

MEETING

CABINET RESOURCES COMMITTEE

DATE AND TIME

WEDNESDAY 7 NOVEMBER 2012

AT 8.00 PM

OR AT THE CONCLUSION OF THE CABINET MEETING, WHICHEVER IS LATER

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF CABINET RESOURCES COMMITTEE (Quorum 3)

Chairman: Councillor Daniel Thomas (Chairman)

Councillors

Richard Cornelius
Tom Davey

Andrew Harper
Sachin Rajput

Robert Rams

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

Aysen Giritli – Head of Governance

Governance Services contact: Aysen Giritli 020 8359 2177 aysen.giritli@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the Previous Meeting	
2.	Absence of Members	
3.	Declarations of Members' Personal and Prejudicial Interests	
4.	Public Question Time (if any)	
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13.	Motion to Exclude the Press and Public That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act (as amended):	
14.	Granville Road, NW2, New Housing Development - Updated from 18 October 2012 (Exempt)	323 - 376
15.	The leasing of the Pavilion in Cherry Tree Wood Brompton Grove East Finchley N2 (Exempt)	377 - 380

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Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	Outline Business Case and Options Appraisal for Waste and Street Scene Services
Report of	Cabinet Member for Environment
Summary	This report seeks approval of the outline business case for the delivery of the waste and street scene services.
Officer Contributors	Pam Wharfe, Interim Director for Environment, Planning and Regeneration Lynn Bishop, Assistant Director for Environment Suzanne Hope, Senior Project Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	Yes
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	Annex One: Outline Business Case for delivery of Waste and Street Scene Services
Contact for Further Information:	Suzanne Hope, Senior Project Manager, 020 8359 2684

1. RECOMMENDATIONS

- 1.1 That the Committee approves the Outline Business Case for the future delivery of the Waste and Street Scene Services through in-house development of services with the option of support from external specialists and the incoming provider for support and customers services;
- 1.2 That Council officers review the services in two years to assess the ability to deliver continued improvement and savings for the Council and customer and revisit the business case if considered appropriate.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 29 November 2010 (Decision item 6) – approved the One Barnet Framework and the funding strategy for its implementation.
- 2.2 Cabinet, 20 February 2012 (Decision item 6) – approved the Business Planning Report 2012/13 – 2014/15 which included within the report the five projects now being developed through strategic outline cases.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 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.

The three principles that underpin these priorities and the Corporate Transformation programme are:

- a new relationship with citizens;
- a one public sector approach; and
- a relentless drive for efficiency.

- 3.2 The recommendations in the Outline Business Case fit within the Corporate Transformation principles. In line with these principles the implementation and enhancement of the strategy will in respect of:

(i) A new relationship with citizens

- Improve communication with residents to change waste and recycling behaviour.
- Simplify recycling instructions to enable increased recycling.
- Enable greater community involvement and ownership of local parks and streets.
- Secure greater use of parks and open spaces to improve health and personal outcomes of residents thereby reducing their reliance on health and social services.

(ii) A one public sector approach

- Be able to work effectively with local businesses and third sector groups to provide opportunities for those looking for work to develop new skills.
- Be flexible and therefore able to rapidly respond to changing demands.

(iii) A relentless drive for efficiency

- Be innovative and take advantage of evolving technology, thinking and practice.
- Identify and implement income optimisation models.
- Streamline services to provide the most efficient street environment service.
- Operate as efficiently as possible to provide consistently high service delivery within a reduced budget.

4. RISK MANAGEMENT ISSUES

- 4.1 Risks associated with the delivery of this project are managed and reported in accordance with corporate risk and project management processes and will also be reported through existing democratic processes.
- 4.2 Key risks associated with the development of an in-house service are highlighted in the outline business case along with the respective mitigating actions.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Equality Act 2010 requires all public bodies and all other organisations exercising public functions on its behalf to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a 'protected characteristic' and those without; and to promote good relations between those with a 'protected characteristic' and those without. The, relevant, 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity; race, religion or belief, sex and sexual orientation. In relation to eliminating discrimination, marriage and civil partnerships are, also, 'protected characteristics'.
- 5.2 Comprehensive Employee and Users equalities impact assessments will be carried out against service developments and revisited at each phase of the project and the results taken into account at all key milestones.
- 5.3 The Equalities Impact Assessment will be revisited at key milestones throughout the Project's lifecycle to assess the impact of the service developments on the Council's employees.

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

- 6.1 The table below sets out the savings in the current Medium Term Financial Strategy (MTFS) alongside the savings identified from continued in-house development.

	Current MTFS savings		In-house development	
	Additional Saving	Cumulative Saving	Additional Saving	Cumulative Saving
	£	£	£	£
2013/14	882,000	882,000	852,025	852,025
2014/15	1,211,000	2,093,000	1,492,878	2,344,903
2015/16			143,863	2,488,766

- 6.2 The up front costs of change will be funded from the Council's Transformation Reserve.

- 6.3 The Council will continue to meet all of its statutory and contractual obligations in regard to change and its impact upon staff. Where the changes are internal this process will be managed in compliance with the Council's Managing Organisational Change Procedure. Where any change results in a TUPE transfer the Council will meet all of its statutory obligations provided by the Transfer of Undertakings (Protection of Employment) Regulations 2006, and, under the TUPE Transfer Commitments LBB implemented in the summer of 2011, all terms and conditions are protected for at least a year including pension provision. Finally the Council has implemented a Relocation Protocol which we would expect a new employer to adhere to.

- 6.4 An embargoed version of a draft of the Outline Business Case was shared with Trade Unions. Only GMB responded with an interim report on the business case which has been included as Appendix E of this report.

7. LEGAL ISSUES

- 7.1 The continued provision of the service, in house, by the Council's own employees will not give rise to any, specific, legal issues.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 The Council's Constitution, in Part 3, Responsibility for Functions, paragraph 3.6 states the terms of reference of the Cabinet Resources Committee including "approval of schemes not in performance management plans but not outside the Council's budget or policy framework".

- 8.2 This decision constitutes a key decision as it involves expenditure or savings in excess of £500,000 and has an effect on two or more wards of the borough.

9. BACKGROUND INFORMATION

9.1 The Council has been reviewing the options that currently exist for the future delivery of the waste and street scene services. The service groups that fall into this area are:

- Waste Strategy
- Refuse Collection
- Recycling
- Street Cleansing
- Greenspaces
- Highways operational service

9.2 An options appraisal was completed based on all the options originally set out in the Strategic Outline Case. The options appraisal was carried out in two sections with only those options able to provide savings in excess of the current MTFs progressing to a more detailed appraisal. The top six options that progressed to the second stage of appraisal are set out below:

- 1: Outsource
- 2: Outsource post internal improvement
- 3: Shared outsource with London Boroughs within the West London Alliance
- 4: Current in-house MTFs with additional support
- 5: In house service with stretch targets delivered by a mutual
- 6: In house service with stretch targets delivered with support

The evaluation of these options was based on the One Barnet Principles and a confidence rating on how achievable each option was considered to be.

9.3 The outcome of the options appraisal highlighted that two routes could be considered of most advantage that of an outsource or an in-house service with stretch targets. Given the level of change the Council is currently undergoing and the opportunities to develop the service whilst reducing the cost of delivery it is more appropriate to retain the services in-house at this time.

9.4 It should be noted that Council officers also gave considerable consideration to a shared outsource model with other three other London boroughs. Although the option presented the Council with an exciting opportunity the confidence rating, based on level of risk, was considered high. This risk level has been kept under constant review by officers and it is considered that the level was too significant to make it a viable option at this time.

9.5 Subject to approval, an implementation plan will be developed that establishes a street scene business unit that operates with a greater level autonomy. It is recognised by officers that this option carries with it risks and significant challenges but that with support from the new commissioning council and new support and customer services provider there will be skills required to deliver change.

9.6 The belief of Officers is that there is scope to develop new initiatives in-house that would enable the Council to reduce the cost of service delivery directly. It would also afford the Council time to consider transferring the responsibility for whole areas of the public realm to managing companies.

9.7 The belief of Officers is that by developing these services in-house it would be possible to achieve benefits such as:

- In-house stretch option could be implemented fairly quickly as it will not go through an extended procurement process, and hence delivering savings more quickly.
- There are greater chances that the high customer satisfaction levels that the service currently enjoys will continue as they are already delivering the high level of service.
- The opportunity to be supported by both the new support and customer services provider and service specialists will allow innovative new ideas to be absorbed by Council staff in the longer term delivery of services.
- Potential to achieve savings through more flexible use of resources.

9.6 The recommendation to the Committee is for approval of the outline business case for in-house development with stretch targets for the services. Subject to approval, in accordance with the recommendations, a detailed implementation plan will be developed to cover a two year period. It is recommended that the services are reviewed following the two year period to assess success against this business case and the ability to deliver continuous improvement and financial savings.

9.7 Development of a detailed implementation plan would begin in November and it would be expected that the services would be in a position to begin implementing changes and new initiatives from the final quarter of 2012/13. The changes and review periods will be scheduled in the implementation plan to ensure a manageable roll out. Input from the new support and customer services provider would be sought in the first quarter of 2013/14 on how they could support and potentially invest in service development.

10. LIST OF BACKGROUND PAPERS

None

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

London Borough of Barnet

Waste and Street Scene Services: Outline Business Case

In-House with Stretch Targets

September 2012

Document Control

Document Owner	One Barnet Programme Office
Contact Details	suzanne.hope@barnet.gov.uk
Document location	This document will be published on the Barnet Council website as part of the democratic process for CRC.

Version Control

Version	Details of update	Author(s)	Issue date	Status
0.1	First draft	Joseph Silva	24/09/12	Draft
0.2	Incorporating comments from Head of Corporate Programmes and Assistant Director for Operations	Joseph Silva	25/09/12	Draft
0.3	Incorporating comments from CDG	Suzanne Hope / Graham Young	3/10/12	Draft
0.4	Incorporating further comments from CDG	Suzanne Hope / Graham Young	16/10/12	Draft
1.0	Issued for Cabinet Resources Committee	Suzanne Hope	29/10/12	Final

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1 Executive Summary

The council has reviewed the options available to the council for the future delivery of waste and street scene services. Through financial and non-financial analysis the authority has identified the most advantageous delivery methods to ensure efficient long term delivery of these services - that of an in-house stretch with support option and an outsourced service. Given the proximity of the total score of this to the highest ranked option it was considered appropriate to develop this option which would allow the services to develop new initiatives before reviewing the options for service delivery again in two years. This document describes the business case for the in-house stretch with support option.

Option	Description	Confidence (Savings)	Adjusted saving (£)*	A relentless drive for efficiency	One Public Sector approach	New relationship with customers	Total out of 50
1	Outsource	90%	2,401,845	29	3	11.25	43.25
2	In-house stretch with support	80%	2,247,230	26.25	4	11.75	42
3	Outsource post in-house improvement	90%	2,207,130	25	3.5	11	39.5
4	Shared Outsource	70%	2,051,318	25.25	2.75	11.25	39.25
5	In-house stretch delivered by a mutual	60%	1,685,636	18.5	3.25	13	34.75
6	Current in-house MTFs with additional support	90%	1,697,173	19.25	4	9.75	33

*Annualised savings averaged across eight years

Table 1, extract from Options Appraisal (table extracted from Options Appraisal, Appendix C)

The table below sets out the expected savings by year where the cost of change is incurred in year one and savings would be realised from year two, the expected start date of a new contract. The cumulative savings across the period are expected to be £17.9m.

In-house stretch Option

	Year 1 2012/13	Year 2 2013/14	Year 3 2014/15	Year 4 2015/16	Year 5 2016/17	Year 6 2017/18	Year 7 2018/19	Year 8 2019/20	Year 9 2020/21	Total (cumulative)
Annual financial benefit	-	852,025	2,344,903	2,488,766	2,536,629	2,536,629	2,536,629	2,536,629	2,536,629	18,368,839
Cost of change	391,000									391,000
Net financial benefit								Total for 8 years		17,977,839
								Average per year		2,247,230

Table 2, Annual savings from an in-house option

The scope of the Waste and Street Scene Project includes the following services:

- Waste Strategy
- Refuse Collection
- Recycling
- Street Cleansing
- Greenspaces
- Highways operational service

Under existing arrangements, the current services are delivered with a gross budget of £22.3m and the services generate £6.2m of income. Staffing levels associated with services equate to 335 full-time equivalents, as detailed in Appendix A. The financial modelling undertaken suggests an average annual benefit of £2.25m.

This savings estimated along with this option is premised on the following:

- Identify and implement income optimisation e.g. chargeable services areas as well as generating additional demand for income in areas such as parks, and commercial waste.
- Extend the role of behaviour change to other areas of the service, opportunities may include optimising operational effectiveness at HWRCs, increasing community led participation and reducing the need for street cleansing, through tackling fly tipping and littering.
- Maximise the flexibilities within each service to create an inclusive response and management function, regularising management and supervisory functions leading to a reduction of managers from 10 to 8. Investigating efficiencies derived from more appropriate shift patterns, including possible split shifts. Combination of street scene and green space operational structure expected to release savings.
- Learning from best practice elsewhere there may be potential to apply technology to improve service delivery. This will require resource to scope what opportunities may be available and support through implementation. Delivery through and in-house option will likely be more challenging than through an external partner as the approach requires development. The approach could be developed in partnership with the NSCSO.
- Working with community groups to support enhancements to infrastructure, generating improvements in parks and seeking support in Town Centres where traders share responsibility for the public space.
- Significant restructuring of staff at all levels would be required in order to deliver services that are able to meet the stretch targets. In order to deliver further efficiency savings it would be likely this would require more restructures.

It is recommended to Members that at the current time these services would benefit from remaining in-house whilst new service options are explored. This would allow the Council to develop the service and reduce the cost of service delivery whilst

banking the savings directly. It would also allow the Council time to develop new ways of working such as commissioning local or charitable organisations to deliver elements of the service in partnership with local resident groups. An example of this could be commissioning Groundwork to deliver park maintenance and utilise their expertise in engaging resident groups (e.g. Friends of Parks) to take on more ownership for their local green spaces. The Council would also have time to consider transferring the responsibility for whole areas of public realm to managing companies – this approach could be adopted in the regeneration areas (Colindale, West Hendon and Brent Cross/Cricklewood).

It is recommended that after a period of two years the services are reviewed again. The Council is aware that other Local Authorities are likely to be looking at procuring some or all of these services in or around 2014 so there may be future opportunities for collaboration should the Council wish to pursue that route.

2 The Purpose of the Outline Business Case and Options Appraisal

In light of the current saving pressures it was considered appropriate by the Council to review the options for service delivery that would allow the services involved the flexibility to develop whilst meeting the MTFS requirements.

The Options Appraisal seeks to review all options for the future delivery of the services in scope with the top rated options then developed into an outline business case that is able to articulate both a robust baseline and the scale of the financial case across the services, to demonstrate how this can be best achieved in the current financial climate. Alongside the financial case the outline business case looks to establish the benefits to both council and customer in regard to service delivery for the option.

The Options Appraisal was produced in two stages. The first identified all possible options and tested the ability to meet the savings agreed by Cabinet¹. Those that passed this were then investigated in more depth to identify which route would be of most benefit to the council and customer both financially and non-financially. A financial model was developed to support the evaluation of the options and sits behind the scoring. The evaluation of options progressed through an internal challenge process with officers to ensure the consistency of scoring. This outline business case has been built around the option deemed of greatest benefit. This is a dynamic document and will be updated at key points in procurement to ensure it continues to show it would provide benefit to both council and customer.

2.1 Development of the option to outline business case

This outline business case has been developed following options appraisal of thirteen options. The options appraisal consisted of two stages, with a more detailed evaluation conducted on seven options. The options and evaluated sub-options are set out below:

Option	Sub-option
1. In House Model – based on current service plans	1a. Delivered by in house team
	1b. Delivered with additional transformational support
	1c. Delivered through a mutual
2. In House Model Developed to stretch savings targets.	2a. Delivered by in house team
	2b. Delivered with additional transformational support
	2c. Delivered through a mutual
3. Split service - retain split with Waste	3a. Delivered with another borough

¹ Business Planning report to Cabinet 20 February 2012

Option	Sub-option
and Recycling, Green Spaces, Highways and Street Cleansing	3b. Delivered with a private company (part outsource)
4. Shared Service	4a. Delivered in house with another Borough (Harrow)
	4b. Shared procurement only, separate outsourced contract
	4c. Shared service delivered through outsourcing. (Brent)
5. Outsource	5a. Full outsource, straight away
	5b. Outsource following in house improvement

Table 3 Options investigated

The evaluation criteria were designed based on the One Barnet principles. Stage one was a high level options appraisal against:

- A relentless drive for efficiency (70%)
- One public sector approach (15%)
- New relationship with customers (15%)

The weighting of stage one predominantly focussed on efficiency, reflecting the need to save £1,250,000 by 2016. The project board agreed to weight efficiency at 70% for stage one to ensure that all options were robust enough to meet the minimum savings required. This also ensured that the long list could be evaluated and reduced to a more manageable size for stage two of the options appraisal.

At stage one, option 1a (in house Medium Term Financial Strategy – MTFS – delivered by the in house team), was used as a benchmark score for evaluating the other options, any option that scored the same as or higher than this option was evaluated in more detail at stage two. Option 1a was not evaluated in detail at stage two since the case for change has been developed as set out in the Strategic Outline Case

There top six options that scored above option 1a and moved to stage two were:

- 1: Outsource
- 2: Outsource post internal improvement
- 3: Shared outsource
- 4: Current in house MTFS with additional support
- 5: In house stretch delivered by a mutual
- 6: In house stretch with support

As part of the second stage review a variant of the option, 'shared outsource', was considered and evaluated at stage two. This decision was made based on identifying ways in which the original shared outsource option could be modified and stretched further. The revised shared outsource option comprises of a set of conditions for a successful shared enterprise, which was developed through the West London Alliance exercise. These conditions include the co-establishment of effective joint governance and lengthening of timescales to allow for a procurement strategy to evaluate best value from the market. The development of this option reflects the

evolution of the dialogue between parties during the drafting of the options appraisal and business case.

The evaluation criteria at stage two was based on the One Barnet principles but included more detail than stage one. The criteria are outlined below:

- Price (50%)
- Investment (5%)
- Risk transfer and guarantee of delivery (5%)
- Pace of service transformation (5%)
- Flexibility and sustainability (5%)
- Potential for staff incentivisation (5%)
- Performance (10%)
- Citizen focus (10%)
- Super outcomes (5%)

The evaluation was weighted by confidence in the delivery of savings and the overall risk of each model has also been taken into account.

The criteria are consistent from Stage One to Two. In Stage Two the balance shifts from a heavier emphasis on financial targets (based on the need to achieve the MTFS) to reflect the importance of service performance, customer satisfaction, and achievement of Barnet Super Outcomes.

The final evaluation scores for the six options at stage two are as follows:

Option	Description	Confidence (Savings)	Adjusted saving (£)*	A relentless drive for efficiency	One Public Sector approach	New relationship with customers	Total out of 50
1	Outsource	90%	2,401,845	29	3	11.25	43.25
2	In-house stretch with support	80%	2,247,230	26.25	4	11.75	42
3	Outsource post in-house improvement	90%	2,207,130	25	3.5	11	39.5
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5	In-house stretch delivered by a mutual	60%	1,685,636	18.5	3.25	13	34.75
6	Current in-house MTFS with additional support	90%	1,697,173	19.25	4	9.75	33

*Annualised savings averaged across eight years

Table 4 Stage two evaluation of options

There is more detail on both stage one and stage two of the option appraisal in appendix of this outline business case. There is a summary report as part of this appendix which explains the recommendations from the option appraisal.

Though the scoring is relatively close between the top three options, there are material differences between them. If delivered effectively, a shared outsource should deliver the maximum benefit to Barnet and so is ranked first. An outline business case is being developed to further describe the shared outsource option. Given the proximity in scores, an outline business case (i.e. this document) has been developed for the 'in house stretch with support' option. Both outline business cases will be assessed.

3 Strategic fit

The overarching aim of the One Barnet programme, as set out in the One Barnet Framework, is to create a citizen-centric council. Citizens are "to get the services they need to lead successful lives, and to ensure that Barnet is a successful place."² Barnet Council faced a funding gap of £53M³ in the three years from 2012 and this is expected to further increase in the next Comprehensive Spending Review from 2014/15. In order to help mitigate the impact of both the current funding gap and expected further savings required the council is exploring implementing the in-house stretch with support option as well as the shared outsource option. The expectation is that the in-house stretch with support option will result in a decrease in their costs and increase in income.

Local Authority waste collection has changed considerably over the last 10 years, as can be demonstrated by the change in the recycling rate – in 2000/01 average council recycling in England was 11% and in 2010/11 it was 40%. In order to deliver this step-change in performance, councils have turned to a number of different collection methodologies and delivery mechanisms including the following:

- Dramatic increase in alternative weekly collection for residual waste;
- Increased consideration of joint working; and,
- Increased consideration of outsourcing waste collection.

The council is currently developing a Strategic Outcome Framework for the new commissioning council. It is expected that one of these key objectives will be a well maintained and balanced environment through maintaining attractive and accessible green and open spaces, reducing levels of household waste and increasing recycling. A key part of delivering this objective will be through increasing citizen engagement and involvement through behaviour change. It is expected that increased engagement and potential ownership, as seen with the transfer of allotments to a charitable trust of allotment holders, will encourage greater involvement in working with the council to look after local parks and streets and

² One Barnet Framework report to Cabinet 29 November 2010, pg 6

³ Budget, Council tax and Medium Term Financial Strategy (MTFS) report to Cabinet 14 February 2011

reduce the levels of residual household waste. Requiring continuous innovation as part of the service will put the council in a strong place to be able to respond to future funding constraints.

In line with the One Barnet principles it is expected that the improvement of service delivery through the in-house stretch with support option should:

A new relationship with citizens

- Improve communication with residents to change waste and recycling behaviour.
- Simplified recycling instructions to enable increased recycling
- Greater community involvement and ownership of local parks and streets.
- Greater use of parks and open spaces to improve health and personal outcomes of residents thereby reducing their reliance on health and social services.

A one public sector approach

- Be able to work effectively with local businesses and third sector groups to provide opportunities for those looking for work to develop new skills.
- Be flexible and therefore able to rapidly respond to changing demands.

A relentless drive for efficiency

- Be innovative and maximise evolving technology, thinking, and practice
- Identify and implement income optimisation models.
- Streamline structures to provide the most efficient street environment service.
- Operate as efficiently as possible to provide consistently high service delivery within a reduced budget.

4 Scope

The council services in scope are listed below:

- Refuse and recycling collections
- Waste strategy
- Street cleansing
- Greenspaces
- Highways operational team

The majority of the services above are currently delivered in-house and current budget and employee numbers are summarised below. In the table below the budget for the delivery of recycling through May Gurney is included in the Recycling/ Waste Strategy line where the contract management sits.

Service	FTE	Gross 12/13 Expenditure budget £000	Total 12/13 Income budget £000
Recycling/Waste Strategy	6.6	4,486	(1,102)
Refuse	103	5,584	(2,313)
Street Cleansing	127.06	4,127	(40)
Greenspaces	89.83	6,342	(1,473)
Highways operational team	9	1,732	(1,255)
Total	335	22,271	(6,183)

Table 5 Service scope with costs

Further detail on the services can be found in Appendix A.

4.1 Detailed baseline costs

The approach taken to calculate current delivery costs and the financial benefits associated with Street Scene Services is outlined below.

For each service the project established the current service cost, assessed the potential for the service to improve and the scope to generate savings through a joint approach in order to develop the financial case.

The total budget is £17.4m per annum, with the greatest expenditure within domestic refuse. Trade Waste, Green Belt Land, Allotments, and Sign Shop are net income generators contributing to total income of £6.2m per annum.

Cost Centre description	2012/13 Expenditure Budget	2012/13 Income Budget	12/13 Budget (£)	*Support costs assumption (£)	Total (£)
Recycling	3,835,890	(1,102,210)	2,733,680	242,811	2,976,491
Civic Amenities	649,670	0	649,670	33,262	682,932
Street Cleansing	4,126,800	(40,000)	4,086,800	251,220	4,338,020
Domestic Refuse	5,535,975	(150,000)	5,385,975	325,189	5,711,164
Trade Waste	47,690	(2,162,686)	(2,114,996)	8,757	(2,106,239)
Allotments	71,624	(89,684)	(18,060)	4,607	(13,453)
Parks & Open Spaces	4,628,572	(957,170)	3,671,402	269,949	3,941,351
Sports Grounds	388,590	(311,290)	77,300	22,453	99,753
Green Belt Lands	3,810	(106,860)	(103,050)	794	(102,256)
Trees Mgmt	1,249,830	(8,200)	1,241,630	67,058	1,308,688
Highways Responsive	754,447	(647,000)	107,447	50,099	157,546
Winter Maintenance	647,600	(229,870)	417,730	32,792	450,522
Highways Stand by	92,850	(89,310)	3,540	4,936	8,476
Sign Shop	237,230	(288,930)	(51,700)	15,080	(36,620)
Total	22,270,578	(6,183,210)	16,087,368	1,329,005	17,416,373

Table 6 Elements of base service cost by service

5 Benefits Case

The benefits sought by the project align with the council's strategic One Barnet objectives. The key benefits for change are set out below.

5.1 Strategic benefits

The in-house stretch with support option has several strategic benefits for the Council:

- staff employed directly by the Council are potentially more engaged and so committed to “going the extra mile” because they had chosen to work for the Council,
- the in-house stretch option could be implemented fairly quickly as it will not go through an extended procurement process, and hence will also not incur costs related to procurement,
- staff employed by the Council will be more flexible in how they can contribute (or further contribute) to the delivery of Council objectives (e.g. hosting the Olympic Torch Relay, and providing support on gritting during winter),
- there are greater chances that the high customer satisfaction levels that the service currently enjoys will continue as they are already delivering the high level of service,
- there will be greater control to implement any changes to the service more quickly (e.g. adherence to any new European Union regulations on emissions),
- the utilisation, and potential success, of behaviour change initiatives directly by Council staff could provide greater lessons for a more effective utilisation of behaviour change in other service areas,
- in the longer term, there is potential to trade services and generate greater income that could directly contribute to the bottom line of the Council. Trading services could include providing the service for other Councils and commercial organisations within Barnet,
- the opportunity to be supported by external subject matter experts will allow innovative new ideas to be absorbed by Council staff in the longer term delivery of services,
- there will be no need for a retained client function as another layer in the organisation,
- there will be greater transparency if the service remains in-house compared to if it were externalised.

5.2 Non-financial benefits

A summary of the potential non-financial benefits of the project, and how they align with the One Barnet key principles is provided below.

A new relationship with citizens

The service will:

- be able to deliver behaviour change in residents and businesses with regard to waste and recycling,
- drive greater levels of engagement with Friends of Parks Groups and develop local ownership schemes as appropriate,
- build on the current successful model of adopt-a-street to widen the involvement across the borough,
- maximise opportunities for engaging local residents and businesses in how they can look after their localities,
- ensure that engaging local people, either directly or through voluntary and charitable organisations, can offer pathways into work through volunteering or work placements,
- ensure the visible environment is maintained to current service levels as a minimum to provide a clean and green environment for residents and businesses,
- become more responsive to changing citizen needs within the borough and be able to adjust service levels accordingly,
- take advantage of new innovation in the market place to both improve service delivery, issue resolution and engagement with the community.

A one public sector approach

The services will:

- work with local groups and businesses particularly in relation to management of green spaces in order to ensure that the community is engaged and where opportunities for work placements or volunteer work present themselves these are captured and developed.

A relentless drive for efficiency

The services will:

- benefit from the experience of a private sector organisation (NSCSO provider) in enhancing performance whilst realising operational efficiencies,
- be able to provide flexible deployment arrangements of staff to take into account the requirements based on seasonal demands.
- Identify new opportunities to reduce the baseline cost of services such as development of public realm companies in regeneration areas.

5.3 Benefits for staff

The in-house stretch with support option has several key benefits for staff:

- staff whose objective is to serve the people as a Council employee will continue to do so,
- the opportunity to enhance expertise and insight from the provision of short-term external change support,
- there is a perception that there will be greater wellbeing of staff if the service remained in-house,
- training – staff are provided on-going training once every 12 to 14 months to support their further development,
- opportunities to develop skills through working with the new NSCSO provider to develop services,
- improvements to the business will engender a continuous positive approach by staff to improving their and customers experiences.

5.4 Financial Benefits – assessing the potential to improve

The key element to the achievement of savings is through an in-house stretch with support delivery model that drives performance improvement and achieves efficiency. This savings estimated along with this option is premised on the following:

- identify and implement income optimisation e.g. chargeable services areas as well as generating additional demand for income in areas such as parks, and commercial waste,
- extend the role of behaviour change to other areas of the service, opportunities may include optimising operational effectiveness at HWRCs, increasing community led participation and reducing the need for street cleansing, through tackling fly tipping and littering,
- maximise the flexibilities within each service to create an inclusive response and management function, leading to a reduction in managers from 10 to 8. Possibly changing shift patterns, to split shifts. Combination of street scene and green space management structure expected to release savings,
- learning from best practice elsewhere there may be potential to apply technology to improve service delivery. This will require resource to scope what opportunities may be available and support through implementation. Delivery through an in-house option will likely be more challenging than through an external partner as the approach requires development. The approach could be developed in partnership with the NSCSO.

The business case uses a mixture of feedback from the services and commercial judgement to identify potential for improvement. The baseline for the model is based on the As-Is staffing and performance level in these service areas - this would likely change in the next two years (through internal transformation/consolidation), and

hence the business case will need to be revised, since changes will impact the performance and team size. Initially the restructure of Street Cleansing and Greenspaces will prompt this. However in order to meet targets it would be expected that a more significant restructure of staff at all levels across all services involved would be required. It should also be expected that more staff restructures would likely be required as the service develops.

The profile provides an early yet realistic level of benefit realisation to support the council's immediate financial challenges, and supplements this with year-on-year targets for improvement thereafter. Transformation identified within the current MTFS highlights savings to be achieved of:

- 2013/14 £882,000
- 2014/15 £1,211,000

A core element of the potential savings relates to the improvement of recycling rates through effective and expanded behaviour change of local residents. The assumptions utilised for the potential for improvement is set out in more detail below.

Service	Improvement Assumptions	Notes
<i>Waste & Recycling</i>		
Efficiencies	20%	Efficiencies will be in-line with target MTFS savings plus additional 3% efficiencies/income generation
Income	5%	Opportunities to stretch the In-house model by increasing income (Trade Waste)
<i>Street Cleansing</i>		
Efficiencies	5%	Increase the impact of behaviour change through application to parks and green spaces and street cleansing
Income		
<i>Green Spaces</i>		
Efficiencies	5%	Increase the impact of behaviour change through application to parks and green spaces and street cleansing & engage communities
Income	5%	Opportunities to stretch the In-house model by increasing income
<i>Highways</i>		
Efficiencies	5%	Seek area based efficiencies through operational synergies between green space 'on-street' services, street cleansing and highways – design strategy to combine areas and release most efficiencies
Income	5%	Opportunities to stretch the In-house model by increasing income

Table 7, Improvement Assumptions

In addition, the assumptions related to the confidence level of achieving the savings as well as the estimated costs for change support costs are described in the table below.

	Assumption	Notes
Confidence Level	80%	Additional support gives the ability to identify additional savings that are more robust
Change costs	£ 391,000	Current agreed project budget plus £200k dedicated consultancy support which incorporates identification of further savings.

Table 8, Confidence Assumption

5.5 Business Case Overview

The following table shows the expected business case scenario for the waste and street scene services. It shows the effect of cost reductions, increases in income and total cost of change which give the overall cost reduction. It indicates a net average annual benefit of £2.25m. The savings have been profiled over nine years for comparison to the other options. It would be expected that the services would be reviewed in two years to evaluate if an in-house delivery model remains the best way to provide value for money to the Council and customers.

In-house stretch Option

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Total
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	(cumulative)
Cost Reduction	-	1,005,203	2,811,472	2,931,472	2,931,472	2,931,472	2,931,472	2,931,472	2,931,472	21,405,509
Income increase	-	59,828	119,657	179,485	239,314	239,314	239,314	239,314	239,314	1,555,540
Confidence Level	80%	80%	80%	80%	80%	80%	80%	80%	80%	
Revised annual financial benefit	-	852,025	2,344,903	2,488,766	2,536,629	2,536,629	2,536,629	2,536,629	2,536,629	18,368,839
Cost of change	391,000									391,000
Net financial benefit										
										Total for 8 years
										17,977,839
										Average per year
										2,247,230

Table 9, Financial Benefit

There have been other potential areas of savings that have been identified (e.g. variable pay, Area Manager structure) that are not yet included in the above cost/savings projections as the confidence level to achieve these are still quite low. These other opportunities can be explored further during the detailed implementation planning phase.

5.6 External support

To support the delivery of the estimated savings, additional transformational support will be required in the following areas:

- achievement of savings will rely on the successful implementation of software and new technology that will require additional investment either through NSO/CSO provider or another contractor.
- additional support could focus on enabling the in-house team to progress and sustain the behaviour change programme.
- engagement of additional support will increase pace of change by identifying new efficiency savings and researching ways to implement them e.g. route optimisation. The additional support could also focus on tackling the cost pressure of agency staffing.

There would be no need to engage in a procurement exercise as the additional transformational support could be called off from the NSO/ CSO partner or the current implementation partner framework that it is already in place.

5.7 Critical success factors

The critical success factors for the waste and street services in-house stretch with support option are as follows:

- to contribute towards and remain sustainable within the council's current MTFs and expected future savings requirements
- to achieve agreed delivery cost reductions in line with the benefits case
- to achieve the minimum service levels embedded in the Service Specifications⁴ within the timescale set out in their implementation plans, this includes the achievement of target recycling levels.
- to provide a flexible service that is able to respond effectively to changing demands

⁴ These are detailed documents that will summarise the individual service requirements in terms of outcomes and outputs.

6 Risks, Dependencies, and constraints

6.6 Key Risks

Risk	Mitigating action
Financial savings targets will not be met due to either poor planning and/or poor execution.	Implement a risk-reward mechanism for any contract with external advisors. Ensure that plans are reviewed thoroughly by key stakeholders (both senior officers and front line staff).
Financial savings targets will not be met due to assumptions which are too optimistic.	Review assumptions regularly (e.g. quarterly or monthly), make any necessary adjustments based on early findings, and refine savings forecast accordingly.
There is no long term plan to develop the service (unlike an outsourced model). Any long term plans will also be affected by the 2014 elections.	Review the service in two years to assess the continued ability to deliver savings against other options of service delivery.
Industrial action by Council staff	Ensure there are appropriate channels for staff to raise concerns alongside constant communication with staff and address issues as they arise.
Behaviour change initiatives are not implemented properly and do not have the desired effect.	Adapt and learn from the Waste service experience as much as possible. Gather input on the approach from external specialists.
Income optimisation initiatives do not generate as much public interest as envisaged.	Develop a plan B price plan (e.g. "easyjet-style" pricing model)
Staff are not convinced that the objectives set for the transformation are realistic.	Utilise an effective change management approach where all staff are provided with opportunities to refine the plans and objectives.
Area manager system does not work effectively.	Ensure that roles and reporting lines are clearly defined and the support systems are in place. Include in performance management targets for managers.

Table 10, Risks

These risks will be assessed and managed in accordance with the council's risk management methodology.

6.7 Dependencies

Dependencies	Mitigating action
The effectiveness of behaviour change	Create and enforce a comprehensive

Dependencies	Mitigating action
will be partly dependent on creating and enforcing a charging/fining policy (e.g. a fine for dog fouling)	complementary policy of fixed penalty notice fines.
Increased income will be partly dependent on how well the Council markets its assets	Work closely with the Communications and NSCSO teams to prepare an effective campaign.
Links to Highways within Development & Regulatory Services (DRS) will impact on the size and shape of the Highways DLO	To be reviewed post DRS award, options to be evaluated and preferred option agreed.
Legal obstacles of technology already procured (i.e. Muniround) will be overcome	Clarify any remaining obstacles and agree solutions with key senior stakeholders.

Table 11, Dependencies

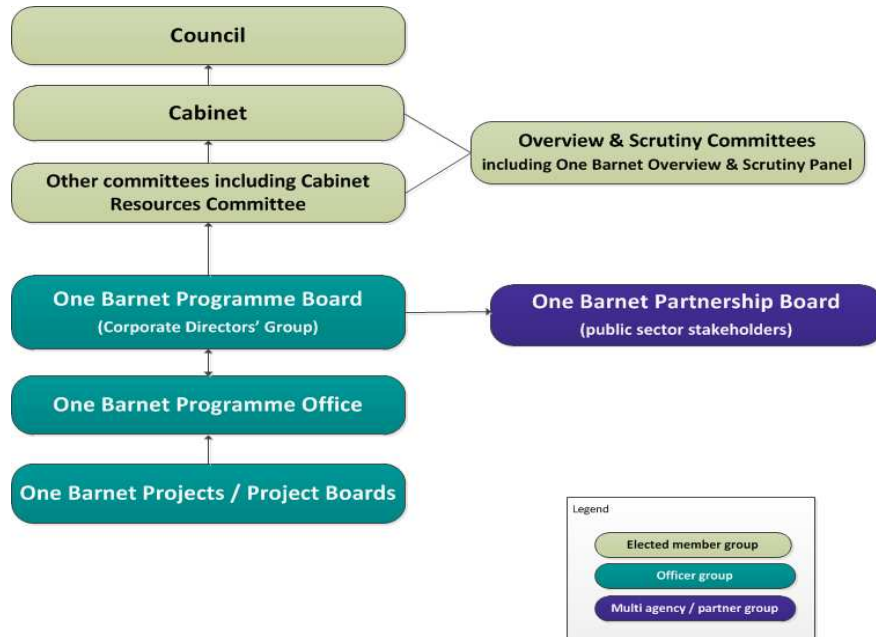
6.8 Constraints

Constraint		Mitigating action
Budget	There is no clear source of investment required to upgrade technology.	Develop invest-to-save options with Finance as part of detailed business planning.
Time	The length of time for some of the behaviour change initiatives to be embedded in the service areas (aside from Waste) is unclear.	Refine confidence levels for savings targets based on realistic timescales for impact of behaviour change as advised by experience in Waste and through external support.
Staff	The success of any new structure and operating model will be effective in as much as the Supervisors on the ground are on board and will be able to make it work.	Ensure that Supervisors are able to provide input/feedback on any new structure and operating model, and pilot test the model before wider-roll out.
Quality	The success of the in-house stretch process will be based on how well it will be executed.	Support will be provided to the officers involved in writing, approving, and implementing the plan.

Table 12, Constraints

8 Project Governance and Roles

The implementation of the in-house stretch with support option will fall under the overall internal programme governance arrangements for One Barnet, which is set out below. This provides an established mechanism for decision-making and issue escalation.

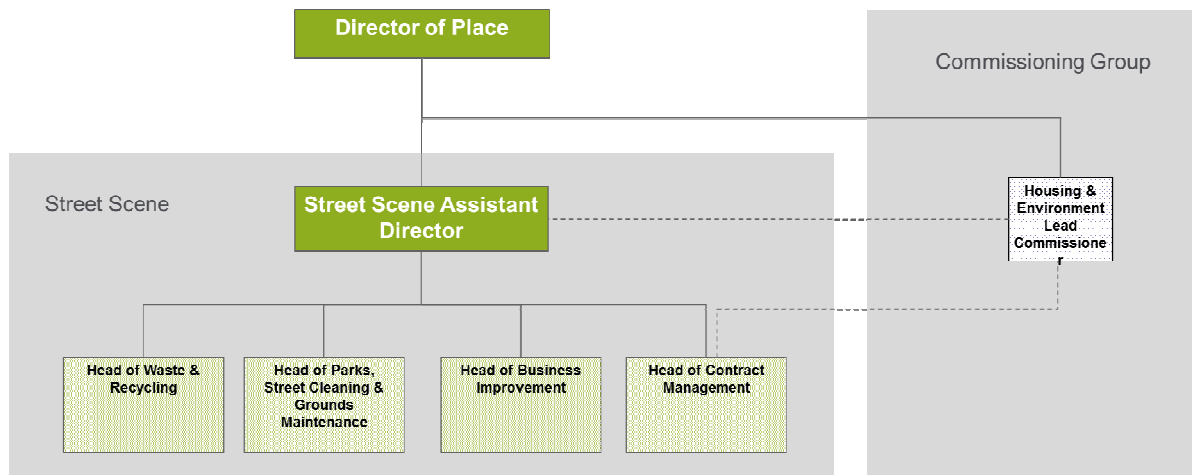


The proposed members of the Delivery Board are detailed below:

Delivery Board members
Street Scene Assistant Director
Head of Waste and Recycling
Head of Business Improvement
Head of Parks, Street Cleaning & Grounds Maintenance
Head of Contract Management
Housing and Environment Lead Commissioner
Finance Lead
HR Business Partner
Communications & Engagement

Table 13, Board membership

The structure of the Street Scene Service and how it relates to the Commissioning Group is illustrated below.



The roles and responsibilities for each of the posts are described below.

Role	Key responsibilities
Street Scene Assistant Director	<ul style="list-style-type: none"> • Make operational leadership decisions • Manage operational and regulatory relationships on behalf of the Strategic Commissioning Board • Work in partnership with other organisations to deliver the commission's specifications to time and within the specified resource levels • Support the commissioning process in the development of commissioning strategies, and through the provision of information and expertise
Head of Business Improvement	<ul style="list-style-type: none"> • Lead the implementation of the in-house stretch option model on a day-to-day basis • Lead the constant thinking on creating, testing, and rolling out innovative service delivery models • Manage operational issues and co-create strategic solutions with colleagues • Provides support on the commissioning of services • Work to ensure that corporate policies are respected by all staff across the service. Initiates proposals for the revision of, or the provision of new, corporate policies

<p>Head of Waste and Recycling</p>	<ul style="list-style-type: none"> • Manages the following services across the Borough: <ul style="list-style-type: none"> ○ Refuse collection ○ Recycling ○ Trade waste ○ Clinical waste ○ Green & Kitchen waste • Liaises with the North London Waste Authority in relation to the above services
<p>Head of Parks, Street Cleaning & Grounds Maintenance</p>	<ul style="list-style-type: none"> • Manages the following services across the Borough: <ul style="list-style-type: none"> ○ Street cleansing ○ Parks maintenance ○ Grounds maintenance • Provide estate management advice • Support local park development
<p>Head of Contract Management</p>	<ul style="list-style-type: none"> • Manages the following contracts on a day-to-day basis: <ul style="list-style-type: none"> ○ Streetlighting PFI ○ Parking contract ○ Transport contract ○ Transport function ○ DRS highways element ○ Term contracts
<p>Housing and Environment Lead Commissioner</p>	<ul style="list-style-type: none"> • Translate outcomes and priorities set by Members and the Strategic Commissioning Board (SCB) into commissioning strategies and delivery plans. • Lead multi-functional teams assembled from the resource available to the Commissioning Group to create the strategy, plan, and commission that can deliver the outcomes • Review data and insight emerging from Street Scene and external providers of services to identify new opportunities, risks and areas of poor performance • Provide technical expertise to contract management processes to help assess quality and achievement of outcomes • Define evaluation criteria and performance measures for commissions • Manage some strategic partnerships and contractual relationships with providers on behalf of the SCB • Report to Members on performance

Table 14, Roles and Responsibilities

9 Risk Management Strategy

As set out in the strategic outline case project risks will be managed in line with the council's Corporate Risk Management Strategy and Project Management Toolkit.

10 Equalities

The council has a strong commitment to making equalities and diversity integral to everything it does. It has adopted a model that recognises that people are often disabled by their environment and other people's attitudes.

It will be necessary to assess the equalities impact of service developments on the different groups of people within the borough, as outlined in the 2012-13 Corporate Plan and work will be undertaken towards this end. Should there be any staff restructuring specific equalities impact assessments will be carried out on those potentially impacted.

As part of the council's commitment to promoting equalities, the Waste and Street Scene project will carry out equalities impact assessments on both staff and customers which will gather information about any differential impacts, potential or perceived impacts on different groups, including all of those groups covered by the Equality Act 2010. Members will be able to use this information to support them in having due regard to their duties under the Act. These considerations will provide fact-specific information as well as assessing the impact of those facts on different groups of people including disabled people in Barnet.

The One Barnet programme has been explicit in how it will support the council in meeting its statutory obligations under the Equality Act 2010 by using equality assessments to demonstrate that 'due regard' has been taken to support members in making informed decision.

Appendix A: Existing Delivery Arrangements

Waste Strategy/Recycling

The waste strategy team have three key responsibilities; firstly for setting direction for the council in regard to waste and recycling including advising Directors and Members on the most appropriate collection methodology, secondly they have the direct day to day relationship with the North London Waste Authority (NLWA). Finally the team manage the contract for recycling collection, currently outsourced to May Gurney.

Alongside this the service works with local schools to improve awareness and educate children and families on recycling and impact of residual waste. Associated to this the team manage communication strategies with the public to raise awareness around recycling.

Updated key facts:

Service Area	Waste Strategy
2012-13 Employees (fte)	6.6
2012-13 Budget – Gross	£4,485,560
2012-13 Income	£1,102,210
2012-13 Budget – Net (Gross budget – Income)	£3,383,350

Primary functions for the service are as follows:

- contract management
- management of recycling services
- strategy and planning for waste and recycling
- education and promotion of waste and recycling services
- link point with NLWA.

Approximate annual volumetrics for the service are as follows:

- Recycling waste collected in 2011/2012: 27,241 tonnes
- Composting waste collected in 2011/2012: 21,315 tonnes
- Re-use waste collected in 2011/2012: 444 tonnes
- Disposal waste collected in 2011/2012: 96,466 tonnes
- Number of households in 2011/12: 140,050
- Number of trade waste customers: 2,694

Key performance indicators 2011/12

- Percentage of waste sent for recycling, composting and reuse - Target: 34%,
outturn 33.58%
- The amount of residual household waste sent for disposal per household - Target:
710kg, outturn 692kg

Street Cleansing

The Street Cleansing Service primary function is to sweep all adopted roads in Barnet, their role is to maintain a clean 'place' for residents and businesses. This involves cleansing of graffiti and hazardous waste. They also carry out investigation into fly tipping and dumped rubbish, although currently this does not cover the enforcement aspect. Alongside this the service supports the Greenspaces teams in managing demand peaks across the year e.g. autumn leaf collection.

Updated key facts:

Service Area	Street Cleansing
2012-13 Employees (fte)	127.06
2012-13 Budget – Gross	£4,126,800
2012-13 Income	£40,000
2012-13 Budget – Net (Gross budget – Income)	£4,086,800

Primary functions for the service are as follows:

- street sweeping
- investigation of fly tipping and dumped rubbish
- graffiti removal
- clinical and hazardous waste collection
- emptying of street bins
- gritting town centres and transport hubs as part of the winter maintenance plan

Approximate volumetrics for the service are as follows:

- All residential street in borough are swept every 6 weeks at present (although this is for review as some areas require more frequent sweeping)
- Graffiti is removed as required (any offensive graffiti is removed within 24 hours)
- Street bins in town centres are emptied 2 or 3 times per day, others in secondary shopping areas once daily
- Litter bins in residential areas are checked weekly

Refuse service

The primary function of this service is to collect residual residential waste on a weekly basis and business waste on a weekly basis. In addition to this the service also manages the trade waste service and bulky waste collection service.

Updated key facts:

Service Area	Refuse Service
2012-13 Employees (fte)	103
2012-13 Budget – Gross	£5,583,650
2012-13 Income	£2,312,686
2012-13 Budget – Net (Gross budget – Income)	£3,270,979

Primary functions for the service are as follows:

- household residual waste collection
- schools residual waste collection
- skip delivery and collection
- trade waste collection
- bulky waste collection
- bin delivery service.

Approximate volumetrics for the service are as follows:

- 281 skips delivered per annum
- 4 compactors emptied once per week 52 weeks per year
- 2,752 green waste bins delivered per annum
- 2,264 domestic bins delivered per annum
- 414 trade waste bins delivered per annum
- 10,400 trade waste blue bags delivered per annum
- 176,400 domestic sacks delivered
- 272 bins repaired

Greenspaces service

The responsibility of this service is to maintain all parks and open spaces owned by the local authority, this includes highway verges and green spaces on Barnet Homes estates. The service also manages the letting of parks and open spaces to residents and businesses. The service encounters seasonal pressures which are expected to be relieved to a degree from the merge with the Cleansing Service.

Updated key facts:

Service Area	Greenspaces Service
2012-13 Employees (fte)	89.83
2012-13 Budget – Gross	£6,342,426
2012-13 Income	£1,473,204
2012-13 Budget – Net (Gross budget – Income)	£4,869,222

Primary functions for the service are as follows:

- grass cutting and planting of open spaces and parks, highway verges
- grass cutting of Barnet Homes estates
- letting of parks and open spaces
- facilities management of parks buildings
- parks locking and unlocking
- tree inspection
- commissioning of tree maintenance
- commissioning of park buildings repairs.

Approximate volumetrics for the service are as follows:

- 8,700 trees inspected annually
- 76 park buildings managed
- 200 parks and open spaces maintained
- 6 million metres of grass maintained

Highways operations

The responsibility of this service is to carry out responsive highways works such as repair of pot holes, winter maintenance, and sign manufacturing & erection. This team are expected to merge with either Refuse or Street Cleansing in the coming months.

Updated key facts:

Service Area	Highways Operations
2012-13 Employees (fte)	9
2012-13 Budget – Gross	£1,732,000
2012-13 Income	£1,255,000
2012-13 Budget – Net (Gross budget – Income)	£477,000

Primary functions for the service are as follows:

- emergency repair of pot holes
- emergency repair of pavements
- roads and pavements winter maintenance
- manufacture of signs for the council (and also for trade with external clients)

Appendix B: Information Sources

Source	Description
Waste and Street Scene Strategic Outline Case	Initial review into the services in scope and identification of possible service delivery options
Waste and Street Scene Options Appraisal	Detailed appraisal of those options that could meet the MTFS targets.
SAP data	HR and Finance data associated with historic and current service delivery, as well as committed savings
One Barnet Business Case	Framework outlining costs and benefits across the One Barnet Programme
One Barnet Business Case Cabinet cover report	Cabinet report seeking approval of programme activities, investment and benefits
Interviews with key service heads	Assistant Director and Service Heads.

Appendix C: Options Appraisal

This document is attached to the report separately.

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London Borough of Barnet

Environmental Service Options Appraisal: Stage Two Summary findings

Appendix C

3 October 2012

Executive summary

The table below sets out the scores achieved by the options appraised during Stage 2. These slides set out the approach and evaluation criteria applied. The rationale for the scores is detailed for each option in the appendix to this document.

Option	Description	Confidence (Savings)	Adjusted saving (£)*	A relentless drive for efficiency	One Public Sector approach	New relationship with customers	Total out of 50
1	Outsource	90%	2,401,845	29	3	11.25	43.25
2	In-house stretch with support	80%	2,247,230	26.25	4	11.75	42
3	Outsource post in-house improvement	90%	2,207,130	25	3.5	11	39.5
4	Shared Outsource	70%	2,051,318	25.25	2.75	11.25	39.25
5	In-house stretch delivered by a mutual	60%	1,685,636	18.5	3.25	13	34.75
6	Current in-house MTFs with additional support	90%	1,697,173	19.25	4	9.75	33

Contents

1. Introduction
2. Summary scoring, evaluation criteria and approach
3. Financial summary

Introduction

- This report details the options appraisal for ‘Environment & Street Scene’ services.
- In scope for this review are:
 - Refuse, organic waste and recycling collections
 - Waste strategy
 - Street cleansing
 - Green spaces
 - Highways operational team
- This presentation outlines the six options that were identified in stage one for further appraisal. It also outlines the evaluation criteria and scoring approach for stage two, derived from the One Barnet Principles. This presentation details the evaluation of each option.

Contents

1. Introduction
2. Summary scoring, evaluation criteria and approach
3. Financial summary

Stage one of the options appraisal

Phase one considered the following options for the future delivery of services. The options have been grouped by design; the sub-options reflect how the model could be delivered and were evaluated as separate options.

Model Design	Sub-option
1. In House Model – based on current service plans	1a. Delivered by in house team
	1b. Delivered with additional transformational support
	1c. Delivered through a mutual
2. In House Model developed to stretch savings targets.	2a. Delivered by in house team
	2b. Delivered with additional transformational support
	2c. Delivered through a mutual
3. Split service- retain split with Waste and Recycling, Green Spaces, Highways and Street Cleansing	3a. Delivered with another borough
	3b. Delivered with a private company (part outsource)
4. Shared Service	4a. Delivered in house with another Borough (Harrow)
	4b. Shared procurement only, separate outsourced contract
	4c. Shared service delivered through outsourcing. (Brent)
5. Outsource	5a. Full outsource, straight away
	5b. Outsource following in house improvement

Stage one - top options

Project Board determined that any option that scored more highly than the current in house MTFS model would proceed to Stage Two of the evaluation. These were:

- Outsource
- Outsource - post in house improvement
- Shared - outsourced
- In House stretch – with support
- Current In House MTFS with additional support
- In House stretch delivered by a mutual

Evaluation criteria

- The evaluation criteria signed off by project board were developed in light of the One Barnet principles.
 - A relentless drive for efficiency
 - A one public sector approach
 - A new relationship with citizens

One public sector approach refers to the local public sector environment within Barnet

- Our evaluation has been weighted by confidence in the delivery of savings and the overall risk of each model has also been taken into account.
- The criteria are consistent from Stage 1 to 2. In Stage 2 the balance shifts from a heavier emphasis on financial targets (based on the need to achieve the MTFs) to reflect the importance of service performance, customer satisfaction, and achievement of Barnet Super Outcomes.
- The following slides detail these criteria.

