report
NCSO Business Case and Shortlist report	To seek approval of the Business Case and Shortlist report.	Customer Access and Partnerships Craig Cooper			Full report
West Hendon Regeneration Project – Report on the Masterplan Review for West Hendon	Approval of the recommended approach for the Masterplan.	Leader Lucy Shomali			Full report
Hendon Football Club	To consider the reference back from Business Management Overview & Scrutiny Committee	Resources and Performance Craig Cooper			Full report
Regeneration Projects – contract arrangements	To seek authority for expenditure with respect to independent resident advice for the Grahame Park, Stonegrove and Spur Road and Dollis Valley Regeneration Schemes and with respect to CPO advice on the Stonegrove & Spur Road Regeneration Scheme.	Leader Adults			Full report
Award of contract for Domestic Violence Services	To award a contract	Resources & Performance Craig Cooper			Full report
Award of Contract – Corporate Buildings Security	To award to contract for the provision of the provision of a security service for corporate buildings.				

Cabinet 4 April 2012

Outcome of consultation on the Local Tenancy Strategy and changes to the secure tenancy agreement	To consider the outcome of the consultation and to authorise any changes to the tenancy agreement.	Housing Pam Wharfe	To consider outcomes of consultation	Full report
Waste Management	Decision on the Council's future collection method for the collection of recyclable, organic and residual waste.	Environment Pam Wharfe		Full report
Review of Housing Allocations Scheme	To review the scheme and agree any changes which are required.	Housing Pam Wharfe		Full report
Events in Parks Policy	To consider the events in parks policy.	Environment Pam Wharfe		Full report
LDF Core Strategy and Development Management Policies DPDs	Adoption of the Core Strategy and Development Management Policies DPDs as part of the Barnet LDF	Planning Lucy Shomali		Full report

Cabinet Resources Committee 4 April 2012

Child and Adolescent Mental Health Services (CAHMS) Tier 4	Agreement of future provision of CAMHS provided to those with the highest support needs	Education, Children & Families TBC		Full report
Decision on Supplier of Self-Service	To consider a decision on supplier of self-service technology.	Resources & Performance /		Full report

Technology		Leader TBC			
There are no meetings scheduled to take place in May 2012.					

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Meeting	Business Management Overview & Scrutiny Committee
Date	18 th April 2012
Subject	Business Management Overview & Scrutiny Committee Forward Work Programme 2011/12
Report of	Scrutiny Office
Summary	This report outlines the Committee's draft work programme for 2011/12

Officer Contributors	Melissa James , Overview & Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix – Business Management Overview and Scrutiny Committee Work Programme 2011/12
Reason for urgency / exemption from call-in	N/A

Contact for further information: Melissa James, Overview & Scrutiny Officer
020 8359 7034, melissa.james@barnet.gov.uk

1. RECOMMENDATION

- 1.1 That the Committee consider and comment on the items included in the 2011/12 work programme of the Business Management Overview and Scrutiny Committee as set out in the Appendix.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities

- 3.2 The three priority outcomes set out in the 2012-2013 Corporate Plan are: –

- Better services with less money
- Sharing opportunities, sharing responsibilities
- A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 None.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 None in the context of this report.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.

- 8.2 The Terms of Reference of the Scrutiny Committees are included in the Overview and Scrutiny Procedure Rules (Part 4 of the Council's Constitution).

9. BACKGROUND INFORMATION

- 9.1 The Business Management Overview and Scrutiny Committee's Work Programme 2011/12 indicates:
- a) items of business carried forward from the Business Management Overview and Scrutiny Sub-Committee work programme for the 2010/11 municipal year; and
 - b) items requested by the Committee in the 2011/12 municipal year.
- 9.2 The work programme of this Committee is intended to be a responsive tool, which will be updated on a rolling basis following each meeting, for the inclusion of areas which may arise through the course of the year.
- 9.3 The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

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BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY FORWARD WORK PROGRAMME 2011/12

18 APRIL 2012

BUSINESS MANAGEMENT OVERVIEW & SCRUTINY COMMITTEE

ITEMS TO BE CONSIDERED	INFORMATION	REPORT ORIGIN	LINK TO CORPORATE PLAN
Update Pedestrian Petition-	Committee to receive update from Environment Planning and Regeneration directorate on the impact assessment of the Church Lane area.	Requested by Committee Report from Planning, Housing and Regeneration	<ul style="list-style-type: none"> • Better services with less money • Sharing Opportunities and Sharing Responsibilities • Successful London Suburb
Regeneration Review	Committee to consider Regeneration Review (including consultant's recommendations and action plan) scheduled to go to CRC on 28/02/12.	Requested by Committee Report from Deputy Chief Executive's Service	
Housing Allocations Scheme – Six Month Review	In considering an update on the implementation of Task and Finish Group / Overview Scrutiny Panel	Requested by Committee Report from	

	recommendations, the Committee requested an update to the 16 November 2011 meeting on Housing Allocations	Planning, Housing and Regeneration	
Website Transformation	Committee to receive a report on the Website Transformation Project, in accordance with recommendation made by External Auditors	Requested by Committee Report from Assistant Chief Executive's Service	
Annual Review	Constitutional requirement for Committee to review O&S Procedure Rules and working arrangements and make recommendations to SCCR	Requested by N/A Report from Scrutiny Office	
Task and Finish Group / Scrutiny Panels – Recommendation Tracking	Ongoing monitoring of implementation of recommendations (accepted by Cabinet only) at six-monthly intervals.	Requested by Committee Report from Scrutiny Office (with contributions from relevant directorates)	
Task and Finish Group / Scrutiny Panel Appointments	Committee to establish and appoint to three new task and finish groups.	Requested by Committee Report from Scrutiny Office	

Cabinet Forward Plan	Standing item	Requested by Committee Report from Scrutiny Office	
Business Management OSC Work Programme	Standing item	Requested by Committee Report from Scrutiny Office	

ITEMS TO BE ALLOCATED			
BUSINESS MANAGEMENT OVERVIEW & SCRUTINY COMMITTEE			
ITEMS TO BE CONSIDERED	INFORMATION	REPORT ORIGIN	LINK TO THE CORPORATE PLAN
Edgware Town Centre Strategy	Committee to consider the draft Edgware Town Centre Strategy.	Requested by Committee Report from Scrutiny Office	<ul style="list-style-type: none"> • Better services with less money • Sharing Opportunities and Sharing Responsibilities • Successful London Suburb
Task and Finish Group / Scrutiny Panels – Recommendation Tracking	Ongoing monitoring of implementation of recommendations (accepted by Cabinet only) at six-monthly intervals.	Requested by Committee Report from Scrutiny Office (with contributions from relevant directorates)	

Task and Finish Group / Scrutiny Panel Update	Standing item	Requested by Committee Report from Scrutiny Office	
Cabinet Forward Plan	Standing item	Requested by Committee Report from Scrutiny Office	
Business Management OSC Work Programme	Standing item	Requested by Committee Report from Scrutiny Office	

***Please note that the Business Management Overview and Scrutiny Committee's Forward Work Programme 2011/12 is an evolving document which is dependent on the work of Task and Finish Groups, Scrutiny Panels and any other business within the remit of this Committee.**

FUTURE MEETING DATES
11th June 2012
31st July 2012
24th October 2012``
20th November 2012
10th January 2013

11th March 2013
2nd May 2013
3rd July 2013
7th October 2013
18th November 2013

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