Stage two evaluation criteria (1)

One Barnet Principle	Weighting	Theme
<p>A Relentless drive for efficiency</p>	50%	<p>PRICE What is the scale of efficiency available? What is the potential for income generation for the Council?</p>
	5%	<p>INVESTMENT What opportunities are there for up front, external investment which will secure long term financial gain or service improvement?</p>
	5%	<p>RISK TRANSFER AND GUARANTEE OF DELIVERY To what extent is the risk of delivering target outcomes transferred away from the council? How confident is the council in delivery of the desired outcomes through the option?</p>
	5%	<p>PACE OF SERVICE TRANSFORMATION How quickly can the desired outcomes be delivered?</p>
	5%	<p>FLEXIBILITY AND SUSTAINABILITY How will the option adapt and change to cope with changing local environments, demand, policy changes and potential future budget cuts? To what extent will the option deliver an integrated street scene service that is fit for purpose and examines service efficiencies for a mixed area based approach</p>

Stage two evaluation criteria (2)

One Barnet Principles	Weighting	Theme
A New Relationship with Citizens	5%	<p>POTENTIAL FOR STAFF INCENTIVISATION</p> <ul style="list-style-type: none"> To what extent will the option result in employee behaviours and attitudes to produce an enhanced and innovative service which delivers further savings or income. How does the option impact staff engagement and what is the impact on delivery of customer satisfaction, service enhancement, service innovation, savings, income generation, Innovation?
	10%	<p>PERFORMANCE</p> <p>To what extent will the option demonstrate an improvement in performance to include:</p> <ul style="list-style-type: none"> An increase in recycling levels and reduction in residual waste? Achieve a 100% success rate in clearing litter accumulations within 24hrs and removing graffiti from town centres served by town keepers within one working day?
	10%	<p>CITIZEN FOCUS</p> <p>What will be the impact on resident satisfaction?</p> <p>To what extent can the option increase community engagement and thus create wider local benefits e.g. greater community control of local parks, links to community coaches, apprenticeship schemes?</p> <p>To what extent can the option provide a customer focused service delivery model where the front-line service are also providers of customer intelligence?</p> <p>To what extent can the option improve citizen behaviours with regards to generation of residual waste and recycling?</p>
	5%	<p>SUPER OUTCOMES</p> <p>To what extent can the option enables the right environment to promote economic growth, development and success?</p> <p>To what extent can the option provides Barnet as a place where residents choose to live, work and play, that is clean and green ?</p>

Stage 2 scores

Option	Description	Confidence (Savings)	Adjusted saving (£)*	A relentless drive for efficiency	One Public Sector approach	New relationship with customers	Total out of 50
1	Outsource	90%	2,401,845	29	3	11.25	43.25
2	In-house stretch with support	80%	2,247,230	26.25	4	11.75	42
3	Outsource post in-house improvement	90%	2,207,130	25	3.5	11	39.5
4	Shared Outsource	70%	2,051,318	25.25	2.75	11.25	39.25
5	In-house stretch delivered by a mutual	60%	1,685,636	18.5	3.25	13	34.75
6	Current in-house MTFS with additional support	90%	1,697,173	19.25	4	9.75	33

Stage 2 scores - analysis

- Given the high weighting given to price and the application of a confidence factor to savings calculations the outsourced options have all scored more highly than the in-house options.
- The assumed benefits of greater economies of scale through a shared outsource model has resulted in this scoring most highly.
- Of the in-house solutions, the stretch option with additional transformation resource scores most highly. This is 1.25 points behind the outsource model and delivers 6.4% less savings.
- No differences in service quality have been assumed for the various supply options.
- The full detail of the evaluation of these options is explained in more detail in the additional appendix to this pack.

Contents

1. Introduction
2. Summary scoring, evaluation criteria and approach
3. Financial summary

Stage two evaluation – background information

- The following slides summarise the evidence base for the appraisal of the six options.
- It should be noted that we have not evaluated the ‘current in-house model, MTFs approach’ as this will be addressed and evaluated within the business case as part of the case for change. Those options which are to be evaluated all represent an improvement on this option in stage one evaluation.
- At this stage of the process all options and scores have been reviewed by the Project Board and moderated in response through a series of 1:1 meetings which took place in advance of the August Project Board. Meetings were held with the Project Sponsor, Finance, Procurement, HR as well as the service Director and Assistant Director.

Financial summary: stage 2 options

Option	Total cost reduction (13/14 - 20/21)	Total income increase (13/14 - 20/21)	Total cost of change	Total financial benefit	Confidence Level	Adjusted total financial benefit	Adjusted average annual financial benefit	Score (out of 25)
Outsource	20,595,194	1,355,653	541,000	21,409,847	90%	19,214,762	2,401,845	25.00
In-house stretch with support	21,405,509	1,555,540	391,000	22,570,049	80%	17,977,839	2,247,230	23.25
Outsource post in-house improvement	18,886,720	1,555,549	741,000	19,701,269	90%	17,657,042	2,207,130	23.00
Shared Outsourcing	23,342,650	1,302,416	841,000	23,804,066	70%	16,410,546	2,051,318	21.25
In-house stretch delivered by a mutual	21,741,249	1,552,229	491,000	22,802,478	60%	13,485,087	1,685,636	17.50
Current in-house MTFs with additional support	14,893,567	515,745	291,000	15,118,312	90%	13,577,381	1,697,173	17.50

- This table outlines the anticipated yearly savings that have been adjusted to take in to consideration confidence levels and investment over 8 years (to fit with a likely seven year contract with at least one year lead in in outsourced).
- The score reflects the level of savings available, maximum savings equate to a score of 25 out of 25.
- Each option is supported by a financial model, the key assumptions for each are set out overleaf.

Key assumptions within financial model

Option	Service area	Assumption
Shared outsource	Service costs	<p>Efficiencies waste & recycling will be in-line with target MTFS savings plus additional 3% efficiencies + additional 2% shared mgmt costs etc</p> <p>Assumed Street Cleansing efficiencies will be in-line with target MTFS savings for 13/14 (5%) + 3% shared mgmt costs etc</p> <p>Green space 10% saving in line with soft market testing</p> <p>Assumed 10% increase in Income could be achieved from trade waste, street cleansing, green space and 5% in highways</p> <p>Highways 10% savings in line with soft market testing</p> <p>Expectation that savings achieved in joint contract will favour Brent, confidence level of 90%</p> <p>Assume 80% of MTFS savings for 13/14</p> <p>Refuse collections stay weekly</p> <p>Current agreed project budget plus procurement costs (assumes £1m), (more complex, greater in size, more time on development of joint specification) across 4 boroughs.</p> <p>Also requirement for a PM and some Barnet specific advice (£50K), with 10% contingency</p> <p>Assumed this will be lower due to shared element</p>
	Change costs	
	Support costs	
Full outsource	Service costs	<p>Efficiencies will be in-line with target MTFS savings plus additional 3% efficiencies/income generation</p> <p>90% Confidence Level that savings will be made</p> <p>Refuse collections stay weekly</p> <p>Street Cleansing efficiencies will be in-line with target MTFS savings for 13/14 (5%)</p> <p>10% efficiencies in Green spaces</p> <p>Assumed 10% increase in Income could be achieved from trade waste, street cleansing, green space and 5% in highways</p> <p>10% efficiencies in Highways</p> <p>Assume 80% of MTFS savings for 13/14</p> <p>Current agreed project budget £191k + transformation support £480k</p> <p>12/13 Expenditure budget + 11/12 recharges x 8%.</p> <p>Retained client of 2.5%</p>
	Change costs	
	Support costs	
Full outsource post in house improvement	Service costs	<p>Efficiencies will be in-line with target MTFS savings plus additional 3% efficiencies/income generation</p> <p>80% Confidence Level that savings will be made during in-house years rising to 90%</p> <p>Refuse collections stay weekly</p> <p>Street Cleansing efficiencies will be in-line with target MTFS savings for 13/14 (5%)</p> <p>10% efficiencies in Green spaces</p> <p>Assumed 10% increase in Income could be achieved from trade waste, street cleansing, green space and 5% in highways</p> <p>Current agreed project budget £191k + transformation support £480k</p> <p>12/13 Expenditure budget + 11/12 recharges x 8%.</p> <p>Retained client of 2.5%</p>
	Change costs	
	Support costs	
In house stretch with support	Service costs	<p>Waste & Recycling efficiencies will be in-line with target MTFS savings for 13/14 (6%) & 14/15 (11%) + additional 3%</p> <p>80% Confidence Level that savings will be made</p> <p>Refuse collections stay weekly</p> <p>Assumed 10% increase in Income could be achieved from trade waste, street cleansing, green space and 5% in highways</p> <p>Street Cleansing efficiencies will be in-line with target MTFS savings for 13/14 (5%) + additional 5%</p> <p>Identification of potential additional savings (5%) in green space</p> <p>Assumed 5% efficiencies in highways</p> <p>Current agreed project budget £191k + transformation support £200k</p> <p>12/13 Expenditure budget + 11/12 recharges x 8%.</p>
	Change costs	
	Support costs	

Key assumptions within financial model

Option	Service area	Assumption
Current in house MTFs with additional support	Service costs	<p>Waste & Recycling efficiencies will be in-line with target MTFs savings for 13/14 (6%) & 14/15 (11%) 90% Confidence Level that savings will be made Refuse collections stay weekly Street Cleansing efficiencies will be in-line with target MTFs savings for 13/14 (5%) 90% Confidence Level that savings will be made 5% Fee increase for Sports grounds & Parks for events Allotments - No income increase Tree Management brought in-house April 2014</p>
	Change costs Support costs	<p>Current agreed project budget £191k + transformation support £100k 12/13 Expenditure budget + 11/12 recharges x 8%.</p>
In house stretch with mutual	Service costs	<p>Waste & Recycling efficiencies will be in-line with target MTFs savings for 13/14 (6%) & 14/15 (11%) + additional 3% 70% Confidence Level that savings will be made increasing to 80% future years Refuse collections stay weekly Street Cleansing efficiencies will be in-line with target MTFs savings for 13/14 (5%) + additional 5% Assumed 5% increase in Income could be achieved in street cleansing and green spaces Allotments - No income increase Identification of potential additional savings (5%) in green space Assumed 5% increase in Income could be achieved & 5% efficiencies in highways</p>
	Change costs Support costs	<p>Current agreed project budget £191k + transformation support £200k 12/13 Expenditure budget + 11/12 recharges x 8%.</p>

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London Borough of Barnet
Environmental Service Options Appraisal:
Stage Two - options detail

Appendix C

3 October 2012

Introduction

- This document sets out the analysis and scoring for each of the six options considered:
 - Shared Outsource
 - Outsource
 - Outsource post in-house improvement
 - In-house stretch with support
 - In-house stretch delivered by a mutual
 - Current in-house MTFs with additional support
- In addition to this document, the financial models provide detailed workings for how the savings have been calculated.

Option 1: Outsource

- **Description:** An outsource option would mean that waste, recycling, streets and green space services would be delivered by an external provider or providers
- Services may be let under a single contract or by lots enabling both specialist and multi-disciplinary businesses to participate
- **Procurement option:** An external provider would be procured through either competitive dialogue (CD) or restricted procedure (RP). A soft market testing exercise was carried out through the WLA framework with nine contractors making presentations. RP is attractive due to shorter timescales, but to ensure the contract achieves more complex objectives (such as the implementation of demand management) a tailored CD process is likely to be the most appropriate option
- **Timescale:** CD could take around 12 months, RP could be completed in around 9 months
- **Cost:** The cost of CD could be significant (DRS was around £1.2m but significantly more complex) whereas RP would be significantly less (parking was approx. £200k). Over a long term deal, it is expected that any costs would be more than recouped in additional benefits if the CD option was taken
- **Risk/ mitigation:** The risk associated with an outsourcing model is that the council has less direct control over the services being delivered in its borough. Ensuring that the service objectives are achieved is dependent on a well planned and executed procurement process and strong contract management

High level advantages and disadvantages

Advantage:

- Savings will be built into the contract. This could include savings targets that may be perceived as more risky or challenging to deliver, such as recycling behaviour change impact on disposal costs
- Providers will bring innovation and learning from other clients
- More able to invest in and successfully deploy capital equipment and new technologies
- Potential to achieve savings through more flexible use of resources
- Outsourcing unlikely to move employment out of the borough - the service would continue to provide local jobs and have strong local ties.

Disadvantage:

- Costs of provider margin, procurement and contract management
- Potential for industrial relations issues during procurement exercise

Scoring option 1: Outsource

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	5
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	4
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	4
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	3
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	3
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	4.5
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	3
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	3.5
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	3.5
TOTAL	43.25/ 50

A relentless drive for efficiency: Price (50%)

- Potential for fleet transport to leverage economies of scale when purchasing or leasing vehicles
- Better able to exploit income opportunities if correctly incentivised
- Service KPIs are binding under a contract - reducing the risk out of achieving behaviour change
- Potential for flexible resourcing and economies of scale through service alignment and removal of duplication
- Access to innovative technology and leverage market experience
- Potential for guaranteed savings and risk sharing mechanisms to secure further benefits
- Potential to embed more effective performance management by combining the supervision of service areas.

5

A relentless drive for efficiency: Investment (5%)

- Ability to invest in new technology e.g. route planning optimisation software
- Investment in behaviour change initiatives could enable service improvement through changes in both staff and customer behaviour. This can generate longer term savings over the duration of the contract

4

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

- Savings can be written into contract but delivery is reliant on a strong specification and robust contract management
- Service delivery standards can be incorporated into the contract. Minimisation of risk reliant upon strong contract management

4

A one public sector approach: Pace of transformation (5%)

- The contracting council's will choose the pace of change. Frontloaded savings could come at a price.

3

A one public sector approach: Flexibility and sustainability (5%)

- The specification will allow flexibility to be built into the contract
- For the contract to be sustainable it will need to be able to adapt to changes in the sector

3

A new relationship with citizens: Performance (10%)

- There is potential for demand management techniques to be built in to the contract, with the aim of changing citizen behaviour (e.g. to increase recycling rates and reduce volumes of residual waste)
- Customer satisfaction and performance levels could be written into the contract if this is a council priority.

4.5

A new relationship with citizens: Potential for staff incentivisation (5%)

- A new contract will involve the TUPE of staff to the provider organisation. This could cause staff to become demotivated if they feel insecure in their jobs
- There is a risk that outsourcing the service might have a negative impact on staff motivation and performance. Once operational, staff motivation and engagement may vary
- Workforce satisfaction and performance should form part of procurement evaluation to minimise any negative impact on the service - workforce benefits and incentivisation can be built into the contract
- Need for effective HR and communication strategy to engage staff during the procurement process

3

A new relationship with citizens: Citizen focus (10%)

- Behaviour change KPIs can be built into the contract to ensure community engagement
- Potential to use local apprentices, especially in streets and green space service areas. For example sub contracting to companies such as Groundwork, who Brent have already worked with on a project at Tubbs Road Pocket Park

3.5

A new relationship with citizens: Super outcomes (10%)

- The strategic priority of the council to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success' could be written in to the specification as a KPI. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'. However, we should be aware that any profit made through commercial enterprises will have to be shared with the provider

3.5

Case Studies: Outsourced Provision

<p>LB Haringey</p>	
<p>How is your waste and recycling service currently delivered?</p>	<p>Waste and recycling collection (inc. trade waste), street cleansing and fly tip removal, winter maintenance, graffiti and fly poster removal, fleet management/provision (for all council vehicles), engagement/comms (for recycling/waste min) is provided by Veolia. Commissioning Strategy undertaken to define scope of contract, possible inclusion of other services etc. - concluded the range of services was appropriate to secure VfM and suitably specialised contractor. 14 years with 7 year break option and 7 year extension option</p>
<p>What levels of customer satisfaction do you have?</p>	<p>09/10 Residents Survey - 73% satisfied with refuse collection; 71% recycling; 55% street cleansing. New contract to deliver increase to cleansing and recycling satisfaction rates.</p>
<p>If a procurement took place, what method was used?</p>	<p>Competitive Dialogue - flexibility to negotiate solution. Agreed on as part of Commissioning Strategy.</p>
<p>How long did the procurement take (from OJEU notice to contract signature)</p>	<p>20 months (OJEU 29 April 2009. Contract award 21 Dec 2010).</p>
<p>Are any savings expected from the procurement?</p>	<p>£1.9m per annum</p>
<p>Added extra's</p>	<p>They are offering a carbon neutral contract, which includes a Performance Framework Model. There is a partnership framework that allows for contract efficiencies to be realised and a fluid approach to advancements in methodologies and technologies. They are engaging neighbourhoods and monitor residents' perceptions both locally and borough wide. They have adopted a Village Approach to street sweeping across the borough where each existing neighbourhood will have a dedicated team with localised management and resource taking ownership and pride of their area. The employees will become ambassadors of Haringey and Veolia. The streets are cleaned twice per week over six day pattern, with satellite depots, multi purpose vehicles, a proactive commercial waste sales team, enhanced recycling opportunities for trade waste, a financial reward scheme to incentivise both parties for trade waste. In Year 1 of the contract refuse and recycling service will continue as it is while they concentrate on the street scene, apart from the introduction of free bulky waste collections for recyclable and reusable items. In year 2 refuse will switch to fortnightly collections in 240ltr bins or coloured sacks issued four times per year as appropriate. In year 2 recycling will be serviced weekly in new 240ltr bins.</p>
<p>Similarities to Barnet</p>	<p>Barnet plan to combine their street scene and green space services and deliver them on a localised basis, similar to the 'village' approach in Haringey.</p>
<p>Differences to Barnet</p>	<p>Resident satisfaction is higher in Barnet: 81% for residual waste collection, 73% for recycling and 57% for street sweeping. Barnet sweep their streets on a less frequent basis. They also still collect their waste on a weekly basis.</p>
<p>Lessons learnt and what Barnet could do differently</p>	<p>There is scope for Barnet to deliver their services in a similar way to Haringey with regards to partnership frameworks and reward/ incentivisation for local businesses to use trade waste facilities. Barnet have anticipated a greater saving could be achieved by outsourcing, however it is important to be aware of the timescales of a competitive dialogue as Barnet estimated that it could be done in less time.</p>

Option 2: In House stretch – with support

- **Description:** This option looks at using the in-house MTFs as a baseline, supplemented with additional transformational support. At this stage it is envisaged that the support could come from the NSCSO contractors as a delivery unit. The additional support would identify extra saving and income opportunities which have not already been identified within the MTFs option. It would also support the delivery of some of the more challenging savings not achieved in house to date, such as technology enabled efficiency, use of customer insight and behaviour change initiatives.
- This option could take on characteristics of a mutual with regards to staff engagement and ownership of service improvements with an incentivisation/ reward process.
- **Procurement option:** There would be no need to engage in a procurement exercise, the additional transformational support could be called off from the NSO/ CSO partner or the current implementation partner framework that it is already in place at Barnet.
- **Timescale:** Internal rationalisation planning has started already with a view to be completed by October 2014 when the May Gurney contract expires. The stretch option would work within the same timeframes but look to release extra savings early on.
- **Cost:** There would be no cost incurred from a procurement process but there would be cost attached to the additional transformation support, in the region of £200k.
- **Risk:** The risk of the stretch model is that the savings have not already been identified and are not guaranteed. As a mitigating factor there may be potential to work under a risk/ reward approach with the Partner. There will be a need to deliver on-going improvement, for which the service must plan ahead.

High level advantages and disadvantages

Advantages

- The service is already performing well and has developed a good relationship with customers; retaining an in-house model carries the lowest risk of negatively affecting this.
- Should the model be successful, there is potential to develop it further in the future (for example developing a mutual organisation)
- Greatest flexibility to deliver to local needs

Disadvantages

- Requires up-front investment from the authority to enable change
- May not bring the economies of scale that could be achieved through the market or a shared approach
- May not be able to access innovation or new technology easily in the same way as an outsourced model

Option 2: In House stretch – with support

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	4.5
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	2.5
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	3
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	4
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	4
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	4
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	4
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	4
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	3.5
TOTAL	42/ 50

A relentless drive for efficiency: Price (50%)

In house stretch:

- Identify opportunities for income optimisation by increasing demand for chargeable services
- Extend the role of behaviour change to other areas of the service. Opportunities may include: optimising operational effectiveness at HWRs; increasing community led participation; and reducing the need for street cleansing by tackling fly tipping and littering.
- Maximise the flexibilities within each service to create a streamlined management function, leading to a reduction in managers from 10 to 8. Additional potential to change shift patterns and introduce split shifts. Merging of street scene and green space management structure expected to release savings.
- Best practice suggests that there is potential to use technology to improve service delivery. This will require resource to scope what opportunities may be available and support with implementation. Delivery through in house option will likely be more challenging than through an external partner as the approach requires investment and expertise
- Exact scope of further efficiencies not yet identified, therefore reducing confidence in savings to 80%.

4.5

Additional transformational support :

- Achievement of savings will rely on the successful implementation of new technology and will require additional investment either through NSO/CSO provider or another contractor
- Additional support could focus on enabling the in-house team to progress and sustain the behaviour change programme
- Engagement of additional support will increase pace of change by identifying new efficiency savings and researching ways to implement them e.g. route optimisation. The additional support could also focus on tackling the cost pressure of agency staffing

A relentless drive for efficiency: Investment (5%)

In house stretch:

- There is little scope for internal investment in new technology or development of new software

2.5

Additional transformational support:

- Additional support will help the service to identify additional long term savings, which will generate additional funds that can be re-invested into the service

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

In house stretch:

- Risk is in delivering savings is retained by the authority and is reasonably high because the resources available to support delivery may be limited. This approach will require effective performance management to ensure a successful transition to new ways of working

3

Additional transformational support:

- Able to support in house team through programme of change making it more sustainable long term and increase likelihood of delivery, mitigating the risk to the council

A one public sector approach: Pace of transformation (5%)

In house stretch:

- Internal change can commence straight away as it does not involve lengthy procurement timescales. Some long term savings will still take time to achieve, but quick wins can be accessed from the point of option approval and many are already underway

4

Additional transformational support:

- Additional support will increase the pace of transformation by having a dedicated focus on achievement of the change. The external support can be held to delivery of work by the specified deadlines

A one public sector approach: Flexibility and sustainability (5%)

In house stretch:

- Retaining the service in house enables the maximum flexibility as the council retains direct control over the service and its direction
- Sustainability over the long term might be more difficult if there are external pressures on the internal staff team to make additional savings

4

Additional transformational support:

- Additional external support can be used to set up the programme of change and put controls in place to ensure delivery and sustainability. There is however, a risk that momentum is lost and sustainability is affected once dedicated external support finishes

A new relationship with citizens: Performance (10%)

In house stretch:

- Potential to improve current customer satisfaction levels within street cleansing, parks and open spaces and retain satisfaction in waste and recycling. The stretch model will be more proactive than the current in house model and will use customer insight to develop new initiatives
- In house retention of the service will also enable closer working with the leisure service to align parks satisfaction

Additional transformational support:

- Additional support would be able to identify wider strategic opportunities across other departments in the council and offer support for joint strategic working
- Able to bring expertise of best practice from elsewhere to share with the in house team and suggest ways of increasing performance and satisfaction
- Introduce behaviour change techniques to change customer behaviour towards recycling and therefore increase performance figures

4

A new relationship with citizens: Potential for staff incentivisation (5%)

In house stretch:

- The stretch option may incorporate new performance management approaches to incentivise staff behaviour and encourage the generation of service innovation
- Undertaking the stretch option will be a significant challenge and will require significant commitment from the management team

4

Additional transformational support:

- The scale of change needed is large and additional support would assist in providing expertise to support new ways of working and business change. Behaviour change methods could be used internally to help with transformation

A new relationship with citizens: Citizen focus (10%)

In house stretch:

- Able to retain focus on Barnet citizens and ensure that local outcomes are central to service provision. Potential to incorporate citizen led models such as “adopt a street” and planned behaviour change opportunities for waste and recycling
- Able to set up local apprenticeship schemes or work with organisations such as Groundwork who have worked in boroughs all over the UK. Groundwork London worked with the Mayford Estate Tenants and Residents Association and Camden Council to manage, design and construct a new ball court on the estate, enhancing grassroots sports facilities for young people in the inner-city. This combines the use of apprentices as well as linking up green space with leisure facilities
- Able to engage proactively with members and get them involved in the transformation process within their communities

4

Additional transformational support:

- Provide support to the behaviour change agenda
- Share best practice ideas from across the sector with regards to citizen engagement

A new relationship with citizens: Super outcomes (10%)

In house stretch:

- The strategic priority of the council is to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success'. This would be at the forefront of the strategic direction of the model and would be incorporated into a service KPI. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'

3.5

Additional transformational support:

- The additional support would enhance the capacity of the in house team, enabling them to achieve their maximum potential

Option 3: Outsource post internal transformation

- **Description:** This option would initially adopt the in-house MTFs and undergo a rationalisation process before the service is outsourced in 2014. An outsource option would include waste, recycling, streets and green space services
- **Procurement option:** An external provider would most likely be procured through restricted procedure (RP). After the service has been rationalised internally we will have a clear idea of what needs to be procured, making the RP suitable. A soft market testing exercise was carried out through the WLA framework and nine contractors that showed an interest
- **Timescale:** Internal rationalisation planning has started already with a view to be completed by 2014. A RP process would start during the internal rationalisation phase and could take between 9 and 12 months. In order for it to be ready for Oct 2014 this process would need to start in Autumn 2013
- **Cost:** The cost of a RP would be approx. £200k (based on parking and transport with WLA). Significant internal resources would need to be provided at the start of the process to ensure the specification reflects the service needs.
- **Risk:** A key risk associated with internal rationalisation prior to outsourcing is the impact on staff morale. Staff motivation to deliver transformation is likely to be low where outsourcing is the ultimate outcome. With an outsourcing model the council has less control over the services being delivered in its borough. There is also a risk that the pace of change would be too slow and fragmented by doing it in two stages.

High level advantages and disadvantages

Advantages:

- May enable the council to remove cost prior to delivery by an external partner, releasing quick win savings earlier
- Enables the council to test the ability of the service to transform prior to committing to an outsourced
- Provides time and experience to apply to developing the output specification that will meet the council's needs
- Outsourcing unlikely to move employment out of the borough - the service would continue to provide local jobs and have strong local ties.

Disadvantages

- May be simpler to outsource from the outset in order to access savings. This would also transfer the risk of achieving savings to the provider
- Outsourcing may not be necessary if internal transformation is successful. However, efforts to transform may have been affected by the expectation that outsourcing is the ultimate outcome
- Expected negative impact on staff motivation

Option 3: Outsource post internal transformation

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	4.5
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	1
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	3
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	4
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	3
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	4.5
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	2.5
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	3.5
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	3.5
TOTAL	39.5/50

A relentless drive for efficiency: Price (50%)

In house MTFS:

- Able to maximise internal efficiency prior to outsource, allowing the council to reduce the cost of services which should result in a more competitive contract , for example increasing income or increasing recycling rates

Outsource:

- Potential for fleet transport to leverage economies of scale when purchasing or leasing vehicles
- Better able to exploit income opportunities, if correctly incentivised
- Potential for flexible resourcing and economies of scale through service alignment and removal of duplication
- Access to new and innovative technology and keep up to date with changes in technology
- Scope to learn best practice from the provider
- Reductions in costs of overheads from service alignment
- Potential to combine supervision of service areas to allow for greater efficiency of performance management

4.5

A relentless drive for efficiency: Investment

In house MTFS

- Any short term investment in service improvement would have to be found internally. However, this should reduce the cost of the service when outsourced

1

Outsource

- Ability to invest in new technology e.g. route planning optimisation based on GPS tracking technology
- Investment in behaviour change initiatives could enable service improvement through changes in staff and customer behaviour. This can generate longer term savings over the duration of the contract

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

In house MTFS

- Internal transformation prior to outsource requires effective performance management to support the transition. It is important that change is owned within the service in order that delivery is sustainable in the longer term. This may be difficult to achieve if staff know the service is eventually going to be externalised

3

Outsource

- Delivery of savings will be written in to the contract but is reliant on strong contract management and specification

A one public sector approach: Pace of transformation (5%)

In house MTFS

- Undertaking internal transformation before outsourcing will allow efficiencies to be released prior to externalisation, increasing the pace of savings realisation

4

Outsource

- Once procurement is completed the pace of change will increase significantly, for example through the introduction of new technologies

A one public sector approach: Flexibility and sustainability (5%)

In house MTFS

- During the period of internal transformation there will be scope to test future service approaches. This would inform the outsource specification and will help ensure a more sustainable outsourced model

3

Outsource

- Specification would need to be robust in order to allow for flexibility within the contract
- For the contract to be sustainable it would need to be able to develop in line with progress in the sector and against market competitors

A new relationship with citizens: Performance (10%)

In house MTFS

- During the initial period of transformation there is potential to use demand management techniques to change citizen behaviour (e.g. to increase recycling rates and reduce residual waste collection)
- By combining streets and green spaces the service will be more efficient and resident satisfaction may increase. Dedicated locality teams may mean that services such as picking up litter and removing graffiti will happen more efficiently

Outsource

- There is potential for demand management techniques to be built in to the contract, with the aim of changing citizen behaviour (e.g. to increase recycling rates and reduce volumes of residual waste)
- Customer satisfaction and performance levels could be written into the contract if this is a council priority.

4.5

A new relationship with citizens: Potential for staff incentivisation (5%)

In house MTFS

- During the initial period of transformation there is a reliance on the in house team to deliver the change programme but they may lack in motivation due to the impending externalisation. This may slow the process down if there is not co-operation from the in house team

Outsource

- A new contract will involve the TUPE of staff to the provider organisation. This could cause staff to become demotivated if they feel insecure in their jobs
- There is a risk that outsourcing the service might have a negative impact on staff motivation and performance. Once operational, staff motivation and engagement may vary
- Workforce satisfaction and performance should form part of procurement evaluation to minimise any negative impact on the service - workforce benefits and incentivisation can be built into the contract
- Need for effective HR and communication strategy to engage staff during the procurement process

2.5

A new relationship with citizens: Citizen focus (10%)

In house MTFS:

- There is the potential to use behaviour change techniques to increase community engagement and ensure citizen focus in the service
- There is also the potential to use local apprentices, especially in the locality hubs for streets and green spaces, this could then be written in to the contract specification
- Members could be involved in the demand management work and become enablers of behaviour change, undertaking targeted projects in their local areas

Outsource:

- There is the potential to use behaviour change to increase community engagement
- Local apprentices can be used in all service areas, especially in streets and green spaces. For example, sub contracting to companies such as Groundwork who Brent have already worked with on a project at Tubbs Road Pocket Park

3.5

A new relationship with citizens: Super outcomes (10%)

In house MTFS:

- The strategic priority of the council is to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success'. This would be at the forefront of the strategic direction of the model and be built into the KPIs. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'

Outsource:

- The strategic priority of the council to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success' could be written into the specification as a KPI. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'. However we should be aware that any profit made through commercial enterprises will have to be shared with the provider

3.5

Option 4: Shared outsource

- **Description:** Waste, recycling, street scene and green space services would be delivered by an external provider through a shared outsource arrangement between four boroughs (Barnet, Brent, Richmond and Hounslow). The procurement would be delivered through the WLA framework which all four boroughs are members of. The model would be a 2 + 2 approach, whereby all four boroughs would have a contract for the waste and recycling services but Brent and Barnet would also have a shared contract for streets and green space
- There is an option for services to be let under a single contract or by lots enabling specialist and multi-disciplinary businesses to participate. Management will make a decision on which approach is preferable.
- **Procurement option:** An external provider would be procured through a competitive dialogue (CD) process which will allow the four authorities to develop the detail of the specification with the provider. A soft market testing exercise through the WLA framework resulted in nine contractors making presentations. The CD will focus on key areas of negotiation; many aspects of the contract will require minimal time in dialogue.
- **Timescale:** Brent are working to a restricted timescale as their current contract with Veolia ends in April 2014. The suggested timeframe is that pre- procurement and procurement period will take up to 12 months to give the boroughs sufficient time to align themselves and agree what the future service will look like
- **Cost:** The cost of CD for these services is estimated at £600k-£1m, dependent on the extent of dialogue. This cost would be shared across all boroughs involved, with each borough retaining their own project resource.
- **Risk/ mitigation:** There is greater risk with a shared outsource given the additional governance and commercial complications. The main risk associated with an outsourcing model is that the council has less direct control over the services being delivered in its borough. Ensuring the service objectives are achieved is dependent on a well planned and executed procurement process and strong contract management. Barnet would have a central input on the governance of the process

High level advantages and disadvantages

Advantage:

- Savings will be built into the contract. This could include savings targets that may be perceived as more risky or challenging to deliver, such as recycling behaviour change impact on disposal costs
- Providers will bring innovation and learning from other clients
- More able to invest in and successfully deploy capital equipment and new technologies
- Potential to achieve savings through more flexible use of resources
- Potential for economies of scale between the boroughs
- One public sector approach through sharing best practice and joint working across the boroughs
- The proposed shared outsource arrangement would create one of the largest street scene contracts in the country, making it very attractive to providers
- Outsourcing unlikely to move employment out of the borough - the service would continue to provide local jobs and have strong local ties.

Disadvantage:

- Costs of provider margin, procurement and contract management
- Less control and flexibility over outcomes or ability to make changes to the contract
- Potential for industrial relations issues during procurement exercise
- Operational and cultural challenge of bringing together different organisations
- Desired timescales of potential partners might be different

Scoring option 4: Shared outsource

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	4
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	4.5
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	3
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	3
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	2.5
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	4.5
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	3
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	3.5
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	3.5
TOTAL	39/ 50

A relentless drive for efficiency: Price (50%)

Outsource:

- Potential for fleet transport to leverage economies of scale when purchasing or leasing vehicles
- Better able to exploit income opportunities if correctly incentivised
- Service KPIs are binding under a contract - reducing the risk out of achieving behaviour change
- Potential for flexible resourcing and economies of scale through service alignment and removal of duplication
- Access to innovative technology and leverage market experience
- Potential for guaranteed savings and risk sharing mechanisms to secure further benefits
- Potential to embed more effective performance management by combining the supervision of service areas.

4

Shared Outsourcing:

- Greater savings through shared fleet, vehicle utilisation and maintenance costs
- Consolidation of management structures
- Economies of scale through route optimisation, sharing equipment and labour costs

A relentless drive for efficiency: Investment (5%)

Outsource:

- Ability to invest in new technology e.g. route planning optimisation software
- Investment in behaviour change initiatives could enable service improvement through changes in both staff and customer behaviour. This can generate longer term savings over the duration of the contract

4.5

Shared outsourcing:

- Investment needed to successfully align services

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

Outsource:

- Savings can be written into contract but delivery is reliant on a strong specification and robust contract management
- Service delivery standards can be incorporated into the contract. Minimisation of risk reliant upon strong contract management

Shared outsourcing :

- Differing procurement timeframes represent the key risk. Brent are constrained to a tight deadline due to their current contract coming to an end in April 2014 and have suggested an optimistic timeframe of 10 months to complete a CD procurement. If the procurement is completed in haste, there is a risk that there will not be enough time for each borough to get the best deal from the bidders during the process. Compromises might have to be made around innovation and local initiatives. Barnet would prefer Brent to either extend their current contract or have a shorter lead in time for the new contract, to allow for more time to conduct a thorough CD process
- Aligning differences in cultures and service delivery needs strong governance structures to be deployed successfully

3

A one public sector approach: Pace of transformation (5%)

Outsource:

- The contracting council's will choose the pace of change. Frontloaded savings could come at a price.

Shared outsource :

- Pace of change can be managed and maintained if one borough leads the procurement process
- To ensure that the authorities proceed at the same pace there should be one joint project team delivering and a plan to align key project activities (e.g. communications plans, discussions with HR etc.) There should also be a robust governance structure in place

3

A one public sector approach: Flexibility and sustainability (5%)

Outsource:

- The specification will allow flexibility to be built into the contract
- For the contract to be sustainable it will need to be able to adapt to changes in the sector

Shared outsource :

- The creation of localised hubs within green space and street scene service areas, could ensure that the service is able to respond to local needs.

2.5

A new relationship with citizens: Performance (10%)

Outsource:

- There is potential for demand management techniques to be built in to the contract, with the aim of changing citizen behaviour (e.g. to increase recycling rates and reduce volumes of residual waste)
- Customer satisfaction and performance levels could be written into the contract if this is a council priority.

Shared outsourcing :

- Resident satisfaction in Brent for residual waste collection in 2009 was 80%, recycling was 81% and street sweeping 79%. This is in comparison to Barnet who have a satisfaction level of 81% for residual waste collection, 73% for recycling and 57% for street sweeping
- Levels of customer satisfaction might decrease at the start of the contract as ways of working are aligned. However, customer satisfaction levels can be built into the KPIs to ensure that they meet minimum standards and increase over the duration of the contract
- Different ways of working may also impact on operational performance levels, as different services get brought together and have to adjust to a new way of working

4.5

A new relationship with citizens: Potential for staff incentivisation (5%)

Outsource:

- A new contract will involve the TUPE of staff to the provider organisation. This could cause staff to become demotivated if they feel insecure in their jobs
- There is a risk that outsourcing the service might have a negative impact on staff motivation and performance. Once operational, staff motivation and engagement may vary
- Workforce satisfaction and performance should form part of procurement evaluation to minimise any negative impact on the service - workforce benefits and incentivisation can be built into the contract
- Need for effective HR and communication strategy to engage staff during the procurement process

Shared outsource:

- Local teams need to be aligned
- Joint working and collaboration should be in place from the start of procurement
- There needs to be cultural integration between the local teams. This may work best if facilitated by the external provider as they can bring teams on board with their ways of working at the same time

3

A new relationship with citizens: Citizen focus (10%)

Outsource:

- Behaviour change KPIs can be built into the contract to ensure community engagement
- Potential to use local apprentices, especially in streets and green space service areas. For example sub contracting to companies such as Groundwork, who Brent have already worked with on a project at Tubbs Road Pocket Park

Shared outsourcing:

- It could be more difficult for communities to take ownership of their local environment under a shared contract. However, introducing specialised local hubs would help to mitigate this
- It is harder to manage the localism agenda with members across multiple boroughs. This may make it difficult to manage local expectations and will put extra pressure on the governance structure
- Aligning services across both boroughs will involve compromise and change, which may have a negative impact on customers who will be accustomed to the way their service has previously been delivered

3.5

A new relationship with citizens: Super outcomes (10%)

Outsource:

- The strategic priority of the council to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success' could be written in to the specification as a KPI. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'. However, we should be aware that any profit made through commercial enterprises will have to be shared with the provider

Shared outsource:

- Due to the geographical scale and number of boroughs involved, it is less likely that smaller, local bidders will be able to take on the contract. This makes it harder to support the local economy and promote the use of local SMEs, which goes against the strategic priority of the council

3.5

Example of shared services

Somerset Waste Partnership:

- Somerset Waste Partnership manages waste and recycling services for Mendip, Sedgemoor, South Somerset and West Somerset District Councils, Taunton Deane Borough Council and Somerset County Council
- As a single team of officers, the partnership is the executive arm of Somerset Waste Board, which consists of two representatives from each of the six local authorities in Somerset
- Local authorities in Somerset have been working together to develop waste services since 1992 through a joint forum called Somerset Waste Partnership
- In October 2007 this co-operation was taken a major step further when Somerset became the first county-wide area to combine waste service functions under a single joint committee of Councillors from all Somerset local authorities
- Funding continues to be provided by each local authority partner for their services, with district councils responsible for kerbside collections and the county council for recycling sites and waste disposal
- Moving to the new Somerset Waste Partnership was a big step in improving and harmonising recycling and waste services across Somerset and making significant efficiency savings – worth over £1.5m every year – through working as a partnership

Option 5: In House stretch – delivered by a mutual

- **Description:** This option would use the in-house MTFs model as a baseline to be supported by additional transformational support. The additional support would identify extra saving and income opportunities which have not already been identified within the MTFs option. In this scenario the future service will be externalised as a mutual which would be based on co-operative principles to incentivise and engage both staff and service users. The form of the mutual would be developed should the option proceed to business case
- **Procurement option:** There would be no need to engage in a procurement exercise, the additional transformational support could be called off from the current framework that it is already in place at Barnet, this includes legal advice
- **Timescale:** Internal rationalisation planning has started already with a view to be completed by October 2014 when the May Gurney contract expires. The stretch option would work within the same timeframes but look to release extra savings early on and the set up of the mutual would run in conjunction with this
- **Cost:** There would be no cost incurred from a procurement process but there would be cost attached to the additional transformation support, in the region of £100k. There would be an extra £200k of associated costs incurred to set up a mutual. There may also be a requirement upon the Council to support the mutual in its initial stages through financial guarantee
- **Risk:** Mutuals are so far untested in the field of environmental services and is a relatively new concept in Barnet, with the only other example being in a small service area of children's services. Set up of a mutual requires clear staff buy in and leadership. Set up of a mutual is as risky as the set up of a business

High level advantages and disadvantages

Advantages:

- This option represents the best opportunity to integrate behaviour change work and empower customers to change by involving them in the running of the service. There would be a common shared purpose and clear direction of travel. Ability to learn from customer insight and generate income by making service more commercial in nature

Disadvantages:

- It is an unknown delivery model that has not been used in Barnet and environmental examples are limited. Costs would be incurred from legal fees and external assistance. It would take time to engage and mobilise staff before benefits can be realised
- For the mutual to be successful it needs a leader to progress it to ensure its success. The leader needs to be a natural selection, someone who believes in the approach and has the capabilities to drive it forward. There is the risk that there is no one suitable to do this from within the current service

Option 5: In House stretch – delivered by a mutual

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	3.5
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	0
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	2
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	3
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	3.5
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	4
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	4.5
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	4.5
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	4.5
TOTAL	34.75/ 50

A relentless drive for efficiency: Price (50%)

In house stretch:

- Ability to drive forward income generation opportunities
- Extend the role of behaviour change to other areas of the service. Opportunities may include: optimising operational effectiveness at HWRs; increasing community led participation; and reducing the need for street cleansing by tackling fly tipping and littering
- Maximise the flexibilities within each service to create an inclusive response and management function, leading to a reduction in managers from 10 to 8. Further opportunity to change shift patterns to split shifts. Combination of street scene and green space management structure expected to release savings
- Learning from best practice elsewhere there may be potential to apply technology to improve service delivery. This will require resource to scope what opportunities may be available and support through implementation. Delivery through in house option will likely be more challenging than through an external partner as the approach requires development
- Exact scope of further efficiencies not yet identified, therefore reducing confidence in savings

3.5

Mutual:

- Income generation will be essential if the mutual is to continue to generate savings for the council. Income generation will enable the service to operate at a lower net cost and allow for incentives to be passed to staff and service users. In turn these incentives will encourage efficiency. Income generation is expected to occur as the mutual takes a more commercial approach to service delivery, developing the market in trade waste and stimulating demand for income generating activity in areas such as parks, tree management as well as commercial waste
- The mutual would operate in a manner that creates incentives for service users to change their behaviour. Application of co-operative principles may support citizen share of benefits. This option is expected to have the greatest impact on savings arising from behaviour change
- In order to deliver a mutual that achieves the level of savings required, it is important to address resource efficiencies prior to the externalisation taking place. Expectation is that the mutual will use the existing asset base.

A relentless drive for efficiency: Investment (5%)

In house stretch:

- There is little scope for internal investment in new technology or development of new software

0

Mutual:

- The mutual will require greater up front investment and potential guarantees from the council. Unlike other options the council will need to provide investment support.

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

In house stretch:

- Risk is retained by the authority and is reasonably high as it is a more challenging model to deliver than the MTFS

Mutual:

- Riskier due to new organisational set up without the supporting infrastructure that exists as a service within the Council. Risk is ultimately retained by the authority. There is a shorter term risk for the Council if the mutual does not meet performance levels. There are no other examples of mutuals in this service area from other Councils, however, the practice of setting up co-operative and mutual models is becoming more common
- Risk is mitigated in part due to the provision of external support and legal advice. As the organisation matures it is likely to become less risky for the Council
- Requires contract management in line with other externalised options

2

One public sector approach: Pace of transformation (5%)

In house stretch

- Internal change can commence straight away as it does not involve lengthy procurement timescales. Long term savings will take longer to achieve, but quick wins can be accessed from the point of option approval and many are already underway

3

Mutual

- Internal change can commence straight away as the service prepares for transition. Transition to a mutual will require detailed planning and set up but can be delivered in time for the expiry of the May Gurney contract
- Additional support to set up the mutual will increase the pace of change by having a dedicated focus of achievement of the change

One public sector approach: Flexibility and sustainability (5%)

In house stretch

- Retaining the service in house enables the maximum flexibility as the council retains direct control over the service and its direction
- Sustainability over the long term might be more difficult if there are external pressures on the internal staff team to make further savings

3.5

Mutual

- Once externalised the mutual will have flexibility to develop, in particular with regards to customer led design and the local agenda.
- The separation from the council will give the mutual greater freedom to act and develop
- There is less certainty over the sustainability of this option due to it being an unknown model

A new relationship with citizens: Performance (10%)

In house stretch:

- Able to explore means to improve current customer satisfaction levels within street cleansing and parks and open spaces and retain satisfaction in waste and recycling. This will be achieved through use of customer insight in developing the service and additional scoping of potential opportunities. It is assumed that the stretch model will be more proactive in this regard than the current in house model
- In house retention of the service will also enable closer working with the leisure service to align parks satisfaction, the stretch option will work to scope these opportunities

Mutual:

- The mutual model is expected to be strong on customer satisfaction. Mutual models are designed to have significant input from communities and service users in shaping service design and delivery
- Once a mutual has reached operational maturity it is expected that high performance levels will be incentivised for staff within the mutual
- The mutual should also be contract managed by the Council through key KPIs

4

A new relationship with citizens: Potential for staff incentivisation (5%)

In house stretch:

- The stretch option may incorporate new performance management approaches in order to incentivise staff behaviour and the generation of service innovation
- Undertaking the stretch option will be a significant challenge and required the commitment of management

Mutual:

- Strongest option in terms of employee engagement. For example, management buy out options can directly incentivise staff to achieve savings and deliver service improvement
- In order to achieve the financial incentives for the staff within the mutual it will be necessary to continue to generate innovation in service delivery and grow the business on a commercial basis
- For the mutual to be successful there needs to be a management team in place that has the skills to deliver the service and support the running of a company
- At this stage a staff consultation is yet to be carried out with regards to appetite to develop a mutual. The option is not naturally emerging from staff and therefore a lower confidence level must be applied to the expected benefits

4.5

A new relationship with citizens: Citizen focus (10%)

In house stretch:

- Able to retain focus on Barnet citizens and will have local outcomes central to the service provision. Incorporating citizen led models such as “adopt a street” and planned behaviour change opportunities for waste and recycling. Optimise these opportunities and scale up their role within service provision.
- Able to set up local apprenticeship schemes or work with organisations such as Groundwork who have worked in boroughs all over the UK. Groundwork London worked with the Mayford Estate Tenants and Residents Association and Camden Council to manage, design and construct a new ball court on the estate, enhancing grassroots sports facilities for young people in the inner-city. This combines the use of apprentices as well as linking up green space with leisure facilities
- Able to engage proactively with members and get them involved in the transformation process within their communities

4.5

Mutual:

- The mutual option is expected to have the strongest citizen focus and the service provision most tailored to localised provision
- Expected to build on citizen led engagement through involvement in service design as well as delivery models such as “adopt a street” and planned behaviour change opportunities for waste and recycling
- The mutual model may also engage the community within the incentive model, sharing gains with the community through options such as rewards for recycling, maintaining clean streets or using parks and green spaces
- Citizens as users may be engaged within the governance structure of the Mutual

A new relationship with citizens: Super outcomes (10%)

In house stretch:

- The strategic priority of the council is to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success'. This would be at the forefront of the strategic direction of the model and would inform the service KPIs. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'

4.5

Mutual:

- The design of the mutual would stretch option would be scoped to align closely to the defined super outcomes. These could be placed at the centre of the performance metrics for the mutual

Option 6: Current In House MTFs with additional support

- **Description:** This option would adopt the in-house MTFs model and would be supported by additional transformational support to ensure it meets the planned deliverables. The MTFs model considers waste, recycling, streets and green space services
- **Procurement option:** There would be no need to engage in a procurement exercise, the additional transformational support could be called off from the current framework that it is already in place at Barnet
- **Timescale:** Internal rationalisation planning has started already with a view to be completed by October 2014 when the May Gurney contract expires
- **Cost:** There would be no cost incurred from a procurement process but there would be cost attached to the additional transformation support, in the region of £100k
- **Risk:** Pace of change is expected to be lower without dedicated resource focused on its delivery. Introduction of additional support mitigates this

High level advantages and disadvantages

Advantage:

- The staff are experts in the service area and understand the variables and impacts of staffing and resources such as vehicles
- New management structure for street scene provides capacity for business improvement and contract management that should be able to lead the transformation
- Improved support services (especially IT) from the NSO provider could better enable change delivery from April 2013

Disadvantage:

- Savings are not guaranteed and there are limitations to in-house delivery capacity
- Internal improvement plans are limited in scope - e.g. income generation
- Risk that improvement is not joined up between service areas and a silo mentality will continue to exist

Option 6: In house + additional support

Option 6: Current In House MTFs with additional support

Theme	Score
A RELENTLESS DRIVE FOR EFFICIENCY: PRICE (50%)	3.5
A RELENTLESS DRIVE FOR EFFICIENCY: INVESTMENT (5%)	0
A RELENTLESS DRIVE FOR EFFICIENCY: RISK TRANSFER AND GUARENTEE OF DELIVERY (5%)	3.5
A ONE PUBLIC SECTOR APPROACH: PACE OF TRANSFORMATION (5%)	4
A ONE PUBLIC SECTOR APPROACH: FLEXIBILITY AND SUSTAINABILITY (5%)	4
A NEW RELATIONSHIP WITH CITIZENS: PERFORMANCE (10%)	3
A NEW RELATIONSHIP WITH CITIZENS: POTENTIAL FOR STAFF INCENTIVISATION (5%)	4
A NEW RELATIONSHIP WITH CITIZENS: CITIZEN FOCUS (10%)	3.5
A NEW RELATIONSHIP WITH CITIZENS: SUPER OUTCOMES (5%)	2.5
TOTAL	33/ 50

A relentless drive for efficiency: Price (50%)

In house MTFS

- Able to optimise income streams prior to outsource. In doing so it can use the generation of income as an incentive for future provider to reduce the overall cost of the contract. However, future income generation opportunity will be lost to the provider unless a gain share agreement is put in place
- In the interim period where in-house transformation is taking place the Council can gain momentum on embedding behaviour change approaches and gain earlier benefits.
- They will retain the current level of resource until point of externalisation. Whilst known that a longer term plan is to externalise, the service will be challenged to achieve the optimum resourcing within short term timescales
- Able to develop internal efficiency prior to outsource. The financial benefit of this is that the provider is not achieving a margin on the efficiencies available and the package outsourced. The Council is able to reduce the cost of the services prior to the provider
- Current MTFS figures for Street scene are 2013/14 - £882,000, 2014/15 - £1,211,000

3.5

Additional transformational support

- Achievement of savings will rely on the successful implementation of software and new technology that will require additional investment either through NSO/CSO provider or another contractor
- Additional support could focus on enabling the in-house team to progress and sustain the behaviour change programme
- Engagement of additional support will increase pace of change by identifying new efficiency savings and researching ways to implement them e.g. route optimisation. The additional support could also focus on tackling the cost pressure of agency staffing

A relentless drive for efficiency: Investment (5%)

In house MTFS

- The investment in service improvement would have to come from internal resource or procured support. This is less financially attractive, it would be beneficial to wait until it is externalised for the new provider to invest in the service change. However, this delays the transformation process and release of savings

0

Additional transformational support

- Investment in support assists the service to identify further long term savings and thus generating income to be re-invested in to the service in areas such as new technology

A relentless drive for efficiency: Risk and guarantee of delivery (5%)

In house MTFS

- Internal transformation prior to outsource requires effective performance management to support the transition. It is important that change is owned within the service in order that delivery is sustainable in the longer term. This may be difficult to achieve if staff know the service is eventually going to be externalised.

Additional transformational support

- Additional external support can be used to set up the programme of change and put controls in place to ensure delivery and sustainability. There is however, a risk that momentum is lost and sustainability is affected once dedicated external support leaves.

3.5

A one public sector approach: Pace of transformation (5%)

In house MTFS

- Undertaking internal transformation first enables savings to be accessed prior to externalisation, increasing the pace of savings achievement.
- The profile of savings would need to be mapped to take in to consideration immediate in house savings, followed by a lull during the procurement process, with the view to an increased pace of savings once completed

4

Additional transformational support

- Additional support will increase the pace of change by having a dedicated focus on achievement of the change. The external support can be held to delivery of work by the specified deadlines.

A one public sector approach: Flexibility and sustainability (5%)

In house MTFS

- During the period of internal transformation there would be scope to test the approach of the service going forward to inform the specification ready for externalisation. This would allow a more robust and sustainable outsourced model long term

4

Additional transformational support

- Additional external support can be used to set up the programme of change and put controls in place to ensure delivery and sustainability. There is however, a risk that momentum is lost and sustainability is affected once dedicated external support leaves

A new relationship with citizens: Performance (10%)

In house MTFS

- During the initial period of transformation there is potential to use demand management techniques to change behaviours of citizens, increasing recycling rates and reduce residual waste.
- By combining streets and green services the service will be more efficient which may increase resident satisfaction. As there will be dedicated locality teams it is more likely that services such as cleaning litter and removing graffiti will happen more efficiently.

Additional transformational support

- Additional support would be able to identify wider strategic opportunities across other departments in the council and offer support for joint strategic working
- Able to bring expertise of best practice from elsewhere to share with the in house team and suggest ways of increasing performance and satisfaction
- Introduce behaviour change techniques to change customer behaviour towards recycling and therefore increase performance figures

3

A new relationship with citizens: Potential for staff incentivisation (5%)

In house MTFS

- During the initial period of transformation there is a reliance on the in house team to deliver the change programme but they may lack in motivation due to the impending externalisation. This may slow the process down if there is not co-operation from the in house team.

Additional transformational support

- The scale of change required is significant and additional support would assist in providing expertise and experience to support new ways of working and business change. Behaviour change methods could be used internally to help with transformation.

4

A new relationship with citizens: Citizen focus (10%)

In house MTFS:

- There is the potential to use behaviour change techniques to increase community engagement and citizen focus can be established prior to transfer
- There is also scope to use local apprentices, especially in the locality hubs for streets and green spaces, this could then be written in to the contract specification
- Members could be involved through the behaviour change work, to support them to become enablers of behaviour change to increase recycling rates, specifically around flats

3.5

Additional transformational support:

- Provide support to the behaviour change agenda
- Share best practice ideas from across the sector with regards to citizen engagement

A new relationship with citizens: Super outcomes (10%)

In house MTFS:

- The strategic priority of the council is to 'use its powers, in partnership with the local public, private and third sectors, to create the right environment to promote economic growth, development and success'. This would be at the forefront of the strategic direction of the model and inform the KPIs in the service plan. The model would also aim to meet the super outcome of 'a well designed place with sustainable infrastructure'

Additional transformational support:

- The additional support would assist with the capacity of the in house team to enable them to achieve the maximum scale of impact in line with the super outcomes

2.5

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Appendix D

Strategic Outline Case (SOC): Waste & Street scene review

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Service / Dept:	Deputy Chief Executive

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1. Introduction

1.1 Aim of the Strategic Outline Case

Environmental and street scene services are at an important juncture; contract end dates and organisational restructuring mean that decisions need to be made about future delivery models of this group of services. The aim of this strategic outline case (SOC) is to examine the current situation in Barnet and highlight future service delivery options which justify further exploration in a more comprehensive options appraisal.

The services in scope of this review are:

- Refuse, organic waste and recycling collections
- Waste strategy
- Street cleansing
- Greenspaces
- Highways operational team

Future delivery options are examined in the context of the three Corporate Change Programme principles:

- A new relationship with citizens
- A one public sector approach
- A relentless drive for efficiency

The SOC phase is designed to ensure the right level of strategic thinking and analysis has been applied to the options prior to any significant further investment by the council.

In parallel with the SOC, work on the Waste Behaviour Change project is being undertaken by the council to identify what collection methods should be used in the future, which will deliver the council's aspirational goals in waste and recycling services. Although work is distinct from the SOC which is concerned with delivery mechanisms for the services, it will incorporate the outcomes from the Waste Behaviour Change project into the planning for delivery of an options appraisal / business case.

1.2 Desired Outcomes

There are two sets of outcomes that need to be considered; firstly the outcomes of the SOC and secondly the service outcomes that the options identified in the SOC would help achieve.

- **Outcomes of SOC**
 - To provide CDG with a set of options for the future delivery of the services in scope
 - To identify the process for delivering the options to options appraisal and business case

- **Service outcomes**
 - An increase in recycling levels and reduction in residual waste
 - In the long term maintain performance levels of the services, in particular resident satisfaction in waste and recycling which is currently 81% and 72% respectively
 - An integrated street scene service that is fit for purpose and examines service efficiencies for a mixed area based approach
 - Delivery of a service that provides Barnet as a place where residents choose to live, work and play, that is clean and green
 - A customer focused service delivery model where the front-line service are also providers of customer intelligence
 - Deliver service efficiencies to realise savings set out in the Medium Term Financial Strategy.

1.3 Considerations and services changes

All the potential options will need to take account of a number of important changes that will affect these services:

- Integration of the Highways operational team into the Environmental services group in April 2012
- Current May Gurney contract for the collection of recycling and operation of the household waste and recycling centre which runs until October 2013
- Current Go Plant contract for all fleet vehicles to collect residual and organic waste which runs until 2018
- Current procurement by North London Waste Authority (NLWA) on behalf of seven London boroughs for waste treatment and disposal services and facilities
- Requirement to report estimated future tonnages and collection methodologies to the NLWA by 12 April 2012
- Sale of the current Mill Hill depot and the current project underway to identify a new suitable site
- Possibility of sharing some services in scope or depot site with neighbouring boroughs
- Repeal of the Refuse Disposal Amenity Act (1978) and NLWA's preference to operate the household waste and recycling centres in North London

- Review of clinical waste collection to ensure costs are paid for by GP's and hospitals
- Local initiatives such as 'adopt-a-street' and Pledgebank.

1.4 Research and findings undertaken to support the SOC

The key project activities are shown below:

Activity area	Detail
Member engagement	<ul style="list-style-type: none"> • Consultation with the lead Cabinet Member responsible for the Environment – Councillor Brian Coleman • Consultation with cross party members as part of the Waste Behaviour Change Project • A Member Engagement Event held on 13 February to seek views and input particularly around waste and recycling.
Officer & partner engagement	<ul style="list-style-type: none"> • Consultation with Managers of the services in scope • Detailed consultation with Senior Managers of the services in scope • Workshop with core service managers to ensure their examples of best practice were included • Discussion with Improvement and Efficiency South East Partnership (IESE) and London Waste and Recycling Board (LWARB).
External engagement	<ul style="list-style-type: none"> • Survey and workshops with residents to discuss their views on waste and recycling methodology.
Research of best practice from other authorities & government agencies	<ul style="list-style-type: none"> • Desk research of best practice examples of alternative service delivery methods. • Desk research and discussions with councils about lessons learned from outsourced models • Development and exploration of case studies to explore current approaches to service delivery. • Discussions with neighbouring boroughs regarding the potential for shared services.

Table 2, Initial activities

1.5 Key target dates

Subject to approval, the following key target dates are recommended:

- Strategic Outline Case Reviewed by Programme Board – May 2012
- Options Appraisal and outline business case work – May - November 2012
- Cabinet decision on preferred option – November 2012

2. Strategic Context

2.1 Background

The services in scope have the common aim of managing public areas to keep them safe and clean. There are interdependencies between the service areas where resource is shared. The aim of the review is to consider potential delivery methods for providing this improved service. To contextualise the review we have researched the models being employed by other local authorities for environmental and street scene services, this can be found in Appendix A.

Included in the scope of this review are analyses of:

- the current service structure covering functions, cost and resource;
- the dependencies of existing services on other teams within the council, including those in the scope of existing corporate projects;
- known ways of improving the efficiency and effectiveness of services;
- how other high-performing Councils deliver these services (looking at both organisations that successfully adapted their model of service delivery 3 to 4 years ago and also at those that have developed more innovative proposals in the last 12 months¹).

This paper presents the potential methods of service delivery that have been considered by the project team and key service managers to offer both best value for money and service delivery for the customer.

2.2 Current Service delivery

Of the five service areas in scope for this review, some are currently provided in-house and others by a third party. The service is not constrained by any statutory requirements for the council to deliver specific elements directly. The high level functions of each service area are listed below²:

In-house	External provision
<p>Refuse:</p> <ul style="list-style-type: none"> • household and schools residual waste collection • household and schools organic waste collection • skip delivery and collection • trade waste collection • bulky waste collection • bin delivery service 	<p>Recycling (May Gurney):</p> <ul style="list-style-type: none"> • household and schools recycling collection (dry) • recycling collection from bring banks • management of household waste & recycling centre

¹ These two groups have been selected to learn the lessons from those who changed their delivery 3 or 4 years ago and see how they are reflected in new innovation in the service group.

² Although Leisure falls within the service area it has not been included here as it is subject to a separate SOC and business case.

In-house	External provision
<p>Greenspaces:</p> <ul style="list-style-type: none"> • grounds maintenance of parks and open spaces • maintenance of highway verges and beds • grounds maintenance of Barnet Homes estates • letting of parks and open spaces • parks locking and unlocking • tree inspection • cleansing & emptying of bins in parks • facilities management of park buildings • allotment management • support street cleansing with winter gritting 	<p>Greenspaces (various contracts):</p> <ul style="list-style-type: none"> • grounds maintenance – specialist services • Replacement / renewal of parks assets • tree maintenance • purchasing of materials (various) • park buildings repair work
<p>Street cleansing:</p> <ul style="list-style-type: none"> • street sweeping • emptying of street bins • investigation of dumping and fly tipping reports • graffiti removal • fly tipping removal from public land • clinical waste collection • hand gritting winter maintenance 	<p>Street cleansing:</p> <ul style="list-style-type: none"> • collection of stray animals • hazardous waste collection • purchasing of materials (various)
<p>Waste strategy</p> <ul style="list-style-type: none"> • management of Recycling Services (May Gurney) • management of office recycling services • education and engagement across schools and council sites • strategy and planning for refuse, organic, recycling service and waste prevention • promotion of waste services • performance reporting • liaison with NLWA 	<p>Waste strategy (Pearce Recycling and Paper Round):</p> <ul style="list-style-type: none"> • collection of office recycling from council premises • purchasing of materials (various)

Table 3, Service delivery

It should be noted that the contract to deliver leisure services will be out of scope of this work as it is the focus of a separate strategic outline case.

As of April 2012 the Highways operational team will also become part of the street scene services, the functions covered by this team are all delivered in house and set out below:

- winter gritting
- pot hole repairs
- footpath repairs
- reactive response works
- out of hours standby
- sign shop

The table below shows the planned spend in 2011/12 by cost centre and the planned savings for 2012/13 in the Medium Term Financial Strategy (MTFS). It should be noted that the 11/12 plan figures also take into account income generated across the services.

Cost Centre description	2012/13 Expenditure Budget	2012/13 Income Budget	*Support costs assumption (£)	Total (£)
Recycling	3,835,890	(1,102,210)	416,080	3,149,760
Civic Amenities	649,670	0	53,378	703,048
Street Cleansing	4,126,800	(40,000)	414,721	4,501,521
Domestic Refuse	5,535,975	(150,000)	532,473	5,918,448
Trade Waste	48,070	(2,163,066)	15,080	(2,099,916)
Allotments	71,624	(89,684)	6,827	(11,233)
Parks & Open Spaces	4,628,572	(957,170)	456,399	4,127,801
Sports Grounds	388,590	(311,290)	37,896	115,196
Green Belt Lands	3,810	(106,860)	988	(102,062)
Trees Mgmt	1,249,830	(8,200)	104,738	1,346,368
Highways Responsive	754,447	(647,000)	73,324	180,771
Winter Maintenance	647,600	(229,870)	52,549	470,279
Highways Stand by	92,850	(89,310)	7,996	11,536
Sign Shop	237,230	(288,930)	38,113	(13,587)
Total	22,270,958	(6,183,590)	2,210,562	18,297,930

Table 4, Financial Breakdown

*Based on (Expenditure budget + recharges) x 8%.

MTFS Savings reported to Cabinet on 20th February 2012 for Street scene were as follows:

- 2013/14 £882,000
- 2014/15 £1,211,000

Relevant capital budgets associated with these services are as follows:

CAPITAL	2012/13	2013/14	2014/15	2015/16	2016/17
	£	£	£	£	£
Parks	425,000	100,000	100,000	100,000	100,000
Waste	1,453,000	1,453,000	-	-	-
Highways	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000

Table 4a, Financial Breakdown

These services currently employ a significant number of staff, including many seasonal and casual workers to deal with the seasonal variations in workload. This is particularly evident in the Greenspaces Service. The table below sets out current staff number by service. These service areas are currently working with HR to cleanse the staff listing on SAP as the system currently holds some historical data. It is expected that this work will be completed by the end of March.

Team	Staff
Refuse	103
Recycling	98
Waste Strategy	6
Street Cleansing	120
Greenspaces	95
Highways	12
Total	434

Table 5, Staff numbers (Feb 12)

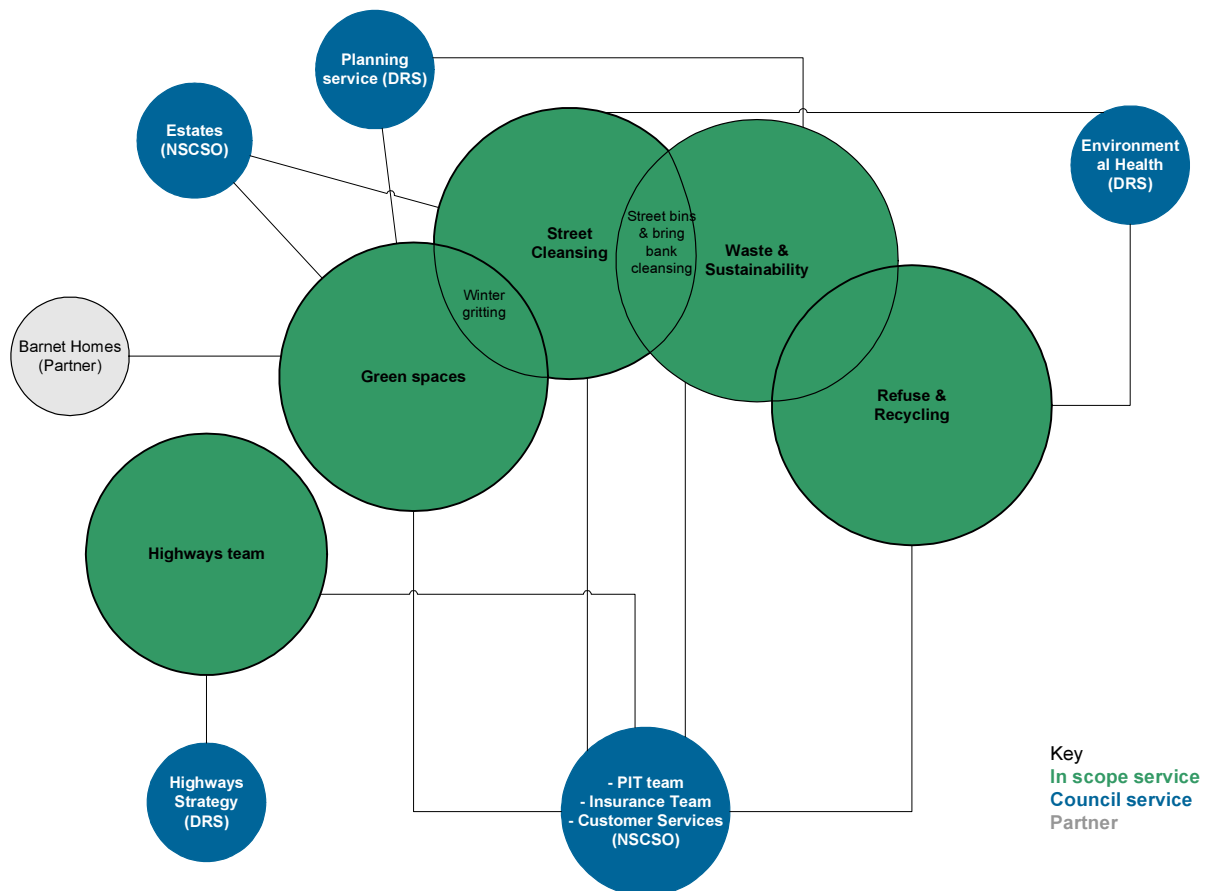
The services currently manage a number significant sized contracts the details of which are set out in table 6 below.

Contract	Duration	Annual cost
Provision of recycling services (May Gurney)	Oct 2008 – Oct 2013 (option for up to 2 year extension)	£4m
Public Tree Management (City Suburban)	Apr 2009 – Apr 2014	£600k
Collection & Disposal of Hazardous Waste (City of London)	Oct 2010 – Oct 2015	£23k
Supply of wheeled bins (SSI Schaefer)	Apr 2009 – Apr 2013	£37k

Table 6, Current contracts

The leisure contracts have not been included here as they have been included in the Leisure Review SOC.

The interrelationships between the services are highlighted in the diagram below:



The services also engage regularly with external partners including TfL, the Met Police, NLWA and the Environment Agency.

A holistic delivery unit covering the range of services in scope would make it easier for Barnet to adapt to seasonal variations in workload. As part of our external research we spoke to Wrexham County Borough Council and East Riding of Yorkshire Council, who deliver their services entirely in-house. East Riding brought their service back in-house approximately ten years ago whereas Wrexham have always directly provided the service.

2.3 The outcomes being achieved

2.3.1 Council wide outcomes

In considering the future delivery of these services the council will be looking at how these services can contribute to delivering a cleaner, safer place for residents to live.

- Through ensuring the streets and roads and green spaces are clean and tidy it will help to make the local environment feel a safer place.
- Through working with local communities to take ownership and pride in their local assets such as parks it could assist in improving the health of residents and reducing both the occurrence of and fear of anti-social behaviour and crime.

In reviewing the delivery of these services there is an opportunity to engage local residents further and give them a level of ownership of their locality similar to the allotment scheme. Currently the council works with local Friends Groups which are involved in cleaning up local areas and fundraising with the support of the council to deliver localised improvements. The council will look at opportunities to expand this community involved for local groups to take greater control of local parks and further encourage 'adopt-a-street' schemes. These opportunities will allow local people to have greater control of the look and feel of their communities, for example Friends Groups could be used to identify whether local parks have the most appropriate facilities e.g. if an unused park building were to be restored would the local community use it or should it be removed and replaced by a football pitch.

Parks and open spaces, and the associated leisure facilities, have a particularly key role as through ensuring they are places that local residents want to access and look after it can have a number of beneficial impacts on the community:

- Provide diversionary sports activities for young people to reduce the risk of them becoming involved in anti-social behaviour
- Provide diversionary sporting activities for offenders to help in reducing the risk of re-offending
- Improve the health of young people reducing the negative impact on health services
- Improve the health of elderly people reducing the support needed for health and social services.

The council will also look at the possibilities for apprenticeships within these service areas and how this could link with the current community coaches work. It may be possible to consider a scheme whereby those who have already been involved in local volunteer work and actively trying to improve their own outcomes could be offered apprenticeship opportunities. The service could also provide opportunities to offenders through community payback schemes which could be used to clean and improve green spaces assets.

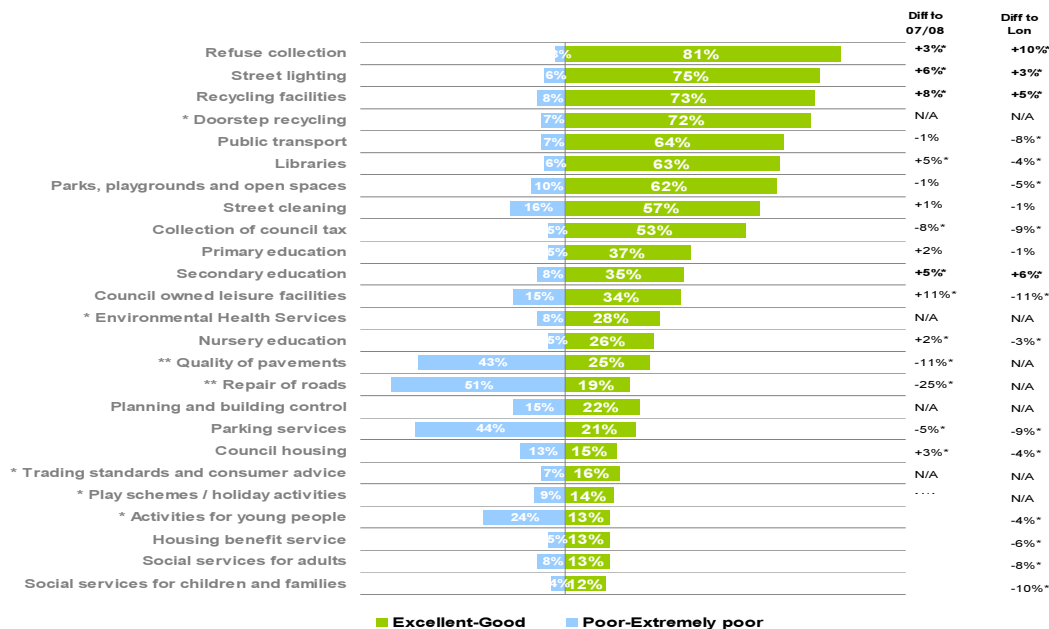
2.3.2 Service outcomes

The services involved have a number of outcomes they are currently working towards which will support the council wide outcomes in 2.3.1.

The current refuse collection service has very high rates of customer satisfaction, with 81% of residents rating the service as good or excellent. Indeed, according to the 2010-11 survey, it has the highest level of customer satisfaction in the council. Satisfaction with the recycling service is also high at 73%. However, the discrepancy between the refuse collection and recycling service rates is something that should be considered.

The street cleansing service has a resident satisfaction rate of 57% which is very similar to the average rating across London. The service is aiming to increase this rate by 10% over the coming two years. This will be supported through achieving a 100% success rate in clearing litter accumulations within 24hrs and removing graffiti from town centres served by town keepers within one working day.

Satisfaction with our parks and open spaces, although in the top ten services in the graph below is still below the London average. The service will look to improve this satisfaction rating throughout 2012/13 particularly through working closely with the Leisure Review project to deliver clean and green parks and open spaces that encourage a more active and healthy lifestyle.



2.4 The wider strategic context

Local Authority waste collection has changed considerably over the last 10 years, as can be demonstrated by the change in the recycling rate – in 2000/01 average council recycling in England was 11% and in 2010/11 it was 40%. In order to deliver this step-change in performance, councils have turned to a number of different collection methodologies and delivery mechanisms including the following:

- Increased consideration of joint working;
- Increased consideration of outsourcing waste collection; and
- Dramatic increase in alternative weekly collection for residual waste.

Of the top six councils in the 2010/11 recycling performance table, five have outsourced their collection operations, a different five use alternate weekly residual waste collection and the top performer has both outsourcing and joint working with neighbouring councils. A number of councils have recently tendered their operational portfolio and there is a mixed solution provided in a number of councils. This includes all externally provided in a 'SuperGreen' contract, such as Ealing or a mix of internal and external provision such as Hackney³. In considering delivery mechanisms appropriate for Barnet the following statements can be made:

³ London Waste Map, Waste collection contracts, <http://www.londonwastemap.org/en/non-mapped-data/waste-contracts>

- It is possible to be a top performing council without outsourcing or joint working; but outsourcing and joint working are characteristics shared by most top performing councils and must be considered as delivery options.

2.5 Summary of strategic context

The council is currently revising its collection strategy for waste and recycling, with the aim of reducing residual waste tonnages by changing citizen behaviour. Altering collection methods could increase the recycling rates and release significant efficiencies. Moreover, the corporate restructure has resulted in the movement of the Highways operational team into street scene services, making it the appropriate time to consider the future delivery model of all services. Consideration is also being given to the current method of working and exploration of area based working between green spaces and street cleansing should enable some further efficiencies to be delivered.

Localism Agenda

With the Localism agenda place-based operational services need to be delivered locally, tailored to fit local needs, within a larger scale efficient operation. The Localism agenda will also allow the council the opportunity to look at what further can be done to localise assets and give communities greater ownership. Through the agenda local budgets could be provided to communities to support improvement and management of localities. These grants would only be provided to individuals or groups who would commit to fundraising or giving a number of volunteer hours to the community such as is seen in the 'Pledgebank' model.

West London Alliance (WLA)

As a member of the WLA the council has the opportunity to take advantage of a central pool of expertise in support of joint service delivery. A new joint Procurement Board and Procurement Hub have been established by the WLA and it has identified environmental projects one of their initial areas of focus. This would allow the council, with partner authorities, to access specialist procurement and legal support reducing the cost of change to the council and maximising savings that can be delivered through collaborative procurements.

The financial pressures that local government currently operates under are expected to continue in the coming years. In addition, the environmental argument for increasing recycling rates continues to grow both locally and nationally. The council review of these services aims to support the Corporate Change Programme principles:

- **A new relationship with citizens**
 - Improved communication with residents to change waste and recycling behaviour
 - Simplified recycling instructions to encourage increased recycling
 - Greater community involvement and ownership of their local parks and streets
- **A one public sector approach**
 - Best practice research from similar local authorities
 - Review opportunities for shared service agreements

- **A relentless drive for efficiency**
 - Streamlined services to provide the most efficient street environment service
 - Consistently high service delivery within a reduced budget
 - Greater use of parks and open spaces to improve health and personal outcomes of residents thereby reducing their reliance on health and social services

The key reasons that the council needs to consider different methods of delivery for these services and the opportunities that these options could bring are set out in sections 3 and 4.

3. Reasons for change

Waste, street scene and greenspaces are important universal services and a citizen's experience of them informs their relationship with the council. A number of factors outlined in this chapter make it an opportune time to examine existing service provision and evaluate options for future service delivery.

Citizen / member push for higher recycling rates

Citizen and member engagement suggests that there is significant support and ambition for higher recycling rates. There are two main agendas fuelling this: the drive for economic efficiency and environmental concern.

The Waste and Behaviour Change project conducted focus groups, which highlighted significant concern from some citizens about where waste was processed, and the positive impact of sorting on the revenue gained from selling recycling. Member interviews revealed that recycling is now in the top three priority areas of focus and that recycling in Barnet is not made easy enough for citizens.

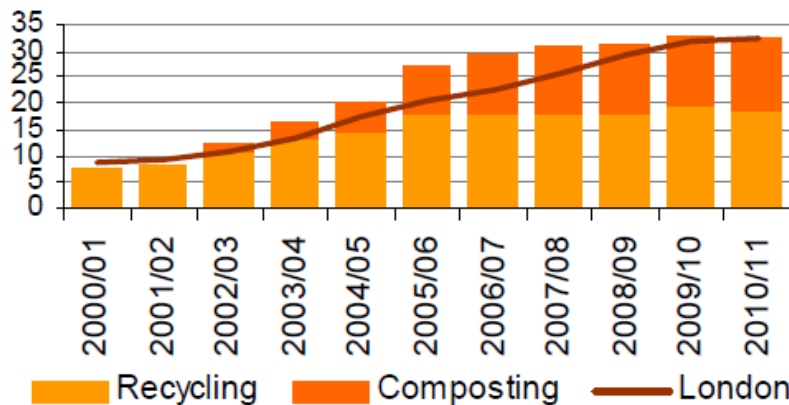
Barnet are currently the 281st performing borough out of 358 authorities⁴. The recycling rate of 33% is average for London boroughs, but below the national average of 42% (2010-11):⁵

Graph 1 – Household recycling in Barnet (%)⁶

⁴ Let's recycle, *Overall performance 2010-11*, 21/2/12, (<http://www.letsrecycle.com/councils/league-tables-1/2010-11-1>)

⁵ Defra, *Local authority collected waste for England – annual statistics*, 21/2/12 (<http://www.defra.gov.uk/statistics/environment/waste/wrf23-wrmsannual/>)

⁶ Environment agency, *London Borough Environmental Fact Sheet – Barnet*, 21/2/12 (http://www.environment-agency.gov.uk/static/documents/Research/Barnet_2011.pdf)



Barnet are also performing poorly on NI 191 which measures the tonnage of household residual waste sent for disposal. There is significant potential to improve the recycling rates, reduce unnecessary residual waste being sent for disposal, and improve customer satisfaction with the recycling service.

3.1 Financial impact of not recycling

Alongside the citizen and member concern about increasing recycling levels, the council should consider the financial impact of not encouraging recycling. Recycling could generate income for the council, as well as reducing costs incurred by diverting waste away from residual disposal. The Waste Behaviour Change project modelled various scenarios and found that collecting commingled dry recycling and providing a wheeled bin for dry recycling should increase recycling rates to 42% and result in an indicative annual saving of £2.7million by 2017.

In the context of significant internal savings targets, the service cannot afford to support high levels of residual waste and must maximise recycling rates. Staffordshire Moorlands District Council, South Oxfordshire District Council and Rochford District Council all reported recycling rates in excess of 61% in 2009-10⁷, highlighting the significant potential for Barnet to increase recycling and realise the economic rewards. Some authorities have expressed concern that increased recycling rates will have a negative impact on customer satisfaction rates. However, the three authorities named above all have customer satisfaction levels of 80% and above, with Rochford reporting 91% customer satisfaction.⁸ Potential to increase recycling rates must be considered when determining the future service delivery model.

3.2 Commitment to NLWA Inter Authority Agreement (IAA) inc. 50% recycling commitment

Barnet is one of the seven constituent authorities of the NLWA, which arranges the transport and disposal of waste collected in the seven local authorities in the region. Within this statutory framework the council have committed to signing the NLWA IAA which will govern the relationship between the eight authorities for the next 25 +

⁷ <http://www.guardian.co.uk/news/datablog/2011/jan/07/household-waste-recycling-by-area>

⁸ <http://www.rochford.gov.uk/rdm/index.php/2009/09/23/celebrating-a-year-of-recycling/>

years, which includes reaching a recycling rate of 50% in 2020. Failure to meet this target would have reputational and financial implications for the council. The financial consequences will depend on the outcome of the NLWA contract procurements that are currently in process.

3.3 Savings targets

Financial pressures are not evenly distributed across all services in scope. Street cleaning and greenspaces are not facing the same challenges as waste collection services. However, there are significant on-going cost implications for the residual waste service.

Of the seven constituent authorities of the NLWA, Barnet has the second highest level of residual household waste and recycling levels have plateaued. The future cost of residual waste treatment and disposal will depend on the outcome of the NLWA procurement, but it is likely to be in excess of the current prices paid for waste disposal. In addition from 1 April 2016 NLWA will levy Barnet according to the tonnes of each type of waste delivered, therefore the more residual waste that is delivered, the more that we will have to pay. Options developed by the Waste Behaviour Change project highlighted opportunities to increase recycling rates and realise efficiencies. They modelled scenarios which had recycling rates ranging from 38% to 52%, and corresponding annual savings ranging from £1m to £7.2m by 2017.

Additional to the increasing costs of waste treatment and disposal the council has savings targets set out in the Medium Term Financial Strategy for the street scene services of:

- 2014/15 - £500,000
- 2015/16 - £1,000,000

3.4 May Gurney and Go Plant contract expiry

The May Gurney contract for the collection of recycling and management of the Household Waste and Recycling Centre expires on 3 October 2013. Barnet can choose to extend the contract once by any period up to 2 years, as long as they give at least 3 months' notice. This would allow the council to use the contract to bridge the transition to a new delivery model.

The Go Plant contract for all fleet vehicles expires in 2018. Although the council has the option to reduce the number of vehicles hired to a pre-agreed minimum level there is no break clause in the contract. The contract also ensures an exclusive arrangement with Go Plant and the council. Any change to fleet arrangements will need to be factored in to any option developed for future service delivery.

The expiry of the May Gurney contract places Barnet in a strong position to consider new delivery models for recycling and street scene services. Initiating an options appraisal and business case now will allow the council to make an informed decision about whether to extend the May Gurney contract, and if so, for how long. In addition the impact of the Go Plant contract must be considered when evaluating future options.

3.5 Lack of open spaces strategy

Despite being the second largest provider of green spaces in London, and a budget of approximately £5.4m, Barnet does not currently have an open spaces strategy. This issue has also been flagged by the Leisure strategic outline case. Open spaces help define the character of the borough, and can bring personal and community benefits by encouraging emotional and physical well-being and improving economic performance. Developing the strategy would provide the council with the opportunity to engage with local communities and understand their ambition for the service, and how they will support the delivery of it. It is imperative that the council can articulate its open spaces vision and aims before making decisions about the shape of future service provision.

4. Opportunities for financial and non-financial benefits

To achieve the service aims of increased recycling, reduced residual disposal and ensure high levels of customer satisfaction with the waste, street scene and greenspaces services, there are three main options to consider: in-house delivery, outsourcing and a shared service with another authority. However, when considering these options we need to be aware of the Barnet specific context and requirements, for example Barnet has 38km of trunk roads requiring regular cleaning and with over 135,000 households, a number that is increasing, requiring waste collections.

4.1 In-house delivery

The end of the May Gurney contract and the transfer of the highways team into Environment, Planning and Regeneration presents significant opportunities to rationalise existing service arrangement. The current mix of internal and external delivery arrangements (outlined in section 2.2) make it difficult to maximise the potential benefit of a cross-skilled, flexible workforce. Rationalising existing service arrangements does not preclude the future externalisation of delivery. However, if externalisation was the preferred option it would seem sensible to time the transition to tie in with the end of the May Gurney contract.

Potential benefits – evidence from external research

A holistic delivery unit covering the range of services in scope would make it easier for Barnet to adapt to seasonal variations in workload. As part of our external research we spoke to Wrexham County Borough Council and East Riding of Yorkshire Council, who deliver their services entirely in-house. East Riding brought their service back in-house approximately ten years ago whereas Wrexham have always directly provided the service.

Both felt that retaining responsibility for delivery resulted in:

- More control over the service, resulting in a better quality for citizens and higher customer satisfaction rates (East Riding's customer satisfaction is consistently over 85%).
- The ability to consolidate multiple services and release efficiencies.

Neither authority was able to provide accurate information about the level of efficiencies achieved by in-house rationalisation. The potential benefits to Barnet would be calculated by the business case.

In-house provision is also common in London with 23% of authorities delivering their waste, street scene and/or greenspaces services internally. Bringing provision back in-house would give Barnet ultimate control over the services. Financial benefits include: the potential to re-organise services and deliver waste, street scene and greenspaces more efficiently; the control to test new, innovative ideas; and a more flexible workforce, reducing the need to employ seasonal or temporary workers. Non-financial benefits include: potential for improved customer satisfaction through greater direct control of services; and the opportunity for staff to develop new skills when working in a cross-cutting model of service delivery.

4.2 Private sector involvement in service delivery

Using private sector partners in service delivery has the potential to bring economic efficiencies provided by one technical expert. 73%⁹ of London authorities currently deliver at least part of their waste, recycling, streetscene or greenspaces services through an outsourced arrangement. Many of those authorities have multiple services delivered externally through one contract.

Potential benefits

External research highlighted that the competitive dialogue route can offer the council opportunities to shape contracts with providers, resulting in tailor-made solutions. Restricted procedure tends to be the preferred route where the services are already outsourced and the authority is seeking a new, similar contract. Payment conditions in outsourcing arrangements can be based on a range of outcomes to ensure that the service helps to deliver the aims of the authority. Contracts need to be written to allow for change if the nature of the service changes in the future. The main financial benefit is cheaper service delivery.

The research showed that savings achieved from procurement vary significantly depending on existing arrangements, procurement method, recycling rates and a range of other factors. The waste and recycling service in Cheshire West and Chester Council will be delivered through a new contract from April 2012, with expected savings of £5m/year. The London Borough of Brent are expecting £1m/year savings from their recent contract re-negotiation following a change in service provision and have customer satisfaction rates of approximately 85% (having outsourced provision in 1992). A recent business case for the City of Edinburgh Council found a 25% reduction in baseline costs in 7 years through outsourcing provision.

⁹ ibid

Both in-house rationalisation and outsourcing can offer significant benefits in the right circumstances. However, the complexity of the service and variations due to demographic factors mean that we need to test the options in a Barnet specific context. The options appraisal and business case stages will allow the quantification of the financial and non-financial impacts expected from in-house and private sector service delivery.

4.3 Options for shared delivery of services

Shared service provision offers Barnet the opportunity to partner with a neighbouring borough to deliver waste, street scene and greenspaces services. Delivery could be in-house or outsourced, depending on which authority is involved in the partnership. Regardless of the delivery method, shared services arrangements have the potential to generate economies of scale through the procurement and the joint use of resources (e.g. depots).

There are currently two main options for shared services delivery: in-house with Harrow (refuse and recycling only) or outsourced with Brent (potentially all street scene services, discussions are on-going). The viability of either arrangement needs further discussion and would be evaluated in the options appraisal stage.

4.4 Impact of changes to collection methodology

The collection methodology for waste and recycling is currently under review. The delivery model for residual waste, organics and recycling will need to anticipate these changes and be flexible enough to react to any additional changes in the future.

5. Project Definition

5.1 Strategic options

Given the key reasons for change and the opportunities for financial and non-financial benefits as set out in sections 3 and 4 above, there are a number of strategic options for the council to evaluate. Each option is considered in light of the council objectives and the current financial climate, particularly the MTFs, to identify those that should proceed to a full options appraisal.

There are three broad options for the future delivery of Street scene services in Barnet:

- 1. In-house rationalisation**
- 2. Shared services with neighbouring boroughs; and**
- 3. Contracting with the private sector**

Within the three options there are a number of sub-options as set out in the table below. It is worth noting that some of these options are dependent on discussions with Harrow and Brent Councils and the contractors May Gurney and Go Plant.

1. In-house Delivery and Improvement	
On the expiration of the current May Gurney contract, transfer staff and services back in house and seek to deliver revised service targets and MTFs (or stretch) financial targets.	<p>Sub-options</p> <ul style="list-style-type: none"> a. "Super-green" service with the following characteristics: <ul style="list-style-type: none"> i. Consolidation of recycling / organic / residual / trade into one fleet efficient service with clear functional streams ii. Focus on making Trade Waste a more commercial entity iii. Seek area based efficiencies through operational synergies between green space 'on-street' services, street cleansing and highways iv. Maximise the flexibilities within each service to create an inclusive response and management function. b. Continuous improvement to current structure. c. In-house rationalisation incorporating elements of the above but in preparation to progress to an outsourced model in 2014.
2. Shared Services	
Explore the potential for partnering with neighbouring boroughs to deliver part or all of the Environmental Services in-house through a shared service arrangement.	<p>Sub-options</p> <ul style="list-style-type: none"> a. Harrow b. All services c. Partial service
3. Contract with the Private Sector	
<p>Carry out a procurement process to select a provider to deliver all street scene services on behalf of the council.</p> <p>This could also include utilising the options under the IESE¹⁰ Waste Management Services Framework currently in final procurement stages</p>	<p>Sub-options</p> <ul style="list-style-type: none"> a. All services b. Waste and recycling collection only c. Creation of mutualised private sector entity d. Joint procurement with neighbouring authorities (Brent or Brent and Harrow)

Table 7, Strategic options

¹⁰ Improvement and Efficiency South East Partnership working with London Waste and Recycling Board

5.2 High level options – initial analysis

Table 6 attempts to highlight the potential impact of each of the five options could realise. It should be noted that this is currently very high level and has been produced with the aim of identifying any options that should be ruled out at this early stage. A full options appraisal and business case would be conducted if this project was progressed. This would take into account the full impact of the waste behaviour change work underway and resulting new waste and recycling collection methodology.

Strategic Options	Likely impact on priority outcomes	Likely impact on Service outcomes	Likely ability to increase recycling rate	Likely financial impact
1a. In-House consolidated – “Super-green”	Uncertain – but potential for improvement	Uncertain – but potential for improvement	Uncertain	Potential to lead to savings in waste and recycling service area.
1b. Continuous improvement to current service	Uncertain – but potential for improvement	Uncertain – but potential for improvement	Uncertain	Potential to lead to savings in waste and recycling service area.
1c. In-source recycling at expiry of May Gurney contract, rationalise then outsource in 2014	Improvement	Uncertain – but potential for improvement	Improvement	Likely to lead to savings in waste and recycling
2a. Fully shared service with Harrow*	Uncertain – requires strong partnership working	Uncertain	Uncertain	Investment may be required by partner authority
2b. Partial shared service with Harrow*	Uncertain – requires strong partnership working	Uncertain	Uncertain	Investment may be required by partner authority
3a. Externalise all services	Uncertain – but strong potential to do same for less	Uncertain – but potential for improvement	Improvement	Likely to lead to savings in waste and recycling and street cleansing service areas
3b. Externalise waste collection only	Improvement	Uncertain – but potential for improvement	Improvement	Potential to lead to savings from within waste and

Strategic Options	Likely impact on priority outcomes	Likely impact on Service outcomes	Likely ability to increase recycling rate	Likely financial impact
				recycling.
3c. Create mutualised company	Uncertain – could be potential to do same for less	Uncertain – but potential for improvement	Uncertain – but potential for improvement	Uncertain
3d. Joint procurement with neighbouring borough	Strong potential to do same for less	Uncertain – but potential for improvement	Improvement	Likely to lead to savings in waste and recycling and street cleansing service areas

Table 8, Initial options analysis

* This would require strong political and operational buy in by all parties, which is still being assessed.

Table 9 below expands on the strategic options in table 8 and looks at the positives and negative considerations against each.

Strategic Options	Pros	Cons
1a. In-House consolidated – “Super-green”	<ul style="list-style-type: none"> • Greatest control over service delivery • Consolidation should result in further savings 	<ul style="list-style-type: none"> • Difficult to ensure savings / performance targets (not contracted) • Some disruption during consolidation
1b. Continuous improvement to current service	<ul style="list-style-type: none"> • Minimal disruptions • Greatest control over service delivery 	<ul style="list-style-type: none"> • Least potential for savings / service improvements • Difficult to ensure savings / performance targets (not contracted)
1c. In-source recycling at expiry of May Gurney contract, rationalise then outsource in 2014	<ul style="list-style-type: none"> • Brings forward efficiency savings to earliest point • Ensures ‘easy wins’ are not shared with commercial contractor • Flexibility in when collection methods are changed 	<ul style="list-style-type: none"> • Loss of direct control over the services once outsourced, potential impact on customer satisfaction • Costly and potentially contentious procurement process
2a. Fully shared service with Harrow*	<ul style="list-style-type: none"> • Economies of scale in shared services • Builds on existing working relationships 	<ul style="list-style-type: none"> • Unknown appetite from Harrow and lack of engagement so far • Potential synergies yet to be explored / quantified

Strategic Options	Pros	Cons
2b. Partial shared service with Harrow*	<ul style="list-style-type: none"> • Economies of scale in shared services • Builds on existing working relationships 	<ul style="list-style-type: none"> • Unknown appetite from Harrow and lack of engagement so far • Potential synergies yet to be explored / quantified • Partial sharing will lead to reduced savings
3a. Externalise all services	<ul style="list-style-type: none"> • Ability to contractualise performance targets and savings targets – certainty of delivery • High potential for savings with synergies exploited across services 	<ul style="list-style-type: none"> • Loss of direct control over the services, potential impact on customer satisfaction • Costly and potentially contentious procurement process • Lack of flexibility once operating
3b. Externalise waste collection only	<ul style="list-style-type: none"> • Ability to contractualise waste performance targets and savings targets – certainty of delivery 	<ul style="list-style-type: none"> • Loss of direct control over the services, potential impact on customer satisfaction • Costly and potentially contentious procurement process • Reduced savings compared to full externalisation
3c. Create mutualised company	<ul style="list-style-type: none"> • Ability to contractualise performance targets and savings targets – certainty of delivery • Innovative structure – more incentive for individual staff, profits retained largely within Barnet 	<ul style="list-style-type: none"> • Innovative structure – increased risk over proven alternatives • Legal implications not yet explored – may not be viable
3d. Joint procurement with neighbouring borough	<ul style="list-style-type: none"> • Greatest potential for savings • Large procurement will be attractive to the marketplace • Ability to contractualise performance targets and savings targets – certainty of delivery 	<ul style="list-style-type: none"> • Complex and possibly time-consuming procurement • Potential synergies yet to be explored / quantified • Loss of direct control over the services, potential impact on customer satisfaction

Table 9, Pros and cons of possible options

5.3 Costs

The costs for carrying out the options set out in table 9 vary considerably with the most expensive option being a procurement process covering all services in scope. This type of procurement process could cost up to £1m. More accurate costings for each option will be developed as part of the options appraisal / business case work.

This analysis will also ensure that only those options which meet the required MTFs savings will be put forward to Cabinet Resources Committee in autumn 2012.

5.4 Critical path activity

To enable the options above to be explored, the critical path activity is described in the sections below. This will provide the project with the information required to assess the attractiveness, costs and benefits of the respective delivery methods in the options appraisal and business case phase.

There will be a requirement for some further research and activity to ensure that the information and data available to support the options appraisal is robust. The outputs will enable the council to have a clear and robust rationale to support its decision-making.

5.5 Scope of Street Service review in Options Appraisal and Business Case

The scope of this review moving into an options appraisal and business case encompasses all the services that sit underneath the Assistant Director for Environment:

- Refuse and recycling collections
- Waste strategy
- Street cleansing
- Greenspaces
- Highways operational team

In this strategic outline case there has been less focus on the Highways Operational Team as this has yet to be formally incorporated into the directorate area. However, best practice examples would be followed up for this service on moving into an options appraisal and business case.

5.6 Key dependencies

On approval by CDG there are no key dependencies that will prevent this project moving to an options appraisal and business case. There are a number of cross project dependencies that are set out in section 8.

However there are number of dependencies that will influence the degree to which options are considered appealing.

- **May Gurney contract** for recycling services, due to expire in October 2013. The extent to which a short term in-house solution for this service is financially viable will be based on up-coming discussions between the council and provider.
- **Go Plant contract** for provision of waste collection vehicles runs until 2018 and could have financial impacts on any form of outsourced solution particularly in a joint procurement. It should also be noted that two

members of staff currently manage the daily interaction with the contractor to ensure best value for the council.

- **Collection methodology** for waste and recycling is currently under review but the financial case for each option could be quite different depending on how far the council is prepared to change.

5.7 Constraints that will affect the project

The options appraisal and business case will be influenced by the following constraints.

- The level of investment required to support the production of options and business case - *any future investment by the council will need to be proportionate to the potential savings and benefits which can be generated*
- Internal resource availability and capability - *the resources required to support the production of options and business case stage will require input from internal resources as well as the Implementation Partner and external expertise in the field*
- Timescales required to deliver savings - *the research recommended to progress with the options appraisal and business case will require approximately 6 months to be delivered (subject to scope and timing of commissioning).*
- Localism agenda – *the extent to which the localism agenda is adopted is currently being considered by the Environment, Planning and Regeneration Directorate, the result of which will influence the service functions to be delivered by the in scope services.*

5.8 Resources

To progress this work into an options appraisal and business case the Corporate Change Programme will need to provide dedicated project management support and subject matter expertise. This team would deliver the project with the support of the service area managers and Assistant Director for Environment. Additionally there is a requirement for part time support from both Human Resources and Finance. Dependent of the availability of resources it would be anticipated that an options appraisal would be completed in autumn 2012 for decision by Cabinet. Should approval be given to proceed to options appraisal a full costing to carry out this piece of work would be drawn up for approval by the Corporate Change Programme Assistant Director and Deputy Chief Executive. The fee and associated costs for the work are set out in section 6.

6. Project Approach

Project management approach

The standard council approach to project management will be adopted for the controls of this project. As part of the Corporate Change Programme, the project manager will ensure the appropriate performance framework documents are managed. The framework covers budget and resource plans, risk and issue management and benefits realisation all of which will feed a project highlight report.

It is proposed that the council carries out further work on the options considered to be of most benefit to the council (as set out in section 5). This will establish with greater accuracy the costs and benefits, both financial and non financial to the council and its residents.

On delivery of a fully costed options appraisal and business case this would be presented to Cabinet Resources Committee for final decision on the future delivery of the services.

Options appraisal and business case Summer - Autumn 2012

- Development of current state of service delivery and financial baseline
- Consideration of new collection methodology for waste and recycling and anticipated impacts
- Consideration of any potential May Gurney contract extension costs
- Consideration of emerging options
- Inclusion of all anticipated costs and benefits across all options.
- All cost estimates will be based on a common pricing level.
- Costs will include:
 - Capital and revenue costs.
 - Organisational development.
 - Consideration of net present values, cash flow and indexation.
 - Consideration of VAT and tax.
 - Financial analysis will be accompanied by assessment of risks.

In order to deliver the work above it is anticipated that the following resources would be required. Resource is in full time equivalent rather than people as both service and subject matter experts could comprise of more than one officer.

- Project Manager x 1fte
- Finance Manager x 0.5fte
- HR Business Partner x 0.5fte
- Service lead x 0.5fte
- Subject matter expert x 0.5fte

An estimate of the support costs is £180,000, these cover a six month period.

Approaches to be used to investigate options

The following approaches will be used to investigate options:

- Discussions with other councils’ street environment services to explore alternative approaches to provision / delivery and possible partnership
- Discussion with other government agencies to look at national policy and direction of travel for service delivery
- Exploration of best practice and alternative approaches of service delivery
- Consultation with senior managers

Project responsibilities and reporting

On approval to move to an options appraisal and business case, a project team comprised of Corporate Change project resource, service area managers, finance and human resources will be established.

Diagram 1 covers the proposed membership of the project board and their roles. Table 11 sets out the anticipated reporting controls as identified by the Corporate Change programme office that would be in place throughout the life of the project.

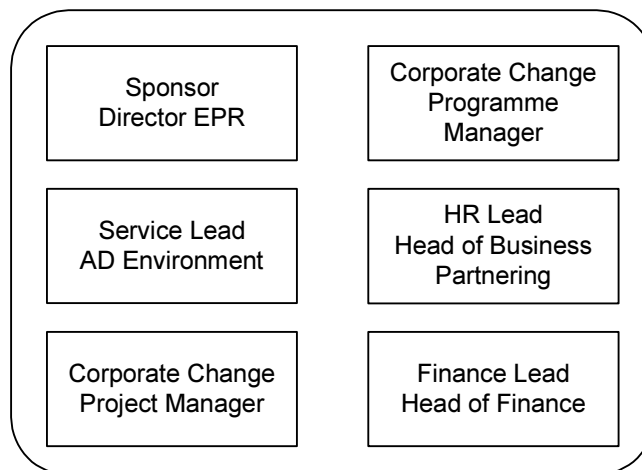


Diagram 1

Role	Responsibility
Project Sponsor	Responsibility for the project to ensure that the project is focused throughout its life on achieving its objectives and delivering to achieve the desired benefits. The key decision-maker on the project board
Service Lead	Represents those delivering the project and is accountable for the quality of what is produced and ensuring that the work of the project is resourced appropriately.
Programme Manager	Responsible for providing project assurance and link across all Corporate Change Programme projects.
Project Manager	Runs the project on a day-to-day basis on behalf of the Project Board within agreed controls and tolerances. Specifically responsible for delivering the project to the

Role	Responsibility
	agreed quality within the agreed costs and timescales
HR Lead	Responsible for protecting the council from financial penalties that could result from incorrect management of staff throughout the project.
Finance Lead	Responsible for ensuring the financial case for the project recommendations stands up to officer and public scrutiny.

Table 10, Roles and Responsibilities

Report	Frequency	Type	Circulation
Status report	Fortnightly	Project snapshot, covering progress, budget, benefits, risks and issues completed by project manager	Programme office and project board
Project board	Monthly	Standard discussion items as set by programme office. Additional items submitted on an event driven basis.	Project board
CDG programme board	Monthly	Project manager to produce any reports as requested by the board or sponsor	Corporate directors and chief executive
Council meetings	As set by Democratic Services	Reports covering all key decisions	Councillor membership of relevant committee

Table 11, Reporting Methods

7. Risks

Risk	Mitigating action
If services in scope continue to be run without change or rationalisation the savings as set out in the MTFS will not be realised.	Ensure that when assessing potential service delivery models they can identify better value for money than the current situation and meet the MTFS targets.
The depot relocation project could purchase or lease sites that need to be reflected within any street scene business case and may result in the council not delivering maximum value if depot location/s become no longer fit for	Common representation across both projects to ensure consistent messages and regular PM updates to ensure decisions made on either project are fed into the other and plans updated where necessary.

Risk	Mitigating action
purpose.	
The cost of waste collection and disposal increases beyond the council envelope forcing immediate change on the council and residents.	In considering models for the waste service review consider the service methodology and savings from other councils with differing strategies.
Disengaged staff could impact service delivery and the reputation of the council.	Ensure engagement of service heads in all stages of the project. Once CDG has approved a way forward robust comms plan taking into consideration remote working of many staff affected and the possibility of second generation TUPE staff from May Gurney contract.
Changing suppliers of recycling collection from May Gurney to either the council or a new supplier could impact on service performance levels.	Accept that in transferring staff from one employer to another service performance often shows a dip. Engagement at appropriate level of comms and HR to work with transferring staff and reduce any impact.
An increase in the population and / or properties in the borough could increase the cost of the waste and recycling services beyond the financial capability of the council.	When assessing options for service delivery consider the viability within each for increasing the level of service and impact on the cost to the council.

Table 12, Risks

8. Dependencies

Dependency	Impact
The waste behaviour change project being run with Members and residents is currently working with them to review attitudes to changing the methodology for waste and recycling collection.	Any political view on the potential waste and recycling collection methodology will impact on the design and cost of the final options.
Altering any waste and recycling collection or cleansing pattern is dependent in part on the engagement and willingness of residents to change their habits.	Lack of public engagement could impact the council's reputation negatively and put increased burden on customer services dealing with questions and complaints.
Repeal of the Refuse Disposal Amenity Act (1978) and as a result the desire by NLWA to operate all HWRCs in the North London area.	The Summers Lane HWRC could be transferred to NLWA at the end of the May Gurney contract, and not included in the scope of this work, if it was financially viable.
If a shared service solution was sort in	If both parties are not committed to the

Dependency	Impact
part or full this would be heavily dependent on the engagement and willingness of Harrow or Brent both operationally and politically.	same degree it could result in inefficient use of officer time and money. Additionally without firm commitments is liable to be subject to scope change by either side delaying delivery or financial benefits.
The review of street scene and relocation of depot are dependent upon each other.	Should the depot sites be agreed prior to a decision on the way forward for street scene this would need to be taken into consideration, particularly if street services are procured externally. Equally should the way forward for street scene impact the necessity for multiple sites be reached prior to any formal site agreements this needs to be reflected in the depot relocation project.
The trade waste service is currently under review for expansion to cover recycling.	Should the service expand this would need to be included in the service requirements and consideration given to the financial impact both revenue and income generation.
Change and development of green spaces assets is subject to review and approval of the section 106 officer currently part of the DRS to be provided externally.	Specific interface agreements will need to be put in place to ensure a smooth process for developing or removing these assets.
<p>There are a number of dependencies across the council and other projects:</p> <p>All services -</p> <ul style="list-style-type: none"> • NSCSO – Estates & Customer services • Community Safety – Priority Intervention Team • Safer Communities Review <p>Green Spaces & Waste Strategy -</p> <ul style="list-style-type: none"> • DRS – Planning • Leisure review • Early Intervention & Prevention 	Interface agreements may be required dependent on the current information flows. The information flows are being picked up with the Design Authority to ensure it is captured as part of the wider council design.

Table 13, Dependencies

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GMB@Barnet



Response to; Waste and Street Scene Services: Outline Business Case

Recommendations;

1. **The GMB welcomes the decision to recommend further developing the in house services and utilise the vast amounts of in-house knowledge and experience.**
 2. **Opportunities for 'economies of scale' to be explored with Local Authorities nationwide. This could be achieved by sharing knowledge and experience and procuring plant and technological innovation collectively, while retaining services in-house, therefore reaping the full benefits of any efficiencies.**
 3. **Begin a programme of meaningful consultation with staff in the Waste and Street Scene Services to tap into knowledge and experience of how to improve current services and how to increase income from Trade Waste, recycling, street cleansing and horticultural services.**
 4. **Utilise the knowledge and experience of the staff from these services to promote and improve recycling rates while improving the feelings of 'ownership' for the local environment, in the residents. This would also improve morale and feelings of 'ownership' among staff. This could include exploring how current initiatives such as friends groups and 'Adopt a Street' can work more closely with staff and develop future ideas of resident involvement through staff workgroups and joint resident/ staff workshops.**
 5. **Ensure that staff feel valued for the work they do in delivering these vital services. Encourage involvement and ownership in the service by recognising and rewarding the provision of excellent services.**
- 1.1 Due to workload and the limited time to respond, combined with the reports being embargoed the GMB are not able to give a detailed response to these Options Appraisals and Business Cases. We will submit a more detailed response once the embargo has been lifted.

1.2 The “in House with Stretch” option scored higher than the “Shared Outsource” on all criteria other than;

- a **Relentless Drive for Efficiency :Price**
- a **Relentless Drive for Efficiency : Investment**
- a **New Relationship with Citizens: Performance,**

we will therefore address our initial concerns on these points briefly.

2.0 Relentless Drive for Efficiency: Price

- 2.1 GMB are pleased at the decision to recommend the in-house option as a rush to outsource will result in the council missing out on a lot of already identified potential “quick wins” e.g. increased income for mixed waste recycling, increases to income by bringing recycling in house, efficiencies of area based working between Street Cleansing and Parks. Bringing the recycling service in-house will mean any income from this service will return in full to the council.
- 2.2 Many other potential quick wins that could be discovered through working with front-line staff will be gained. This is true of the current in-house service and recycling.
- 2.3 There is an unexplored potential for economies of scale in relation to procurement of heavy plant. We could explore joint procurement of fleet vehicles with other neighbouring boroughs or national Local Authorities. With 433 Local Authorities in England the potential for discounts on bulk orders is huge and should place us all in a better position than any national or multi-national company. Similar economies of scale could be explored in buying Information Technology and many other procurements.
- 2.4 Performance Management can be improved in-house with a stronger feeling of ownership in staff.

3.0 Relentless Drive for Efficiency: Investment

- 3.1 Investment into behaviour change can be made in-house and is already carried out internally. Further using the expertise of those who collect the waste to explain to residents the impact recycling has will empower staff and residents simultaneously.
- 3.2 Parks staff working closely with Friends groups and other resident or council initiated ‘ownership projects’ will improve staff morale and improve relationships with residents. Closer working of staff in street cleansing with

initiatives such as 'Adopt a Street' will increase the feeling of shared ownership.

4.0 New Relationship with Citizens: Performance

- 4.1 Barnet already has relatively high ratings for Refuse and Street Cleansing. These can be improved in-house and a change in recycling collection practices will help to improve this – this is something that would be much easier than with a contracted-out service but should be achievable with this service if it is delivered and controlled internally. As it becomes easier to recycle through co-mingling, satisfaction should increase after a short bedding in period. The different collection method for recycling will also speed up the process, reducing frustration of narrow streets being 'blocked' by recycling vehicles, and should be more adaptable going forward .
- 4.2 Changing provider of services at the same time as changing method would lead to greater customer dissatisfaction. Bringing recycling in-house means greater opportunities to increase resident satisfaction.
- 4.3 Previous experience in Barnet has also shown that outsourcing Refuse and Parks is not an easy option and has previously gone horribly wrong at the expense of the taxpayer.
- 4.4 The work carried out by these departments during periods of heavy snow both in the continued delivery of their own services and the assistance to the wider community have demonstrated the staffs commitment to a 'One Public Sector Approach' and a flexibility that a contracted-out service does not offer.
- 4.5 If the morale of staff is lowered, as it almost certainly would be if outsourced, the good will of the staff may be lost. This is a front facing service, the most visible and relied upon by residents. This area is key to building and maintaining a new relationship with citizens. This resource may well have been lost if profit was put before service.

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Meeting	Cabinet Resources Committee
Date	7 th November 2012
Subject	Wireless Concession Contract
Report of	Cabinet Member for Environment
Summary	<p>The Wireless Concession is a London-wide procurement opportunity to join a contracting process that will permit wireless internet equipment to be installed upon the Council’s street furniture (mainly lighting columns), which will enable provision of a new WiFi network and 4G services in the borough.</p> <p>The contract will enable the promotion of digital inclusion for communities in Barnet and in doing so generate income for the Council.</p>

Officer Contributors	Adam Driscoll - Infrastructure Planning Officer. Roger Gilbert – Street Lighting PFI Contract Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	Yes
Reason for urgency / exemption from call-in	N/A
Function of	Council
Enclosures	None
Contact for Further Information:	Adam Driscoll, Infrastructure Planning Officer, adam.driscoll@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That authorisation is given to participate in the London-wide procurement process to let a wireless concession contract for constrained use of council facilities and/or street furniture for the installation of appropriate wireless equipment to provide Wifi and potentially 4G services within the borough.
- 1.2 To authorise the Director of Commercial Services, subject to appropriate legal advice, to oversee the council's involvement in the London Boroughs collaborative procurement process as well as the preparation and finalisation of contract documentation.
- 1.3 That provided the contract award is for a period of no longer than 10 years and is to be granted to the tenderer who submits the most economically advantageous tender, the Cabinet Member for Environment be authorised to 'Accept' the contract on behalf of the Council.
- 1.4 That up to £60,000 of contingency (non-recurring) funds be used to cash flow the Council's costs of involvement in the procurement process as required. This is to be refunded once the concession contract delivers an income stream; with any additional income generated through the concession, after the procurement costs, used to support the Council's Capital Strategy.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet 3 April 2006 Decision 15 (Street Lighting Private Finance Initiative) approved the completion of an agreement to secure long term investment and management of all street lighting equipment within the Borough through a PFI contract. This means any future decisions or changes to the use of the equipment must be with the agreement or authorisation of the PFI provider.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The contract will support the strategic objectives to deliver Better Services for Less Money and to create a Successful London Suburb.
- 3.2 It will assist creation of an efficient council with services designed to meet the changing needs of residents by being a market-driven and income-generating contract arrangement. It will help to channel shift the way customers interact with the Council and could make mobile working easier for council services.
- 3.3 It will assist in sustaining Barnet as a successful place through promoting enterprise and employment by fostering economic growth through accelerated delivery of wireless services that would otherwise be developed locally in a more piecemeal manner over a longer period of time.
- 3.4 Provision of a minimum level of free public internet access will support residents and local businesses through universal, easier to use and instant access to wireless services. It could also provide a new more targeted advertising mechanism for local businesses to reach local customers.
- 3.5 The key priority for the contract will be digital inclusion through ensuring that wireless services are delivered to areas of the borough that are in greatest need, where commercial operations might not have otherwise led to wireless services being installed. This will be of particular benefit to households that

currently experience financial exclusion as the minimum level of public access should not require card payment. In addition, the arrangement will result in income generation for the Council.

4. RISK MANAGEMENT ISSUES

- 4.1 The risks of choosing not to support a borough wide wireless service at all is that wireless services are left to develop locally in a more ad hoc, slower and less equitable way; missing the opportunity to support economic growth now. It also means losing the opportunity of creating a new revenue stream to support wider Council services.
- 4.2 The risk of not participating in the procurement process at this time is that a separate procurement process will be required in the near future at a greater overall level of expense than through this cross-borough shared procurement approach. It is also quite likely that such an opportunity would also only come forwards within a profit sharing context with either the street lighting PFI service provider and/or the successful DRS bidder.
- 4.3 Risks related to participating in the project are detailed below:

Risk	Detail
Contracting risk (i) from Street Lighting Contract:	<p>The Street Lighting PFI Contract transferred all risk, under licence, to the PFI Service Provider and therefore there is a contractual requirement for all attachments to the borough's street lighting assets to be approved by the PFI Service Provider.</p> <p>No approval is required if the installation is carried out by the PFI Service Provider. Where installation of attachments is by a third party there will be a requirement upon that party for full indemnity against damage during installation, while installed and during any future removal / replacement activities.</p>
Contracting risk (ii) from Street Lighting Contract	<p>Indemnity may also be required in relation to the wireless technology to protect against interference with the wireless operation of the CMS equipment the Borough is providing for under the PFI Contract. Frequency cross-over poses an interference risk to one or both systems which is likely to incur a fee from the PFI Service Provider for inspecting the WiFi attachment installations on completion.</p>
Contracting risk (iii) from Street Lighting Contract	<p>Liability for consequential costs of repair/replacement of WiFi equipment must be retained by the WiFi equipment owner, e.g. in the event of vehicular damage to the street light asset without an identified liable party with whom to make an insurance claim.</p>

Risk	Detail
Contracting risk (iv) from Street Lighting Contract	Energy for the Borough's street lighting assets is managed through the PFI Contract. Therefore energy supply and consumption for the WiFi assets must be accounted for separately from the street lighting assets and will need agreement. The successful contractor would pay any associated fee.
Financial risk from not achieving the key benefits	Full engagement in a 'borough specific' session during the competitive dialogue process will enable the Council's key objectives to be set down as contract requirements.
Reputational and equity risk from not achieving borough wide coverage	<p>It is quite likely that the contract will not achieve 100% borough-wide coverage. As a 'concession contract', delivery of the network entirely depends on market conditions and providers are likely to focus on areas of high footfall and commercial user demand.</p> <p>It will therefore be necessary to manage public expectation as the network may be informally recognised as 'the council's WiFi network'.</p>
Reputational risk of a public perception of the network as 'free WiFi'.	The contract is only likely to guarantee a minimum level of free WiFi access, so it will be important to manage public expectations from outset.
Legislative and financial risk from non-removal of equipment at end of the contract period	<p>The contractor could potentially be able to claim rights under the Telecommunications Act 1984 (the Code), so that at the end of the contract the Council would need a court order to enforce the removal of equipment. Legal advice has been sought by LB Camden and the relevant provisions will be incorporated into the main contract.</p> <p>There could also be financial reparation costs for damage caused to street lighting assets by extended installation and/or poor removal techniques if they damaged the assets or their protective coating. The PFI Service Provider is likely to require the contract to include a fee for inspecting all affected assets.</p>
Reputational and legislative risk if young people are not safeguarded through use of the network	The Council will need to be seen to make every effort to ensure that the network is safe. It must be set up with adequate protections to avoid minors from accessing or receiving inappropriate material or social contact via "the Council's wireless network". This risk will be mitigated through discussions during the competitive dialogue process and ensuring the resulting contract provides appropriate safeguards.

Risk	Detail
Reputational risk if delays to contract commencement due to planning concerns	The equipment is unlikely to be considered de minimis and will therefore require separate planning permission. To minimise the risk of this approval process delaying matters, a suitable procedure will be developed to ensure the design of the equipment provides suitable options for both residential and conservation areas.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Digital Exclusion is both a cause and a symptom of social exclusion and approximately 15% of the Country, circa 6 million people, are identified as both socially and digitally excluded¹. Individuals and communities can quickly be left behind if they do not have the means to access the shared digital spaces upon which our lives are increasingly dependent for employment, social networking, entertainment, information and accessing public services.
- 5.2 The addition of an alternative and cheaper network than the 3G networks currently provided will be a step towards providing digital inclusion to communities. Two key measures that are potentially available through the concession contract are firstly a minimum level of free usage that should enable financially excluded people without access to credit/debit cards to receive digital access and services. Secondly if the dialogue can secure a network that delivers broader coverage then it will enable people in less commercially viable areas to have as and when access to digital services even if they do not have their own home broadband connection.
- 5.3 The process of letting of a concession contract will provide the Council with an opportunity to work with and shape this new market as it comes forwards to ensure that the opportunity to access wireless services also comes to less commercially viable areas in parallel with the deployment of WiFi equipment to the most commercially beneficial areas. If the Council does not open up its street furniture to support wireless access then ad hoc commercial services will end up coming forwards more slowly and only in the most viable areas.
- 5.4 The opportunities for digital inclusion will be prioritised during the dialogue process. At present it is anticipated that securing borough wide coverage will be a priority so that as many of Barnet's communities as possible can benefit from the network, wider economic growth is supported, as well as access to quality public services provision being extended to all residents. Furthermore aside from a minimum level of free access or data, the network provides a means of giving permanent and unrestricted access to online public services (such as the Council's website, NHS Direct and other health services as well as TfL / Network Rail journey-planning software to name but a few examples).
- 5.5 The bids for the contract will be scored in individual lots (for each local authority) based on 60% of the score relating to any income generated, and 40% of the score based on the quality of benefits secured. The evaluation of the quality of the bids will provide scoring that ensures the Council follows requirements under the Equality Act (2010); details of this scoring will be made available to bidders at appropriate stage of the procurement process.

¹ Digital Inclusion: An Action Plan for Consultation, 2008

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

- 6.1 Agreeing to participate in the procurement will involve engaging in the competitive dialogue and sharing key information to enable the bidders to work up solutions for individual or groups of boroughs within the wider framework. This agreement to participate in the procurement process does not commit the Council to proceed with signing of a contract without further recommendation to the Cabinet Member for Environment through delegated powers.
- 6.2 Any costs of the procurement process will be met through use of contingency (non-recurring) and then repaid from the income stream linked to this concession or EPR budgets as required, any income or costs arising from the tender will not represent budget provisions until the procurement process is well developed or complete. It is envisaged that there will be a requirement of one day per week over nine months from five senior resources. Estimated costs based on the above are approximately £60,000.
- 6.3 Any income that will accrue from the contract is currently unknown and will depend on the potential overall profitability from developing the network, less the cost of borough requirements in terms of digital inclusion, network safety for children, and operation of a secure parallel network for Council staff. There will be no cost to the Council in the provision of this service as detailed in section 9.11, all costs in relation to the service will be funded by the operator of the concession, including all costs related to using the Council's assets.
- 6.4 The development of this contract will require staff support from highways, finance, procurement, property and legal services.

7. LEGAL ISSUES

- 7.1 As the contract is to be let as a services concession contract, the procurement is exempt from the Public Contracts Regulations 2006 as per regulation 6(2) (m). However it is subject to Treaty principles of transparency, fairness and non-discrimination and therefore, it has been agreed that the procurement process will follow normal public contracts practice with an OJEU advert, followed by a pre-qualification questionnaire and then the formal tender process.
- 7.2 The OJEU advert and all contract documentation must make clear that the London Borough of Barnet will be one of the boroughs likely to contract with the successful Tenderer.
- 7.3 There are potential conflicts with the Apparatus Licence transferred to the PFI Service Provider under the Street Lighting PFI Contract that will need to be fully explored through the competitive dialogue and overcome to enable contract award. It will be necessary to encourage active engagement by the PFI Service Provider to establish these legal issues at an early stage.
- 7.4 The Council's participation in the procurement must be made subject to the contract which it has with its PFI Street Lighting partner.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Constitution, Part 3, Paragraph 3.6, Cabinet Resources Committee has responsibility for:
- (i) All matters of responsibility relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council;
 - (ii) Developing and recommending, to Cabinet for adoption, an e-Government strategy and associated ICT policies and strategies; and
 - (iii) Approval of schemes not in performance management plans but not outside the Council's budget or policy framework.
- 8.2 Constitution – Contract Procedure Rules – details the authorisation and acceptance thresholds for works, supplies and services. Cabinet Resources committee are requested to approve the costs of participating in this procurement exercise which are estimated at £60,000. As the level of income from the contract is currently unknown and as the decision affects all wards in the borough, it is being treated as a key decision.

9. BACKGROUND INFORMATION

- 9.1 The opportunity to participate in a joint-procurement exercise, for letting of a WiFi concession contract, arose through the Society of London Treasurers ICT Project Board that set up five key projects to support improved services and council income. The London Borough of Camden are leading on this project supported by two other boroughs that were already signed up by July 2012; sixteen other London Councils alongside Barnet Council including neighbouring boroughs Brent and Haringey have expressed an interest in joining the procurement exercise in order to maximise the scale and benefit of the overall contract process compared to boroughs separately procuring wireless network suppliers over the coming few years.
- 9.2 The services proposed will consist of a public wireless provision across significant areas of the borough, these areas are expected to primarily be in areas of "High Footfall" as these provide the maximum potential income generation for the suppliers. This is likely to translate into town centres, parks, transport nodes, schools, hospitals and other busy community centres where people are passing-through, waiting for services / connections or meeting to relax or socialise.
- 9.3 Any chosen supplier will need to maintain commercial viability so, based on existing contracts to date (e.g. on the London Underground, Westminster / Kensington and Chelsea), it is expected that there will be restrictions or conditions applied to the free wireless internet access and these will be the subject of detailed contract discussions prior to contract award. These will vary depending on the supplier chosen and may include, but are not confined to, limitations on:
- Times when the network is available
 - Speed of the network connection
 - Geographical coverage of the network
 - Services available on the network.

- 9.4 The opportunity to deliver a borough-wide WiFi network offers the possibility to increase 'channel shift' of customers to online services, but also to develop a parallel secure network for staff to use wherever they are within the borough. For example all customer / defect information could be directly recorded into official databases, and staff could access their own emails without requiring a blackberry or delay for VPN login as their computers would have permanent WiFi access to the Council's secure network.
- 9.5 Westminster Council and the Royal Borough of Kensington and Chelsea recently collaborated to award a contract for similar concessionary services and have advised the project team for this contracting process. Figures 1 and 2 demonstrate how the equipment is visually quite unobtrusive:



Figure 1 - Rukus 8800 installed in Kensington High Street



Figure 2 - Close up of device - painted a similar colour to the lamp post

9.6 Market assessment and proposed contract

- 9.7 The market for wireless services is characterised by keen interest from some suppliers to build public wireless infrastructures. This interest appears to be driven by:
- (i) Competition and business innovation in the sector – some suppliers have publicly announced plans to provide free Wireless networks across London/UK. Also mobile data networks (3G) are being pushed to capacity requiring a hand off to higher capacity data networks.
 - (ii) Advances in consumer technology such as iPads which are stimulating the delivery of premium content streaming services such as Netflix and BBC iPlayer.
- 9.8 The main income generator behind the concession contract is that 4G mobile technology can be easily slotted into the wireless boxes as that system is rolled-out over the coming years, and given that they will be located in areas of

high footfall it provides a means of delivering additional 4G network capacity at a much cheaper price than installing new mobile phone masts.

- 9.9 Engagement with the market was undertaken by Camden Council as project lead and assessed through pre-procurement discussions with some of the main providers to assess potential interest, scope and solutions that could be provided. In a few instances suppliers have even approached Camden Council with unsolicited proposals.
- 9.10 Based upon the assessment of the market it is proposed that a contract term of no longer than 10 years with suitable break clauses, be agreed with the winning bidder.
- 9.11 It is anticipated that the contract will be treated as a straight concession with the successful bidder expected to be solely responsible for installation, operation and maintenance of the wireless network, the supplier will own all risks and responsibilities of operating such a service.
- 9.12 Delivery of the proposed wireless and 4G services will be secured through a concession contract involving the use of Council assets. There will be no funding requirement upon the Council for provision of these services; in reality is anticipated that contract may generate income and certainly enough income to fully support delivery of the service for the life of the contract.
- 9.13 Income received from the concession is anticipated to be used to support the Council's capital strategy in order to link the income from letting Council assets to priorities for investment related to those assets.
- 9.14 As technology and consumer/business demand changes rapidly in this sector the contract should provide a guarantee of provision for the full term and extensions and also incorporate appropriate review and break clauses within the contract if demand for this service, or the technology provided, becomes obsolete within the duration of the contract.
- 9.15 The concession will be awarded using the Most Economically Advantageous Tender (MEAT) criteria, weighted as 60% to the whole life cost (income / value) and 40% to quality.
- 9.16 As the Council's street lighting equipment is currently maintained and operated by a third party provider through a Private Finance Initiative (PFI) contract, the terms of this contract will need to be carefully considered in relation to this procurement process. At present it has been identified that negotiation over the concession will need to take the following issues into account:
 - (i) The PFI Service Provider has approval right over the use of the street lighting equipment and may charge a fee for checking, or it may be easier for the PFI provider to provide the whole installation process.
 - (ii) Interference from the WiFi equipment with the wireless technologies within the street lighting equipment may need to be addressed
 - (iii) Indemnity against the consequential costs of repair / replacement from incidents involving accidental damage to the wireless equipment will be needed to address the result of damage to the lighting column.

- (iv) The maintenance and replacement programmes must not be inhibited, and it will be necessary to ensure an operator cannot assume rights (as code system operators) over the Council's statutory responsibilities or the street lighting equipment, and that suitable arrangements are in place to address damage caused during equipment removal.
- (v) WiFi units require energy to run, whilst this is likely to be of very low power the contract should make provision for payment of the energy charges.

10. LIST OF BACKGROUND PAPERS

10.1 None

Cleared by Finance (Officer's initials)	JH
Cleared by Legal (Officer's initials)	SS

Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	Contract Procurement Plan
Report of	Cabinet Member for Resources and Performance
Summary	This report sets out the detail of planned contract procurement activity for the financial year 2013/2014 for approval.

Officer Contributors	Lesley Meeks, Assistant Director of Commercial Assurance, Ian Harrison, Procurement Consultant Haroon J Khan, Business Analyst (Commercial Services)
Status (public or exempt)	Public
Wards Affected	All
Key Decision	Cabinet Resources Committee
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	Appendix 1 – Procurement activity by service area for 2013/14
Contact for Further Information:	Lesley Meeks, Assistant Director of Commercial Assurance, 020 8359 7202 Haroon J Khan, Business Analyst, 0208359 2098 Pavan Gopa, Business Analyst, 0208359 7184

1. RECOMMENDATIONS

- 1.1 That approval be given for Officers to proceed with the contract procurement activity for the 2013/14 financial year as set out in the Appendix 1 to this report subject to budget availability.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 23 February 2009, Item 6 (Council Budget & Council Tax Reports, 2008/09)
- 2.2 Council, 3 March 2009, Decision 178 (Report of Cabinet 23 February 2009, Council Budget & Council Tax Reports, 2008/09)
- 2.3 Cabinet, 22 February 2010, Item 6 (Budget & Council Tax Reports, 2009/10)
- 2.4 Council, 2 March 2010, Decision 145 (Report of Cabinet 22 February 2010, Council Budget & Council Tax Reports, 2009/10)
- 2.5 Cabinet, 14 February 2011, Item 5E (Budget, Council Tax and Medium Term Financial Strategy 2011/12 – 2013/14)
- 2.6 Council, 1 March 2011, Decision 8 (Report of Cabinet 14 February 2011, Budget, Council Tax and Medium Term Financial Strategy 2011/12 – 2013/14)
- 2.7 Cabinet, 24th May 2011, Item 5 (Report of Cabinet Member for Resources and Performance - Contract Procurement Plan 2011/12)
- 2.8 Cabinet, 20th June 2012, Item 12 (Report of Cabinet Member for Resources and Performance - Contract Procurement Plan 2012/13)

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Contract Procurement Plan will enable the Council to maintain an accurate oversight of procurement activity across the full range of its services and thereby support more commercial and efficient procurement practices. In this way, the Contract Procurement Plan drives achievement of the Council's key corporate priority 'better services with less money' (Corporate Plan 2010-2013) and supports the One Barnet priority of 'a relentless drive for efficiency'.
- 3.2 The Council is committed to the transparency agenda. Until 2011/12, the planned procurement activity for each financial year has been scrutinised and approved by Cabinet Resources Committee as part of the annual Budget Report. In support of the Council's transparency agenda, Officers have developed a separate Contract Procurement Plan for 2013/14 for Cabinet submission as a stand-alone item. This continues to enhance its visibility and to ensure that the Council's planned procurement activity is given due

consideration in the light of its importance to the successful delivery of the Council's corporate objectives and the One Barnet agenda.

- 3.3 The governance arrangements that support the procurement activity are contained within the Council's Contract Procedure Rules and supporting Code of Practice.

4. RISK MANAGEMENT ISSUES

- 4.1 If the Council does not manage the contract renewal programme effectively and efficiently it could lead to a detrimental impact on value for money and the likelihood of delivering significant procurement savings. In addition the Council will be unable to forward plan the need for appropriate resource to support the programme. Well planned processes will enable effective commercial negotiations to take place thereby driving lower costs from the portfolio of contracts put to market.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 From 5th April 2011 the previous separate equality duties on public authorities covering race, disability and gender were replaced by a single Public Sector Equality Duty. Section 149 in Chapter 1 of Part 11 of the Equality Act 2010, is the new public sector equality duty. This Public Sector Equality Duty also extends to gender reassignment, age, sexual orientation and religion and religious belief.
- 5.2 There is a 'general duty', on public authorities to have a due regard to the need to:
- a) Eliminate unlawful discrimination, harassment, and victimisation;
 - b) Advance equality of opportunity between those covered by the Equality Act and those not covered, e.g. between disabled and non-disabled people;
 - c) Foster good relations between these groups.
- 5.3 The Act makes it clear that authorities can use procurement to drive equalities and contains a specific measure on procurement, making provision: "to enable duties to be imposed in relation to the exercise of public procurement functions".
- 5.4 The Council has a process for assessing the equalities impact of all of its activity and, in awarding any contract, Officers will ensure that the Council's approach to equalities is applied.
- 5.5 With specific regard to those contracts set out in the proposed 4 year Contract Procurement Plan, where equalities issues have a significant bearing, an equality assessment will be undertaken.
- 5.6 By section 149(2) of the Equality Act 2010, the 'general duty' also applies to 'a person, who is not a public authority but who exercises public functions and therefore must, in the exercise of those functions, have due regard to the

general equality duty. This includes any organisation contracted by a local authority to provide services on its behalf. The Council will therefore take all necessary and reasonable steps to ensure that all contractors comply with this general equality duty.

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

- 6.1 The costs pertaining to the contracts contained within the Appendix to this report are contained within the individual service budgets of the Council.
- 6.2 A number of savings proposals within these plans relate to opportunities driven from improved commercial settlements associated with these contracts. Delivery of these procurement related savings will be monitored throughout the financial year.

7. LEGAL ISSUES

- 7.1 No legal issues.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Council Constitution, Part 3, Responsibility for Functions – Section 6.5 details the terms of reference of the Cabinet Resources Committee.
- 8.2 The Council’s Constitution (Contract Procedure Rules) sets out the authorisation process for entering contractual commitments.
- 8.3 The following is an extract from the Contract Procedure Rules contained within the Constitution as it relates to the Procurement Plan:-

“**Authorisation**” is the approval required before quotations or tenders for supplies, services or works may be sought in accordance with Section 3.2.

Section 5 outlines Authorisation and Acceptance Procedures, including:

- 5.1 The aim is to speed up the procurement process by removing unnecessary bureaucracy – in this case, a duplication of the authorisation process.
- 5.2 Any contract, including additions, extensions and variations, which have been included in a directorate or service’s Budget and supporting plans and strategies or any other Committee approved plan is deemed as authorised irrespective of value.
- 5.3 Any contract which has not been authorised as set out in 5.2 must be Authorised as set out in Table 5-1”. (This details Authorisation and Acceptance Thresholds for Works, Supplies and Services).

9. BACKGROUND INFORMATION

- 9.1 The Constitutional requirement to obtain Cabinet Member or Cabinet Committee authorisation, for contract value above stated threshold, before any

contractual exercises commence has in previous years been achieved mostly by the inclusion of an appendix within the budget report of the known procurement activity for the following financial year.

- 9.2 Over the last twelve months the visibility and understanding of the role that improved procurement could play in assisting the council deliver corporate objectives in general but “better for less” services in particular has increased significantly.
- 9.3 In addition the Council has reiterated its commitment to the transparency agenda and developing processes that support this agenda.
- 9.4 As a result, the procurement plan for the next financial year of known contractual activity is being presented to Members as a report in its own right rather than an appendix within the overarching budget report.
- 9.5 This information will be used for planning procurement activity and will be published in other procurement vehicles in order to attract as much interest from the market as possible.
- 9.6 The data contained within the procurement plan is also used as the basis of the Councils first Corporate Contract Register.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

Cleared by Finance (Officer’s initials)	MC/JH
Cleared by Legal (Officer’s initials)	SS

Appendix 1

Directorate	Contract Description	Estimated Contract Value
Adults, Social Care and Health	Residential and Nursing Care Procurement of a framework agreement with organisations providing care home services, currently including 234 existing contracts with values exceeding £25,000	£129,000,000
Adults, Social Care and Health	Supported Living Services Procurement of a framework Agreement with organisations providing care and support services in specialist housing locations, currently including 36 existing contracts with values exceeding £25,000	£34,000,000
Adults, Social Care and Health	Voluntary Sector Preventative Support Continuation of a programme to re-commission preventative support services for vulnerable people living in the community, currently including 25 existing contracts with values exceeding £25,000	£6,000,000
Adults, Social Care and Health	Adults IT Infrastructure Procurement of replacement IT systems to support administration of the council's adult social services functions, including two existing contracts with revenue values exceeding £25,000	£2,000,000
Adults, Social Care and Health	Community Equipment Procurement of a further contract for the provision of specialist equipment for people with disabilities and age-related frailties, following expiry of the existing contract for this service	£2,000,000
Adults, Social Care and Health	Funeral Service Procurement of a further contract for the provision of funeral services following expiry of the existing contract for this service	£36,000
Children's Service	Training from Middlesex University for social workers	£90,000
Children's Service	Fostering Placements Purchased from London Care Placements Framework, West London Alliance Framework, North London Strategic Alliance, Barnet's own framework or spot purchased.	£3,895,000
Children's Service	Residential Children Homes Purchased from London Care Placements Framework, West London Alliance Framework, North London Strategic Alliance, Barnet's own framework or spot purchased	£3,144,290
Children's Service	Residential Family centres Purchased from London Care Placements Framework, West London Alliance Framework, North London Strategic Alliance, Barnet's own framework or spot purchased	£400,000
Children's Service	Semi-Independent Supported housing Purchased from North East London Consortium Framework, West London Alliance Framework, North London Strategic Alliance, Barnet's own framework or spot purchased.	£1,325,000
Children's Service	Youth Offending Placements Purchased through the Youth Justice Board	£185,000
Children's Service	Foster placements - Internal resources	£4,500,000

Directorate	Contract Description	Estimated Contract Value
Children's Service	Advocacy for looked after children	£156,000
Children's Service	Youth Homelessness Services	£527,000
Children's Service	Services for young people with learning difficulties/disabilities	£250,000
Children's Service	CCIS (Client Caseload Information System) and license fees	£51,900
Children's Service	Family Group Conferencing To provide counselling services to families and help them in resolving their difficulties/issues.	£70,000
Children's Service	Framework contracts for respite for disabled children	£200,000
Children's Service	Special Education Needs Specialist packages, Independent Travel Training, Outreach and Placements	£8,221,600
Children's Service	Speech and language therapy and occupational therapy provision - Special Education Needs Children	£845,700
Children's Service	Speech and language therapy with Central London Community Health Trust (CLCH) - Early years	£71,000
Children's Service	Drug and Alcohol - Young drug and alcohol addicts and referring them for preventive measures.	£958,000
Children's Service	Children Adolescent Mental Health Services (CAMHS) services (joint LA and health procured)	£970,000
Children's Service	Provision of Specialist chairers & Independent reviewing officers for safeguarding meetings and for other activities	£100,000
Children's Service	Annual membership for North London Adoption Consortium (MOU with London Borough of Haringey)	£33,500
Children's Service	Looked after Children's Nurses	£125,000
Children's Service	Out of School Activities	£200,000
Children's Service	Frozen and specialist frozen Supplies for catering services	£2,200,000
Children's Service	Cleaning materials and light equipment for catering services (including through ESPO warehouse and PRO 5 Framework)	£45,000
Children's Service	Kedassion Kosher supervision for various suppliers.	£30,000
Children's Service	Recycled food service packaging	£30,000
Children's Service	Out of hours duty service	£150,000
Children's Service	Groceries for catering services (ESPO Framework)	£2,340,000
Children's Service	Electronic Common Assessment Framework (CAF) system	£88,000
Children's Service	E-Finance System (SWIFT replacement)	£160,000
Children's Service	Domestic Violence Intervention, Advocacy & Support, Refuge, Perpetrators Service	£1,439,000
Children's Service	Running costs for 13 Children's Centres	£4,300,000
Children's Service	Support and guidance to other smaller voluntary organisations within London Borough of Barnet	£116,550
Children's Service	Family Nurse Partnerships	£150,000
Children's Service	Support Services for Travellers Contract extension up to July 2013	£37,500
Children's Service	Therapeutic supervision for family focus team	£60,000
Children's Service	Case Management System for youth offending	£40,000
Children's Service	Copyright Licences for Schools	£50,000
Children's Service	Disabled Children's Team (DCT) Resources for Autism, Home Care, Play & Leisure, Individual support services	£369,720
Children's Service	Prepaid debit cards	£10,000
Children's Service	Tracker Project Early identification support for Children with Autism (Pre-aged school Children)	£170,000
Children's Service	Small Circles Language development support project. Teaching for Staff	£30,000
Chief Executive Services	General advice and specialist legal advice for residents	£1,070,000

Directorate	Contract Description	Estimated Contract Value
Chief Executive Services	Community involvement and advocacy for health and care services	£750,000
Chief Executive Services	Community Advice Service	£385,540
Chief Executive Services	Community Barnet	£113,270
Commercial Services	Online Scanning and storage system	£168,000
Commercial Services	Encryption Software	£215,820
Commercial Services	SAP managed service	£5,670,700
Commercial Services	Logica Managed legacy apps	£50,000
Commercial Services	Toolset for Remote Desktop Assistance, Network Management, Software Deployment, Patch Management.	£144,000
Commercial Services	Corporate Anti-Virus	£63,000
Commercial Services	Desktop Design Drawing System	£51,750
Commercial Services	Receipting and payment service for residents	£57,000
Commercial Services	Assists with compliance to licensing regulations.	£42,000
Commercial Services	Provide security monitoring logs for IS infrastructure	£48,000
Commercial Services	Corporate internet Security	£120,000
Commercial Services	Adults and Children's Services Case Management System	£780,000
Commercial Services	Service desk and casework management system for HR and IS	£60,000
Commercial Services	Provides hardware, software and licensing to support insight team day to day work	£1,350,000
Commercial Services	Family Information System and main modular education system with report writers	£134,600
Corporate Governance	Property (incl Leasehold Property Household Buildings) and miscellaneous insurance	£6,415,000
Corporate Governance	Combined Liability and Motor Insurance	£1,161,000
Deputy Chief Executive	Treasury Advisory Service	£120,000
Deputy Chief Executive	Provision of an online recruitment system	£80,000
Environment Planning & Regeneration	Collection & disposal of hazardous waste	£116,170
Environment Planning & Regeneration	Arboricultural Services	£5,250,000
Environment Planning & Regeneration	Provision of vehicle fuels to fleet	£2,600,000
Environment Planning & Regeneration	Operation of the household waste and recycling centre. Kerbside collection of dry recycling from houses, flats, schools.	£2,000,000
Environment Planning & Regeneration	Provision of rock salt on a call off basis	£120,000
Environment Planning & Regeneration	Supply and delivery of wheeled plastic bins & green	£149,170
Environment Planning & Regeneration	Supply and Maintenance of depot copiers	£40,220
Environment Planning & Regeneration	Provision of merchant numbers facility for processing PCN payments	£19,000
Environment Planning & Regeneration	Highway condition survey	£46,120
Environment Planning & Regeneration	Weather forecasting for winter maintenance	£26,530
Environment Planning & Regeneration	Provision of at least four schemes for independent tenant advice to residents across various areas within the borough	£762,000
Environment Planning & Regeneration	Legal advisors to support regeneration programme	£520,000
Environment Planning & Regeneration	Training provider based at the depot	£128,620
Environment Planning & Regeneration	Supply and delivery of wheeled metal bins	£104,000
Environment Planning & Regeneration	Planning advice & drafting of the S106	£59,750
Environment Planning & Regeneration	Independent monitoring of Regeneration Schemes cost plan	£140,000

Directorate	Contract Description	Estimated Contract Value
Environment Planning & Regeneration	Sports Equipment for Council leisure facilities mainly at borough parks and not in leisure centres.	£39,070
Environment Planning & Regeneration	Rental of CCTV circuits for the boroughs CCTV network	£142,000
Environment Planning & Regeneration	Supply and Delivery of Green Recycling Sacks	£59,340
Environment Planning & Regeneration	Valuation and Viability Advice on Mill Hill	£46,000
Environment Planning & Regeneration	Sign Shop Alloys	£48,770
Environment Planning & Regeneration	Highways consumables mainly glue for repairs and maintenance	£74,390
Environment Planning & Regeneration	Asphalt supply	£79,000
Environment Planning & Regeneration	Sign Shop vinyl and Paint	£34,580
Environment Planning & Regeneration	Cricklewood OLF	£115,000
Environment Planning & Regeneration	Provision of training for young entrepreneurs In Barnet	£130,750
Environment Planning & Regeneration	Supply and delivery of wheeled bins and other containers for collection of dry recycling and kitchen waste	£4,000,000
Environment Planning & Regeneration	Supply of vehicle diesel fuel	£1,500,000

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Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	Legal advice for the Primary School Capital Investment programme(PSCIP)
Report of	Deputy Leader of the Council/Cabinet Member for Resources
Summary	This report seeks a waiver of the Contract Procedure Rules and authorisation to retain the existing legal advisors for the PSCIP scheme.

Officer Contributors	Omar Villalba, Project Manager, Corporate Programmes James Wills-Fleming, Head of Corporate Programmes
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	None
Contact for Further Information:	Omar Villalba, Corporate Programmes, 020 8359 7213, omar.villalba@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the Contract Procedure Rules as set out at paragraphs 8.2 and 8.3 of the report relating to tendering and quotation, and an extension to a contract, be waived to allow Trowers and Hamlins to be retained to provide legal support for the continuation of the Primary Schools Capital Investment Programme at a cost of £165,000.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet 9 September 2002 (Decision item 3), Investment Needs and Opportunities – Way Forward
- 2.2 Cabinet 20 January 2003 (Decision item 17), Private Finance Initiative – Bid to DfES
- 2.3 Cabinet 5 December 2005 (Decision item 6) Building a Future Barnet's Children: The Primary School Capital Investment Programme
- 2.4 Cabinet Resources Committee, 28 June 2006 (Decision item 12), Building a Future for Barnet's Children: Procuring the Primary School Capital Investment Programme (PSCIP)
- 2.5 Cabinet 4 September 2006 (Decision item 9) Primary School Capital Investment Programme Wave 1 Schools and Financing
- 2.6 DPR 27 April 2007, (Delegated Powers Report Number 242) Appointment of Trowers and Hamlins as Legal Advisers for Primary School Capital Investment Programme

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan 2012-2013 has a corporate priority of 'Sharing opportunities, sharing responsibilities' that has a strategic objective of "ensuring that every school is a good school for every child", under which the Council will 'ensure sufficient primary and secondary school places are available to meet demand by delivering a programme of permanent and temporary expansions'
- 3.2 Ensuring there are sufficient school places is also a key component of the Barnet Children and Young People's Plan 2010/11 – 2012/13. Furthermore, as a Local Authority, the Council has a statutory duty to offer a school place to every child of school age in the Borough who requests one.

4. RISK MANAGEMENT ISSUES

- 4.1 Trowers and Hamlins have worked in partnership with Barnet Council to set up the Strategic Partnering Agreement and support the legal component of Primary School Capital Investment Programme (PSCIP). The continuity provided by Trowers and Hamlins during the complex negotiations was beneficial in securing the legal contracts for the inclusion of additional schools and a waiver of the Contract Procedure Rules would enable a continuation of the legal support, avoid a retendering process and also avoid disruption to the projects.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010, the council and all other organisations exercising public functions on its behalf must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.
- 5.2 The proposed works will enhance the Borough's reputation as a good place to live and work and will assist in delivering a first class education to all pupils as well as providing a safe environment for staff and pupils.
- 5.3 The Borough's schools provide a service to diverse communities covering a wide range of backgrounds.
- 5.4 Trowers and Hamlins has equal opportunities policies in place which meet the Council's equalities standards. There are no areas of concern in relation to equalities within the submissions as part of the tendering process.

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

- 6.1 A delegated powers report approved in April 2007 provided authority for Trowers and Hamlins to provide Legal support in relation to the new build schemes in the borough up to a total value of £182,600. The appointment of Trowers and Hamlins was conducted by the Council through an open and robust one stage competitive tender process, where Trowers and Hamlins were selected over four other legal firms.
- 6.2 The £182,600 level under the original authority has been reached and a further £165,000 is required to complete the PSCIP legal support.
- 6.3 The cost of the legal fees will be attributed to the school build it is relevant to and will be capitalised. The cost of the school builds and expansion projects are funded from the Children's Capital Programme.
- 6.4 There are no staffing, ICT or property implications.

7. LEGAL ISSUES

- 7.1 The basic premise applying to the letting of contracts for works, supplies or services by contracting authorities is that the provisions of Directive 2004/18/EC, as implemented by the Public Contracts Regulations 2006 (as

amended), should be adhered to. For the most part this set of rules (the “**Procurement Rules**”) requires there to be fair and open competition across the European Community for government contracts.

- 7.2 The Procurement Rules as apply to services differentiate between Part A services and Part B services. Part A services are subject to the full tendering regime. Part B services have a comparatively relaxed regime applying to them, covering only matters such as ensuring that specifications for services are not discriminatory and that reporting and notifying obligations are met. The services which fall within Part B are various, but cover all Legal services.
- 7.3 It should be noted that the Commission takes the view that the Treaty obligations of transparency and non-discrimination apply to Part B services, which means that the contracting authority is expected to ask itself whether there is a market for these services in other member states and if so what form of appropriate notification and advertisement should apply before an award of contract. It has also been confirmed in case law that in the case of sub-threshold contracts and other contracts falling outside of the procurement directives it was only where there was certain cross border interest that the general EU principle of transparency would apply
- 7.4 In addition, it is expected that the Council’s own standing Orders and financial regulations would expect some form of tendering to apply to such contracts or at least an exemption to be sought to standing Orders if not followed.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Constitution, Part 3, Section 3.6 details the functions of the Cabinet Resources Committee.
- 8.2 Constitution, Contract Procedure Rules, Section 5.6 details the acceptance parameters for contract extensions. In the case of an extension to a contract, Section 5.6.1 provides the following:
- 5.6.1 The initial contract was based on a competitive tender or quotations;
- 5.6.1.1 The initial contract has not been extended before; and
- 5.6.1.2 The value of the extension is less than half the cost of the existing contract without the extension and has a budget allocation having had regard to the following:
- i. If initial contract was subject to EU tender procedure that the extension option was declared within the OJEU notice; acceptance report (Delegated Powers Report/Cabinet Resources Committee Report) and the contract includes extension clauses
 - ii. If initial contract value was subject to sub EU threshold procedure (Barnet tender/ quotation process) the extension does not take the value past EU threshold

- 8.2 Constitution, Contract Procedure Rules, Section 5.8 of the Contract Procedure Rules provides that the Committee has the power to waive the provisions of the Contract Procedure Rules where the Committee is satisfied, after considering a written report by the appropriate officer, that the waiver is justified because:
- 5.8.1 The nature of the market for the works to be carried out or the supplies or services to be provided has been investigated and is demonstrated to be such that a departure from the requirements of Contract Procedure Rules is justifiable; or
 - 5.8.2 The contract is for works, supplies or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen; or
 - 5.8.3 The circumstances of the proposed contract are covered by legislative exemptions (whether under EU or English Law); or
 - 5.8.4 There are other circumstances which are genuinely exceptional.

9. BACKGROUND INFORMATION

- 9.1 The objective of the PSCIP procurement process was to secure external specialist legal advice as necessary to protect the Council's position as it secured complex negotiations as part of the Competitive Dialogue process to secure a construction contractor. Trowers and Hamlins have been supporting the schemes with respect to drafting and negotiating the contractual documentation with the construction contractor and managing the process of securing warranties.
- 9.2 Trowers and Hamlins are recognised nationally as one of the leading firms of legal advisors having extensive experience across both the public and private sectors and have assisted the council to successfully deliver the completed schools projects as part of the First Class Schools Programme. Trowers and Hamlins have the experience and knowledge of the existing contractual arrangements and schemes and it is considered advantageous to retain their services. To revert to an alternative provider would increase the level of risk associated with the high value PSCIP projects and likely cause delay in entering into contracts.
- 9.3 The additional scope of works has had to commence due to the urgent demand for primary school places. A delay in receiving the legal support would have put the Council's statutory duty to provide adequate pupil places at risk.
- 9.4 The original PSCIP consisted of the following schools: Whittings Hill, Broadfields, Northway Fairway. The schools subsequently added to the scheme include Edgware, Childs Hill, Colindale, Garden Suburb, Broadfields extension, Etz Chaim, The Orion, Mill Hill East School as well as three Children's Centres. These projects require a variation to the existing agreement to spend a further £165,000 to support the programme.
- 9.5 As Trowers and Hamlins have established the model contract and hold a significant amount of knowledge in regard to the contract and the approach to how it should be implemented it would not be considered good value for

money to now tender for new legal support. The Council currently engages for Trowers and Hamlins through the North London Legal Framework ensuring costs are competitive. Engaging any new legal partner would incur additional cost and time in bringing solicitors to the same level of knowledge and experience that already exists within Trowers and Hamlins.

- 9.6 Therefore, to retain Trowers and Hamlins provision of legal support for the continuation of the Primary Schools Capital Investment Programme, a waiver of Contract Procedure Rules as set out at paragraphs 8.2 and 8.3 of this report needs be granted.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

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

 AGENDA ITEM 9

Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	The leasing of the Pavilion in Cherry Tree Wood Brompton Grove East Finchley N2
Report of	Deputy Leader of the Council / Cabinet Member for Resources and Performance
Summary	To report on the Finchley & Golders Green Area Environment Sub Committee representations in relation to the proposed grant of a lease of the pavilion in Cherry Tree Wood, Brompton Grove, N2

Officer Contributors	Judith Ellis – Valuation Manager Richard Malinowski – Principal Valuer Jenny Warren – Greenspaces Manager
Status (public or exempt)	Public (with separate exempt report)
Wards Affected	East Finchley
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	Appendix 1 – Notice under Section 123(2A) of the Local Government Act 1972 Appendix 2 - Lease Plan Appendix 3 – Summary of objections Appendix 4 – Tenant’s Preliminary Drawing Appendix 5 – Photographs Appendix 6 – Extract from Catering Specification
Contact for Further Information:	Judith Ellis, 020 8359 7364 judith.ellis@barnet.gov.uk and Richard Malinowski, 020 8359 7359 richard.malinowski@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the Committee take into account the information contained in the public and the exempt reports and confirms the authority to grant a lease of the pavilion in Cherry Tree Wood to Mr Sarfaraz Dostezad.**
- 1.2 That the Committee note the Finchley & Golders Green Area Environment Sub Committee's representations resulting from objections received following the publication of a Notice under Section 123(2)(A) of the Local Government Act 1972.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Delegated Powers Report dated 9 July 2012 reporting the terms of the letting of the pavilion to Mr Sarfaraz Dostezad.
- 2.2 Finchley & Golders Green Area Environment Sub Committee 16 October 2012 (Decision Item 14) - resolved to make the following representations to the Executive in relation to the proposed grant of a lease of the pavilion in Cherry Tree Wood, Brompton Grove, N2:
 - (i) details are provided regarding the vehicular access to the cafe
 - (ii) concerns about any potential loss of trees
 - (iii) the cafe will not be open outside the park opening hours
 - (iv) only the lessee, his family or his employees will be allowed to sell food/refreshments at the cafe
 - (v) that sufficient due diligence has been undertaken in the proposed grant of the lease.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan 2012-13 has a corporate priority of 'Better Services with Less Money'. A key principle of the medium term financial strategy is to continually review the use of council assets so as to reduce the cost of accommodation year on year and to obtain best consideration for any surplus assets to maximise funds for capital investment and/or the repayment of capital debt. This letting does this by producing a rental income and the refurbishment of an empty and dilapidated property.

4. RISK MANAGEMENT ISSUES

- 4.1 There are no policy considerations and officers do not anticipate significant levels of public concern. If the Council does not proceed with the letting then an empty building attracts the obvious detrimental nuisances such as vandalism and arson and will eventually require demolition. To offset the risks of further vandalism, Greenspaces have installed fencing around the building. However this has been breached on a number of occasions involving further vandalism and on at least one occasion a squatter.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The property was widely marketed such that it was open to any category of persons to submit a bid, irrespective of race, sex, disability, sexual orientation, marital status, transgender, age, religion or religious belief. Further, the Council's Equalities Policy takes account of the Council's statutory duty to

promote equal opportunities and to eliminate discrimination and inequality amongst persons of different race, gender and disability. The proposed disposal has been evaluated against the principles in the Equalities Policy and no adverse implications for any, specific, equalities group has been identified.

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

- 6.1 The prospective tenant will be spending a considerable sum on the repair and refurbishment of the building. Furthermore the Council will benefit from the annual rent detailed in the exempt report with the responsibility for repair and maintenance being passed to the tenant. The only other options would be for the Council to repair and maintain the building at considerable expense or else to demolish and a community asset with potential would be lost.
- 6.2 The property has been marketed for a number of years and the grant of a lease to the highest bidder will ensure compliance with the best consideration requirements of Section 123 of the Local Government Act 1972, as referred to in section 7.1 below.

7. LEGAL ISSUES

- 7.1 Local authorities are given powers under Section 123(1) of the Local Government Act 1972 (as amended) to dispose of land held by them in any manner they wish, including the grant of leases. The only constraint is that, except with the consent of the Secretary of State, a disposal must be for the best consideration reasonably obtainable.
- 7.2 Section 123 (2A) of the Local Government Act 1972 (as amended) provides that a local authority may not dispose under Section 123(1) of that Act of any land consisting or forming part of an open space unless, before disposing of the land, they cause notice of their intention to do so to be advertised for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.
- 7.3 If the Committee confirms the recommendation to grant a lease of the pavilion, the lease will contain the terms detailed in this and the accompanying exempt report.

8. CONSTITUTIONAL POWERS

- 8.1 Council Constitution, Part 3, Responsibility for Functions – section 2 details the terms of reference of the Council’s Area Environment Sub-Committees. Section 5.9 provides that where an area environment sub-committee is discharging executive functions a reference up can only be made to the Executive.
- 8.2 Council Constitution, Part 3, Responsibility for Functions - states in paragraph 3.6 the functions delegated to the Cabinet Resources Committee including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 8.3 Council Constitution, Part 4, Management of Real Estate, Property and Land, states in Paragraph 7 (i) that “Whenever a decision is taken by the Executive

or the relevant Director acting under delegated powers to advertise the possible disposal or appropriation of open space land, the Director or designated officer shall report the matter to the next relevant Area Environment Sub-Committee to enable it to decide whether it wishes to make representations to the Executive in relation to the disposal of the open space land”.

- 8.4 The Council’s Constitution in Part 4, Council Procedure Rules, Management of Real Estate, Property and Land, states in paragraph 19 that all recommendations for approval of the sale price and other terms of disposal must contain a statement from the Chief Valuer or, if appointed, from suitably qualified external agents that the Council will obtain the best price which can reasonably be obtained or that there is approval through the General Consent or that the consent of Central Government has been obtained or will be sought to enable the disposal of the property to proceed as recommended.

9. BACKGROUND INFORMATION

- 9.1 Property Services have been requested by Greenspaces to market a number of vacant buildings located in the Council’s parks and open spaces. This particular building was originally used as a sports pavilion and changing rooms but since the playing fields in the park often became waterlogged during the winter months this use ceased. Subsequently it was used for a short time as a nursery but then became vacant and has deteriorated over the years. The building is now derelict and fenced off for safety reasons and consequently has proved difficult to let and the only other option is to demolish. Nevertheless the pavilion has character and is adjacent to a children’s play ground and in the opinion of officers once refurbished would add considerably to the facilities available in the park.
- 9.2 The park is currently served by a small 150 sq ft (13.93 sq m) modular kiosk that was leased to Sally Anne Wigfield. The lease on the kiosk has now expired. If the Committee confirms the recommendation to grant a lease of the pavilion the tenant will be permitted to remain under a Tenancy at Will until the pavilion café opens. Once the letting of the pavilion has been concluded, the Tenancy at Will will be determined and the kiosk will be relocated to another park.
- 9.3 The premises comprise a pavilion of 1,044 sq ft (97 sq m) with a covered veranda of 511 sq ft (47.5 sq m) at the front giving a total area of 1555 sq ft (144.5 sq m). Thus it is larger than the existing kiosk and will also provide protection from the elements thus extending its use to the winter months.
- 9.4 The premises have been marketed a number of years and in the past several proposals, mainly for nurseries were received. A nursery use would not be approved by planners as this would give rise to traffic issues along Brompton Grove, an unadopted, unmade up and unlit road at the rear of the park. During the last two years discussions have taken place with the existing kiosk operator and various proposals were put forward and considered by officers but these discussions stalled as the plans were ambitious, expensive and funding was not available.
- 9.5 During the past year further marketing took place and an acceptable offer was eventually received. The operator of the kiosk also submitted a proposal but this

was below the offer received from Mr Sarfaraz Dostezad approved by the Delegated Powers Report dated 9 July 2012. As the land is held as public open space, notice of the proposed disposal was advertised in the Barnet Press for two consecutive weeks on 28th June and 5th July 2012. Notice of the proposed disposal was also posted at the property. These required that any objections to the letting were to be made to the Council by 13th July 2012. A copy of the Notice appears at Appendix 1.

- 9.6 The objections received arising from the Notice were reported to the Finchley and Golders Green Area Environment Sub Committee ('F&GGAESC') at its meeting on 16 October 2012. As summarised in paragraph 2.2 above, the F&GGAESC resolved to make representations to the Executive in respect of the proposed lease on five grounds. This report asks the Committee to note the representations and to seek confirmation to the letting.
- 9.7 The extent of the letting is the building shown edged red on the lease plan in Appendix 2. The blue and green areas shown on the plan are the permitted external seating areas. The green area is part of the footpath and the blue area comprises soft ground where the tenant will be permitted to place a hard surface, subject to any Greenspaces requirements.
- 9.8 In respect of item (i) of the F&GGAESC representations, a right of way for vehicle deliveries is shown coloured brown on the lease plan. This leads from Summerlee Avenue, and so access will not be from Brompton Grove. The lease of the premises will, amongst other terms, be made subject to the provisions of the council's standard Catering Specification. An extract from the Catering Specification dealing with deliveries is attached as Appendix 6. As will be seen, along with Council vehicles that access the park for maintenance purposes, delivery vehicles will be limited to a maximum speed of 5 mph with their hazard warning lights flashing.
- 9.9 As regards item (ii) of the F&GGAESC representations, only the building shown edged red on the plan is to be demised, with rights to place table and chairs in the designated green and blue areas. The tenant will not have rights to carry out works beyond his demised area and so will not be able to cut down or lop any trees. In addition Greenspaces have confirmed there are no trees of any consequence in the vicinity of the pavilion.
- 9.10 As for item (iii) of the F&GGAESC representations, the proposed terms are for a lease for a period of 25 years on a full repairing and insuring basis, contracted out of the Landlord and Tenant Act 1954, the permitted use being as a café with the trading hours being restricted to the usual park opening hours. The property will be repaired by the tenant and minor changes externally comprising either new front or café style doors are proposed to be installed, as shown on the drawing in Appendix 4. The financial terms of the lease have been included in the exempt part of this report. It should be noted that the offer from the prospective tenant is subject to his obtaining planning permission. The planning consent will contain appropriate provisions regarding trading hours.
- 9.11 The Council's Chief Valuation Officer has confirmed that the prospective tenant's offer complies with the Council's statutory duty to obtain the best consideration reasonably obtainable.
- 9.12 Officers have been informed by the prospective tenant that the menu will be

varied with a Middle East and Mediterranean cuisine, salads and vegetarian options, sandwiches and pastries. It will not be a pizzeria as appears to be the concern of a number of objectors.

- 9.13 Following the Notice of the proposed disposal being advertised, 18 communications were received which are summarised in a table under Appendix 3. Of these 10 are considered as objections and the remaining 8 as regarded more as representations or observations relating to the loss of the kiosk and the use of the pavilion as a pizzeria. As indicated in paragraph 9.12 the prospective tenant's proposals do not involve a pizzeria or the carrying out of pizza deliveries. Two of the objections to the proposed letting referred to an entirely different person and can be ignored.
- 9.14 The F&GGAESC also commented, at item (iv) of their representations, on the possibility of restricting the running of the pavilion café to the prospective tenant or members of his family and employees and, at item (v), whether sufficient due diligence has been carried out. As regards item (iv), officers consider that restricting the running of the café or indeed any business would be a totally unreasonable restriction. There is no such restriction in leases of other park cafes granted by the council, and indeed the current kiosk operator employs staff to assist in the running of her business. Furthermore assignment of leases is generally allowed in the event of a tenant wishing to sell his business; the intention for the proposed pavilion lease is to allow assignments subject to the council's consent. As regards item (v), status enquiries of the prospective tenant have been carried out including a bank reference and these are in order. The previous and current Principal Valuers have met the tenant and inspected his existing business located on the High Road East Finchley. Also a rent deposit is being obtained.
- 9.15 The kiosk currently located in the park was intended as a temporary facility as it was hoped that in time the pavilion would be refurbished and provide these facilities. It is the opinion of officers that the park cannot support two cafes and so the kiosk currently operated by Sally Anne Wigfield will have to close once the pavilion opens for business. Greenspaces will relocate the kiosk to another park where there are currently no catering facilities. Thus the rent for the kiosk, as detailed in the exempt report, will cease to be payable but should be recouped on another site.

10. LIST OF BACKGROUND PAPERS

10.1 None

Cleared by Finance (Officer's initials)	MC
Cleared by Legal (Officer's initials)	SWS

Appendix 1 - Section 123 Advertisement

LONDON BOROUGH OF BARNET

COMMERCIAL DIRECTORATE

SECTION 123(2A) OF THE LOCAL GOVERNMENT ACT 1972

Proposed Lease - Pavilion building
Cherry Tree Wood, East Finchley

NOTICE IS HEREBY GIVEN that the Council is intending to grant of a lease for 25 years for the above pavilion for the use as a cafe.

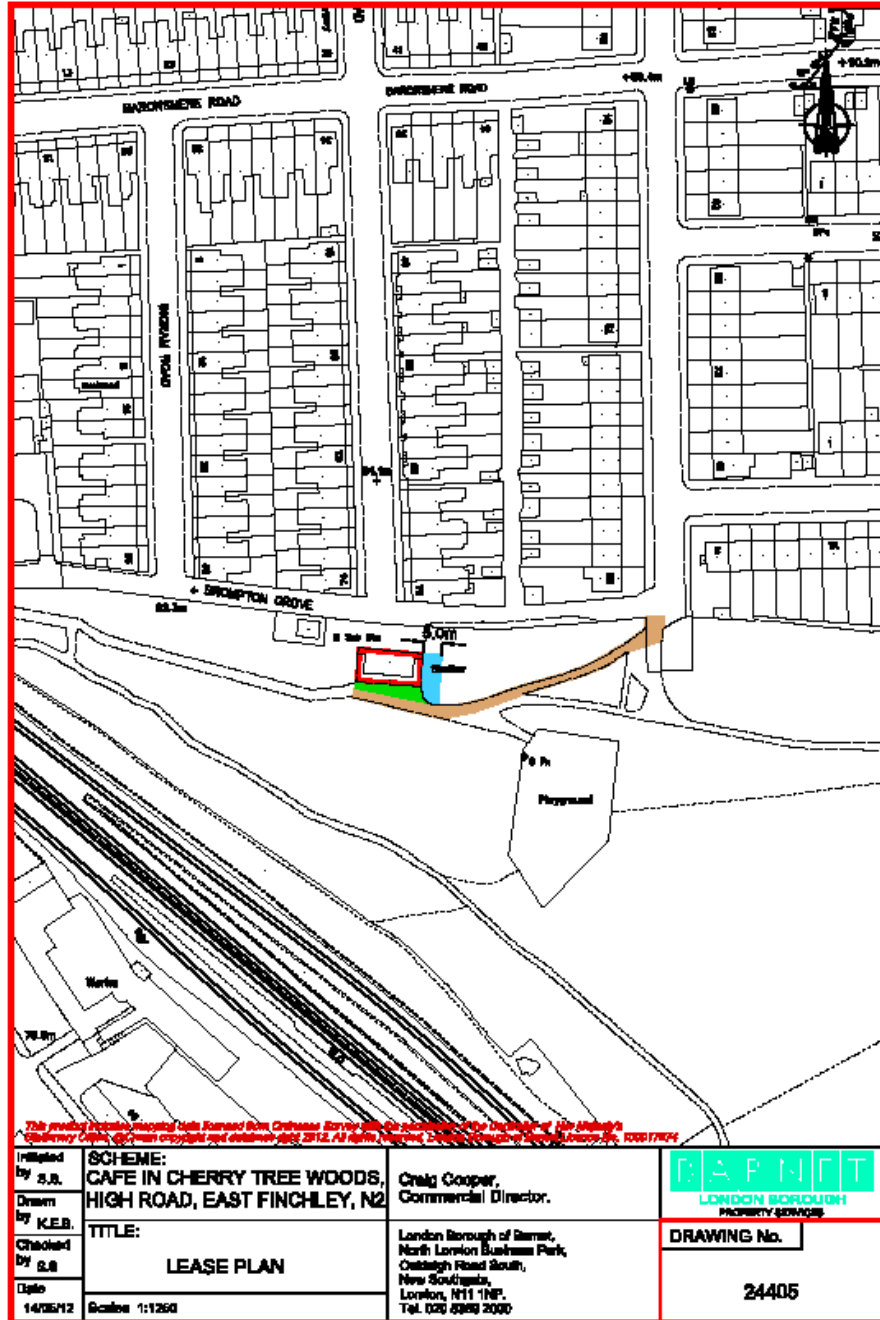
A plan showing the proposed leased area may be viewed at the offices of Property Services, Building 2, North London Business Park, Oakleigh Road South, London N11 1NP. It may be viewed between the hours of 9.00 am to 5.00 pm Mondays to Fridays (excluding public holidays).

Before making any further decision on the proposal, the Council will consider any written representations received. All written representations, which should be addressed to the interim Assistant Director of Commercial Services, 1st floor, Building 2, North London Business Park, Oakleigh Road South, London N11 1NP (quoting reference: Property Services Disposal of Cherry Tree Wood) must arrive no later than 5pm, 13th July 2012.

Dated this day 25th June 2012

Mark Peat
Interim Assistant Director or Commercial Services
1st Floor Building 2
North London Business Park
Oakleigh Road South
London N11 1NP

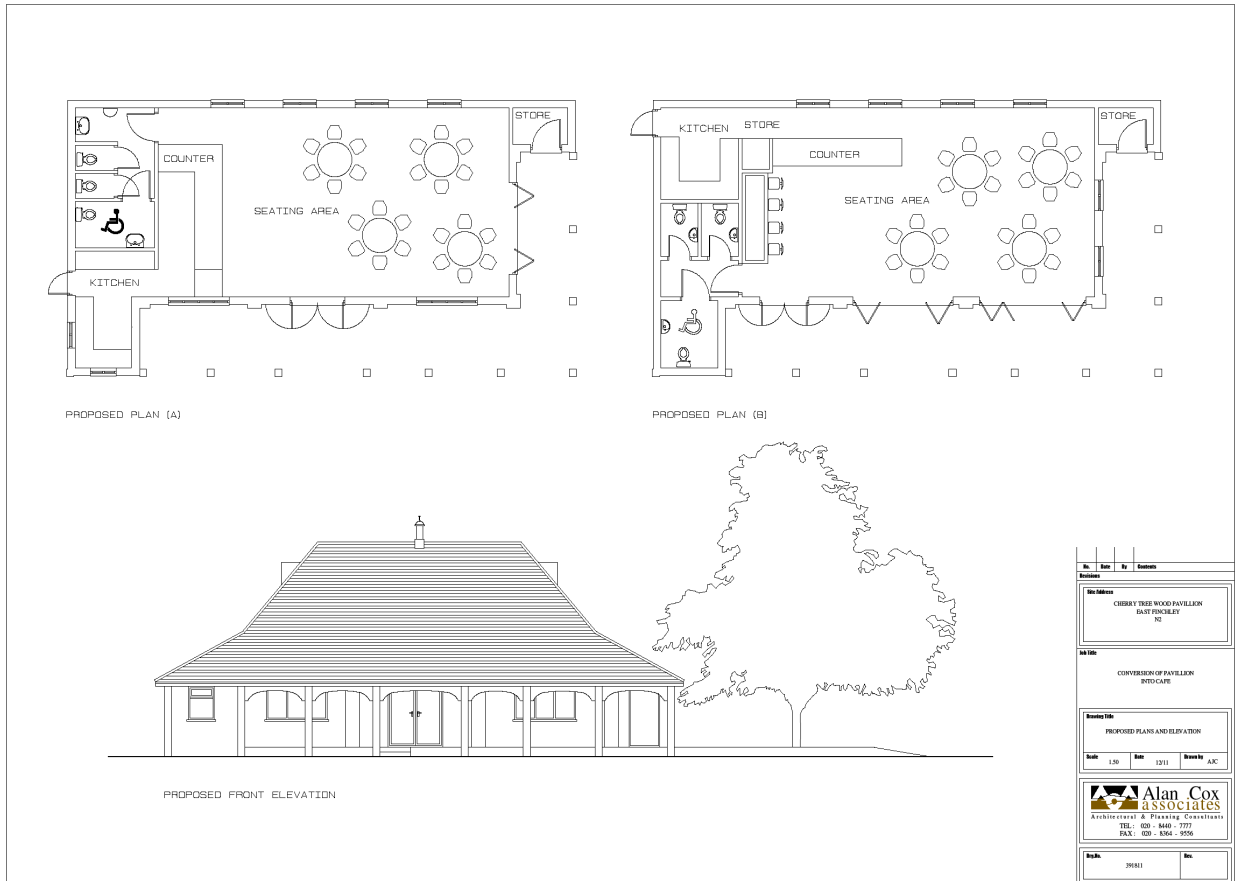
Appendix 2 - Lease Plan




Appendix 3

Communication	Date	Summary of Objections and Representations
Letter	05.07.2012	Preference for pavilion to be demolished and site restored to woodland as change of use will alter character and tranquillity of the park.
Letter	06.07.2012	Existing café provides appropriately scaled facility. Extra traffic, noise, smells, litter
Letter	07.07.2012	Barnet should adopt and a condition that lessee makes good Brompton Grove. Best to demolish.
Letter	07.07.2012	Against Pizza use, pizza boxes and rats
Letter	08.07.2012	Too many cafes in High Street, rats, noise and cooking smells will spoil peace and quiet. Resurfacing Brompton Grove endanger users. In a dangerous state. Return to natural state.
Letter	08.07.2012	As above
Letter	10.07.2012	No proper consultation
Letter	11.07.2012	Whether tenant is fit person
Letter	11.07.2012	Written by Tenant of Kiosk
Letter	10.07.2012	No consultation
Email	10.07.2012	Concerns re existing kiosk – tenant works with Tree house
Email	10.07.2012	Concerns re existing kiosk
Email	10.07.2012	Concerns re existing kiosk - Pizza proposal
Email	10.07.2012	Concerns re existing kiosk
Email	10.07.2012	Concerns re existing kiosk - Pizza proposal
Email	18.07.2021	Concerns re existing kiosk - Pizza proposal
Email	28.07.2012	Concerns re existing kiosk - Pizza proposal
Phone	13.07.2012	Further information requested. Subsequent visit to inspect plans
Visit to NLBP	02.07.2012	Inspect plan

Appendix 4 - Tenant's Proposals - Preliminary Drawing



No.	Date	By	Revised
Project			
Site Address			
CHERRY TREE WOOD PAVILION EAST FINCHLEY NS			
Site Title			
CONVERSION OF PAVILION PUB/CAFE			
Drawing Title			
PROPOSED PLANS AND ELEVATION			
Scale	1:50	Date	13/11
Drawn by	AKC		
 Alan Cox associates <small>ARCHITECTS & PLANNING CONSULTANTS</small> <small>TEL: 020 - 846 - 7777</small> <small>FAX: 020 - 856 - 9556</small>			
Sheet No.	20/01	Rev.	

Appendix 5 - Photographs – The pavilion



Existing temporary kiosk currently leased to Ms Sally Anne Wigfield



Access into park from Summerlee Avenue



Brompton Grove



Appendix 6 - Extract from Catering Specification

Vehicles

4.29 The Tenant will be permitted to bring one vehicle onto site for the purposes of deliveries and collections. The vehicle can remain in the park whilst the Tenant carries out this function for a period of up to 15 minutes. The Tenant is not permitted to park a vehicle next to the café.

4.30 Vehicles must travel at not more than 5 mph in the park and must display hazard warning lights.

4.31 Vehicles which reverse only with aid of mirrors and accompanied with a warning bleeper or be guided by a pedestrian assistant.

4.32 The Tenant must ensure the safety of all park users when driving in the park or taking deliveries. Attention is drawn to the additional risk posed by the fact that vehicles crossing public parks will not be expected by park users.

4.33 Accidents that occur within the park shall be reported to the Environmental Services (020 8359 7820), NLBP Building 4, Oakleigh Road South, N11 1NP either by telephone or in writing.

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AGENDA ITEM 10

Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	Adult Passenger Transport Policy
Report of	Cabinet Member for Adults Cabinet Member for Environment Cabinet Member for Customer Access and Partnerships
Summary	This report summarises current work to implement efficiencies in door-to-door transport arrangements for adults with mobility needs, and sets out the results of public consultation on door-to-door transport, and recommends changes to relevant policies.
Officer Contributors	Caroline Byrt, Interim Assistant Director – Supply Management and Resources, Adult Social Care and Health
Status (public or exempt)	Public
Wards affected	All
Key Decision	Yes
Reason for urgency / exemption from call-in (if appropriate)	Not applicable
Function of	Executive
Enclosures	Appendix 1 - Summary of conclusions of Equalities Impact Assessments Appendix 2 - Report of findings of public consultation survey (attached as separate document) Appendix 3 - Report of consultation meetings Appendix 4 - Utilisation of adult passenger transport provided by Adult Social Care and Health Appendix 5 - Proposed eligibility policy for adult passenger transport provided by Adult Social Care and Health Appendix 6 - Proposed rules for the provision of reserved parking bays for disabled people
Contact for further information	James Taylor, Deputy Head of Strategic Commissioning (Adult Social Services and Health), 020 8359 4886

1. RECOMMENDATIONS

That Cabinet Resources Committee:

- 1.1 Consider the outcomes of the public consultation on door-to-door transport for vulnerable adults and the equalities impact analysis.**
- 1.2 Approve the Eligibility Policy for council-funded transport for adults.**
- 1.3 Approve a charge of £10 payable by successful applicants for a 3 year Blue Badge parking permit.**
- 1.4 Approve the revised policy for the provision of personal parking bays for disabled people.**
- 1.5 That the Committee approve the replacement of the existing Travel Voucher scheme with the London wide Taxicard scheme.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee, 27 September 2011 (Decision item 16) - approved the transformation of passenger transport services through full membership of the West London Alliance (WLA) and through participation in the WLA Transport Efficiency Programme, including the procurement of transport provision, the establishment of a Transport Bureau, the development of a 'Door to Door' Transport Policy for Vulnerable Adults, transformation of the in-house transport service, and the purchase of new vehicles for the in-house fleet.
- 2.2 Cabinet Resources Committee, 20 June 2012 (Decision Item 17) – approved the award of a contract to Dimensions for preventative support for people with learning disabilities to support personalisation of social care and health, including provision of independent travel training.
- 2.3 Cabinet, 17 July 2012 (Decision Item 11) – considered the outcomes of the public consultation on day services for older people, agreed the Model for future services and approved the development of an implementation plan for consideration by Cabinet Resources Committee.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 The three priority outcomes set out in the Corporate Plan are:

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

3.2 The One Barnet programme has three overarching aims:

- A new relationship with citizens;
- A one public sector approach;
- A relentless drive for efficiency.

3.3 The overarching aim of the One Barnet Programme is to create a new citizen centred council through delivering a new relationship with citizens and, by improving their experience of door-to-door transport services, this will contribute to the council in achieving this aim. This aim is conducive with the One Barnet Framework aim of “providing a new relationship with citizens” and the benefit of “greater choice and control for residents and customers” that will be delivered through this programme.

3.4 The policy directions recommended in this report will contribute to the successful achievement of these outcomes and aims by enabling people with the capacity to travel independently to get the extra support they need to do so, ensuring that help with transport is provided in accordance with assessed need and that a fair price is charged for services provided. This will enable increased value for money and the realisation of future savings.

4. RISK MANAGEMENT ISSUES

4.1 Barnet’s population is healthier and living longer than the national average. National prevalence models when applied to Barnet’s demography indicates that the borough will experience an 11% increase in residents with learning disability and mental ill health, a 17% increase in residents with a physical disability and a 21% increase in residents aged 65. At the same time, resources to the Council to meet the needs of Barnet’s residents are set to decrease in line with the Government’s Comprehensive Spending Review. The implementation of clear criteria for access to adult transport provision is necessary to ensure that services are targeted to those who need them and that risks of inappropriate expenditure are avoided.

4.2 Provision of Council-funded transport services for people able to use alternative transport creates inappropriate dependencies. The application of eligibility criteria based on consideration of each individual’s needs mitigates this risk. This person-centred assessment of mobility and capacity also ensures the Council is able to identify

individuals who would benefit from enablement to use mainstream transport provision.

- 4.3 Provision of travel training particularly for younger people including those in transition to adult social care services helps service users reduce the risk of greater levels of dependency in later life. Shifting the balance of resources in this way towards early intervention and prevention offers good value for money for individuals and the Council by reducing requirements for more expensive specialist transport provision and replacing them with access to lower-cost travel. For example, Essex County Council has reported a first year saving of £243,000 following an investment of £60,000 in two full-time travel trainers. Greater independence in travel arrangements also means that individuals and their families can exercise choice in selecting services and activities and to take real control of their personal budgets.
- 4.4 The introduction of a charge for successful Blue Badge applications and the closure of the Travel Voucher scheme address the risk of unnecessary pressures on the Council's resources by charging a fair rate for services provided and by eliminating duplication of concessionary travel services.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Between 14 May 2012 and 6 August 2012, the Council carried out extensive consultation (see section 9 and appendices 2 and 3) on the proposals now being recommended in this report, with the public, service users, carers and relevant organisations. This included an on-line publication of consultation documents in standard and easy read versions, provision of hard copies to current Adult Social and Health (ASCH) transport users and consultation meetings held in day centres and a range of other locations with service users and representative bodies.
- 5.2 All proposals relate to the provision of transport for people with mobility needs and consequently impact directly on residents with disabilities and/or older people. The responses to this consultation have been used to review the initial conclusions of the Equality Impact Assessments (EqA) completed when the proposals were being formulated. The responses to the consultation as well as the detailed equalities analysis have informed the formulation of the proposals in this report.
- 5.3 The EqAs show the overall impact of the Council's proposals on the different equality strands; identifies potentially negative impacts and identifies ways to promote equality of opportunity and ensure greater access to services. The outcome of the assessments undertaken on the proposals on the various equality groups is that there will be an overall neutral impact.

- 5.4 The consultation survey results indicate overall a majority support for the proposed Blue Badge application charge and for changes to the rules for provision of personal parking bays but less support for the proposed eligibility policy on disabled people and the proposed termination of the travel voucher scheme. In all cases, respondents indicated concerns that the changes could potentially impact negatively on people with disabilities and on people with low income. Concerns of this nature were strongest among those responding to the easy read consultation documents, which is likely to include a high proportion of current service users.
- 5.5 In officers' view these concerns to a large extent reflect understandable fears of loss of provision. The intention of the changes though is to ensure that the Council provides the right kind of help with travel for each individual, based on an assessment of their needs. Implementation of the policies would be monitored to identify and resolve or mitigate any adverse outcomes identified.
- 5.6 The size of the response to the consultation survey and the limited attendance at most consultation meetings arranged during the consultation period for service users, their families and carers may be due to several factors including disinterest resulting from consultation fatigue or tacit support for the changes. We will continue to proactively engage with stakeholders during the implementation phase to ensure the proactive involvement of those people and organisations who have an interest in this re-shaping of transport for older people and those with disabilities.

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

Proposal 1 - Eligibility Policy

- 6.1 Transport for Adult Social Care and Health (ASCH) service users with mobility needs is currently provided by the Council's Passenger Transport Service using a combination of owned and contracted vehicles. Outturn expenditure for 2011/12 for this provision met from the ASCH base budget was £1,038,140 comprising £818,033 for minibus services and £220,106 for taxi services.
- 6.2 If approved, the new policy will be implemented from April 2013. It is intended that ASCH will purchase transport services from the Transport Bureau recently established by the West London Alliance (WLA), with the Council's Passenger Transport Service operating as a contractor commissioned by the Bureau. Budget efficiencies are anticipated in future years but it is not possible to quantify these at present and none are consequently included in the Council's medium term financial strategy.

- 6.3 Implementation of the eligibility policy for access to ASCH transport provision is not expected to result in substantial savings. The policy has not yet been implemented by WLA member boroughs and benchmark data is not therefore available at present. Direct and indirect savings are realisable in future, particularly from the provision of independent travel training to enable people to access public transport. However, estimates are not currently available and these will be quantified during 2013 following implementation of the policy if approved. The costs will be contained within the existing Adults transport budget

Proposal 2 - Independent Travel Training

- 6.4 ASCH currently fund independent travel training as part of the services delivered by some day services contractors including Your Choice, the former in-house day service transferred to Barnet Homes earlier this year. ASCH has also recently commissioned a training service as part of the contract with Dimensions for prevention services for people with learning disabilities, as specific provision for people identified through ASCH implementation of the eligibility policy if approved. Use of this provision and the outcomes achieved will be monitored during 2013 to establish value for money and the business case for further investment. This is currently being funded from ASCH budgets and further investment will also be contained within the service.

Proposal 3 - Blue Badge Application Charge

- 6.5 Recently a national scheme has been introduced to improve the quality of the Blue Badge parking permit service. There are two types of Blue Badges those which are known as type 1 are “eligible without further assessment” and type 2 “eligible subject to further assessment” Type 2 assessments can be desk based assessments (DBA) or require an Independent mobility assessment (IMA) In the 4th quarter data shows that out of 1652 Blue Badges issued, 570 were issued as Type 1 and 66% were Type 2.
- 6.6 The administration cost of the scheme is £20 per application. This policy is proposing to introduce a £10 charge for those who are applying for a Blue Badge parking permit. This £10 charge is the maximum, which Local Authorities are able to charge, and 11 out of 15 comparable Local Authorities will be introducing this maximum charge.
- 6.7 It is proposed that from 1 January 2013 a fee of £10 be levied for successful applications only (no fee will be payable for an unsuccessful application). The fee will be used to contribute to the overall administration cost of managing the Blue Badge service within Customer Services.

- 6.8 There is no expected impact on the performance or resources with the Assisted Travel team on the agreement to implement this charge

Proposal 4 - Personal Parking Bays

- 6.9 There is concern that the current criteria used in assessing applications for disabled bays is not sufficiently robust and this results in many bays being provided which may not be beneficial to either the individuals concerned or for road users in general. This concern runs in parallel to national concern about the disabled badge scheme, and the apparent abuse/misuse/fraud by motorists of the disabled badge system.
- 6.10 It is considered that the Council should focus its disabled bay scheme to benefit the individuals who most need them given the nature of their personal circumstances. It is also considered that steps should be taken to minimise misuse and abuse of the disabled bay system by making the criteria for their provision more robust.
- 6.11 It is considered that such steps should result in less disabled bay applications being made and less applications being approved, hence ensuring the continued best use of limited resources, in both staff time, implementation and subsequent removal of the bays along with the continued administration of the scheme. It will also achieve the primary objective of making the disabled bay scheme better suited and serving the purpose for which they are intended. The revised eligibility criteria will be applied from 1/1/13.

Proposal 5 - Travel Voucher Scheme

- 6.12 Barnet Council currently provides travel vouchers for residents who are unable to use public transport or travel independently. This Travel Voucher Scheme is not used by many and is costly to the Council. The overall estimated annual cost of running a Travel Voucher service based on 2010-11 figures, was £9,561 in respect of 120 applications which represents a low take up of the Travel Voucher Scheme.

The Council is, therefore, proposing to cease this scheme from 1/4/13 and instead assist residents in applying for a Taxicard. The Taxicard scheme is run by London Councils and offers help with taxis to people living in London. The money saved from ceasing the travel voucher scheme will be re-invested in customer services to support staff to signpost users to the Taxicard scheme

7. LEGAL ISSUES

Power to charge

- 7.1 A local authority has a discretionary power to charge for the issue of a disabled person's badge pursuant to Regulation 6 of The Disabled

Persons (Badges for Motor Vehicles) (England) Regulations 2000. These Regulations were amended in December 2011 permitting a fee not exceeding £2 for badges, which have a date of issue before 1 January 2012 and a fee not exceeding £10 for badges with a date of issue on or after 1 January 2012.

Consultation

- 7.2 As a matter of public law the Council is required to consult on the proposed changes set out in this report. For consultation to be deemed as proper consideration, it must be undertaken whilst the proposals are in a formative stage. Consultation documents must include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response, adequate time must be given to the consultees to consider the proposals. Also there must be a mechanism for feeding back the comments and those comments must be conscientiously taken into account by the decision maker / decision making body when making a final decision.

The council has consulted all stakeholders extensively on these proposals and the responses to the consultation have informed the final proposals. Members of the committee must be mindful of their duty to take consultees' comments into consideration when making their final decision.

Public Sector Equality Duties

- 7.3 The core provisions of the Equality Act 2010 came into effect in October 2010. The Act provides a new cross-cutting legislative framework to update, simplify and strengthen the previous discrimination legislation. In short, the council must have due regard to the equality duties whenever it exercises a public function.

The broad purpose of this duty is to integrate considerations of equality and good relations into day-to-day business requiring equality considerations to be reflected into the design of policies and the delivery of services and for these to be kept under review. Members must consider what impact if any the proposals set out in this report will have on one or more protected groups, whether there will be any cumulative impact and what mitigating steps must be put in train.

Members are referred to the Equality Impact Assessments (appended to this report) which were completed for each of the proposals and further reviewed in the light of responses to the extensive public consultation.

- 7.4 The general duty on public bodies pursuant to section 149 of the Act states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.5 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a. remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b. take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c. encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

7.6 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a. tackle prejudice;
- b. promote understanding.

7.7 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

The relevant protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

- 7.8 It also covers marriage and civil partnership with regard to eliminating discrimination.
- 7.9 'Due regard' as required by legislation is more than 'regard'; it requires more than simply giving consideration to the issue of disability, race or gender. The law requires a rigorous and open-minded approach and for the duty to be exercised in substance.
- 7.10 The Equality and Human Rights Commission has issued a statutory code of practice with regard to services, public functions and associations as well as a number of non statutory guides, including an essential guide to the public sector equality duty, equality objectives, equality information, meeting the equality duty in policy and decision-making and engagement. The council must follow statutory guidance and have regard to non-statutory guidance when formulating policies and decision-making and should only depart from it with good reason.
- 7.11 The guidance states, amongst other matters, that public authorities should:
- Have an adequate evidence base (i.e. up to date and reliable information about the different groups) when undertaking the analysis and making decisions and to consider what engagement needs to be undertaken with people who have an interest in tackling discrimination, advancing equality and fostering good relations; and
 - Analyse the potential impact that a policy, procedure or practice might have on different equality groups.
- 7.12 The Council is following the Codes and considering the guidance in formulating its proposals for consideration by Cabinet.
- 7.13 The Council will keep under review whether in developing the new services these statutory duties are relevant.

8. CONSTITUTIONAL POWERS

- 8.1 Council Constitution, Part 3, Responsibility for Functions – Section 3.6 details the responsibilities of the Cabinet Resources Committee which includes 'Approval of schemes not in performance management plans but not outside the Council's budget or policy framework.'
- 8.2 This decision is considered to be a key decision by nature of it having a significant impact on people living in two or more wards of the borough.

9. BACKGROUND INFORMATION

Context

- 9.1 This report takes forward specific policy developments as part of the transformation of transport for adults with mobility needs related to disabilities and age. The recommended changes support and form part of the wider work of the Council as a full member of the West London Alliance (WLA) and its participation in the WLA's Transport Efficiency Programme. The report sets out each of the proposals, the consultation process and the responses to the consultation.
- 9.2 The Transport Efficiency Programme aims to achieve a shared services model, which will meet participating Boroughs' passenger transport, fleet services and concessionary travel requirements. This has the potential to deliver financial savings, improve service levels and meet the changing national policy and social care transformation strategy.
- 9.3 The transformation strategy being pursued will maximise the opportunity to attain savings for the participating Boroughs through the creation of the WLA Transport Bureau established in June 2012. This seeks to drive collaborative working, establish best practice and embed a shared service approach with all participating Boroughs to enable citizens to be as independent as possible and individual savings for each Borough to be realised.
- 9.4 The Council currently plans to transfer the planning and scheduling of passenger transport for Adult Social Care and Health and Children's Services and the management of the contracted transport function of the Council's existing Passenger Transport Service to the WLA Transport Bureau from April 2013.
- 9.5 It is expected that the WLA will propose specific developments of the Bureau's future role, potentially including advice and information services concerning concessionary travel options and specialist independent travel training services.
- 9.6 As part of the Council's work, Cabinet Resources Committee in September 2011 approved plans to achieve savings through the management and transformation of the Council's in-house transport fleet operation, and the deployment of £742,000 social care capital allocation for the purchase of London Emission Zone compliant vehicles.
- 9.7 This Committee also recognised that it will be necessary for the Council to have in place a clear door-to-door and eligibility policy for passenger transport and concessionary travel for Adults with mobility needs related to disability or age. Specific proposals on the eligibility policy and related matters have recently been the subject of full public

consultation as reported below, and the remainder of this report is concerned with this area of policy development.

9.8 Consultation

The Council commenced public consultation on 14th May 2012 and the consultation period ended on 6th August 2012. In line with legal advice and practical considerations, the three-month period has been adopted as the norm for consultations with ASCH clients and other vulnerable people concerning social care and support services. Printed consultation documents and questionnaires in standard and easy read formats were sent and residents also had the opportunity to complete the survey online.

9.9 In total 265 surveys were completed, among which there were 121 standard surveys (of which 44 were completed online) and 144 easy read alternatives.

- Over 60% of respondents were aged 55 or over, and only 10% were aged under 35;
- Numbers of male and female respondents were roughly equal;
- Three-quarters of respondents identified themselves as having one or more disabilities, of whom one half reported reduced mobility and one-quarter said they had learning difficulties;
- One-quarter of respondents recorded their ethnicity as other than White or White British, roughly equivalent to the overall proportion of Barnet's adult population but relatively high given the preponderance of older people among the respondent group.

9.10 The analysis of the responses is reported at Appendix 2, and summaries are included in the following sections concerned with each of the proposals of the consultation documents.

9.11 In addition, service users were invited to attend ten meetings held at a range of locations during the day and evening. Presentations were also made to the Learning Disabilities Partnership Board. A summary of the feedback received at these meetings is at Appendix 3.

Proposal 1 Policy on Eligibility for Transport provided by the Council's Adult Social Care and Health

9.12 The Council has developed the proposed policy with member boroughs of the West London Alliance as the basis for a common approach across the sub-region. Complementary work on a common eligibility policy in respect of children with special educational needs is nearing completion and is expected to be adopted by member boroughs shortly.

9.13 The proposed policy for adults with mobility needs related to age or disabilities defines qualifying criteria for access to transport services

funded from the Adult Social Care and Health budget. There are currently almost 400 people currently using minibuses provided by the Council's Passenger Transport Service and serving eight day centres daily. A further 25 people are currently using private taxi services either to attend other day services or where shared transport would be unsuitable. Data is shown in Appendix 4.

9.14 The changing context in which transport is provided presents both risks and opportunities:

- Numbers of people with mobility difficulties are set to increase in line with longer life expectancy and disability prevalence rates;
- The choices of people using social care and support services are changing; for example, few of the Fremantle day care places have been operating to capacity;
- Day opportunities provision for older people and people with disabilities will become more diverse as a result of take-up of personal budgets;
- The Council's commitment to the Ageing Well agenda and the localisation of support offers opportunities to tap into 'neighbourhood spirit', volunteering and other social capital.

9.15 The proposed policy recognises that future use of transport services should be based on the need to promote independence and to support service users to remain independent for as long as possible. Assessments would take place as part of the overall consideration of each person's need for social care and support to achieve this overarching objective.

9.16 The policy is shown in full in Appendix 5 and sets out a method for structured and consistent decision-making soundly based on person-centred assessment of each individual's transport needs, taking into account three primary criteria:

- Access to existing transport, for example whether the person has a mobility vehicle or other suitable transport that they already use;
- Assessment of mobility, in particular the extent to which the person is physically able to manage independent travel options;
- Assessment of ability to travel independently, taking into account risks or other factors that may make independent travel unsafe.

Proposal 1 - Consultation Findings

9.17 43% of all respondents disagreed with the proposal compared with 27% who supported it and 30% who were unsure or had no opinion.

- 9.18 Respondents to the standard survey were asked to give their view on the likely effect of the proposed policy on different groups. 80% and 66% respectively felt that there would be a negative impact on disabled people and on people with low income. When asked how the Council could improve these negative impacts, 12 respondents indicated that the current policy should continue. The position will be that people who have FACS eligible needs and who receive transport to for example day centres will only have their provision of transport changed as part of a community care re-assessment. The Council has an ongoing duty of care to ensure that eligible needs are met.
- 9.19 Further information provided by respondents to the standard and easy read surveys indicated views that the current service is vital to people whose condition(s) make independent travel unsafe and concerns that the changes would lead to higher costs for the people affected.

Proposal 1 Comment

- 9.20 The anxieties expressed by respondents to the surveys and during consultation meetings reflect the high proportions using current transport services who are concerned that they and other people with mobility needs may lose them and consequently the opportunity to attend day services. However, implementation of the proposed policy would not lead to this outcome under any circumstances since the criteria will support continued provision unless the individual has a suitable alternative transport option.
- 9.21 It is not expected that implementation would lead to the widespread withdrawal of provision. Officers believe that there are few people using current services who either have existing alternative travel options but prefer to use Council-funded transport or who have sufficient mobility and related capacity to use safely mainstream transport. The intention of the policy is rather to include transport needs within the overall discussion and agreement of each person's support package and ensure that individual aspirations and capacity for greater independence are recognised and met within the context of the Council meeting its duty of care as specified in paragraph 9.18.
- 9.22 It is necessary for the Council as a public body responsible for resource allocation to set criteria for access to transport services to ensure the basis of its decision-making process is clear to citizens. The proposed policy has been adopted by WLA member boroughs either as approved policy or as a basis for public consultation, and similar policies have been introduced by other local authorities researched by officers.

Proposal 1 Implementation

- 9.23 Key milestones and indicative timescales for implementation of the proposed eligibility policy are currently being scoped and it is proposed

that implementation of the application of the new eligibility criteria is applied from 1 April 2013.

- 9.24 Related activity will continue during the remainder of 2012 in preparation for the transfer of transport operational activity to the WLA Transport Bureau currently planned from 1 April 2013 as set out in Paragraph 9.4

Proposal 2 Independent Travel Training

- 9.25 The eligibility policy for Council-funded transport is intended to minimise the risk of unnecessary dependency and costs. Providing transport on request simply as an adjunct of day service provision means that individuals may over time lose motivation and capacity that they once had to achieve more independent travel.

Early intervention and prevention, helping people to live as independently as possible, is at the heart of adult social care strategy and applies equally to meeting transport-related needs.

- 9.26 There is a substantial national body of good practice and innovatory projects demonstrating the benefits of Independent Travel Training for learners, carers and statutory agencies. This has been summarised in the Department for Transport's publication, Travel Training - Good Practice Guidance (2011).

9.27 Benefits for **learners** include:

- Increased independence and confidence, and improved self esteem;
- Increased opportunity to participate in social and leisure activities;
- Improvement to general health and well-being, improved quality of life;
- Increased opportunity and likelihood of entering employment or education.

Benefits for **carers** are a reduction in care responsibilities, enabling greater participation in employment, education and leisure activities.

Benefits for **statutory agencies** include:

- Cost savings as a result of reduced demand on local authority transport services,
- Cost savings in transport associated with healthcare, such as home visits;
- Reduced long term social care requirements;
- Reduced demand on the health service due to long term health benefits associated with increased independence.

- 9.28 The benefits of Independent Travel Training are long term as the training often results in lifelong changes in behaviour among learners. The following comments illustrate both the broad and specific positive outcomes that Independent Travel Training can deliver:

“I was very nervous about travelling on the bus as I was concerned that I would miss my stop or get off at the wrong place. Now I can get to college without any worries or fears. I couldn’t have gone to college without that support.” (Service user)

“My son’s confidence and self-esteem have blossomed. In his eyes, the world has become accessible and he feels that he ‘fits in’ with his peers, which is so important to a teenager.” (Parent)

- 9.29 Putting in place effective training and support for individuals to gain independent travel skills is therefore an essential part of the WLA Transport Efficiency Programme. A WLA working group will report detailed conclusions and recommendations shortly and is expected to propose relevant development of Bureau functions.
- 9.30 Although significant Independent Travel Training is provided currently for Adult Social Care and Health clients as part of the range of activity offered by providers of day services including Your Choice, it is not separately recorded or monitored as a discrete activity. Additional provision has recently been included in the contract with Dimensions the provider commissioned to deliver re-modelled voluntary sector prevention services for people with learning disabilities, approved by this Committee in June 2012. This is intended to provide access to ring-fenced Independent Travel Training for individuals with substantial or critical needs nominated by Adult Social Care and Health.
- 9.31 Implementation of the proposed eligibility policy will include review of the customer pathway to Independent Travel Training and to evidence potential requirements for additional supply. Analysis of outcomes achieved by the Dimensions Independent Travel Training service will further inform the business case for ‘spend-to-save’ expansions that may be recommended in the future.

Proposal 2 Consultation

- 9.32 Respondents were asked how important they felt it was that the council commissioned trainings services which would promote independent travel and reduce the dependency on social services transport.
- 9.33 Almost a quarter (23%) of respondents said that it was very important for the Council to commission such training and a further 24% said it was something which was fairly important. Only 13% of respondents said it was not at all important that the Council commissioned independent travel training.

- 9.34 Although still high, agreement that travel training was important was lower among respondents to the easy read survey. 38% of the 138 respondents who gave a response said that they thought travel training was important. 30% of respondents did not think that travel training was important and a further 32% said they were not sure how important this form of training was.
- 9.35 When asked to give any additional comments, respondents to both the standard and easy read survey said that this type of training would be beneficial (20 respondents to the standard survey, 9 respondents to the easy read survey).

Proposal 2 Comment

- 9.36 It is likely that the relatively high proportion of respondents who were using current transport services or caring for users and who were from older age groups has influenced the survey results, since these users are less likely to benefit from Independent Travel Training than younger groups. It is particularly significant that a high proportion of easy read respondents were not sure whether or not Independent Travel Training was beneficial, indicating the scope for developing awareness, knowledge and engagement with Independent Travel Training opportunities.
- 9.37 The value and importance of the Council's development of the Information, Advice, Advocacy and Brokerage Strategy for older people and people with disabilities is further evidenced by the 45% of respondents who reported difficulties with finding information about help with travel.
- 9.38 Establishing user led organisations to lead on information, advice and support planning, continues to be a key national Government policy of the Office for Disability Issues. The Council's development of Barnet Centre for Independent Living (BCIL) has been identified as an example of good practice by the ODI. This work will be taken forward during 2013 through the procurement of further contracts for information, advice and support planning provision including Later Life Planners for older people, approved by this Committee as part of the re-commissioning of voluntary sector prevention services and day opportunities for older people.

Proposal 3 Blue Badge Application Charge

- 9.39 During the past year, the Council has changed the way in which applications for Blue Badge parking permits for people with restricted mobility as part of national arrangements introduced by the Department of Transport (DoT) in 2011. The purpose of the changes have been to

put in place administration, assessment and enforcement practices that are:

- fair and consistent in their treatment of Blue Badge applicants
- customer-friendly and clear
- timely and cost-efficient
- resistant to abuse.

9.40 Implementation in Barnet has included:

- Promotion of an online facility in an attempt to reduce costly paper applications, however applications can still be accepted by telephone or post
- adoption of the DoT's model assessment tool to enable desk-top assessment of mobility against standardised criteria, replacing inefficient and expensive GP assessments
- commissioning an Independent Mobility Assessment service to respond to appeals by unsuccessful applicants
- Introduction of a face to face element to the Application process in line with DoT's guidelines to further combat fraud
- mandatory participation in the national badge-issue service provided by the DoT's commissioned contractor, to minimise risks of fraud.

9.41 Currently operated by the Council's Customer Services, the Blue Badge application function currently serving almost 20,000 Barnet residents, will be undertaken as part of the NSCSO contract expected to commence on 1 April 2013.

9.42 The consultation on door-to-door transport included a specific proposal to introduce a charge of £10 for applications for a Blue Badge parking permit. The actual cost of administering the scheme at present is £20 for each application, twice the amount of the proposed charge.

9.43 £10 is the maximum charge that local authorities are able to put in place towards administering Blue Badges. Out of 15 comparable local authorities surveyed on this issue, 11 said that they had introduced this maximum charge, with the remainder still consulting on introducing the maximum charge. We will review changes in the cost of administration.

9.44 The Council believes that it is right that people who wish to benefit from the scheme should contribute to its cost and as the badge is valid for three years, this works out at 6p per week. This cost is expected to fall as a result of the improvements summarised above, and the charge amount will therefore be periodically reviewed to ensure that it remains a fair contribution.

Proposal 3 Consultation Findings

9.45 Just under two thirds (63%) of respondents to the standard survey agreed that introducing these charges would be fair and around half

(51%) of respondents to the easy read survey felt that the charge was a good idea.

- 9.46 Around half (51%) of easy read respondents felt that the proposal to charge £10 towards the costs of the Blue Badge scheme was a good idea. Around a third (34%) of respondents said that this charge would be a bad idea and 15% of respondents were not sure whether this cost would be a good or bad idea. All respondents to the easy read survey gave an answer to this question.
- 9.47 Around three fifths of respondents said the charge would negatively affect those with a low income (61%) and those with disabilities (58%). Among the 20 respondents who gave a suggestion on how negative impacts of the policy could be improved, 60% (12 respondents) said that Blue Badges should be free to those on low incomes.
- 9.48 Almost three fifths of respondents said that the charge would not have a negative impact on people with particular religious beliefs (59%); people from ethnic minorities (58%); people who are bisexual, homosexual or transsexual (58%); women (57%) or men (57%).

Proposal 3 Comment

- 9.49 Nearly two thirds of respondents agreed that, given the economic climate and the pressure on services, the proposed charge is in fact reasonable and appropriate. As such, the Council recommends that a £10 administration fee for successful Blue Badge applicants is introduced.
- 9.50 The Council, however, recognises that 59% of respondents felt the charge would negatively affect those on “low income”. As the Blue Badge is catered specifically towards those with mobility issues, those residents with disabilities are more likely to be negatively affected by the charge. The £10 charge is a very small amount compared to the actual value of the badge and the benefits the badge provides to the holder over a three-year period. The Council, therefore, proposes to introduce a flat rate charge for all successful applicants, in line with many other Councils.

Proposal 4 Parking Bays for People with Disabilities

Proposal 4 Consultation Findings

- 9.51 The Council’s Highways Service currently provides disabled parking places outside the homes of Blue Badge holders, provided they meet the Council’s existing eligibility rules. Because disabled bays are available for use by any Blue Badge holders, in some cases the bays have not always been available to the individuals for whom they have been specifically provided. Currently there are approximately 1,000

disabled bays within the borough, of which over 90% have been provided outside residential properties. The remaining bays have been provided for general use, for example in shopping areas, in the vicinity of doctors' surgeries/libraries etc.

- 9.52 There is concern that the current criteria used in assessing applications for disabled bays is not sufficiently robust, and results in many bays being provided which may not be beneficial to either the individuals concerned or for road users in general. This concern runs in parallel to national concern about the disabled badge scheme, and the apparent abuse/misuse/fraud by motorists of the disabled badge system.
- 9.53 In terms of the criteria, it is clear that Barnet is not adequately robust both in comparison to other local authorities' or for its own purposes so changes should be made to ensure that the disabled bays in our borough are provided for the most needy.
- 9.54 Lessons can be learnt from other boroughs, and consideration given to providing designated bays or similar, as standard, in order to eliminate situations in the future where there is 'over demand' for a disabled bay in residential areas. Certainly, the main difference was that many of the authorities contacted insisted that the applicants received the higher rate mobility component of the Disability Living Allowance.
- 9.55 Providing 'designated' bays is already an established practice - 5 designated bays are currently provided in the borough – and designating a bay will ensure that it is only available for the person it was provided for.
- 9.56 Accordingly it is considered that the current criteria should be reviewed with the intention of better serving those that would most benefit from such provision by ensuring that this provision target towards the successful applicant. It is also considered that taking such steps would prevent those who are otherwise abusing the Blue Badge system from gaining further advantage in utilising the bays.
- 9.57 A change in criteria should result in less disabled bay applications being made and less applications being approved, hence ensuring the continued best use of limited resources, in both staff time, implementation and subsequent removal of the bays and the continued administration of the scheme.
- 9.58 The proposal seeks to revise the rules and that successful applicants should be provided with a 'personalised' bay for their own exclusive use. Updated rules were therefore proposed as part of the Council's consultation on door-to-door transport.

Proposal 4 Consultation Findings

- 9.59 Almost two thirds (63%) of respondents to the standard survey agreed with the proposed eligibility criteria for disabled parking bays; positive opinion towards the policy was lower among respondents to the easy read survey (39%).
- 9.60 Respondents to both surveys were again asked to give any additional comments they had about the policy. A half of those who provided an additional comment on the standard survey said that the proposal would ensure that a bay created for individuals would be available for their use (14 respondents). 37 respondents to the easy read survey provided an additional comment, with 22% (8 respondents) saying that the council needed to ensure that people who have their own bays really need them.
- 9.61 Similar to previous policies, it was residents with disabilities (51%) and residents with a low income (35%) who were most frequently identified as being negatively affected by the proposed changes. Among the 15 respondents who suggested a way to reduce the negative impact, around half (47%, 7 respondents) said that the eligibility criteria which had been suggested was too restrictive.

Proposal 4 Comment

- 9.62 Given the total number of Blue Badge holders in the borough the total number of responses to the survey can be considered low. However, where comment has been given the responses are considered to be representative and can be seen to reflect the expected outcomes inasmuch as there is an acceptance that those that are in most need of the bay provision are not getting the best value from them.
- 9.63 The bays are provided as a result of an individual offering up personal information relating to their circumstances but once successful are not guaranteed to be able to park, often meaning that the bay is practically worthless to them and they continue to suffer without adequate parking provision.
- 9.64 Concern with loss of parking provision is understandable given that non-bay holders can still currently utilise any Blue Badge bay. However, this level of concern is not considered to be particularly high in context of the overall recognition of the benefits that can be gained from introducing a more robust system, and it should also be acknowledged that applications for those currently not bay holders would still be welcomed.
- 9.65 Accordingly given what the new criteria is setting out to achieve and the general acceptance of the overall benefit to introducing a more robust fit for service scheme it is considered that the new criteria be adopted.

Proposal 5 Travel Voucher Scheme

- 9.66 Large numbers of Barnet's older and disabled residents currently benefit from concessionary travel provided by Transport for London and by London Councils through the Dial-a-Ride, Freedom Pass and Taxicard schemes. Subsidised access to public transport and taxis ensure widened access to social and recreational activity and help to redress the substantial disadvantages experienced by people with restricted mobility and financial means. Concessionary travel represents a key means for people to lead active, healthier lives for longer.
- 9.67 The Council recognised the value of concessionary travel by introducing the local Travel Voucher scheme for borough residents. This was before the development of the London-wide schemes. This local scheme offers a complex arrangement that allows residents to use taxis at reduced rates by using vouchers purchased from the Council to 'pay' participating taxi operators who are then able to redeem the vouchers and receive payment from the Council.
- 9.68 The Travel Voucher scheme offers a less flexible service for individuals and is expensive for the Council to administer. Use of the scheme is low and declining as very few new applications are now received. The door-to-door consultation therefore proposed closure of the local scheme and for current users to be assisted to apply for other schemes, outlined above.

Proposal 5 Consultation findings

- 9.69 When asked to what extent they agreed or disagreed that the Council should bring the Travel Voucher Scheme to an end, around three-tenths (29%) of respondents said they were in agreement. Contrary to this, a further 29% of respondents strongly disagreed that the Council should end the Travel Voucher Scheme, with a further 7% stating that they disagreed.
- 9.70 Respondents to the easy read survey tended to be more positive about the Council's proposal to stop the Travel Voucher Scheme, with four out of ten respondents considering the policy to be a good idea. Around a quarter (27%) of respondents thought that stopping the scheme was a bad idea and 32% said they were not sure if this policy was a good or bad idea.
- 9.71 Respondents were given the opportunity to provide further comments or suggestions, and 45 of the 121 provided a response. Among those who gave a response, around a fifth said that free vouchers were needed (20%) and that removing the Travel Voucher Scheme would have a negative impact on the quality of life (18%).

9.72 31 respondents to the easy read survey provided an additional comment about the Travel Voucher Scheme; 11 respondents (36%) said they were unaware of the Taxicard scheme and a further 5 respondents (16%) said that more general information about the Taxicard scheme is required.

Proposal 5 Comment

9.73 The findings indicate there is some resistance to the removal of the Travel Voucher scheme, however the number of respondents overall is not significant and the number of individuals adversely impacted by the removal of the scheme is also not significant. Given there are suitable alternatives, the Council recommends that the Travel Voucher scheme is ended and that those affected are contacted and supported to use alternative provision.

10. LIST OF BACKGROUND PAPERS

10.1 Consultation documents

Finance: MC/JH

Legal: HP

Full Equality Impact Assessment

APPENDIX 1 SUMMARY OF THE EQUALITY ASSESSMENTS

1.1 A full version of the Equalities Assessment can be found within the Background papers. This includes the dataset the assessments have been based on. The tables below set out a summary of the EQA.

Implement the eligibility policy for transport services funded by Adult Social Care and Health	Provide Independent Travel Training services	Implement a £10 charge for Blue Badge applications	Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities	Withdraw the Travel Voucher Scheme
Age				
<p>Overall Neutral Impact</p> <p>Older people are highly represented among transport service users due to the greater incidence of age-related mobility needs among this group. However, irrespective of age, those who are not capable of independent travel would be eligible under the proposed eligibility policy.</p>	<p>Overall Positive Impact</p> <p>Independent Travel Training would be offered to adults of all ages including older people and if successful, will enable use of alternative transport. If unsuccessful, the person would continue to be eligible for ASCH-funded transport</p>	<p>Overall Neutral Impact</p> <p>The cost of the application charge is just 6p per week for the three year period of Blue Badge validity. Although the average income of older people is lower than working age adult groups, the very low level of the proposed charge would have a negligible effect on the income.</p> <p>Charge income will enable the council to</p>	<p>Positive Impact</p> <p>Older people are highly represented among users of parking bays of people with disabilities due to the greater incidence of age-related mobility needs among this group.</p> <p>It is proposed to focus the Council's disabled bay scheme to benefitting the individuals who most need them given the nature of their disability by the provision of</p>	<p>Potential Overall Negative Impact</p> <p>There is a risk that termination of the scheme would mean that some existing users would no longer receive help with taxi costs. This is likely to disproportionately impact on older people since this group are likely to be more highly represented among Travel Voucher scheme users than other groups. It is not clear that all older people using the</p>

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p>		<p>Provide Independent Travel Training services</p>		<p>Implement a £10 charge for Blue Badge applications</p>	<p>reduce the incidence of fraudulent use of Blue Badges. Older people will benefit from the resultant greater availability of disabled parking spaces.</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>'designated' disabled bays, in order to better serve successful applicants</p> <p>The provision of 'Designated' Disabled bays will mean that the bay can only be used by the Blue Badge holder they are provided for and will reduce misuse and abuse of the disabled parking bay system.</p>	<p>Withdraw the Travel Voucher Scheme</p>	<p>Travel Voucher scheme will necessarily be eligible to use London Councils' Taxi Card scheme. In addition, although the two schemes are similar, some Travel Voucher scheme users have pointed to differences that would make the Taxi Card scheme less helpful to their particular requirements</p>
Gender									
<p>Overall Neutral Impact</p> <p>Women are more highly represented among transport users as a result of greater life expectancy. Irrespective of gender those who are not capable of</p>	<p>Overall Positive Impact</p> <p>(Independent Travel Training would be offered irrespective of gender and if successful, will enable use of alternative transport. If unsuccessful, the person</p>	<p>Overall Neutral Impact</p> <p>Although no data is available concerning the gender of Blue Badge applicants, women are likely to be highly represented. Women are also more likely to have</p>	<p>Overall Positive impact</p> <p>Although no data is available concerning the gender of parking bay applicants, women are likely to be highly represented.</p>	<p>Potential Overall Negative Impact</p> <p>Although no data is available concerning the gender of scheme users, it is likely that women are highly represented and consequently would</p>					

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p> <p>independent travel would be eligible under the proposed eligibility policy</p>	<p>Provide Independent Travel Training services</p> <p>would continue to be eligible for ASCH-funded transport reasons as above under Age)</p>	<p>Implement a £10 charge for Blue Badge applications</p> <p>lower average income. Nevertheless, the overall effect is unlikely to be significant in view the low level of the proposed charge is considered</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p> <p>The provision of 'Designated' Disabled bays will mean that the bay can only be used by the Blue Badge holder they are provided for and will reduce misuse and abuse of the disabled parking bay system.</p>	<p>Withdraw the Travel Voucher Scheme</p> <p>be disproportionately affected as compared with other groups</p>
Ethnicity				
<p>Overall Neutral Impact</p> <p>The impact on this equality strand will be proportionate. As the number of day centre users from BME populations is low, the impact of the eligibility policy will also be low.</p> <p>Cultural and language requirements must be met during the assessment process.</p>	<p>Overall Positive Impact</p> <p>Training provided in a manner sensitive to individuals' cultural will have a positive effect.</p>	<p>Overall Neutral Impact</p> <p>Minority ethnic groups experience lower income but the overall effect is unlikely to be significant in view the low level of the proposed charge is considered</p>	<p>Potential Overall Neutral Impact</p> <p>No data is available concerning the ethnicity of scheme users but there is no reason to consider that those from minority populations would be disproportionately affected</p>	<p>Potential Overall Neutral Impact</p> <p>No data is available concerning the ethnicity of scheme users but there is no reason to consider that those from minority populations would be disproportionately affected</p>

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p>	<p>Provide Independent Travel Training services</p>	<p>Implement a £10 charge for Blue Badge applications</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>Withdraw the Travel Voucher Scheme</p>
<p>Disability</p>				
<p>Overall Neutral Impact The proposed policy is exclusively concerned with people with mobility needs. Its effect would be to remove eligibility from those able to make independent travel arrangements. There would consequently be no disbenefit since individuals would either remain eligible for council-funded services or would be able to make use of alternative travel options</p>	<p>Overall Positive Impact The effect of the proposal would be beneficial for disabled people with mobility needs since Independent Travel Training provision would enable individuals to travel as independently as possible</p>	<p>Overall Neutral Impact Blue Badges are exclusively intended for people with mobility needs and application arrangements will therefore directly affect disabled populations. Although disabled people receive lower average income than non-disabled groups, the overall effect is unlikely to be significant in view of the low level of the proposed charge is considered</p>	<p>Positive Impact Older people are highly represented among users of parking bays of people with disabilities due to the greater incidence of age-related mobility needs among this group. It is proposed to focus the Council's disabled bay scheme to benefitting the individuals who most need them given the nature of their disability by the provision of 'designated' disabled bays, in order to better serve successful applicants</p>	<p>Potential Overall Negative Impact There is a risk that termination of the scheme would mean that some existing users would no longer receive help with taxi costs. This is likely to disproportionately impact on disabled people since this group are likely to be more highly represented among Travel Voucher scheme users than other groups. It is not clear that all disabled people using the Travel Voucher scheme will necessarily be eligible to use London Councils' Taxi Card scheme. In</p>

Implement the eligibility policy for transport services funded by Adult Social Care and Health	Provide Independent Travel Training services	Implement a £10 charge for Blue Badge applications	Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities	Withdraw the Travel Voucher Scheme
			The provision of 'Designated' Disabled bays will mean that the bay can only be used by the Blue Badge holder they are provided for and will reduce misuse and abuse of the disabled parking bay system.	addition, although the two schemes are similar, some Travel Voucher scheme users have pointed to differences that would make the Taxi Card scheme less helpful to their particular requirements
Religion or belief				
Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact
Sexual orientation				
Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact	Overall Neutral Impact
Low Income				
Possible negative effect	Overall Positive Impact	Overall Neutral Impact	Overall Neutral Impact	Potential Overall Negative Impact
The effect of the proposed policy would be to remove eligibility from those able to make	The effect of the proposal would be beneficial for people on lower incomes since Independent Travel	The cost of the application charge is just 6p per week for the three-year period of Blue Badge validity. As stated	There is no proposed charge for the scheme	There is a risk that termination of the scheme would mean that some existing users

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p>	<p>independent travel arrangements. Some of these independent travel arrangements may have a financial implication for the individual or their carer, for example petrol costs where an individual had a mobility care. Whilst there will not be a means test as part of the eligibility assessment it does consider a person's access to existing transport. This implicitly will include consideration of free alternatives (such as Freedom Pass) or personal assets (such as Mobility Car). Whilst an individual may lose their entitlement to council funded bus transfer dis-benefits should be minimised since individuals who are not eligible for council-</p>	<p>Provide Independent Travel Training services</p>	<p>Training provision would enable individuals to travel as independently as possible on low cost options such as public transport.</p>	<p>Implement a £10 charge for Blue Badge applications</p>	<p>above whilst older people and people with disabilities experience lower income the very low level of the proposed charge would have a negligible effect on the income.</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>		<p>Withdraw the Travel Voucher Scheme</p>	<p>would no longer receive help with taxi costs. This is likely to disproportionately impact on people with lower incomes since this group are likely to be more reliant on the support from Travel Voucher scheme users than other groups. It is not clear that all people using the Travel Voucher scheme will necessarily be eligible to use London Councils' Taxi Card scheme. In addition, although the two schemes are similar, some Travel Voucher scheme users have pointed to differences that would make the Taxi Card scheme less helpful to their particular requirements</p>
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<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p>	<p>Provide Independent Travel Training services</p>	<p>Implement a £10 charge for Blue Badge applications</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>Withdraw the Travel Voucher Scheme</p>
<p>funded services would be able to make use of alternative travel options</p>				
<p>Carers- discriminated by association</p>				
<p>Potential Overall Negative Impact</p> <p>The effect of the proposed policy would be to remove eligibility from those able to make independent travel arrangements. Some of these independent travel arrangements may have an implication for carers, for example where someone has a mobility vehicle of which they are not normally the driver themselves. This would consider whether it is reasonable to expect that the service user will use that vehicle in order to travel to the location</p>	<p>Overall Positive Impact</p> <p>The effect of the proposal would be beneficial for people on lower incomes since Independent Travel Training provision would enable individuals to travel as independently as possible reducing their reliance on carers</p>	<p>Overall Neutral Impact</p> <p>The cost of the application charge is just 6p per week for the three-year period of Blue Badge validity. The very low level of the proposed charge would have a negligible effect on the family income.</p>	<p>Potential Overall Negative Impact</p> <p>Applicants often ask for a disabled bay to be specifically designed to them, therefore the satisfaction of the new disabled parking bay owners is likely to be increase as other Blue Badge Holders would not be able to use their bay as they currently do.</p> <p>However, the satisfaction of other Blue Badge holders (who may be carers) may theoretically be reduced, as they will not be entitled to use the new</p>	<p>Overall Neutral Impact</p> <p>There is a risk that termination of the scheme would mean that some existing users would no longer receive help with taxi costs. This could increase the contributions that families and carers need to make. It is not clear that all people using the Travel Voucher scheme will necessarily be eligible to use London Councils' Taxi Card scheme. In addition, although the two schemes are similar, some Travel Voucher scheme users have</p>

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p> <p>of the care service/activity. Whilst an individual may lose their entitlement to council funded bus, transfer dis-benefits should be minimised, as there will be an assessment to establish whether the carer can reasonably provider this support.</p>		<p>Provide Independent Travel Training services</p>		<p>Implement a £10 charge for Blue Badge applications</p>		<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>bays. It should be noted that it is not proposed to make any retrospective changes to the designation of the existing bays in the borough therefore any new bays provided under a new criteria would be for a facility that disabled badge holders do not currently have access to as none exists.</p>	<p>Withdraw the Travel Voucher Scheme</p>	<p>pointed to differences that would make the Taxi Card scheme less helpful to their particular requirements</p>
<p>What action has been taken already to mitigate any negative impact?</p>									
<p>The current policy for the provision of local councils' Adult Social Care services is aimed at promoting the maximum possible independence for the person who uses social care services. In extending this principle to councils' provision of transport services, this</p>	<p>Provision of Independent Travel Training will mitigate negative impacts of introduction of criteria for other transport alternatives.</p> <p>There is a substantial national body of good practice and</p>	<p>The cost of the application charge has been kept low at just 6p per week for the three year period of Blue Badge validity to reduce the negligible effect on the family income.</p>	<p>The proposal is to better serve those who are most in need of a disabled bay, and to minimise the risk of misuse and abuse of the system, Updated rules were therefore proposed as part of the Council's consultation on door-to-door transport</p>	<p>Large numbers of Barnet's older and disabled residents currently benefit from concessionary travel provided by Transport for London and by London Councils through the Dial-a-Ride, Freedom Pass and Taxicard schemes. Subsidised access to</p>					

<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p> <p>proposed policy sets the criteria that will be used to assess when the service user's transport needs can be met best through independent travel arrangements or whether council-provided transport services continue to be necessary.</p> <p>The eligibility criteria have been designed to consider a range of factors to ensure a reasonable outcome for individuals.</p> <p>Implementation of this eligibility policy will be well planned and closely monitored to ensure fair application of the principles.</p>	<p>Provide Independent Travel Training services</p> <p>innovatory projects demonstrating the benefits of Independent Travel Training for learners, carers and statutory agencies. This has been summarised in the Department for Transport's publication, Travel Training - Good Practice Guidance (2011) and included in the body of the report at 9.29.</p>	<p>Implement a £10 charge for Blue Badge applications</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>Withdraw the Travel Voucher Scheme</p> <p>public transport and taxis ensure widened access to social and recreational activity and help to redress the substantial disadvantages experienced by people with restricted mobility and financial means.</p> <p>Concessionary travel represents a key means for people to lead active, healthier lives for longer.</p> <p>The Council recognised the value of concessionary travel by introducing the local Travel Voucher scheme for borough residents. This was before the development of the London-wide schemes.</p> <p>The Travel Voucher scheme offers a less</p>
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<p>Implement the eligibility policy for transport services funded by Adult Social Care and Health</p>		<p>Implement a £10 charge for Blue Badge applications</p>	<p>Implement revised eligibility criteria for the provision of personal parking bays for people with disabilities</p>	<p>Withdraw the Travel Voucher Scheme</p>
<p>flexible service for individuals and is expensive for the Council to administer. Use of the scheme is low and declining as very few new applications are now received. It is hoped that use of the London wide Taxicard scheme will mitigate the negative impact of the loss of the Travel Voucher Scheme.</p>				

1.2 Response to the Corporate Equality questions

a. Are there differential service outcomes for different communities? If so, what measures will be put in place to redress these differences?				
Change policy about who qualifies for transport provided by ASCH	Provide travel training	Introduce charge for Blue Badge applications	Change eligibility criteria for parking bays for people with disabilities	Withdraw Travel Voucher Scheme
A few existing users may be affected, i.e. those with alternative travel options or who have sufficient mobility and related capacity to safely use mainstream transport. However, this scheme is aimed at those people without the above facilities.	No as the benefits of Independent Travel Training for learners, carers and statutory agencies are well documented.	Although it has been said that this scheme may affect those on a low income, the cost of the badge which is valid for three years, works out at 6p per week.	This proposal seeks to better serve those who are most in need of a disabled bay, and to minimise the risk of misuse and abuse of the system.	No specific benefits have been identified in its retention and alternative options are available.
b. What will be the impact of the delivery of any proposed new services or functions on satisfaction ratings amongst different groups of residents'?				
Change policy about who qualifies for transport provided by ASCH	Provide travel training	Introduce charge for Blue Badge applications	Change eligibility criteria for parking bays for people with disabilities	Withdraw Travel Voucher Scheme
Dissatisfaction with the new proposals amongst current service users is estimated to be low due to the numbers who will qualify under the new	Satisfaction ratings are expected to increase with the implementation and greater publicity around this initiative.	The issuing fee is applicable to all sectors of the local community, and so treats all sectors equally.	The introduction of the Desk Based Assessment aims to increase overall customer satisfaction. This will be a result of	There may be dissatisfaction among the community as it seems people were not aware of the existence of this scheme. This can

eligibility criteria.				the improvements in the time taken to process applications.	be countered by advertising more widely the other alternatives available.
c. Does the proposal enhance Barnet's reputation as a good place to work and live?					
Change policy about who qualifies for transport provided by ASCH	Provide travel training	Introduce charge for Blue Badge applications	Change eligibility criteria for parking bays for people with disabilities	Withdraw Travel Voucher Scheme	
The council has redeployed savings made to its transport fleet to purchase London Emission Zone compliant vehicles.	Travel training to achieve more independent but safe travel was seen as a good initiative.	It is to be expected that there will be concern regarding the charge from existing (and new) Blue Badge applicants. However, comparatively, the potential gain for the badge holder still represents very good value for money.	This initiative is to minimise the abuse of the current system.	Impact of its removal will be negligible as its use is in decline.	
d. Will members of Barnet's diverse communities feel more confident about the council and the manner in which it conducts its business?					
Change policy about who qualifies for transport provided by ASCH	Provide travel training	Introduce charge for Blue Badge applications	Change eligibility criteria for parking bays for people with disabilities	Withdraw Travel Voucher Scheme	
The policy should be administered taking into account people's language and cultural needs as well as easily	The policy should be administered taking into account people's language and cultural needs as well as easily	The policy should be administered taking into account people's language and cultural needs as well as easily	The policy should be administered taking into account people's language and cultural needs as well as easily	The policy should be administered taking into account people's language and cultural needs as well as easily	

understood information for those with learning disabilities when carrying out the eligibility assessment.	understood information for those with learning disabilities when carrying out the training	understood information for those with learning disabilities when carrying out desk based assessments.	understood information for those with learning disabilities when carrying out eligibility assessments.	understood information for those with learning disabilities when informing people about the withdrawal of the scheme.
e. How will the new proposals enable the council to promote good relations between different communities?				
Change policy about who qualifies for transport provided by ASCH	Provide travel training	Introduce charge for Blue Badge applications	Change eligibility criteria for parking bays for people with disabilities	Withdraw Travel Voucher Scheme
As in (a), (b) and (c) above	As in (a), (b) and (c) above	As in (a), (b) and (c) above	As in (a), (b) and (c) above	As in (a), (b) and (c) above
f) How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal?				
<p>The Council commenced public consultation on May 14th 2012 and the consultation period ended on 6th August 2012. In line with legal advice and practical considerations, the three-month period has been adopted as the norm for consultations with ASCH clients and other vulnerable people concerning social care and support services. Printed consultation documents and questionnaires in standard and easy read formats were sent and residents also had the opportunity to complete the survey online.</p> <p>In total 265 surveys were completed, among which there were 121 standard surveys (of which 44 were completed online) and 144 easy read alternatives.</p> <ul style="list-style-type: none"> • Almost 60% of respondents were aged 55 or over, and only 10% were aged under 35; • Numbers of male and female respondents were roughly equal; • Three-quarters of respondents identified themselves as having one or more disabilities, of whom one half reported reduced mobility and one-quarter said they had learning difficulties; • One-quarter of respondents recorded their ethnicity as other than White or White British, roughly equivalent to the overall proportion of Barnet's adult population but relatively high given the preponderance of older people among the respondent 				

group.

The analysis of the responses is reported at Appendix 2, and summaries are included in the following sections concerned with each of the proposals of the consultation documents. The Equality analysis outcome is to make no major change the EqA demonstrates that the policy is robust and that the evidence shows no potential for discrimination and that all opportunities to promote equality have been taken. All feedback is noted and recorded and will be used to ensure that communication about implementation addresses the anxieties raised.

In addition, service users were invited to attend a total of ten meetings held at a range of locations during the day and evening. Presentations were also made to the Learning Disabilities Partnership Board and the a summary of the feedback received at these meetings is at Appendix 3

1.3 Decision

Decision and comments; addressing the impact			
Decision on impact			
No Impact <input type="checkbox"/>	Positive Impact <input checked="" type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Not Known <input type="checkbox"/>
The outcome of the assessments undertaken on the impact of the proposals on the various equality groups is that there will be, in general a positive impact.			

Options for consideration

Having considered the potential or actual impacts the council has made an informed judgment on the following four possible options:

Option 1: No major change the EqA demonstrates that the policy is

robust and that the evidence shows no potential for discrimination and that all opportunities to promote equality have been taken	
Option 2: Adjust the policy to remove barriers or better promote equality	
Option 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality	
Option 4: Stop and remove the policy – if the policy shows actual or potential unlawful discrimination it must be stopped and removed or changed	

Comment on decision

It is proposed that the council continues with its proposals as outlined but ensuring the issues highlighted above are addressed.

The assessments above have been undertaken with the primary consideration of the council's duty to have 'due regard' to the need to promote equality. The decision has balanced the potential negative impact of the withdrawal of the Travel Voucher scheme. Additionally, the responses from the consultation on whether people thought the proposals would produce a negative impact to the various equality strands, the majority thought that this would not be the case. Whilst this question was a subjective one, in that people's opinions were sought on equality strands that they themselves may not belong to, it gave an opportunity for people completing the questionnaire to think about how these proposals may impact on others.

1.4 Equality Action Plan

Equality Objective	Action
Access, promotion / publicity	Access to any information services should be made simple and clear to cater for existing and potential service users Any new service will need to take into account language barriers, cultural requirements as needs of people with

	learning disabilities.
Milestones for Implementation	<ul style="list-style-type: none"> • Amend existing assessment tools or create new; produce staff guidance; define monitoring requirements; briefing/train assessment staff • Complete assessments of current transport users as part of annual review of support plan • Commence new client assessments as part of standard care planning processes • Agree service and referral arrangements for independent travel training with contractors, and implement referrals
	<p>The Council's development of Barnet Centre Independent Living has been identified as an example of good practice by the ODI in supporting disabled and older people to be aware of the choices and options that are available to them. This work will be taken forward during 2013 through the procurement of further contracts for information, advice and support planning provision including Later Life Planners for older people.</p>
	<p>Currently operated by the Council's Customer Services, the Blue Badge application function currently serving almost 20,000 Barnet residents, will be undertaken as part of the NSCSO contract expected to commence on 1 April 2013.</p>
	<p>The rules should be revised, and that successful applicants should be provided with a 'personalised' bay for their own exclusive use.</p>
	<p>Use of the scheme has reduced and very few new applications are now received, almost certainly reflecting customer preferences for the other available options.</p>
	<p>Advertise the scheme to make users and non-users aware of the scheme and its eligibility criteria; assessments to be done taking into account language, cultural issues and the needs of people with learning disabilities. Referral arrangements to include necessary equalities</p>
	<p>Ensure BCIL and Later Life Planners are aware of transport options</p>
	<p>Normal equalities contractual requirements to be taken into account</p>
	<p>Equalities issues as identified to be included in the assessment process.</p>
	<p>Advertise other options for door to door travel ensuring easy-read options available.</p>

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'Door to Door Transport for Vulnerable Adults' Consultation

On behalf of Barnet Borough Council



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Draft Report
August 2012

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1.0 Introduction

Background

Barnet Borough Council is proposing changes to transport services for residents with mobility problems; the Council perceives these changes to be necessary to modernise transport services as well as making them fairer in the future.

Service users are being given greater choice and control over the support they receive and at present residents with mobility problems are offered a range of different kinds of support with transport. This variety can be confusing as residents are required to apply in different ways and there is no standard criterion for qualification. The greater choice and control has also increased the importance of providing support which is tailored to the needs of the individual.

In addition changes are also necessary as increased demand and decreased budget mean that it is important for the Council to ensure they are making the best use of the resources available.

To address the changes required, Barnet Borough Council is proposing five new policies relating to door to door transport:

- **Proposal one:** To change the Council's Policy about who qualifies for support with transport provided by Adult Social Care and Health
- **Proposal two:** To provide travel training to individuals to support them to travel independently
- **Proposal three:** To introduce a charge of £10 for applications for a Blue Badge parking permit
- **Proposal four:** To change the eligibility criteria for providing parking bays for people with disabilities
- **Proposal five:** To withdraw the Council's Travel Voucher Scheme

Consultation Aims

The Council consulted with older people, people with learning disabilities, and people with physical and sensory impairments to gather opinions on the proposed changes to door to door transportation. The consultation also aimed to discover the reasons driving these opinions.

2.0 Methodology/ Sample

A questionnaire was designed by officers at London Borough of Barnet, and was used to gather opinion on proposed changes to door to door transport services. In addition to the standard questionnaire, an easy read version of the consultation document was also created.

The Council commenced consultation on May 14th 2012 and the consultation period ended on 6th August 2012. Printed consultation documents and questionnaires were sent and residents also had the opportunity to complete the survey online. Some individuals who received transport services from Adult Social Care and Health also were invited to attend consultation meetings.

In total 265 surveys were completed, among which there were 121 standard surveys (of which 44 were completed online) and 144 easy read alternatives.

The breakdown of the sample is as follows:

Gender	Standard		Easy read	
	Number	%	Number	%
Male	36	29.8	62	43.1
Female	33	27.3	78	54.2
No response	52	43.0	4	2.8

Age	Standard		Easy read	
	Number	%	Number	%
Under 18	0	0.0	0	6.3
18 – 24	0	0.0	9	10.4
25 – 34	3	2.5	15	11.8
35 – 44	7	5.8	17	16.7
45 - 54	13	10.7	24	13.9
55 – 64	11	9.1	20	10.4
65 – 74	16	13.2	15	27.8
74 and over	52	43.0	40	2.8
No response	19	15.7	4	6.3

Disability	Standard		Easy read	
	Number	%	Number	%
Yes	76	62.8	122	84.7
No	22	18.2	11	7.6
No response	23	19.0	11	7.6

Is yes, type of disability	Standard		Easy read	
	Number	%	Number	%
Mobility	61	78.2	77	63.1
Reduced physical capacity	37	47.4	39	32.0
Vision	22	28.2	24	19.7
Physical coordination	18	23.1	29	23.8
Hearing	17	21.8	21	17.2
Speech	10	12.8	52	42.6
Learning difficulties	7	9.0	58	47.5
Mental illness	6	7.7	11	9.0
Sever disfigurement	3	3.8	2	1.6
Other	3	3.8	18	14.8

Ethnicity	Standard		Easy read	
	Number	%	Number	%
White or White British	73	60.3	92	63.9
Asian or Asian British	15	12.4	31	21.5
Black or Black British	7	5.8	3	2.1
Mixed	3	2.5	6	4.2
Other ethnic group	2	1.7	4	2.8
No response	21	17.4	8	5.6

Sexuality	Standard		Easy read	
	Number	%	Number	%
Heterosexual	77	63.6	81	56.3
Bisexual	0	0.0	4	2.8
Gay	0	0.0	0	0.0
Lesbian	0	0.0	0	0.0
Other	0	0.0	0	0.0
Prefer not to say	14	11.6	31	21.5
No response	30	24.8	28	19.4

Religion	Standard		Easy read	
	Number	%	Number	%
Christian	43	45.7	70	53.0
Jewish	13	13.8	16	12.1
Hindu	8	8.5	9	6.8
Prefer not to say	8	8.5	9	6.8
No religion	7	7.4	5	3.8
Muslim	4	4.3	12	9.1
Agnostic	4	4.3	0	0.0
Atheist	4	4.3	3	2.3
Other	2	2.1	0	0.0
Humanist	1	1.1	0	0.0
Buddhist	0	0.0	6	4.5
Jain	0	0.0	0	0.0
Baha'i	0	0.0	0	0.0
Sikh	0	0.0	2	1.5

Respondents to the standard survey were also asked the capacity in which they were completing the questionnaire:

Respondent	Number	%
I use the door to door transport services	50	50.5
I am a relative , carer or friend of someone who uses the door to door transport services	35	35.4
I am replying on behalf of an organisation	3	3.0
I am interested in changes to door to door transport for other reasons	2	2.0
I do voluntary work with people with mobility problems in Barnet	1	1.0
My job involves work with people with mobility problems in Barnet	0	0.0

Due to rounding and multiple responses to some questions, figures may not always add up to 100%. In addition to this tables in the report display the responses given most frequently. A complete list of all percentages and responses can be found in the appendices.

The data in this report has not been weighted.

3.0 Summary

Policy One: Eligibility for Transport provided by the Council's Adult Social Care and Health

Around a third (32%) of respondents to the standard survey expressed agreement for the policy regarding eligibility to travel; 24% of respondents to the easy read survey considered the policy to be a good idea.

When asked to give feedback on the policy, 20 respondents to the standard survey said the proposals would have a negative impact on the vulnerable and elderly. Respondents to the easy read survey also expressed concerns that the current service is vital to people whose condition(s) make independent travel unsafe (27 respondents) and the new service may be too expensive (13 respondents).

Respondents indicated that the policy on Eligibility for Transport was most likely to have a negative impact on people with disabilities (80%) and those with a low income (66%). When asked how the Council could improve the negative impact the policy may have on these and other groups within the community, respondents most frequently suggested continuing with the current policy.

Policy Two: Independent Travel Training

Around half (47%) of standard survey respondents considered it to be important that the Council commissioned Independent Travel Training, while 38% of respondents to the easy read survey said that this was the case.

When asked to give any additional comments, respondents to both the standard and easy read survey said that this type of training would be beneficial (20 respondents to the standard survey, 9 respondents to the easy read survey).

Policy Three: A Fair Price

After reading the information on why the Council were suggesting a £10 charge for those applying for a Blue Badge, almost two thirds (63%) of respondents to the standard survey agreed that introducing these charges would be fair and around half (51%) of respondents to the easy read survey felt that the charge was a good idea.

Around three fifths of respondents said the charge would negatively affect those with a low income (61%) and those with disabilities (58%). Among the 20 respondents who gave a suggestion on how negative impacts of the policy could be improved, 60% (12 respondents) said that blue badges should be free to those on low incomes.

Policy Four: Parking Bays for People with Disabilities

Almost two thirds (63%) of respondents to the standard survey agreed with the proposed eligibility criteria for disabled parking bays; positive opinion towards the policy was lower among respondents to the easy read survey (39%).

Respondents to both surveys were again asked to give any additional comments they had about the policy. A half of those who provided an additional comment on the standard survey said that the proposal would ensure that a bay created for individuals would be available for their use (14 respondents). 37 respondents to the easy read survey provided an additional comment, with 22% (8 respondents) saying that the council needed to ensure that people who have their own bays really need them.

Similar to previous policies, it was residents with disabilities (51%) and residents with a low income (35%) who were most frequently identified as being negatively affected by the proposed changes. Among the 15 respondents who suggested a way to reduce the negative impact, around half (47%, 7 respondents) said that the eligibility criteria which had been suggested was too restrictive.

Policy Five: Travel Voucher Scheme

When asked to what extent they agreed or disagreed that the Council should end the Travel Voucher Scheme, around three tenths (29%) of respondents to the standard survey said they were in agreement. Four out of ten respondents to the easy read survey considered this policy to be a good idea.

Among the 48 standard survey respondents who gave an additional comment about the policy, around a fifth said that free vouchers were needed (20%) and that removing the Travel Voucher Scheme would have a negative impact on the quality of life (18%).

31 respondents to the easy read survey provided an additional comment about the Travel Voucher Scheme; 11 respondents (36%) said they were unaware of the Taxicard scheme and a further 5 respondents (16%) said that more general information about the Taxicard scheme is needed.

Consistent with previous questions, when respondents were asked who, if anyone, would be negatively affected by the withdrawal of the Travel Voucher Scheme, residents with disabilities (57%) and those with a low income (54%) were identified most frequently.

When asked how negative impacts could be improved 15 out of the 23 respondents who provided an answer said that the Council should continue to provide vouchers after the income assessment.

Travel information

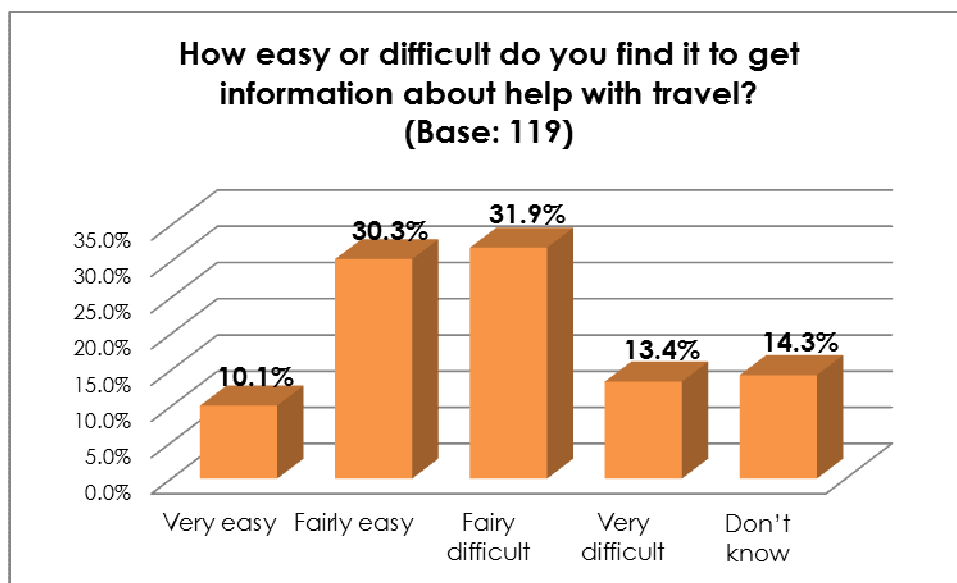
Two fifths of respondents said finding information about help with travel was easy however, 45% of respondents reported difficulties with finding this type of information.

4.0 Results

4.1 Travel Information

Prior to considering the proposed changes, respondents to the standard survey were asked how easy it was for them to find information regarding help with travel. Of the 121 respondents to the survey, 119 provided an answer to this question.

Two fifths of respondents said finding information about help with travel was easy, with 10% of respondents saying that they found it very easy. Almost half (45%) of respondents reported difficulties with finding information about help with travel.



When asked to give reasons for the ease of finding information 16 respondents said that the information was not easy to understand, 11 respondents said such information was easy to obtain and 8 respondents said their response was a result of there being no single person / place to provide information.

4.2 Policy One: Eligibility for Transport

Barnet Borough Council, in association with other local authorities in the West London Alliance, is creating a uniform policy on eligibility for transport.

The policy aims to promote the independence of people using social care services, and assumes that if unless assessment shows that it is not possible, the users of social care services will travel independently to care provisions.

Individuals who are eligible to assistance will receive the cost of the transport as part of their service package. The assessment of eligibility for the provision of assistance with transport and the identification of appropriate transport will consist of four stages:

Stage 1 - Access to existing transport

Clients will not usually be eligible for assistance if they have a mobility vehicle which they either drive themselves or have access to but not as the normal driver; have a Freedom Pass; or receive the mobility component of Disability Living Allowance (if they can meet the cost of travel and have been assessed as capable of independent travel).

Stage 2 – Assessment of mobility

Based on an assessment of their mobility service users will be categorised as having no mobility problems, limited mobility problems or high / complex mobility problems.

Stage 3 – Assessment of ability to travel independently

The assessment considers physical and social reasons that enable or prevent the service user from travelling independently. Users will be categorised as being capable of travel (either with or without training, and at the time of assessment or in the near future) or incapable of such travel.

The first three stages will assess the eligibility to some form of assistance, and the level of assistance that the individual is entitled to. Respondents who are eligible to some form of assistance are given assistance through stage four:

Stage 4 – Identification of appropriate transport

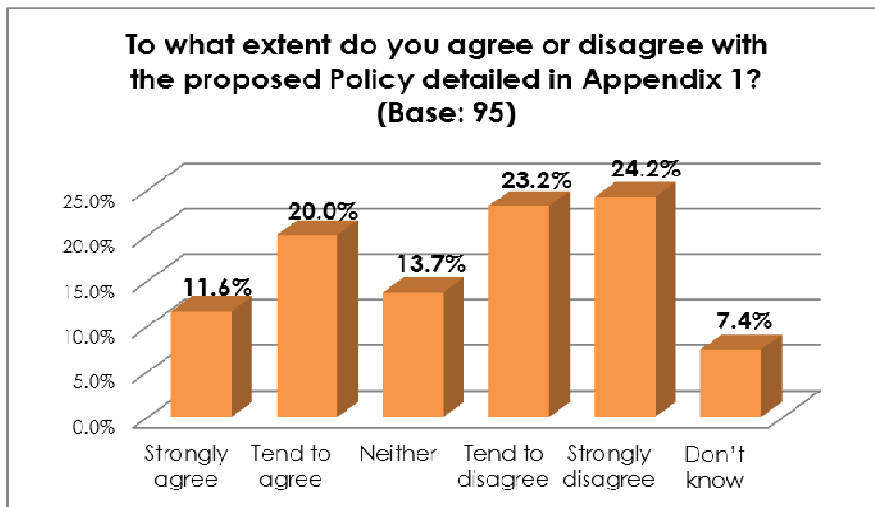
Adult Social Care Services will make appropriate arrangements for transport however, directly provided transport services will only be provided when it is not possible for public / shared transport to be used.

4.2.1 Agreement with the Policy

Standard Survey

Around a third (32%) of respondents to the standard survey agreed with the policy regarding eligibility to travel, however almost half (47%) of respondents disagreed with the policy outlined. A significant proportion of respondents said that they neither agreed nor disagreed (14%) or did not know their level of agreement (7%).

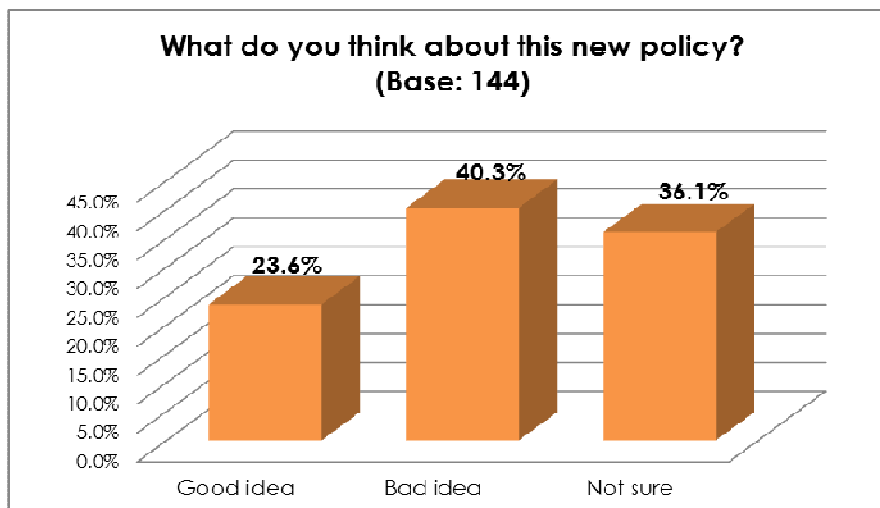
Among the 121 respondents to the standard survey 95 provided an answer to this question, meaning 26 did not.



Easy Read Survey

Those who felt the policy was a good idea was lower among respondents to the easy read survey (24%), however viewing the policy as a bad idea was also lower among respondents to the easy read survey (40%). More than a third (36%) of respondents said that they were not sure how they felt about the policy regarding eligibility for transport.

All respondents to the easy read survey provided an answer to this question.



4.2.2 Additional Comments about the Policy

Standard

Among the 43 respondents who provided additional comments about the policy, 20 (47%) said that the policy would have a negative impact on the vulnerable and the elderly. Other frequently given responses included: *I rely on the bus service to be able to get out of the house* (8 respondents, 19%), *worried those wishing to use council transport will not be eligible because of cost cutting measures* (6 respondents, 14%), and *it should be based on personal circumstances and requirements* (6 respondents, 14%).

Please give reasons for your answer or provide further comments or suggestions about improvements (Base: 43)		
Response	Number	Percentage
Will have a negative impact on the vulnerable and elderly	20	46.5
Rely on the bus service to be able to get out of the house	8	18.6
Worried those wishing to use council transport will not be eligible because of cost cutting measures	6	14.0
It should be based on personal circumstances and requirements	6	14.0
Not easy to understand	4	9.3
We need the travel vouchers	3	7.0
Does not take into account evening activities	1	2.3
It will offer an improved service	1	2.3
Agree with proposal	1	2.3

Easy Read

Respondents to the easy read survey were also invited to give any additional comments they had about the policy. Around half of the 53 respondents who gave an additional response said that the service was vital for people whose conditions made independent travel unsafe (27 respondents, 51%); a further 8 respondents (15%) said that the taxi service was essential.

Anything you want to say (Base: 53)		
Response	Number	Percentage
Vital service to a lot of people who have numerous conditions which make independent travel unsafe	27	50.9
Fear it will be too expensive	13	24.5
Will cause anxiety	9	17.0
The taxi service is essential	8	15.1
As long as the individual needs are catered for	7	13.2
Need to be clear about charges	6	11.3

4.2.3 Impact of the Policy

Respondents were asked if they felt the proposed Eligibility for Transport policy would have a negative impact on various groups within the community. More than half of respondents felt the policy would have a negative impact on those with a low income (66%), and eight out of ten said it would negatively affect people who had a disability. Few respondents felt that the proposed policy would have a negative impact on people who are bisexual, homosexual or transsexual (8%) or those with particular religious beliefs (7%).

Do you think that the policy on Eligibility for Transport would have a <u>negative</u> impact on any of the groups below? (Number of respondents are shown in brackets)			
Response	Yes	No	Don't Know
People with disabilities	80.4% (78)	10.3% (10)	9.3% (9)
People with low income	66.3% (61)	20.7% (19)	13.0% (12)
Women	34.1% (30)	36.4% (32)	29.5% (26)
Men	29.5% (26)	38.6% (34)	31.8% (28)
People from ethnic minority groups	22.8% (21)	37.0% (34)	40.2% (37)
People who are bisexual, homosexual or transsexual	8.0% (7)	46.6% (41)	45.5% (40)
People with particular religious beliefs	7.0% (6)	55.8% (48)	37.2% (32)

4.2.4 Improving Negative Impacts

Respondents were asked for any ideas they may have on improving negative impacts to specific groups; 34 respondents gave a suggestion meaning the majority (87) did not.

Among those who did make a suggestion for reducing negative impacts, 12 said that Barnet Borough Council should continue with the current policy and 11 felt that the proposed policy would have a negative financial impact.

If you think there will be a negative impact on any of the groups above, do you have any ideas about what could be done to improve this? (Base: 34)		
Response	Number	Percentage
Continue with the current policy	12	35.3
It would have a negative financial impact	11	32.4
Barnet Council is using this exercise as another means of cost cutting	6	17.6
Use flexible criteria when making assessments	5	14.7
Would cause anxiety for some	4	11.8
It is not clear what is available	2	5.9
Don't know	1	2.9

4.3 Policy Two: Independent Travel Training

As part of the Council's aim to promote independence, independent travel training is provided by voluntary organisations. The training helps to support people who lack the skills, confidence or ability to undertake a journey by public transport independently. The voluntary services can also deploy volunteers to provide a buddy service for those who require a companion when using public transport.

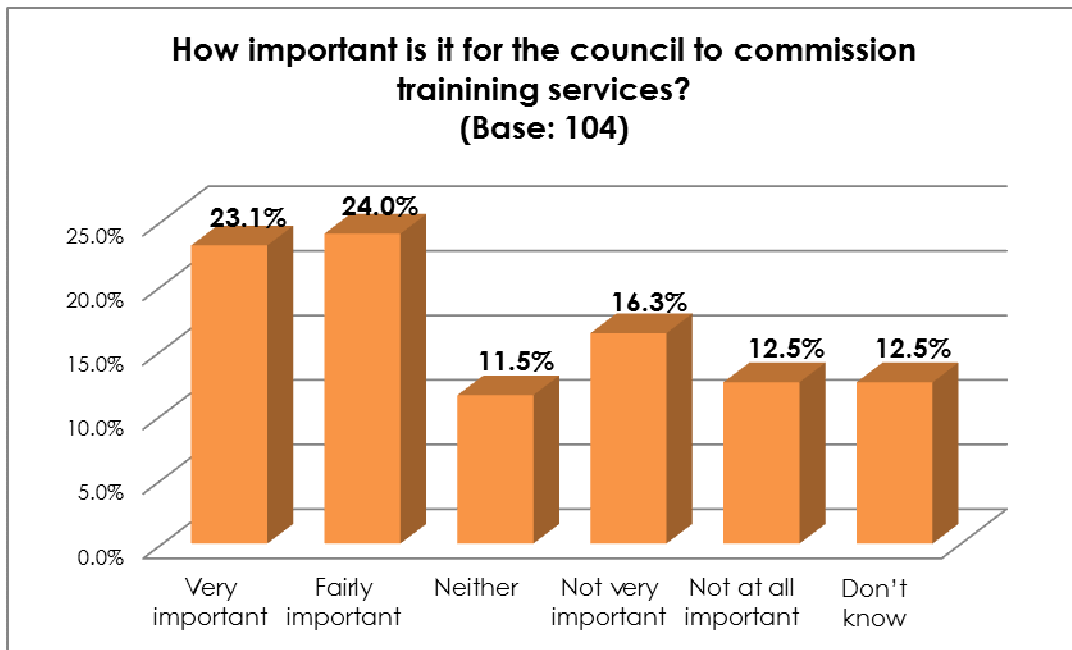
4.3.1 Importance of the Policy

Standard

Respondents were asked how important they felt it was that the council commissioned trainings services which would promote independent travel and reduce the dependency on social services transport.

Almost a quarter (23%) of respondents said that it was very important for the council to commission such training and a further 24% said it was something which was fairly important. Only 13% of respondents said it was not at all important that the council commissioned independent travel training.

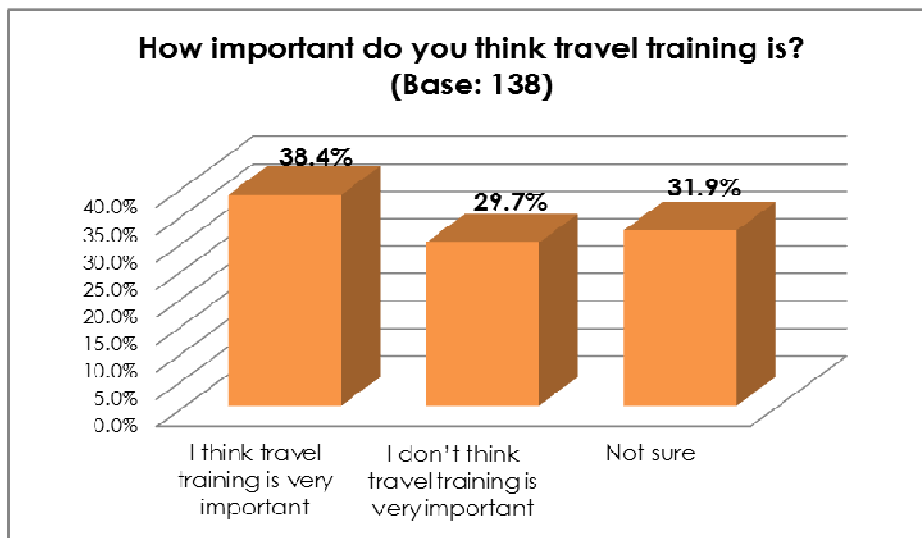
Among the 121 respondents to the standard survey, 104 provided an answer to this question.



Easy Read

Although still high, agreement that travel training was important was lower among respondents to the easy read survey; among the 138 respondents who gave a response, 38% said that they thought travel training was important. Three tenths of respondents did not think that travel training was important however, a further 32% said they were not sure how important this form of training was.

138 of the 144 respondents to the easy read survey answered this question.



4.3.2 Additional Comments about the Policy

Standard

Respondents were asked to give any additional comments or suggestions about the policy to commission more independent travel training. 48 respondents provided a comment, among which 42% (20 respondents) said that this type of training would be beneficial. Some respondents did express concern that independent travel was not possible for some people (particularly those who were vulnerable - 33%, 16 respondents).

Please give reasons for your answer or provide further comments or suggestions about improvements (Base: 48)		
Response	Number	Percentage
Training would be beneficial	20	41.7
Independent travel is not possible for a lot of people / vulnerable people	16	33.3
Not possible to provide volunteers 24/7 to support independent living	6	12.5
Would be beneficial to some people	6	12.5
Would cause anxiety /distress	5	10.4
Cannot walk far	4	8.3
Expensive to implement	4	8.3

Easy Read

Respondents to the easy read survey also identified that independent travel may not be suitable for all, with 20 out of the 56 respondents who gave an additional comment saying that it was imperative that there was a door to door service for people with mobility / learning difficulties. Positively 9 respondents (16%) said that such training would be worthwhile / beneficial.

Anything you want to say (Base: 56)		
Response	Number	Percentage
It is imperative to have a door to door service on account of poor mobility / learning difficulties	20	35.7
Will be worthwhile / beneficial	9	16.1
Travel training is pointless for people who cannot walk far	8	14.3
Would not benefit me	8	14.3
Would need help to get on and off public transport	6	10.7
Would not benefit people with very limited communication skills	5	8.9
Would cause anxiety	4	7.1
Training should extend to the drivers to ensure they drive smoothly	3	5.4
This is merely shifting the responsibility of care	2	3.6

4.4 Policy Three: A Fair Price

People who use the Adult Social Care and Health transport services are required to contribute towards the cost if an assessment shows they have the means to pay (as detailed in the Fairer Contributions Policy). There are no charges for applications for concessionary travel.

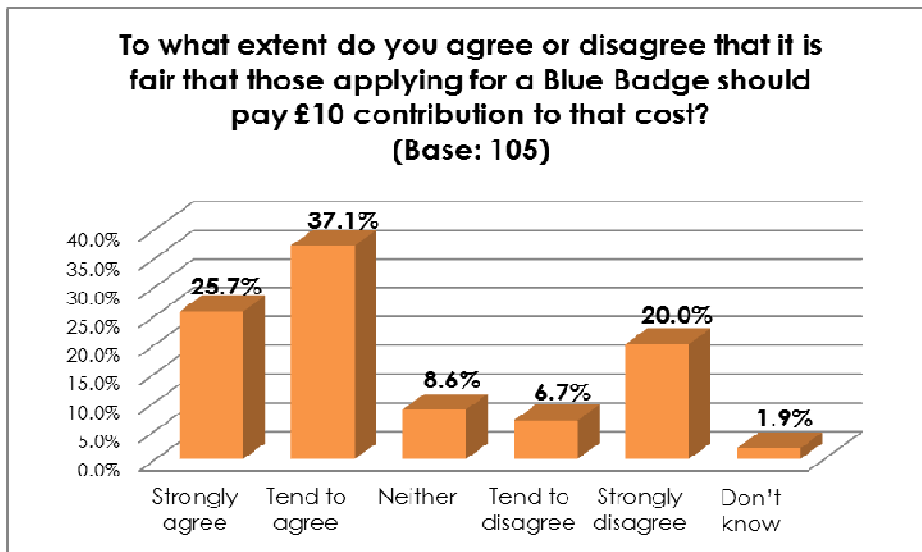
Recently a national scheme has been introduced to improve the quality of the Blue Badge parking permit service; these improvements have meant that the administration cost of the scheme is £20 per application. This policy is proposing to introduce a £10 charge for those who are applying for a Blue Badge parking permit. This £10 charge is the maximum which Local Authorities are able to charge, and 11 out of 15 comparable Local Authorities will be introducing this maximum charge.

4.4.1 Agreement with the Policy

Standard

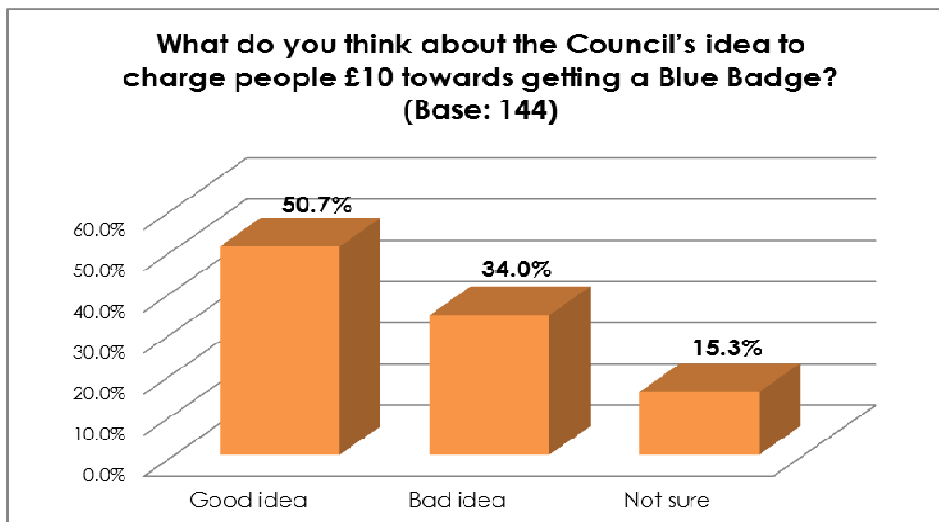
After reading the information on why the Council were suggesting a £10 charge for those applying for a Blue Badge, almost two thirds (63%) of respondents agreed that introducing these charges would be fair. Although a fifth of respondents strongly disagreed with the suggestions outlined in this policy, 26% strongly agreed with these proposals.

In total, 16 standard survey respondents did not provide an answer to this question.



Easy Read

Around half (51%) of easy read respondents felt that the proposal to charge £10 towards the costs of the Blue Badge scheme was a good idea. Around a third (34%) of respondents said that this charge would be a bad idea and 15% of respondents were not sure whether this cost would be a good or bad idea. All respondents to the easy read survey gave an answer to this question.



4.4.2 Additional Comments about the Policy

Standard

Respondents were asked to give any additional comments or suggestions they had which related to the Fair Price policy. Among the 40 respondents who provided an additional comment, almost half (48%, 19 respondents) considered £10 to be a fair contribution. Some respondents did express concern towards the cost with 30% (12 respondents) saying no cost should be incurred for residents who need to use the scheme and 25% (10 respondents) feeling that people on low incomes would struggle with the extra expenditure.

Please provide any further comments or suggestions (Base: 40)		
Response	Number	Percentage
£10 is a fair contribution	19	47.5
No charge should be incurred for those who need them	12	30.0
People on low incomes would struggle with the extra expenditure	10	25.0
More should be done to police those who abuse the Blue Badge system	6	15.0
Blue Badge holders should pay as they save money on parking	2	5.0
Should be means tested	1	2.5

Easy Read

Respondents to the easy read survey were also asked for any additional comments they had about the policy. 52 respondents to the easy read survey provided an additional comment, and as with the standard survey the greatest proportion felt that £10 was a reasonable contribution (33%, 17 respondents). Also similar to the standard survey some respondents expressed concern as people with a disability struggle with care costs / benefit cuts (31%, 16 respondents).

Anything you want to say (Base: 52)		
Response	Number	Percentage
£10 is a reasonable amount	17	32.7
Disabled people are already struggling with care costs and benefit cuts	16	30.8
£10 is too much / should be free	10	19.2
The council will make a charge regardless of people's views	6	11.5
It will not prevent parking bays being occupied by people without a blue badge	4	7.7

4.4.3 Impact of the Policy

Respondents were asked if they felt the proposed charge would have a negative impact on various groups within the community. Around three fifths of respondents said the charge would negatively affect those with a low income (61%) and those with disabilities (58%).

Almost three fifths of respondents said that the charge would not have a negative impact on people with particular religious beliefs (59%); people from ethnic minorities (58%); people who are bisexual, homosexual or transsexual (58%); women (57%) or men (57%).

Do you think that the proposed charge would have a <u>negative</u> impact on any of the groups below? (Number of respondents are shown in brackets)			
Response	Yes	No	Don't Know
People with low income	60.9% (56)	23.9% (22)	15.2% (14)
People with disabilities	57.9% (55)	34.7% (33)	7.4% (7)
People from ethnic minority groups	22.2% (20)	57.8% (52)	20.0% (18)
Women	18.6% (16)	57.0% (49)	24.4% (21)
Men	18.6% (16)	57.0% (49)	24.4% (21)
People who are bisexual, homosexual or transsexual	10.6% (9)	57.6% (49)	31.8% (27)
People with particular religious beliefs	10.5% (9)	59.3% (51)	30.2% (26)

4.4.4 Improving Negative Impacts

Only 20 respondents gave an idea on how negative impacts could be improved; the most frequent suggestions was that blue badges should be free to those on low incomes (60%, 12 respondents).

If you think there will be a negative impact on any of the groups above, do you have any ideas about what could be done to improve this? (Base: 20)		
Response	Number	Percentage
Should be free to those on low incomes	12	60.0
Look at reducing the number of blue badges provided to those who clearly do not need them	4	20.0
Should be means tested	4	20.0

4.5 Policy Four: Parking Bays for People with Disabilities

Blue badge holders are able to apply for disabled parking spaces outside of their homes however; these disabled bays can be used by any blue badge holder, not just the resident who they are intended for. The Council are proposing that these rules be changed and personalised bays are created for applicants who successfully meet the criteria.

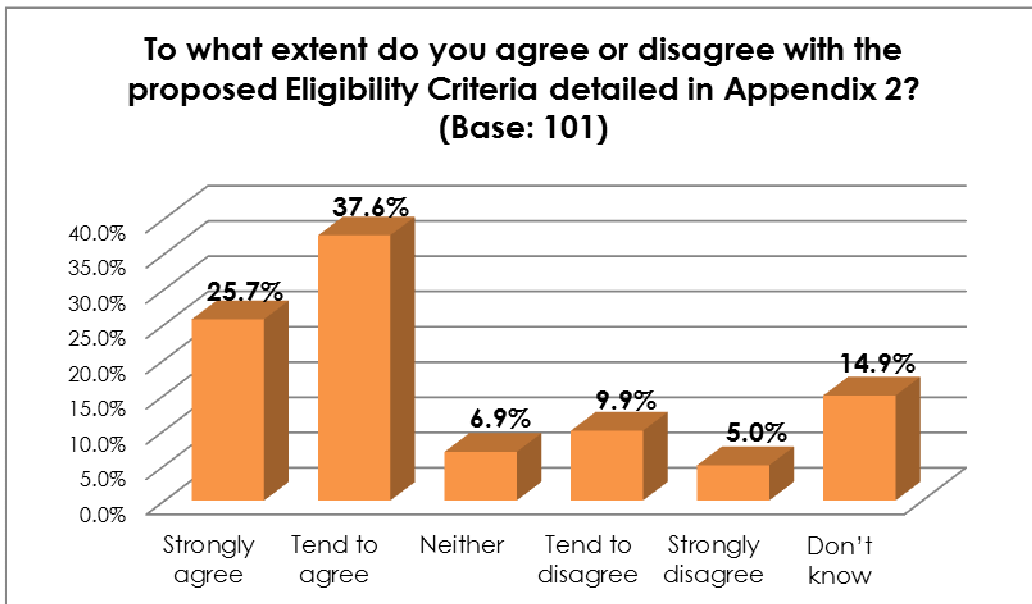
The full list of the current and proposed eligibility criteria were provided to respondents as part of the consultation document.

4.5.1 Agreement with the Proposed Eligibility Criteria

Standard

Respondents were asked to what extent they agreed or disagreed with the proposed eligibility criteria for disabled parking bays. Almost two thirds (63%) of respondents agreed with the criteria to some extent, with 26% saying they strongly agreed with the criteria which was being proposed. Although 15% of respondents disagreed with the criteria, 7% neither agreed nor disagreed and 15% said that they did not know their level of agreement.

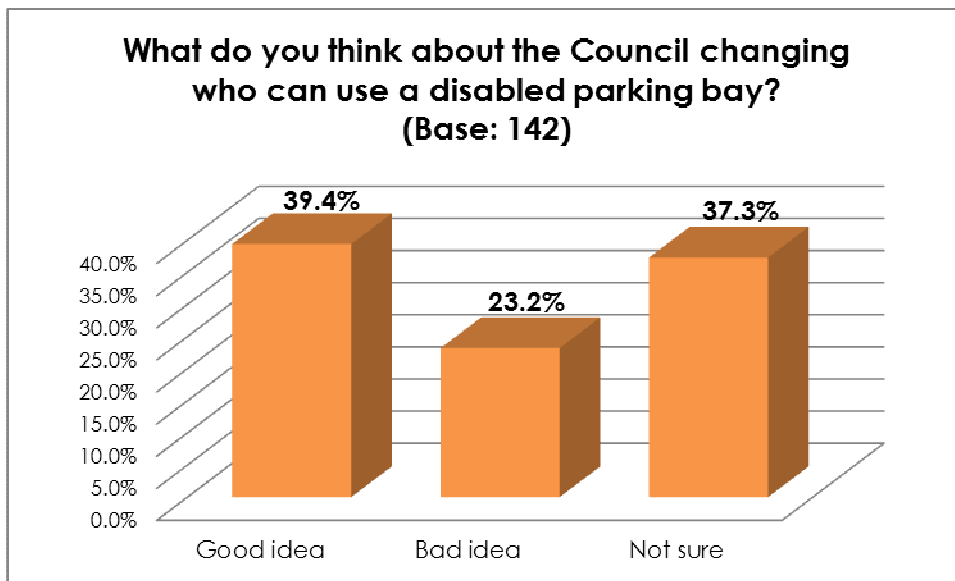
Of the 121 respondents to the standard survey, 101 gave an answer to this question.



Easy Read

Respondents to the easy read survey were also asked their views on the changes to who is able to use disabled parking bays. Although positive opinion of the proposed changes was lower among respondents to this survey (39%), a greater proportion of respondents said they were not sure if the proposed changes were a good or bad idea (37%).

142 of the 144 respondents to the easy read survey provided an answer to this question.



4.5.2 Additional Comments about the Proposed Changes

Standard

Respondents were again asked to provide any additional comments or suggestions. Among the 28 respondents who provided an additional comment / suggestion, half said the proposed changes would ensure that the bay created would be available for the use of the individual whom it was intended for. 9 respondents (32%) also said that the changes would prevent the misuse of the blue badge.

Please give reasons for your answer or provide further comments or suggestions (Base: 28)		
Response	Number	Percentage
Would ensure a bay created for their use is available to them	14	50.0
To prevent misuse of the blue badge	9	32.1
Unfair to people who pay road tax and wish to park on their own street	4	14.3
Should be available for all disabled to use	2	7.1
Unfair to people who pay their CPZ charge	1	3.6

Easy Read

Respondents to the easy read survey were also given the opportunity to provide any additional comments about the proposed changes to the eligibility criteria. Among the 37 respondents who provided an additional comment the most frequently given responses were: *the council needs to ensure that people who have their own bays really need them* (22%); *there will be less disabled parking places in the streets* (19%) and *anyone who has a blue badge should be allowed to park in any parking bay regardless* (19%).

Anything you want to say (Base: 37)		
Response	Number	Percentage
Council needs to ensure that people who have their own bays really do need them	8	21.6
Will be less disabled parking places in the streets	7	18.9
Anyone who has a blue badge should be allowed to park in any parking bay regardless	7	18.9
It will prevent problems occurring when unable to park near own front door	6	16.2
Will leave people confused about where they can or cannot park	4	10.8
More action on people who occupy parking bays without a badge	4	10.8
Not enough disabled parking places as it is	2	5.4

4.5.3 Impact of the Policy

Respondents were asked if they felt the Eligibility Criteria which was being proposed would have a negative impact on various groups within the community. Similar to previous questions, it was residents with disabilities (51%) and residents with a low income (35%) who were most frequently identified as being negatively affected by the proposed changes.

More than half of respondents said that the changes would not have a negative impact on people from ethnic minority groups (54%); people with particular religious beliefs (53%); people who are bisexual, homosexual or transsexual (52%); women (52%) and men (51%).

Do you think that the proposed Eligibility Criteria would have a <u>negative</u> impact on any of the groups below? (Number of respondents are shown in brackets)			
Response	Yes	No	Don't Know
People with disabilities	51.1% (48)	28.7% (27)	20.2% (19)
People with low income	34.8% (32)	41.3% (38)	23.9% (22)
Men	12.4% (11)	50.6% (45)	37.1% (33)
Women	12.4% (11)	51.7% (46)	36.0% (32)
People with particular religious beliefs	10.1% (9)	52.8% (47)	37.1% (33)
People from ethnic minority groups	9.9% (9)	53.8% (49)	36.3% (33)
People who are bisexual, homosexual or transsexual	6.7% (6)	52.2% (47)	41.1% (37)

4.5.4 Improving Negative Impacts

Respondents who felt the changes to the Eligibility Criteria would have a negative impact on any of the groups mentioned were asked if there was anything that the Council could do to improve this. Among the 15 respondents who suggested a way to reduce the negative impact, around half (47%, 7 respondents) said that the eligibility criteria which was suggested is too restrictive.

If you think there will be a negative impact on any of the groups above, do you have any ideas about what could be done to improve this? (Base: 15)		
Response	Number	Percentage
Eligibility criteria is too restrictive	7	46.7
It is a positive idea	3	20.0
Would need more information on the eligibility criteria	2	13.3
Parking bays should be given regardless of driver residing at the same address	2	13.3
More parking bays should be available	1	6.7

4.6 Policy Five: Travel Voucher Scheme

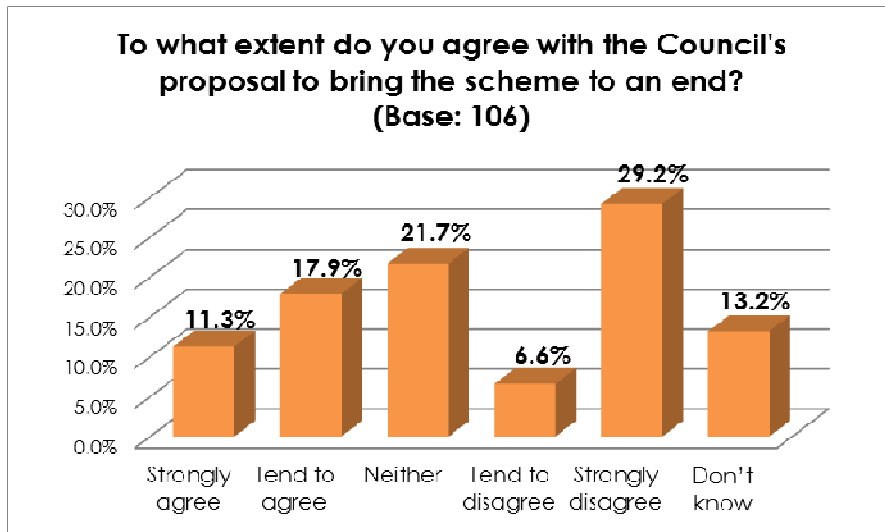
Barnet Borough Council currently provides travel vouchers for residents who are unable to use public transport or travel independently; this Travel Voucher Scheme is not used by many and is costly to the Council. The Council is therefore proposing to cease this scheme and instead assist residents in applying for a Taxicard. The Taxicard scheme is run by London Councils and offers help with taxis to people living in London.

4.6.1 Agreement with the Policy

Standard

When asked to what extent they agreed or disagreed that the Council should bring the Travel Voucher Scheme to an end, around three tenths (29%) of respondents said they were in agreement. Contrary to this, a further 29% of respondents strongly disagreed that the Council should end the Travel Voucher Scheme, with a further 7% stating that they disagreed.

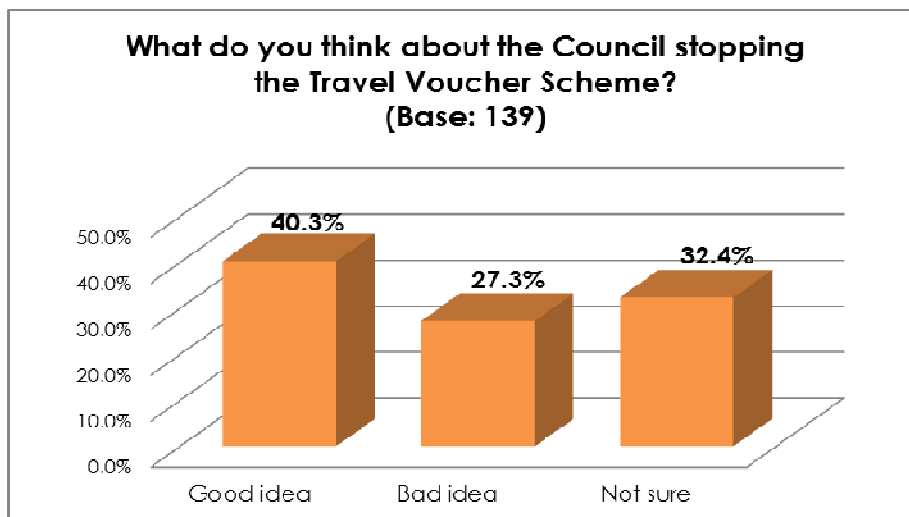
106 out of the 121 respondents to the standard survey answered this question.



Easy Read

Respondents to the easy read survey tended to be more positive about the Council's proposal to stop the Travel Voucher Scheme, with four out of ten respondents considering the policy to be a good idea. Around a quarter (27%) of respondents thought that stopping the scheme was a bad idea and 32% said they were not sure if this policy was a good or bad idea.

Only 4 respondents to the easy read survey did not provide an answer.



4.6.2 Additional Comments about the Policy

Standard

Respondents were given the opportunity to provide further comments or suggestions, and 45 of the 121 provided a response. Among those who gave a response, around a fifth said that free vouchers were needed (20%) and that removing the Travel Voucher Scheme would have a negative impact on the quality of life (18%).

Please give reasons for your answer or provide further comments or suggestions (Base: 45)		
Response	Number	Percentage
We need free vouchers	9	20.0
Would have a negative impact on quality of life	8	17.8
Unaware the scheme existed	7	15.6
Scheme would be easier to administer	5	11.1
Just another cost cutting exercise	4	8.9
Taxicard service is sufficient	4	8.9
As long as travel remains subsidised	4	8.9
Only allows a small minority to use this	3	6.7
Vulnerable people need help	3	6.7
Would enable me to make more journeys	2	4.4
Taxicard scheme is expensive	1	2.2
Taxicard scheme is unreliable	1	2.2

Easy Read

31 respondents to the easy read survey provided an additional comment about the Travel Voucher Scheme; 11 respondents (36%) said they were unaware of the Taxicard scheme and a further 5 respondents (16%) said that more general information about the Taxicard scheme is required.

Anything you want to say (Base: 31)		
Response	Number	Percentage
I was unaware of the Taxicard scheme	11	35.5
Scheme is very good	9	29.0
More information about Taxicard scheme is needed in general	5	16.1
Support is needed for deaf people (most taxi drivers are unable to sign)	4	12.9
Will be too expensive	3	9.7
It will prove too difficult for some people	2	6.5
More cost effective	1	3.2
Would cause anxiety to some	1	3.2

4.6.3 Impact of the Policy

Consistent with previous questions, when respondents were asked who, if anyone, would be negatively affected by the withdrawal of the Travel Voucher Scheme residents with disabilities (57%) and those with a low income (54%) were identified most frequently. Fewer respondents said that the withdrawal of the scheme would have a negative impact to people with particular religious beliefs (12%) or people who are bisexual, homosexual or transsexual (9%).

Do you think that the withdrawal of the Travel Voucher Scheme would have a <u>negative</u> impact on any of the groups below? (Number of respondents are shown in brackets)			
Response	Yes	No	Don't Know
People with disabilities	56.6% (56)	19.2% (19)	24.2% (24)
People with low income	53.7% (51)	25.3% (24)	21.1% (20)
People from ethnic minority groups	25.5% (24)	40.4% (38)	34.0% (32)
Women	23.1% (21)	44.0% (40)	33.0% (30)
Men	22.8% (21)	43.5% (40)	33.7% (31)
People with particular religious beliefs	12.1% (11)	49.5% (45)	38.5% (35)
People who are bisexual, homosexual or transsexual	8.7% (8)	48.9% (45)	42.4% (39)

4.6.4 Improving Negative Impacts

Respondents were asked if they had any ideas on how to reduce the negative impact to any groups they had identified previously. Among the 23 respondents who gave a suggestion, 65% (15 respondents) said that the Council should continue to provide vouchers after the income assessment.

If you think there will be a negative impact on any of the groups above, do you have any ideas about what could be done to improve this? (Base: 23)		
Response	Number	Percentage
Continue to provide vouchers after income assessment	15	65.2
Just another cost cutting exercise	4	17.4
May have a negative impact for some	3	13.0
Women feel safer using a cab with a known driver	1	4.3
Taxicards need to enable booking to minicabs	1	4.3
Would need more information	1	4.3

APPENDIX 3 REPORT OF PUBLIC CONSULTATION MEETINGS

Meetings Held with People with Learning Difficulties	
<p>June 11th 2012 – Rosa Morison Day Centre – attended by 2 Carers, 2 Day Services staff, 3 LBB Officers June 13th 2012 – Flower Lane Day Centre – attended by 1 Service user, 7 Carers, 3 LBB officers, Your Choice Barnet Centre Manager, 1 bus driver June 26th 2012 – North London Business Park – attended by 1 Carer, 4 Day Services staff, 2 LBB officers June 29th 2012 - North London Business Park – attended by 3 Carers, (SG) Barnet Mencap, 2 Day Services staff,</p>	
Proposal	Response
<p>Introduction of Eligibility Policy</p> <p>The main concerns were that those with People with Moderate Learning Disabilities (PMLD) or severe LD issues would lose their transport and the ability to attend day opportunities</p> <p>Questions were raised about the eligibility assessment, who would perform it, and how clients' eligibility would be decided.</p> <p>Some carers and Your Choice Barnet staff also raised concerns that the proposal would ultimately lead to an increase in cost for the council as carer breakdowns increased and service users needed to move to residential settings.</p> <p>During the meeting at Flower Lane one carer stated that he did not agree with the proposals and in any event, the council would take no notice of the responses anyway.</p> <p>At the meeting at Rosa Morison, a carer stated that she felt that the disabled were constantly being targeted for</p>	<p>Clients were reminded that those with PMLD and severe cognitive issues and no other suitable means of transport were very likely to still be eligible for LBB transport. This reassurance was given a number of times, and seemed to be generally accepted.</p> <p>The full assessment tool is not yet available but clients were reminded of the criteria as laid out in the consultation document. In addition, it was stated that LBB staff may undertake the assessments or Your Choice Barnet staff or the assessments may be performed by an external provider. The benefit to individuals of being enabled to travel independently (even if only to a single location) was emphasised several times. There was general agreement at the meetings that this would be a good outcome for those that could travel on public transport with/without support, but most felt that the level of disabilities of most current transport users would mean that most would be eligible under the policy and would continue to qualify for Council-funded transport.</p>

	<p>cuts to their services, despite being some of the most vulnerable in the community.</p> <p>Most opinions voiced at the meetings were that the eligibility policy should not be implemented, although there was agreement that those that could travel by other means should do so. It was felt that the opportunity to travel by another means should be optional as anything else would increase the burden on carers, many of whom also had disabilities.</p>	
<p>Independent Travel Training (ITT)</p>	<p>Most agreed with the idea in principle but some carers and day services staff expressed strong reservations and felt that most current council-funded transport users would be unable to attain a level of competence that would enable them to travel safely.</p> <p>In addition, it was repeatedly mentioned that many of these clients had physical disabilities as well.</p> <p>Concerns were expressed over the length of time that it would take to train a client and whether there would in fact be any financial benefit to the council as a result, particularly where clients had been trained sufficiently but still felt unable or were unwilling to travel independently.</p> <p>Your Choice Barnet staff stated that they provide travel training for suitable clients, but in their opinion, the council underestimated the timescales required for this to be effective. An example was given of a client who had been receiving travel training for over 3 years.</p>	<p>Independent Travel Training is being promoted as an offer to those that are willing and able – and those not eligible to use the minibus - to gain the confidence and skills required to travel independently (or with support) by public transport.</p> <p>No one will be forced to undertake Independent Travel Training. It is not envisaged at this time that anyone that does complete the travel training will be forced to travel independently, nor will anyone be encouraged to do so if significant concerns regarding their safety remain after completing the Independent Travel Training.</p>

	<p>Your Choice Barnet staff also stated that – in relation to the potential procurement of Independent Travel Training by the West London Alliance – that they would like further information if/when a tender process is to be undertaken.</p> <p>Overall, it was agreed that Independent Travel Training would be beneficial, even if only for a limited number of clients.</p>	
<p>Introduction of a £10 charge for Blue Badges</p>	<p>Most attendees thought that the charge was reasonable, but a minority felt that it would be an additional strain on those already struggling with rising care costs.</p> <p>Questions were: why is the charge being introduced? Would the London Borough of Barnet still have the charge if other boroughs did not? Would it be an annual payment?</p>	<p>The charge is being proposed in response to increased costs for the council in Blue Badge administration as a result of the Blue Badge Improvement Scheme (BBIS).</p> <p>Most other boroughs have already implemented the maximum £10 charge and the remainder were considering it.</p> <p>The charge would be levied upon application, or renewal of an existing badge.</p>
<p>Withdrawal of LBB Travel Voucher Scheme (TVS)</p>	<p>A number of attendees stated that they knew very little if anything about the Travel Vouchers Scheme (TVS).</p> <p>Most attendees agreed with the proposal to withdraw the scheme. However, feedback received from users of the travel vouchers was strongly against their withdrawal.</p> <p>The Taxicard was seen by many as a less reliable and less user friendly service that often was late or failed to arrive to collect clients.</p> <p>Additionally, the Taxicard service was felt to be more expensive overall, despite providing clients with a far</p>	<p>Very few people - less than 100 currently - make use of the council's Travel Voucher Scheme.</p> <p>London Council's Taxicard, offers a scheme that is as good as, or better than the Council's Travel Voucher Scheme.</p> <p>If the proposal is agreed the council will help people apply for a Taxicard from London Councils.</p> <p>The significantly higher subsidy available through the Taxicard scheme compared to that offered by the TVS was explained</p>

<p>It was mentioned that whilst some boroughs do allow “double swiping”, there were as yet no plans to allow this for LBB residents.</p>	<p>great level of subsidy and more journeys. Many appreciated – and preferred - the ability to pay for an entire journey in vouchers under the London Borough of Barnet scheme.</p> <p>Some attendees felt the Taxicard scheme was too complicated, and that there would be issues for the clients in making bookings and using the card.</p>	
	<p>There were no objections to this proposal from these clients.</p>	<p>Criteria for disabled parking bays at the home of residents</p>
<p>Meetings with People with Physical and Sensory Impairment</p>		
<p>June 25th 2012 – Barnet House - 1 service user and spouse (carer), Day Service Manager, 2 BSL interpreters June 27th 2012 – Barnet Independent Living Service - c30 service users and carers, 4 day services staff July 4th 2012 – Barnet Independent Living Service - 5 service users, 4 day services staff</p>		

Proposal	Feedback (verbal)	Response
<p>Introduction of Eligibility Policy</p>	<p>The service user that attended the first meeting agreed with the proposal. She hoped to still be eligible as her mobility issues and other disabilities would prevent her from travelling alone. She uses a large wheelchair and would not be able to get it on to public transport.</p> <p>She also makes use of a regular Dial-a-Ride service and only uses LBB minibuses twice a week.</p> <p>She said that although she does have a Motability vehicle, it was not always possible for her husband to take her everywhere as he works and may or may not use the vehicle to get there.</p> <p>There is no-one else that can drive for her.</p> <p>At the other meetings people wanted to know why the Council was undertaking the consultation in this manner as most of the service users would</p> <ol style="list-style-type: none"> a) not be able to understand what was being asked of them and b) be eligible for LBB transport based on mobility alone <p>People also felt that it would be better to hear the views of day services staff who know the clients and their circumstances.</p> <p>It was felt by some that the consultation exercise was simply about ticking boxes.</p>	<p>It was explained that the meetings were being conducted to discuss the proposals face-to-face with people who would be affected by them, to explain the points that people found difficult to understand and to provide additional information that people might want to hear about the proposals. Hearing the views of service users was an essential part of the process for the council to consider the case for change.</p>

	<p>Reassurance was given that any Independent Travel Training would be fully risk assessed. It was also stated that Independent Travel Training journeys would aim to be as simple as possible, with a limited number of changes required.</p> <p>The issue of client safety after Independent Travel Training would be a matter of the client using their new skills to remain as safe from harm as they possibly could, i.e. staying close to the driver, remaining seated downstairs, not engaging in conversation with strangers, and being aware of other dangers, identifying authority figures to request assistance, etc. These were key elements of effective Independent Travel Training</p>		<p>Questions were raised about the safety of clients after completion of travel training, and about the risk assessment of journeys before, during and after Independent Travel Training had been undertaken, and the practical aspects for people with walking aids.</p>	<p>Independent Travel Training (ITT)</p>
<p>Some boroughs have already implemented this charge and others were considering it. The consultation document explained that the cost to the council of issuing the badge is £20 and therefore the charge of £10 represents a contribution of just one-half of this cost.</p>	<p>Most attendees thought that the charge was reasonable.</p>	<p>Introduction of a £10 charge for Blue Badges</p>	<p>PSI clients on the whole were not users of the Travel Voucher Scheme and so voiced very few comments either way on the proposal. The general consensus was that if the Travel Voucher Scheme was not working for people it should be stopped.</p> <p>However, some people felt that Travel Voucher Scheme users may have difficulty understanding the Taxicard scheme and how to use it.</p> <p>However feedback from attendees was that Taxicard</p>	
<p>At the meetings London Borough of Barnet explained that Travel Voucher Scheme users (and others) would be supported to apply for the Taxicard scheme.</p>		<p>Withdrawal of LBB Travel Voucher Scheme (TVS)</p>		

	fees were higher than private hire vehicles so that even when subsidised the overall cost is higher.	
Introduction of tighter criteria for disabled parking bays at the home of residents	<p>This proposal received the most support during the meetings.</p> <p>The main concern raised was that there would now be fewer disabled bays for the general public. The Council were asked whether it would provide additional unrestricted bays</p>	The Council advised that it would replace bays lost by this proposal, where there is strong evidence of unmet demand for disabled parking provision

Meetings with Older Adults		
<p>July 3rd 2012 – Meadowside July 10th 2012 – Rosa Freedman July 12th 2012 – Aphthorp Lodge</p>		
Proposal	Feedback (verbal)	Response
Introduction of Eligibility Policy	The clients generally felt that an assessment process would be fair, but expressed concerns about a lack of clarity concerning costs that may be levied upon clients resulting from the proposal if they were required to pay for their own transport. A query was raised about whether there would be the opportunity to pay (using a personal budget or other means) to remain on the LBB vehicles.	The Council agreed to consider the possibility of allowing people who were assessed to be ineligible to nevertheless pay the full cost in order to continue to use the minibus service.

Independent Travel Training (ITT)	Independent Travel Training was seen as a sensible idea.	It was explained that Independent Travel Training could be an option for anyone that wished to take it up and not just those who were using council-funded transport. During meetings attendees were reassured that no one would be forced to have Independent Travel Training and that independent travel options would be risk assessed to ensure safety and suitability.
Introduction of a £10 charge for Blue Badges	This was generally seen as a reasonable idea although there were a small number who felt that £10 was too much. People attending the meetings were supportive of more stringent tests, to ensure that badges were only issued to those who genuinely required them.	The consultation document explained that the cost to the council of issuing the badge is £20 and therefore the charge of £10 represents a contribution of just one-half of this cost
Withdrawal of LBB Travel Voucher Scheme (Travel Voucher Scheme)	People were generally unaware of the scheme but felt that if it was not working, it should be stopped.	Taxicard gives a higher subsidy per journey than Travel Voucher Scheme. A £15 journey with Travel Voucher Scheme would cost a client £8.40 and a similar journey with Taxicard would cost £6.70.
Criteria for disabled parking bays at the home of residents	This proposal received the most support during meetings with all clients. The main concern raised was that there would now be fewer disabled bays for the general public.	The Council advised that it would replace bays lost by this proposal, where there is strong evidence of unmet demand for disabled parking provision

Physical and Sensory Impairment Partnership Board – 11 May 2012 (17 attendees)

It was agreed in discussion of the Council's presentation that the points below would be reported as the Board's feedback on the

<p>Proposals:</p> <ul style="list-style-type: none"> • It is important to retain taxi vouchers as many older people and people with disabilities do not use cars, and to ensure that these can be used with local cab services; • Some members expressed dissatisfaction with the service they had previously received when using the Taxicard; • It would be helpful to look at subsidising fares for carers of people who would like to travel by bus; • When giving people training to travel independently, it will be important to recognise that the most vulnerable people will find this difficult and may need ongoing support; • With regard to the proposal to charge £10 towards a Blue Badge parking permit, a suggestion would be to charge those who can afford it, but not those who cannot; • There was support for the travel training proposal, although it was mentioned by members that some clients would still need support, even after the training had been completed.
<p>Learning Disabilities Partnership Board – 23 May 2012 (20 attendees)</p>
<p>Following officers' presentation of the Proposals, it was agreed that officers should attend the Day Opportunities and Community Inclusion Subgroup's meeting to discuss the plans and take members' comments.</p> <p>Due to time constraints, there was no further discussion at this meeting.</p>
<p>LDPB Day Opportunities and Community Inclusion Subgroup – 30 May 2012 (7 attendees)</p>
<p>The main area of concern in response to the Council's presentation of the Proposals concerned the implications of the eligibility policy proposal for people aged under 25 and attending colleges either by taxi or by minibus. A majority of these clients are under the care of the Children's Service, which pays for their costs. The main question raised was, would these people still get LBB transport to their destinations once they are over 25 and become ASCH clients?</p> <p>In response, the LBB representative stated that the Proposal was that each individual would be assessed in accordance with the eligibility policy.</p>

No points were raised concerning any of the other proposals.

Learning Disabilities Parliament – 18 July 2012 (8 attendees)

In response to the Council's presentation of the Proposals, there was general agreement that the eligibility policy was acceptable in principle and that the other proposals were also generally acceptable subject to the following comments:

- The Council were carrying out too many consultations;
- Consultations should be carried out over a longer period. 5-6 months rather than 3 months would allow sufficient time to allow information to be disseminated and for people to form ideas and be assisted to respond;
- Cuts are continually being made to services for disabled people;
- Concerns were expressed about cognitive behaviour being included in the adults eligibility assessment;
- Some members were unaware of the existing Travel Voucher Scheme;
- The value of the Taxicard was questioned, as some people noted that Barnet is a very large borough and to travel it across by taxi may cost upwards of £20-£30. Such costs may make taxis entirely too expensive for some clients and cause them to feel more isolated. Some clients can / will only travel as far as the distance covered by the subsidy, before switching to public transport for some journeys.

Mental Health Partnership Board – 19 June 2012 (17 attendees)

The following comments were made in response to the Council's presentation of the Proposals:

- Concern was expressed that the stress of an eligibility assessment could aggravate a service user's condition. There was a risk that people would seek to avoid an assessment;
- It was noted that a key question to be asked in assessment is whether it is safe for people to travel independently. It was emphasised that safety is not just about people having the ability to use transport: it is also about people being safeguarded from risks people might experience in using public transport eg hate crime;
- It was noted that very few mental health service users had received travel training and the Council would need to clarify whether the training will be available to everyone, or restricted to those who received a Council-funded transport service. It was hoped that travel training would be actively promoted through Barnet Centre for independent Living (BCIL), and through the CPA process;
- It was suggested that it would be best to increase people's access to services rather than reduce it. It was noted that some

<p>current Freedom Pass holders would benefit from travel training;</p> <ul style="list-style-type: none"> ● It was pointed out that it is important for travel training to be accessible, and that the hours when it is provided should meet the needs of Mental Health service users; ● A question was asked concerning the proportion of disabled parking bays in Barnet that were located outside residents' homes. Officers agreed to provide information on this to the Board.
<p>Older Adults Partnership Board – 19 July 2012 (19 attendees)</p> <p>The following comments were made in response to the Council's presentation of the Proposals:</p> <ul style="list-style-type: none"> ● Concern was expressed that although transport was raised as key to the Ageing Well Programme and to re-shaping day opportunities, the connections between this consultation and the wider picture of services for older people had not been clearly made; ● Older people and disabled people should have maximum opportunity to engage in preventive measures and to 'be a part of the world' but reducing transport services will cause some people to suffer by restricting their lives. It was acknowledged that transport does involve a significant cost, and it was suggested that debate is needed about this, whereas the consultation document appears to present details of decisions the Council has already made; ● With regard to the proposal to withdraw the Council's Travel Voucher Scheme, the view was expressed that London Councils' Taxicard service would be an adequate alternative only for very local journeys; ● It was suggested that as most door-to-door transport is used for travel to and from day centres for people assessed as having substantial or critical need for social care, it is unlikely that many would not also be assessed under the proposed eligibility policy as having a need for transport. However, it was also noted that the eligibility criteria included consideration of whether people have other transport options that they could use to get to day centres; ● It was stated that day centre users do not currently automatically get transport and that a conversation already takes place around for example whether the person had access to private transport; ● It was agreed to hold a further meeting for interested Board members to develop their consideration of the proposals.
<p>Older Adults Partnership Board – Special Meeting on 31 July 2012 (3 attendees)</p> <ul style="list-style-type: none"> ● Concern was expressed about the lack of opportunity for input to the consultation document by the Partnership Board and other stakeholders, and the perception that the Council was informing stakeholders about cuts that would be made, rather than asking for input that may result in changes to the proposals; ● There was a feeling that the proposals would go ahead irrespective of the feedback;

- It was recommended that the consultation be repeated and the consultation documents be revised;
- It was also suggested that the Council should have fewer consultations, as the number of forms people were being asked to complete was becoming too many, resulting in some people becoming disengaged;
- Concern was expressed about the new Blue Badge application process, namely that clients are told that they must / can only apply online, but are then requested to confirm ID by taking actual documents to a local council office;
- There was an issue raised regarding applications for organisational Blue Badges, in that the system requires a vehicle registration number to be provided, despite the fact that Blue Badges are supposed to be portable.

APPENDIX 4 UTILISATION OF ADULT PASSENGER TRANSPORT PROVIDED BY ADULT SOCIAL CARE AND HEALTH

	Number of Day Centre Users	Minibus Users	Regular Taxi Users
Learning Disabilities			
Flower Lane	49	32	2
Rosa Morison	52	44	
CommunitySpace	46	38	2
Other day opportunity services			14
Older Adults			
Apthorp Lodge	58	56	
Meadowside	68	62	
Rosa Freedman	132	118	3
Physical and Sensory Impairment			
Barnet Independent Living Service*	39	25	
Total Number of Users	444	375	21
Total 2011/12 Expenditure		£ 818,033	£ 220,106

* There were 39 service users using BILS at 30.6.2012. Four of these were volunteers who needed support to volunteer, therefore counted as service users. The latest figures over the last actuals period up to the 24 September is showing 34 service users for 1 day or more.

APPENDIX 5 - PROPOSED ELIGIBILITY POLICY FOR ADULT PASSENGER TRANSPORT PROVIDED BY ADULT SOCIAL CARE AND HEALTH

West London Alliance - Proposed Common Policy for Promoting Independent Travel for Adult Social Care Service Users

Background

The current policy for the provision of local councils' Adult Social Care services is aimed at promoting the maximum possible independence for the person who uses social care services. In extending this principle to councils' provision of transport services, this proposed policy sets the criteria that will be used to assess when the service user's transport need can be met best through independent travel arrangements or whether council-provided transport services continue to be necessary.

Principles

In general, this Policy is based on the assumption that people who use social care services will travel independently to take advantage of care provision, except where assessment shows that this is not possible, and is based on the following principles:

- The provision/funding for transport should **only** be considered if the client requires a comprehensive support package to meet eligible needs in accordance with the Council's Eligibility Criteria and Fair Access to Care Services (FACS)¹.
- Use of transport services should be based on the need to promote independence and to support service users to remain independently in their home for as long as possible.
- Individuals who are assessed and successfully supported will only travel independently if the Council considers it is completely safe for them to do so.
- Transport is provided to enable clients to access a range of community activities/respite and where parents/carers are unable to provide their own transport.
- The assessment of need for transport provision by the Council will be a separate element in the community care assessment; i.e. provision relates to a users needs, not to the nature of the service they are receiving.
- The assessment will consider what would happen if the Council did not provide transport, for example, are there other ways in which the person can reasonably be expected to attend day opportunities making their own arrangements to get there.

Process

There are 4 stages in the process for assessment of eligibility for the provision of assistance with transport and the identification of appropriate transport as follows:

¹ Fair Access to Care Services (FACS) is the system used by all social services departments to work out whether someone qualifies for social care support. In Barnet, if someone's needs are shown to be 'critical' or 'substantial' under FACS criteria, they will qualify for support from the Council.

- Access to existing transport;
- Assessment of mobility;
- Assessment of ability to travel independently;
- Identification of appropriate transport provision for those eligible.

Stage 1: Access to existing transport

Clients will **not** normally be eligible for transport if:

- They have a mobility vehicle which they drive themselves. In this instance there will be consideration of whether it is reasonable to expect that the service user will use that vehicle in order to travel to the location of the care service/activity.
- They have a mobility vehicle of which they are not normally the driver themselves. Similarly, there will be consideration of whether it is reasonable to expect that the service user will use that vehicle in order to travel to the location of the care service/activity.

Clients will also **not** normally be eligible for transport if:

- They have a Freedom Pass (and a reasonable public transport route is available), and have been assessed at Stage 3 as capable of independent travel
- They receive the Mobility component of Disability Living Allowance, and:
 - this can adequately meet the cost of travel to meet their assessed social care needs;
 - they have been assessed at Stage 3 as capable of independent travel.²

Stage 2: Assessment of mobility

An assessment will be made of the client's mobility. This will involve assessing issues such as:

- Ability to walk outside (including slippery/icy weather conditions);
- Requirement for wheelchair/ other walking aid;
- Ability to get in and out of property;
- Ability to get in and out of vehicle;
- Risk of falling without support;
- Ability to bear weight to transfer;
- Whether mobile but at a risk when mobilizing due to uncontrollable movements;
- Ability to use stairs, manage gradients, steepness of stairs in home, safety, energy levels.

Clients will be categorized for this purpose as follows:

² Subject to further consideration by the Council of the local authority circular (DH) (24 October 2012) 3, with regard to the treatment of the mobility component of the DLA in relation to charging for social care.

- No mobility problems;
- Limited mobility problems;
- High/ complex mobility problems.

Some clients may need a weather plan put in place to ensure their safety during harsh or icy weather conditions.

Stage 3: Assessment of ability to travel independently

This assessment considers both physical and social reasons that enable or prevent the client from travelling independently. This will include:

- Extent of the mobility problems identified in Stage 2;
- Availability of family/carers;
- Communication difficulties (for example ability to order taxi or use public transport);
- Psychological factors e.g. mental health, loss of confidence, agoraphobia;
- Experience or risk of harassment;
- Any other factors affecting personal safety.

The assessor will determine whether the client:

- Is capable of travelling independently;
- Requires some training, support or assistance that will enable them to be capable of travelling independently in the near future;
- Not capable of travelling independently

Stages 1 to 3 will determine the eligibility of the client for some form of transport or transport assistance. Assuming the client is eligible under Stage 1 (access to existing transport) then the eligibility will be determined as follows:

		Mobility problems		
		None	Low	High/complex
Capable of Independent travel	Yes	Not eligible Use public transport Walk if more than 1km Use concessionary pass	Not eligible Use public transport Walk if more than 1km Use concessionary pass	Eligible May require door to door service
	Potentially	Eligible Directly-provided transport if no other suitable option	Eligible Directly-provided transport if no other suitable option as last resort	Eligible May require door to door service
	No	Eligible Designated pick-up points near home	Eligible Designated pick-up points near home	Eligible Requires door to door service

Stage 4: Identification of appropriate transport

Once eligibility has been assessed following the table above, it will be the duty of Adult Social Care services to make appropriate arrangements for transport. Directly provided transport services - whether internal or external - will be provided only once other alternatives have been considered and ruled out and not as a matter of course.

The range of provision includes:

- Assistance with using public transport, such as escorts
- Independent travel - provision of independent travel training where it is likely that this would resolve the client's need
- Existing taxi journey - shared with other clients
- Taxi service - solely for the use of the client
- Transport in council vehicles, for example minibuses

The assessment and provision of transport should be reviewed on a pre-determined basis, for example at the annual review.

Where clients move from Children's to Adult Social Care services, then their needs will be reassessed by Adult Social Care services in relation to the new services required.

APPENDIX 6 - PROPOSED ELIGIBILITY CRITERIA FOR THE PROVISION OF RESERVED PARKING BAYS FOR DISABLED PEOPLE

1. The applicant must be the holder of a valid Disabled Person's Blue Badge issued by the London Borough of Barnet; and
2. The applicant must be in receipt of the higher rate mobility component of Disability Living Allowance (age 65 or under), or the higher rate of Attendance Allowance (over 65 years of age); and
3. The applicant should normally be the driver of the vehicle for which the parking space is to be provided; or
4. If the applicant is not the driver but the passenger of the vehicle, the nominated driver must live at the same address as the applicant, and a bay may be provided if:
 - a. the applicant requires substantial physical assistance from the driver of the vehicle, when entering or leaving the vehicle and the driver is generally the only person available to assist the passenger; or
 - b. the applicant is sufficiently mentally or physically incapacitated to necessitate the constant supervision by the driver of the vehicle. The driver of the vehicle should be the only person available to effect this supervision and should live at the same address; or
5. A medical professional must confirm that the applicant's ability to walk is restricted to 50 metres or less, including rest stops; and
6. Only where in the opinion of Council Officers there is proven difficulty in parking on-street and no suitable alternative off-street parking facilities are available, will a 'designated' disabled bay be provided; or
7. Where off-street parking facilities are available, a designated disabled bay may be provided if the applicant can demonstrate, and the Council are satisfied that the facilities are unsuitable for the use of the applicant given the nature of their disability.

Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	West Hendon Regeneration Project
Report of	Leader of the Council
Summary	<p>The report seeks to update Committee on the progress with the West Hendon Regeneration Scheme, including undertaking negotiations for revised terms for the West Hendon Principal Development Agreement, enabling the West Hendon Regeneration Scheme to progress with a new masterplan. Approval is being sought to further extend the expiry date of the Principal Development Agreement for a period of six months, expiring on 15 June 2013 and that a further twelve-month extension will be granted by the Deputy Chief Executive subject to Barratt Metropolitan Limited Liability Partnership submitting a hybrid planning application before 15 June 2013. Furthermore, Committee is being asked to reaffirm the resolution to make a Compulsory Purchase Order for the acquisition of all non-Council owned property and other proprietary interests in the West Hendon regeneration area.</p>
Officer Contributors	<p>Stephen McDonald, Interim Lead Commissioner – Enterprise & Regeneration</p> <p>Abid Arai, Regeneration Manager Strategic Planning & Regeneration</p>
Status (public or exempt)	Public
Wards affected	West Hendon
Enclosures	<p>Appendix 1 - Indicative plan of areas of land of proposed Compulsory Purchase Orders</p> <p>Appendix 2 - Zoning Strategy</p>
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in	Not applicable
Contact for further information: Abid Arai Regeneration Manager tel: 020 8359 4980	

1. RECOMMENDATIONS

- 1.1 That Committee note the general progress on the West Hendon Regeneration Scheme as set out in this report since the last report to Committee on 28 February 2012.**
- 1.2 That Committee note that the outcome of the negotiations, being undertaken by the Deputy Chief Executive, for revised terms for the West Hendon Principal Development Agreement will be presented to Committee in early 2013 along with authority to enter in to a Deed of Variation to the existing Principal Development Agreement for the West Hendon Regeneration Scheme.**
- 1.3 That approval be given to further extend the expiry date of the Principal Development Agreement for the West Hendon Regeneration Scheme for a period of six months, expiring on 15 June 2013, in order to enable Barratts Metropolitan Limited Liability Partnership to have sufficient time to submit their Hybrid planning application.**
- 1.4 Subject to the extension referred to 1.3 above having been made & to the submission of a Hybrid planning application authority be given to the Deputy Chief Executive to authorise by delegated powers a further extension of the Principal Development Agreement for a period of 12 month to cover the period for the planning application to be considered.**
- 1.5 That Committee reaffirms the resolution to make a Compulsory Purchase Order for the acquisition of all non-Council owned property and other proprietary interests in the West Hendon regeneration area and that the appropriate Chief Officers be authorised to take all necessary action to secure the confirmation and implementation of the Compulsory Purchase Order.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Planning and Environment Committee, 27 July 2005 (Decision item 8); Outline planning consent for the West Hendon Regeneration Scheme (W13937/04), subject to an agreed Section 106 Agreement.
- 2.2 Cabinet, 30 August 2005 (Decision item 5); West Hendon Regeneration Scheme – Approval to enter into a Principal Development Agreement.
- 2.3 Cabinet, 11 October 2005 (Decision item 7); West Hendon Regeneration Scheme – resolved that the final arrangements for entering into the Principal Development Agreement be subject to approval by the Leader of the Council.
- 2.4 Planning and Environment Committee, 25 January 2006 (Decision item 7) - approved amendments to Outline Planning Consent (W13937/04), to vary the Section 106 Agreement Heads of Terms by inclusion of additional planning obligations relating to Energy Strategy and Accessibility and Inclusive Design.
- 2.5 Cabinet, 3 April 2006 (Decision item 8) – approved the final arrangements for entering into the Principal Development Agreement for the West Hendon regeneration project.

- 2.6 Cabinet Resources Committee, 28 November 2006 (Decision item 15) – resolved to make a Compulsory Purchase Order for the acquisition of all non-Council owned property and other proprietary interests in the West Hendon regeneration area as shown on the attached plan and that the appropriate Chief Officers be authorised to take all necessary action to secure the confirmation and implementation of the Compulsory Purchase Order.
- 2.7 Planning and Environment Committee, 19 March 2008 (Decision item 8) - approved amendments to Outline Planning Consent (W13937/04) to vary phasing; reconfigure the central square; make general changes to the alignment of building blocks and vary the layout of block 'L' and surrounding road layout.
- 2.8 Planning and Environment Committee, 22 December 2008 (Decision item 8) - approved Reserved Matters Application to develop Phase 2A of the development.
- 2.9 Delegated Powers Report, 7 August 2009 (number 870) – the Leader of the Council approved and agreed a Deed of Variation to extend the expiry date on the Principal Development Agreement and to make amendments to the provisions for the TUPE agreement and information on the Masterplan.
- 2.10 Delegated Powers Report, 15 February 2010 (number 993) – the Leader of the Council approved the extension of the Principal Development Agreement expiry date by four months to 15 June 2010, and to enter the Deed of Variation to the Principal Development Agreement for commencement of the Initial Phase (Pilot and Phase 2A).
- 2.11 Delegated Powers Report, 16 June 2010 (number 1092) – the Leader of the Council approved the extension of the Principal Development Agreement expiry date by six months to 15 December 2010.
- 2.12 Cabinet Resources Committee, 30 November 2010 (Decision item 7) - approved the extension of the Principal Development Agreement by twelve months to 15 December 2011 and authorised officers to grant a further extension of up to twelve months to 15 December 2012 (which has now been granted – see paragraph 2.13).
- 2.13 Delegated Powers Report, 3 October 2011 (number 1444) – the Interim Director of Environment, Planning and Regeneration approved an extension of the West Hendon Principal Development Agreement expiry date by 12 months to 15 December 2012 to review feasibility options.
- 2.14 Delegated Powers Report, 22 December 2011 (number 1524) – the Leader of the Council authorised that officers can undertake a mini tender competition to select external legal advisers for the West Hendon Regeneration Scheme. DLA Piper were the external legal advisors appointed under this tender exercise.
- 2.15 Cabinet Resources Committee, 28 February 2012 (Decision item 19) – approved that the Deputy Chief Executive be authorised to negotiate revised terms for the West Hendon Principal Development Agreement to enable the West Hendon regeneration scheme to progress with a new master plan that guarantees scheme viability, consulting relevant stakeholders as necessary and to report back to the Committee later this year on the result of these negotiations and any proposed changes.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The regeneration of the West Hendon estate supports the Corporate Plan 2012-2013 priority of 'A successful London Suburb' and the strategic objective under this priority to *sustain Barnet as a successful place through regeneration, and supporting enterprise and employment.*
- 3.2 The regeneration of the West Hendon regeneration estate also supports the 'One Barnet - A Sustainable Community Strategy for Barnet 2010–2020' through the following objectives:
1. A new relationship with citizens - the new developments will offer more choice and promote independence by providing a number of different housing options such as shared ownership to residents and those in the wider community.
 2. A one-public-sector approach - the Council is working together with other public sector partners to ensure the delivery of the schemes.
 3. A relentless drive for efficiency - the Council is working with development partners to ensure that the schemes are delivered in the most cost effective way.
- 3.3 The regeneration scheme also complies with strategic objectives in the Council's Housing Strategy 2010-2025 which include:
1. Increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents; and
 2. Promoting mixed communities and maximising opportunities available for those wishing to own their home.

4. RISK MANAGEMENT ISSUES

- 4.1 If the regeneration of the estate fails to proceed, the Council still has an obligation to bring the current housing stock up to 'Decent Homes' standard. The properties in Council ownership will require major investment to ensure that these properties remain habitable in the medium and long term. There is currently no financial provision to upgrade these homes so funding sources would need to be identified. This could have significant financial implications for the Council due to the poor state of repair of much of the estate.
- 4.2 A further extension to the West Hendon Principal Development Agreement is required to prevent it from being terminated. The rationale for granting an initial six month extension is to ensure that Barratt Metropolitan Limited Liability Partnership submit a Hybrid planning application in a timely manner as any delay in submitting this application will jeopardise the Get Britain Building funding secured through the Greater London Authority. Also If the Principal Development Agreement is terminated, the Council would have to commence a new procurement process to find a partner to regenerate the West Hendon estate. Appointing an alternative development partner at this stage is not being considered due to the major time and cost implications and because a fresh procurement exercise may not necessarily guarantee viable delivery solution. This process could take up to two years and would have significant cost implications. A new Principal Development Agreement would also be required for the regeneration and redevelopment of the area, affecting the programme duration and scheme costs.
- 4.3 This is preferred to the alternative route of the Council signing a new agreement as this will help reduce the risk to the Council of any legal challenge (a completely new agreement with the same developer or consortium would be regarded as an entirely new procurement within the Public Contracts Regulations).

- 4.4 Under the existing Principal Development Agreement, the Council's development partners are responsible for Council's historic costs of up to £500,000 some of which were recovered under the existing Deed of Variation to the Initial Phase. The Principal Development Agreement also enables the Council to recover costs of up to £100,000 per annum during the development period. These can be re-claimed when the conditions precedent set out in the Principal Development Agreement have been met. If the Principal Development Agreement terminates, the Council will no longer be able to recover these costs, Statutory Highways & Planning fees are covered outside the Principal development agreement.
- 4.5 In order to improve the scheme viability for the Initial Phase (see paragraph 9.2.1 below) the Council deferred the Section 106 contribution on the former site of the Lakeview Children's Centre to later phases of the regeneration scheme. If Barratt Metropolitan Limited Liability Partnership does not proceed with the rest of the regeneration, this contribution will be lost. The total amount deferred is circa £1.6 million (indexed linked).
- 4.6 The West Hendon Regeneration Scheme has reached a critical point. It was reported to Committee in February 2012 that the Council's development partner, Barratt Metropolitan Limited Liability Partnership, undertook an appraisal of the original master plan for the regeneration of the West Hendon Estate as it was unviable. While the economy remains fragile, much work has been done by the project team since Committee to work up a viable scheme since (see paragraphs 6.1.7 and 9.2.4 below). This has included an application to the Greater London Authority¹ for Get Britain Building funding along with a bid to Transport for London for infrastructure improvement works along the A5. Financial due diligence is now being undertaken for Get Britain Building and Heads of Terms agreed.
- 4.7 The planning application is of a size to be considered of strategic importance to London. Therefore, should the Planning and Environment Committee resolve to approve any eventual application, it will need to be referred to the Mayor of London for a decision. Initial meetings have been held with planning officers at the Greater London Authority.
- 4.8 Compulsory Purchase Orders are essential to enable satisfactory completion of the project. Because of the overall programme length (17 years) for the whole project, it is only practical to consider a number of Compulsory Purchase Orders for the project. Appendix 1 of this report shows an indicative plan of the areas of land for the proposed Compulsory Purchase Orders. Whilst it is hoped that all outstanding property interests can be acquired by negotiation, the project cannot proceed with the risk that negotiations may not prove successful in all cases and the scheme be brought to a halt. To avoid this potential risk to the financial viability of the scheme and its satisfactory delivery it will be necessary to seek the approval of three Compulsory Purchase Orders. If the orders are not confirmed, or are significantly amended the project would be undeliverable.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Council is committed to improving the quality of life and wider participation for all in the economic, educational, cultural, social and community life of the Borough. The West Hendon Regeneration Scheme will provide a mix of affordable and private sale properties. The new mixed tenure housing will improve the community cohesion in an area with a highly diverse population. It will provide increased choice and opportunity for

¹ As of April 2012 the Homes and Communities Agency's London functions have been devolved to the Greater London Authority.

Barnet residents. This supports the overall aim of the Council's Equalities Policy and the Council's duties under the Equality Act 2010.

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

6.1 Finance

Compulsory Purchase Orders

- 6.1.1 On the 11 August 2006, the Council entered into a Compulsory Purchase Order Indemnity Agreement with Barratt Metropolitan Limited Liability Partnership. Under the terms of the Compulsory Purchase Order Indemnity Agreement Barratt Metropolitan Limited Liability Partnership is required to cover all of the Council's costs in relation to the making and implementation of the Compulsory Purchase Order. These costs include the purchase price or any compensation for any land interest which the Council has to acquire either pursuant to the Compulsory Purchase Order or in consequence of the service of valid blight notices, including all payments made pursuant to the Compulsory Purchase Act 1965 and the Land Compensation Acts 1961 and 1973; any statutory interest payable and the Council's reasonable and proper internal and external costs including legal and surveying and other professional costs covered by the indemnity agreement.
- 6.1.2 All compulsorily acquired interests will be transferred to the developer partners for the purposes of the regeneration scheme, enabling them to override encumbrances. Any such interests transferred in advance of a development phase will be the subject of an option agreement enabling the Council to re-acquire the property for regeneration purposes if the Principal Development Agreement should be terminated.
- 6.1.3 Consultants will be assisting the Council with the preparation, making and progressing of the compulsory purchase order. Work carried out internally will be done within existing staffing resources.

General

- 6.1.4 As per paragraph 2.14 above, DLA Piper was appointed to act as the Council's external legal advisors on the renegotiation of the Heads of Terms of the Principal Development Agreement for the West Hendon Regeneration Scheme as well as assistance and preparation of relevant legal documentation, within the context of planning law. The current contractual arrangements with the development partner provide for the recovery of these and other external consultancy costs.
- 6.1.5 Under the revised masterplan proposals, Ramsey Close and part of West Hendon Broadway will be excluded from the regeneration proposals. The rationale behind this was to reduce the impact on existing residents of Ramsey Close, reducing financial and programme risk and creating a new enhanced local centre without demolition of The Broadway. Ramsey Close comprises 34 properties, 25 of which are owned and managed by Barnet Homes on behalf of the Council. These 25 properties were excluded from the Decent Homes programme which was completed in 2011 and from Barnet Homes' maintenance plans as they were then earmarked for demolition. If the revised masterplan proposals are approved, these properties will require some reasonable level of works to be undertaken to them in the next few years including replacing the heating systems, rewiring and replacement of windows together with other external works. The kitchens

and bathrooms may also need to be replaced. A budget for this work would need to be agreed with the Council which would be funded from the Housing Revenue Account. However, the Council will continue to benefit from a rental income for these homes into the future.

- 6.1.6 As a consequence of the delays to the West Hendon Regeneration Scheme, Barnet Homes Limited (the Council's Arms-Length Management Organisation), on behalf of the Council, has on-going maintenance responsibilities with the properties on the estate which are ultimately due for demolition. It was agreed that, upon conclusion of the masterplan review, Barnet Homes Limited will formally present the Council with a detailed programme of maintenance works which takes the proposed re-phasing into consideration and future maintenance of the remainder of the properties over the life time of the regeneration which is due to be completed in year circa 2024. This work is on-going and will be presented to the Council in due course.
- 6.1.7 It was reported to Cabinet Resources Committee in February 2012 that the financial viability of the scheme to deliver 1,977 new homes had been reworked whereby the viability gap had closed from £26m to approximately £7m. Various scenarios relating to differing levels of affordable housing, parking ratios and number of units were explored from February to August 2012. The proposed number of units has increased from 1,977 to 2,000 new homes to close this viability gap. The current valuation summary from Barratt Metropolitan Limited Liability Partnership shows a zero deficit, however, this will be the subject of financial due diligence before it is taken forward.

6.2 Procurement

- 6.2.1 It is intended that the proposals set out in this report will be taken forward by means of a variation to the existing Principal Development Agreement for the West Hendon Regeneration Scheme. The Deed of Variation will be subject to detailed legal advice from DLA Piper Limited Liability Partnership, the Council's external Legal Advisers on the scheme, in respect of any procurement issues.

6.3 Performance and Value for Money

- 6.3.1 The Council and Barratt Metropolitan Limited Liability Partnership have agreed to adopt a transparent and open book approach to the management of the West Hendon Regeneration Scheme. The Council has the right to access management accounts and other relevant documentation to ensure that information being provided in connection with financial matters is accurate and accords with 'Value for Money' criteria.
- 6.3.2 The original Principal Development Agreement allows for the Council to appoint monitoring consultants to ensure performance and Value for Money of the regeneration project. This function will also be provided for in the Deed of Variation to the Principal Development Agreement. A new monitoring consultant will be appointed through a procurement exercise when the new masterplan enters the implementation phase.

6.4 Property

- 6.4.1 The revised masterplan proposes to bring forward the regeneration of the estate in four zones, as shown on the Zoning Strategy drawing appended to this report (Appendix 2). Zone 1 is split into sub-zones but will deliver over 650 residential dwellings in total over a six-year period. Part of this zone of construction will be built on the site of a former residential care home owned by Catalyst Housing Group, as outlined in paragraph 4.7 above. This acquisition is critical for the delivery of this zone. Barratt Metropolitan Limited

Liability Partnership has agreed to reimburse the Council the costs associated with the acquisition of this site. A Stopping up Order is also required to enable the commencement of this zone; Barratt Metropolitan Limited Liability Partnership will be submitting a Stopping up Order in due course for Perryfield Way car park, Telford Road, NW9 to remove it from the public highway so it can be built upon. Consultation with local residents and business interests along the Broadway will be undertaken in advance of submission of an application.

6.5 Staffing, IT and Sustainability

6.5.1 There are no issues to report around, IT and sustainability. However the Council is in dialogue with Barratts Metropolitan around staff resource for both Planning & Highways as part of a Major Planning Application.

7. LEGAL ISSUES

7.1 Deed of Variation to the West Hendon Principal Development Agreement

7.1.1 Projects like the West Hendon Regeneration Scheme (which involve building or development obligations on the part of the developer to specific requirements or standards) are generally viewed by the courts as public works contracts which are required to be tendered within the Public Contracts Regulations 2006, (as amended). Any new arrangements with an alternative developer or consortium would very likely require the Council to run a formal public procurement competition under the Public Contracts Regulations - involving both considerable time and delay in the project and significant cost. Furthermore, given the effects of the recession on the housing market and the relatively few numbers of developers who have the necessary funding in place the Council may find it difficult to attract sufficient interest from bidders in running a new procurement exercise. Experience has shown that many developers are reluctant to commit the necessary funds and resources that are required to submit a formal tender under the Public Contracts Regulations.

7.1.2 The revised terms for the Principal Development Agreement with the existing developer for the West Hendon Regeneration Scheme are intended to enable the scheme to progress with a new masterplan that ensures scheme viability. Based on legal advice, the Council is proposing to document these changes through the Council entering into a Deed of Variation to the Principal Development Agreement which captures the terms that have been agreed between the Council and the other parties.

7.1.3 With reference to the risk identified above, the legal authorities on what would be regarded as a permissible change are not entirely clear and this is an area where the case law is still evolving. Recent judgements including the European Court judgement C-454/06 Presstext Nachrichtenagentur v Austria do provide broad guidelines. The courts have indicated that variations to an original public works contract may go beyond what is permissible if there is no functional link between the revised terms and the original bid assessment, if the proposed changes had been contemplated at the time of the original award would have resulted in a different outcome in the decision making or if the proposals would lead to what the courts regard as a 'distortion of competition'.

7.1.4 In the context of the proposals on the West Hendon Regeneration Scheme, the Council will need to strike the right balance between updating and modifying the terms in order to encourage the developer to progress the scheme - whilst ensuring that the fundamental commercial terms on which the original Principal Development Agreement do not change so as to result in a new contract being created which, due to the procurement legislation

and rules, may open the entire exercise to legal challenge. It will not be possible to remove any risk of legal challenge, but the Council will be essentially refining the existing arrangements (and improving viability) rather than making fundamental changes. The Council has taken legal advice through the course of the negotiations in order to ensure that any new arrangement complies with relevant legislation and case so as to manage and minimise the risks. The Council will also be seeking advice once Heads of Terms are finalised to ensure the proposals do not breach State Aid legislation.

7.2 Compulsory Purchase Order

- 7.2.1 The Council has the power to dispose of land held for housing purposes under Section 32 of the Housing Act 1985. Further, the Council has the power to dispose of land which is not held for housing purposes under Section 123 of the Local Government Act 1972.
- 7.2.2 The Council has the power through various enactments, including the Planning and Compulsory Purchase Act 2004 to make Compulsory Purchase Orders and to apply to the Secretary of State for confirmation of those orders.
- 7.2.3 Section 226 (1) (a) of the Town and Country Planning Act 1990, as amended by the Town and Country Planning Act 2004, provides that a local authority shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area if they are satisfied that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. However the power must not be exercised unless the authority thinks that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of their area. Compulsory purchase will enable regeneration to take place in accordance with an agreed programme and will provide certainty for site assembly and the implementation of the scheme – thus enabling the Council's objectives to be achieved in respect of the land the subject of the Compulsory Purchase Orders.
- 7.2.4 Consideration has been given to the provisions of the Human Rights Act 1998 including Article 8 (respect for private and family life and home) and Article 1 of the First Protocol (right to peaceful enjoyment of possessions). A decision to make Compulsory Purchase Orders must strike a fair balance between the public interest in the regeneration of the land and interference with private rights. Bearing in mind the provisions for compensation to be payable and the compelling case in the public interest for the acquisition of the interest, it is considered that the interference with private property rights is proportionate and strikes a fair balance between the public interest and the interests of objectors in compliance with the requirements of Article 1 of the First Protocol.

8. CONSTITUTIONAL POWERS

- 8.1 Constitution – Part 3 Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land buildings owned, rented or proposed to be acquired or disposed of by the Council.

9. BACKGROUND INFORMATION

9.1 Context and Background

- 9.1.1 In 2002 the Council embarked upon a scheme for the regeneration of the West Hendon Estate which aimed to transform it into a thriving, 2,171-home mixed tenure community

with improved transport links and associated commercial and retail space. In July 2002, following a detailed procurement process, the Council selected Metropolitan Housing Trust, Bellhouse Joseph and Lovell Partnerships as the preferred development partner for the West Hendon regeneration scheme. However, Lovell Partnerships later withdrew from the scheme, and a new partnership was formed between Metropolitan Housing Trust and Barratt Homes in May 2005. This partnership is known as the Barratt Metropolitan Limited Liability Partnership.

- 9.1.2 The development partners submitted an outline planning application in December 2004 for the construction of 2,171 new dwellings and up to 10,000m² of associated commercial, retail and community space; associated public and private open space, landscaping, car parking, access arrangements and highway improvements.
- 9.1.3 Resolution to approve the outline planning application was given at the Planning and Environment Committee of 27 July 2005. An application was brought back to Planning and Environment Committee on 25 January 2006 for amendments to the Section 106 Agreement Heads of Terms and on 19 March 2008 for amendments to the phasing strategy in order to address viability issues. Following the completion of the Section 106 Agreement planning permission was formally granted on 1 July 2008.
- 9.1.4 The Council entered into a Principal Development Agreement with Barratt Metropolitan Limited Liability Partnership, Metropolitan Housing Trust, Metropolitan Living Limited, BDW Trading Limited and Barratt Development Plc on 11 August 2006, to provide for the regeneration of the West Hendon Estate.
- 9.1.5 A deed of variation to the Principal Development Agreement was entered into on 29 April 2010, to allow for delivery of an initial phase of 194 residential units (currently on site and due to complete in 2013) without the Principal Development Agreement becoming unconditional.
- 9.1.6 A Deed of Variation to the Section 106 Agreement for the main outline (W13937/04) and pilot (W13230A/07) applications was agreed at Planning and Environment Committee on 29 July 2010. This variation sought to defer triggers for education payments and to spread a requirement of circa £1.6m, attached to the pilot scheme, over later phases of the outline planning application. The Initial Phase was only able to start following the allocation of a proportion of the Council's Growth Area Funding pot, and Homes and Communities Agency gap funding (see paragraph 9.2.1 below).

9.2 Progress to date – Initial Phase and Review of the Masterplan

Initial Phase

- 9.2.1 An initial phase comprising 194 homes (including 43 homes for rent) started on site in March 2011 following the allocation of funding as outlined in Table 1 below.

Table 1: Funding to enable delivery of Initial Phase

Funding Type	Amount
National Affordable Housing Programme funding, Homes and Communities Agency	£4,775,299
Kick-start National Affordable Housing Programme funding, Homes and Communities Agency	£426,000
Gap funding (Kick-start Two), Homes and Communities Agency	£1,150,967
Council's Growth Area Funding towards infrastructure	£3,850,000
Total	£10,202,266

Deferment of Section 106 payments relating to education, Lakeview Children's Centre and an employment and training contribution to later phases also enabled commencement of this phase. A Deed of Variation to the West Hendon Regeneration Scheme Principal Development Agreement was signed to allow the delivery of this phase without triggering provisions in the main Principal Development Agreement. A Deed of Variation to the Section 106 Agreement was also agreed. 13 new homes for rent have been completed to date. All 194 new homes are on track for completion in spring 2013. 71 of the 151 new homes for private sale have been reserved, exchanged or completed to date.

Review of the Masterplan

- 9.2.2 As reported to Committee in February 2012, the original masterplan for the West Hendon Regeneration scheme is not financially viable. With the agreement of the Council, Barratt Metropolitan Limited Liability Partnership undertook a review of the masterplan, led by a professional team appointed in September 2011. The team was appointed to produce a strategy that could be supported by the Council for the viable and complete regeneration of the West Hendon Estate.
- 9.2.3 The masterplan review considered five options, of which Option '3' was recommended as the favoured option to be taken forward. This option included 1,977 new homes, retention of Ramsey Close, minimum Compulsory Purchase Order costs, creating a new town centre focus (but not redeveloping The Broadway commercial space) and highways junctions, highways capacity and pedestrian improvements. Following the Committee meeting, a public consultation event was held on 27 March 2012 on Option '3', whereby approximately 70 local residents, business owners and community group members attended the exhibition. The details of this proposal were also presented to members of the West Hendon Residents' Regeneration Forum.
- 9.2.4 Since February 2012, Barratts Metropolitan and their professional team, in consultation with the Council, have further developed the design. This will enable submission of a hybrid planning application for the regeneration of the West Hendon estate comprising a detailed planning application for the first sub-zone of the development (approximately 174 new homes) and an outline planning application for the remainder of the West Hendon Regeneration Scheme (approximately 1,826 new homes). It is anticipated that the hybrid planning application will be submitted in February 2013 for determination over a 16 week period by the Council's Planning and Environment Committee. Consultation with residents and local stakeholders will continue throughout the design, planning and development period. The further development of the design has included minor changes to Option '3' such as increasing the number of new homes to 2,000 to further improve viability and deliverability and eliminate the viability gap of circa £7m previously reported.

9.3 Expiry date of the Principal Development Agreement for the West Hendon Regeneration Scheme

- 9.3.1 On 2 October 2011, the Council agreed to enter into a Deed of Variation to the Principal Development Agreement for the West Hendon Regeneration Scheme which extended the expiry date of the Principal Development Agreement for a further twelve months to 15 December 2012. This extension enabled Barratt Metropolitan Limited Liability Partnership to develop the design of the revised masterplan in greater detail as well as undertake consultation and financial viability testing.
- 9.3.2 The original expiry date for the West Hendon Principal Development Agreement was 10 August 2009, however, all parties agreed to extend the expiry date to 15 February 2010 in accordance with the terms of the Principal Development Agreement. Further

extensions to the 15 June 2010, 15 December 2010, 15 December 2011 and 15 December 2012 ensued.

- 9.3.3 On the basis that Barratt Metropolitan Limited Liability Partnership has made progress on the masterplan review, officers would like to recommend a further extension to the Principal Development Agreement for a period of six months to 15 June 2013. Officers also recommend that the Deputy Chief Executive be authorised to agree an extension of up to twelve months if the conditions stipulated in this report are met. This further extension is considered necessary in order to enable the application to be determined and a start on site

9.4 Heads of Terms for a variation to the Principal Development Agreement

- 9.4.1 The design is being advanced sufficient to allow the Heads of Terms for a variation to the existing Principal Development Agreement for the West Hendon Regeneration Scheme to be agreed. The outcome of the negotiations, being undertaken by the Deputy Chief Executive, for revised terms for the Principal Development Agreement will be presented to Committee in early 2013 along with seeking authority to enter in to a Deed of Variation to the existing Principal Development Agreement.

9.5 Reaffirmation of resolution to make a Compulsory Purchase Order

- 9.5.1 On 28 November 2006, Committee resolved to make a Compulsory Purchase Order for the acquisition of all non-Council owned property and other proprietary interests in the West Hendon regeneration area. As aforementioned, Compulsory Purchase Orders are essential to enable satisfactory completion of the project. Because of the overall programme length (17 years) for the whole project, it is only practical to consider a number of Compulsory Purchase Orders for the project. Appendix 1 of this report shows an indicative plan of the areas of land for the proposed Compulsory Purchase Orders. Whilst it is hoped that all outstanding property interests can be acquired by negotiation, the project cannot proceed with the risk that negotiations may not prove successful in all cases and the scheme be brought to a halt. To avoid this potential risk to the financial viability of the scheme and its satisfactory delivery it will be necessary to seek the approval of three Compulsory Purchase Orders.

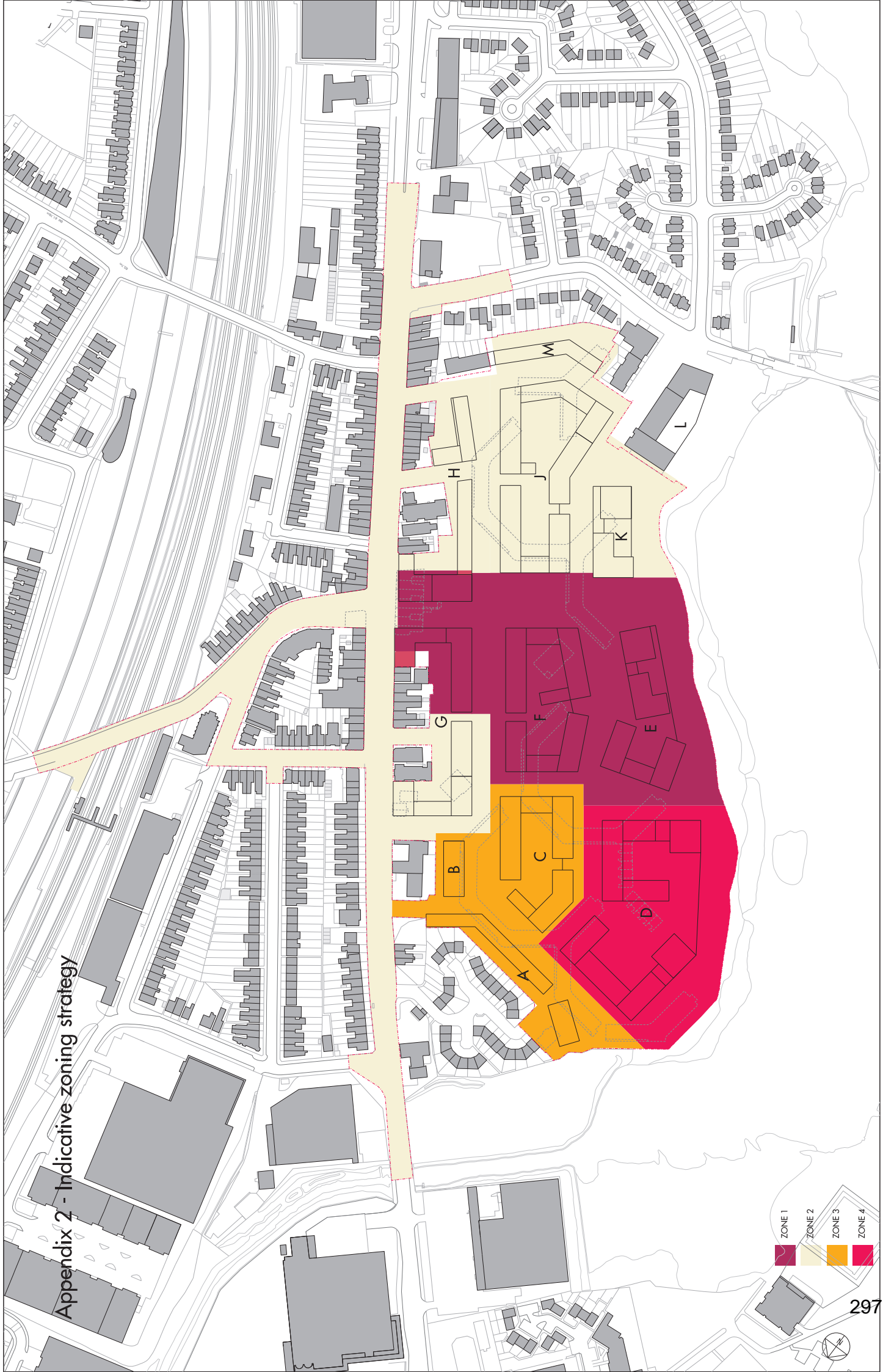
10. LIST OF BACKGROUND PAPERS

- 10.1 None

Legal – TE
CFO – MC

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Appendix 2 - Indicative zoning strategy



- ZONE 1
- ZONE 2
- ZONE 3
- ZONE 4

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 AGENDA ITEM 12

Meeting	Cabinet Resources Committee
Date	7 November 2012
Subject	Granville Road, NW2, New Housing Development – Updated from 18 October 2012 Report
Report of	Leader of Council Deputy Leader of the Council and Cabinet Member for Resources and Performance Cabinet Member for Housing
Summary	To report on the competitive dialogue process to procure a development partner to redevelop lands on the Granville Road estate, and to seek approval to appoint the Council's development partner – Update to Appendix 2

Officer Contributors	Lucy Shomali, Assistant Director of Strategic Planning and Regeneration Nicola Bird, Housing Development Partnership Manager, Strategic Planning and Regeneration Susan Lowe, Procurement Manager, Corporate Procurement Team, Commercial Services Susan Hunter, Regeneration Officer, Strategic Planning and Regeneration
Status (public or exempt)	Public (with separate exempt report)
Wards affected	Childs Hill
Enclosures	Appendix 1 – Granville Road Boundary Map Appendix 2 – Evaluation Criteria Appendix 3 – Key Provisions (Bidder A and Bidder C)
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in	Not applicable

1. RECOMMENDATION

- 1.1 That the Committee considers the matters detailed in Appendix 2 to this report and for the reasons set out in 9.9 below affirm its decisions of 18 October 2012 as set out in 1.2 to 1.12 below.**
- 1.2 That in exercise of the Council's general power of competence under Section 1 of Chapter 1 of the Localism Act 2011, and the other statutory powers referred to in the Legal Issues Section of this report and all other relevant powers, authority be granted to:**
 - 1.2.1 appoint Mulalley/One Housing Consortium comprising of Mulalley & Co Limited, CHA Ventures Limited and, as guarantor with CHA Ventures Limited, Sherrygreen Limited (Bidder B) (as detailed in the Exempt Report) as the Council's preferred development partner to take forward their Option 1 for the Granville Road, NW2, New Housing Development Scheme.**
 - 1.2.2 approve the selection of the Countryside/Metropolitan Housing Consortium comprising of Countryside Properties (UK) Limited and Metropolitan Housing Partnership and, as guarantor, Countryside Properties plc (Bidder C) as detailed in the Exempt report to be the Council's reserve development partner for the Granville Road, NW2 New Housing Development Scheme**
- 1.3 That authority be delegated to the Deputy Chief Executive in consultation with the Leader of the Council to finalise any outstanding matters and the New Housing Development Agreement for the Granville Road Estate, NW2 and any other related legal agreements with Bidder B (or with Bidder C if in their opinion it is not feasible to reach a timely agreement on outstanding matters with Bidder B).**
- 1.4 That the Council shall enter into the New Housing Development Agreement for the Granville Road Estate, NW2 and any other related legal agreements with Bidder B (or Bidder C if applicable under paragraph 1.2) subject to the Deputy Chief Executive being satisfied as to the terms of such agreements and the Practice Director of the Joint Legal Services, or authorised delegate, being satisfied as to the form of such agreements.**
- 1.5 That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Services to decide whether:**
 - (a) to rely upon one or more of the General Housing Consents 2012; or**
 - (b) subject to the authorisation of the full Council to make a specific application for the consent of the Secretary of State for Communities and Local Government for the Council to dispose of land to Bidder B (or Bidder C if applicable under paragraph 1.2) in the Granville Road, NW2 development site which it holds under Part II of the Housing Act 1985.**
- 1.6 That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Services to decide whether:**

(a) the Council is not required to seek the consent of the Secretary of State for Communities and Local Government; or

(b) to rely on the General Consent (Circular 06/03: The Local Government Act 1972 general disposal consent (England) 2003); or

(c) to make a specific application to the Secretary of State for his consent;

for the Council to dispose of land to Bidder B (or Bidder C if applicable under paragraph 1.2) in the Granville Road, NW2 development site which it holds other than under Part II of the Housing Act 1985.

1.7 That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Service to decide whether:

(a) Council is providing financial assistance in respect of the new housing development at Granville Road, NW2 as described in Section 24 of the Local Government Act 1988; and if so whether:

(i) to rely on one or more of the general consents under Section 25 of the Local Government Act 1988 (Local Authority assistance for privately let housing) 2010; or

(ii) to make a specific application to the Secretary of State for his consent under Sections 25 and 26 of the Local Government Act 1988;

in connection with the proposed new housing development at Granville Road, NW2.

1.8 That authorisation be given (granted) to the Interim Director for Planning, Environment and Regeneration to notify secure tenants affected by the proposed new housing development of Granville Road, NW2 and enable the same to make representations to the Council in accordance with the requirements of Part V of schedule 2 of the Housing Act 1985.

1.9 That authority is delegated to the Interim Director for Planning, Environment and Regeneration in consultation with the Leader of the Council to consider any representations made by secure tenants received under the process set out in paragraph 1.7, and if as a consequence of such representations, she believes it appropriate, to seek relevant changes to the proposed new housing development at Granville Road, NW2.

1.10 That approval is given to make of discretionary payments for home loss and disturbance payments, to secure tenants who transfer from the Beech Court to alternative accommodation to facilitate redevelopment.

1.11 That, subject to undertaking the actions required under paragraphs 1.7 and 1.8 authority is delegated to the Interim Director for Planning, Environment and Regeneration to apply for the Secretary of State's approval for the proposed new build housing development and disposal of identified land at the Granville Road Estate, NW2 for the purposes of ground 10 A in Part II of Schedule 2 of the Housing Act 1985.

1.12 That, subject to the prior grant of the planning permission for the regeneration of the Granville Road, NW2 development area (“Development Area”), the appropriate Chief Officers be authorised to (1) advertise the Council’s intention of appropriating open space lands within the Development Area pursuant to Section 122(2A) of Local Government Act 1972 and to report to a future meeting of the Committee if any representations are made and (2) subject to any relevant consents of the Secretary of States being obtained, to appropriate to planning purposes, the Housing land in the Development Area and any land held for any other purpose of the Council, within the Development Area, prior to the disposal of such lands.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee, 31 October 2007 (Decision Item 11) – approved in principle the sale of the specified lands on Granville Road estate, NW2 for residential development to fund works required to the tower blocks subject to marketing and tendering.
- 2.2 Cabinet, 23 January 2008 (Decision Item 7) – approved the Planning Brief for the Granville Road Estate, NW2 which included retention of the three taller tower blocks for major refurbishment and improvement assisted by unlocking new build potential on adjoining under-used land to provide new homes as part of a wider Estate regeneration scheme.
- 2.3 Cabinet Resources Committee, 5 March 2009 (Decision Item 10) – approved the demolition of Garth House and connected buildings following a fire in 2008.
- 2.4 Cabinet Resources Committee, 23 April 2009 (Decision Item 6) – approved an initial allocation of £1 million of Growth Area Funding if necessary, to assist the financial business case for the refurbishment of the three tower blocks and the wider regeneration on the Granville Road Estate, NW2.
- 2.5 Cabinet Housing and Regeneration Committee, 27 May 2009 (Decision Item 7) – Informed members on Local Asset Backed Vehicles (LABV) model and how this may assist the Council in providing innovative funding solutions to delivering housing regeneration at locations such as Granville Road Estate, NW2.
- 2.6 Cabinet Resources Committee, 30 July 2009 (Decision item 18) – approved the formal acceptance of the award of funding of £7.011 million from the London Development Agency allocated from the London Mayor’s Targeted Funding Stream to improve the three tower blocks and upgrade 179 homes on the Granville Road Estate, NW2 and to undertake a parallel process for the wider estate regeneration and related procurement process.
- 2.7 Cabinet, 21 October 2009 (Decision item 10) – approved
- (i) that officers invite expressions of interest on the options for progression of the regeneration;
 - (ii) the commencement of a formal procurement and market testing of the options;
 - (iii) officers procure the production of a masterplan to guide the development and regeneration of the wider estate; and

- (iv) that officers report back to Cabinet or Cabinet Resources Committee to commence phase 2 of the wider regeneration in accordance with the chosen financial and procurement model.
- 2.8 Cabinet, 21 October 2009 (Decision item 8) – approved the plans for implementing the Future Shape programme which sets out three key priorities being a new relationship with citizens, a one public sector approach and a relentless drive for efficiency whilst seeking to deliver new innovative models of funding and service delivery.
- 2.9 Cabinet Resources Committee, 23 February 2010 (Decision item 14) – approved
- (i) the commencement of the process to develop a Local Asset Backed Vehicle;
 - (ii) a formal LABV Board be constituted with Officers tasked with reporting back to CRC on the detail of the forming and operating of such a vehicle;
 - (iii) to undertake soft market testing with the potential to refine the LABV concept to a Barnet specific product; and
 - (iv) procure appropriate professional advisers to assist the Council in this process.
- 2.10 Cabinet, 12 April 2010 (Decision item 9) – approved the Barnet Housing Strategy and
- (i) to explore the Private Rented Sector Initiative, in 2010/11 linked to Future Shape;
 - (ii) following such exploration, to develop further the Business Case for establishing a Barnet Private Rented Sector Initiative vehicle for future presentation to Cabinet; and
 - (iii) to appoint relevant external advisors to advise on the Private Rented Sector Initiative and the Council's proposed participation in such a vehicle, and authority be given to the relevant Cabinet Member, through Delegated Powers, to approve external advisors.
- 2.11 Cabinet Resources Committee, 17 June 2010 (Agenda Item 9): Resolved –
- (i) That having regard to the business case for Phase 2 of the regeneration of the Granville Road estate, NW2:
 - (a) That the Director of Planning Housing and Regeneration be authorised to seek a development partner through a competitive tender to enter into a joint venture to take forward Phase 2 of the regeneration of the Granville Road Estate, NW2;
 - (b) That the Director of Planning, Housing and Regeneration be authorised to approve through delegated powers, the appointment of any further external consultants, in accordance with the Council's Contract Procurement Rules to support the tender and contractual arrangements for the establishment of a joint venture agreement / local delivery vehicle for Granville Road, NW2; and
 - (c) To authorise spend up to a maximum of £500,000 towards legal and consultancy services to support the tender arrangements required for the establishment of a joint venture agreement or other delivery vehicle for Granville Road.
- 2.12 Cabinet Resources committee, 18 October 2012 – approved the recommendations as set out in 1.1 to 1.11 above.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The regeneration of the Granville Road Estate, NW2 contributes to the delivery of the Corporate Plan 2012-2013 priority of a 'successful London Suburb' and the One Barnet - A Sustainable Community Strategy 2010-20. Strategic objectives under the above include to deliver sustainable housing growth, to support strong and cohesive communities and to ensure residents continue to feel that Barnet is a place where people from different communities get on together including through effective management of our regeneration programmes.
- 3.2 The Granville Road Estate, NW2 Regeneration also supports the corporate priority of 'sharing opportunities, sharing responsibilities'. The new development will offer more choice by providing a number of different housing options such as shared equity, shared ownership etc to residents and those in the wider community.
- 3.3 The Granville Road Estate Planning Brief adopted by Cabinet, and issued on 23 January 2008 also outlines a vision for a high quality successful and sustainable community including well designed new homes. It sets out key principles and opportunities for new housing development in keeping with the character of the area

4. RISK MANAGEMENT ISSUES

- 4.1 There is a risk that should the Council not give approval to Bidder B as the Council's preferred development partner and Bidder C as the reserve development partner the Council will suffer reputational damage.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Barnet is committed to improving the quality of life and wider participation for all the economic, educational, cultural, and social and community life in the Borough. This is achieved by pursuing successful regeneration of the Borough's priority housing estates and where financially necessary to assist this by bringing sites to the market for residential use. This will benefit all sections of society and Barnet's diverse communities who are seeking housing and contribute to addressing the shortage of housing in the Borough across all tenures.

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

Finance

- 6.1.1 Between 2008 and 2012, the Council has spent approximately £334,000 on consultancy fees. This includes work that was required to de-risk the scheme and make it more attractive to potential private sector partners.
- 6.1.2 The Council appointed external consultants Buro Happold and CB Richard Ellis to provide due diligence support and specialist advice during the Competitive Dialogue process. Trowers and Hamlins were later appointed to provide independent legal advice. The Council spent approximately £269,000 on

consultant fees to support the marketing and the Competitive Dialogue process up to August 2012. Further fees are likely to be incurred for services received between August 2012 and April 2013 until the contracts are signed.

- 6.1.3 Where possible we have used in-house resources to minimise costs and external fees on this process. The Council's planning, highways, finance and procurement departments have provided key input throughout this process.
- 6.1.4 The costs of procurement and related consultancies have been budgeted through the Housing Revenue Account (HRA) and the recharging of these costs at £350,000 will be included in any Principal Development Agreement. If these costs cannot be recovered, this will be funded from the HRA budget.
- 6.1.5 Bidders were asked to make an allowance within their business models for the recovery of historical costs. The Committee are referred to the Exempt Report for more details.
- 6.1.6 Homeloss and Disturbance payments will be paid to all the secure tenants that are required to move from Beech Court, NW2. The amount payable will be in accordance with the amounts stated in the Land Compensation Act 1973. Bidders were asked to make an allowance of £100,000 within their business case to cover these costs.

The Procurement Process

- 6.2.1 Following Cabinet Resources Committee's decision on 17 June 2010 to procure a delivery partner for the scheme using the Competitive Dialogue procedure an OJEU notice was released on 23 November 2010, OJEU Competitive Dialogue Service notice, 2010/S 227-347396. The notice identified the procurement process to be undertaken together with specifying the Council's intention to seek a development partner for the scheme. Expressions of Interest were received which facilitated the release of Pre-Qualification Questionnaires (PQQ) and a Memorandum of Information (MOI). The MOI provided detailed information on the scheme, and set out the parameters for the Competitive Dialogue in summary.
- 6.2.2. The Council received PQQ submissions from 17 bidders. The PQQs were evaluated in accordance with the evaluation criteria published in the OJEU notice: Company Information 5%, Technical Resources & References 50%, Finance 30%, Health & Safety 5%, Environmental Issues 10%. This criteria was utilised to shortlist the number of candidates to enter the first dialogue stage.
- 6.2.3. Following the evaluation of the PQQ submissions, the Council identified 6 bidders for first dialogue stage (please refer to Exempt Report for bidder detail). All bidders, successful and unsuccessful, were notified of the PQQ evaluation outcome.
- 6.2.4 The six successful bidders identified were invited to participate in Invitation to Submit Outline Solutions (ISOS) on 10 May 2011. This second stage of the process allowed the Council to evaluate the potential bidders' ability and commitment to finding an innovated and viable solution to the scheme. Potential bidders were invited to develop mini proposals which covered three fundamental areas, (1) urban design, (2) financial arrangements, and (3) working in partnership issues.

6.2.5 The Council also re-emphasised the core principles for the scheme:

- High quality housing design employing sustainable construction techniques
- Improvements to the environment and public realm
- A coherent sense of place
- An integrated balanced community providing an appropriate range of different housing types
- Improved access from the neighbourhood to the surrounding area
- Appropriate parking for existing and new residents

6.2.6 The Council provided a range of information to the bidders to support preparation of their submission and ensure transparency across the bids on information used. This included Geo-technical and Geo-environmental surveys which had been produced by Buro Happold, Planning Brief, Design Guidance

6.2.7 The following evaluation criteria was applied to the ISOS stage to support shortlisting to the second stage of dialogue:

Invitation to Submit Outline Solutions (ISOS)	Overall % Weighting
Urban Design Issues	30
Financial Issues	35
Working in Partnership	35
Total	100

6.2.8 Information days were organised for each bidder, these provided the bidder with an opportunity to raise questions, seek clarifications and receive additional information about the scheme. These days were led by the Regeneration Service, to provide transparency to the process. Points of clarification were noted by the Council to facilitate effective release of information with responses released to the bidders.

6.2.9 The ISOS stage concluded on 10 May 2011 with bidder submissions. The submissions were evaluated in accordance with the published ISOS criteria which identified the short-listing of three successful bidders, (please refer to Exempt Report for ISOS bidder evaluation detail). All bidders, successful and unsuccessful were notified of the outcome and unsuccessful bidders were offered a debrief opportunity, all unsuccessful bidders took up the opportunity of a meeting.

6.2.10 The three successful bidders were invited to participate in the second dialogue stage, within this procurement process, referred to as Invitation To Participate in Dialogue (ITPD). This term was used for this procurement and is interchangeable with the second phase dialogue term, Invitation to Submit Dialogue Submission (ISDS). The ITPD stage commenced on 3rd July 2011 with the 3 successful bidders, Bidder A, B and C taking part in detailed meetings which included requirements of the development partner, registered provider and the commercial delivery of project. This stage provided bidders with the opportunity to develop their understanding of the scheme and further develop their ISOS submission proposals. Bidders were provided with the Council's feedback from the earlier stages to support the refinement of their

proposals. The ITPD stage included the requirement to produce financial modelling utilising a set financial model to support evaluation by the Council.

6.2.11 The Council outlined its key priorities for the delivery of the regeneration, and each bidder was required to demonstrate the following points in their submissions:

- (1) Deliverability – Commencing the project within reasonable time following the finalisation of the legal agreements.
- (2) Public Realm - That a high quality public realm will be provided which will connect the current estate to its surroundings
- (3) Urban Design and Architecture - That a high quality of design and materials can be achieved for the new development which will be appropriate to the site’s suburban setting.
- (4) A financial transaction basis that will enable Barnet to achieve optimal value for money in the short, medium and long term.
- (5) A partnership basis that will enable good residential development

6.2.12 The following evaluation criteria was applied to the ITPD and (Invitation to Final Tender) IFT stage:

Invitation to Participate in Dialogue (ITPD)	Overall % Weighting
Planning and Design	45
- Development mix (5%) - Urban Design (70%) - Transport (5%) - Community Provision (15%) - Environment (5%)	
Financial Offer to the Council	45
Delivery Structure and Legal	10
Total	100

6.2.13 ITPD submission deadline was 24 November 2011. The submissions were then evaluated which resulted in the Council arranging further clarification dialogue meetings prior to confirmation of close of dialogue. Close of dialogue was confirmed on 23 May 2012.

6.2.14 The close of dialogue was immediately followed by Invitation to Final Tender (IFT). The IFT submission deadline being 12 noon, 8 June 2012. The period between IFT submission and this recommendation report has enabled evaluation of the bid submissions received.

6.2.15 The procurement process undertaken was in accordance with the Council’s Contract Procedure Rules, Table 5.1; Public Contracts Regulation 2006 and EU Directive 2004.18 utilising most economical advantageous tender (MEAT) evaluation principles.

6.2.16 The key proposals from the bidders are outlined in Appendix 3 and their evaluation scores are shown in Appendix 2.

Property

6.3.1 The Council will retain the freehold for the majority of the land within the red line attached as Appendix 1 but will be granting a 999 year lease on various parcels of land within the red line for residential development. This will be subject to various consents. The land comprising of the houses that are proposed will be transferred on practical completion of the houses to the development partner or the registered provider (as appropriate) on a freehold basis.

6.3.2 The improved homes in the tower blocks at Granville Point, Harpenmead Point, Templewood Point, Nant Court and Mountfield will continue to be owned by the Council and managed by Barnet Homes (subject to individual leasehold acquisitions). Arrangements for designated parking and use of amenity space for the retained homes have also been agreed.

6.3.3 The land required to deliver the new housing development at Granville Road Estate, NW2 and which is within the Council's ownership is to be transferred in accordance with the terms which are set out in the Exempt Report.

7. LEGAL ISSUES

7.1 Section 1 of Chapter 1 of the Localism Act 2011 was brought into force by the Communities and Local Government Department by means of *Localism Act 2011 (Commencement No.3) Order 2012*. This legislation provides local authorities with a broad power to do anything that individuals may do subject to any specific restrictions on local authorities contained in legislation. This legislation empowers the Council to enter into the arrangements proposed by this report.

7.2 The Council has the power to dispose of land held for housing purposes under Section 32 of the Housing Act 1985. Further the Council has the power to dispose of land which is not held for housing purposes under Section 123 of the Local Government Act 1972. It should be noted that an option to dispose is also a disposal for the purposes of these Acts.

7.3 The Secretary of State has set out general disposal consents for both housing and non-housing land. If the terms of the disposal of land at Granville Road Estate, NW2 complies with the relevant general consents there would be no legal reason to seek a specific consent from the Secretary of State. However, there may still be commercial reasons for making a written request for his consent.

7.4 Section 123 of the Local Government Act 1972 permits the Council to dispose of (most types of non-housing) land without the Secretary of State's consent providing that this is done for not less than the best consideration that could reasonably be obtained. If this is to be relied on the Council will have to achieve and evidence this.

7.5 The General Consent (Circular 06/03: The Local Government Act 1972 general disposal consent (England) 2003) gives the Secretary of State's consent to the disposal of (most types of non-housing) land where the consideration received

is less than the best which could be reasonably obtained providing that the 'undervalue' is £2 million or less and that the disposal is likely to contribute to the social, economic or environmental well-being of residents and/or the local authority's area. The latter condition which is similar to the former 'well-being' power (previously section 2 of the Local Government Act 2000). To rely on this General Consent this condition must be met and the Council will have to evidence that any undervalue in the disposal is £2 million or less.

- 7.6 Notwithstanding the above, many developers request that local authorities make specific applications to the Secretary of State for his consent in order to remove any uncertainty about a local authority's ability to transfer land. In any event, the Council will have to obtain the specific consent of the Secretary of state, where required.
- 7.8 If an application for specific consent to dispose of housing land is made to the Secretary of State then the full Council must authorise such an application under Article 4.02(b) of the Council's constitution and paragraph 4(5) of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended).
- 7.9 The Council may require consent from the Secretary of State for Communities and Local Government under Section 25 of the Local Government Act 1988. This consent from the Secretary of State is required under Section 24 of that Act where a local authority is providing financial assistance for the purpose of amongst other things the construction of accommodation which is intended to be privately let as housing accommodation. This includes affordable homes let by registered providers.
- 7.10 The Development Agreement for the Granville Road Estate, NW2 has been drafted to enable the Council to obtain the Secretaries' of State consent following execution/signature of that agreement as a condition precedent.
- 7.11 Though the Council anticipates the willing co-operation of tenants living in Beech Court, it may need to rely upon Ground 10A of Schedule 2 of the Housing Act 1985 (Ground 10A) to obtain possession of existing homes in order to enable the development to proceed. Ground 10A permits a local authority to obtain possession orders to enable a redevelopment to proceed which has been approved by the Secretary of State in accordance with Part V of Schedule 2 (Part V) of the Housing Act 1985.
- 7.12 The Secretary of State will only provide his approval under Part V where the local authority serves written notice on the affected secure tenants stating:
- (a) the main features of the scheme;
 - (b) that the local authority intends to apply to the Secretary of State for his approval of the scheme;
 - (c) the legal effect of such approval in particular the ability of the local authority to rely on Ground 10A in possession proceedings.
- 7.13 Part V requires a local authority to allow the secure tenants to make representations to it about the proposal. The period for consultation must be no less than 28 days from the date of the notice provided to tenants.
- 7.14 Prior to making the application to the Secretary of State the local authority must consider the representations made to it by the secure tenants.

- 7.15 It was not possible to commence Part V consultation before the Council had selected a preferred development partner with a preferred scheme.
- 7.16 The Council has the power to appropriate land which it owns from one of its functions to another, if, the said land is no longer required for the purpose for which it is held. This power is contained in Section 122 of the Local Government Act 1972. Section 2(A) of Section 122 of the Local Government Act 1972 provides that, if the land to be appropriated consists of or forms part of Open Space Land, then, the requirement to advertise the proposed appropriation for two consecutive weeks in a newspaper circulating in the area must be complied with. The Local Authority must also consider any representations or objections that it receives.
- 7.17 The key legal terms of the proposed arrangements with the preferred bidder or the reserve bidder are set out in the accompanying Exempt Report.
- 7.18 Section 32 of the Land Compensation Act 1973(LCA 1973) empowers the Council to make payments corresponding to statutory home loss payments, to qualifying homeowners and qualifying secure tenants (as defined by the LCA 1973) who are in a position such that their properties could be acquired by the Council under Compulsory Purchase Order Legislation or, in the case of secure tenants, their properties can be recovered by the Council under Ground 10 a of Schedule 2 to the Housing Act 1985.

8. CONSTITUTIONAL POWERS

- 8.1 Council Constitution, Part 3, Responsibility for Functions – paragraph 3.6 states the functions delegated to the Cabinet Resources Committee including all matters related to buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 8.2 Council Constitution, Contract Procedure Rules – paragraph 6 above details the procurement process followed in identifying a development partner for the Granville Road Regeneration Scheme. All provisions contained within the Contract Procedure Rules were complied with during the procurement process.
- 8.3 Council Constitution, Management of Real Estate, Property and Land - all provisions of the rules relating to the management of real estate, property and land have been complied with in reaching this decision'

9. BACKGROUND INFORMATION

Regeneration Progress

- 9.1 The Granville Road Estate, NW2 is situated at the southern end of the Borough within Childs Hill Ward. This 1960s social housing estate is typical of its type and time resulting from clearance of traditional terraced streets within an area which is characterised by low rise suburban housing. It consists of three tall tower blocks, Templewood Point, Harpenmead Point and Granville Point, as well as three lower rise blocks Nant Court, Mountfield and Beech Court. Garth House, a sheltered housing block on the estate was severely damaged by fire on 5 October 2008 and has now been demolished. The estate is overwhelmingly single tenure social housing. The three tower blocks contain

179 properties with 44 owned by leaseholders. The quality of the estate is generally poor; reflective of the problems of 1960s council estate developments and subsequent need for upgrade and improvement in the estate environment. The majority of the improvements required to the tower blocks were not covered by the Council's Decent Homes Programme.

- 9.2 In October 2007, the Cabinet Resources Committee approved the regeneration of the estate, in principle, by upgrading the existing tower blocks, including over-cladding to improve their thermal performance and appearance as well as the sale of surplus land on the estate for development to contribute to the regeneration. Also, the public amenity space in the resulting development would be improved.
- 9.3 In April 2009, the Council received confirmation that a bid the Council had made to the London Development Agency (LDA) was successful and funding of £7,013,000 was awarded for 2010/11 to contribute towards the costs of the improvement works to the tower blocks. In order to comply with the funding criteria, it was necessary to commence with the over-cladding contract in 2010/11. Therefore, it was agreed to progress the regeneration in two phases as reported and approved by Cabinet Resources Committee in July 2009 to accept the funding and proceed with the procurement of the tower block improvement works. The contract for the works to the tower blocks was awarded to Apollo and completed in May 2012. Alongside this decent homes improvement works were also undertaken at Nant Court and Mountfield.
- 9.4 The Council has ensured that the quality and external design of the improvements to the existing tower blocks is closely aligned with the emerging wider estates regeneration and the new build homes.
- 9.5 Phase 2 of the estate regeneration involved an assessment of the opportunities to improve the quality of the public amenity space and to provide additional homes with improved tenure choice on the estate. Although some of the landscaping is of reasonable quality, the estate includes large areas of under-utilised and unstructured land including garage courts, undefined parking, unused amenity space, pram sheds and vacant land as a result of the aforementioned demolition of Garth House and Community Hall. Beech Court was identified as a site suitable for redevelopment. In addition, the estate does not offer a range of housing types or tenure options. It is not well integrated into the surrounding neighbourhood, and does little to enhance Childs Hill as an attractive residential location. However, there is potential to radically improve the estate and transform it into a desirable residential location for all tenures.
- 9.6 The vision and underlying objectives for the estate regeneration includes the following:
- to create a cohesive sense of place;
 - promotion of the supply of market, intermediate and affordable housing;
 - achieve an integrated balanced community;
 - deliver high quality design employing sustainable construction techniques;
 - bring improvements to the public amenity space;
 - enhance the local economy;
 - reinforce local identity; and
 - meet local demand for housing.

In order to progress Granville Road, NW2 Phase 2 alongside Phase 1 and also to capture the market interest, CRC agreed on 17 June 2010 to go out to tender to seek a partner to take forward the regeneration of the estate. The approach taken was through Competitive Dialogue and described in paragraph 6.2.

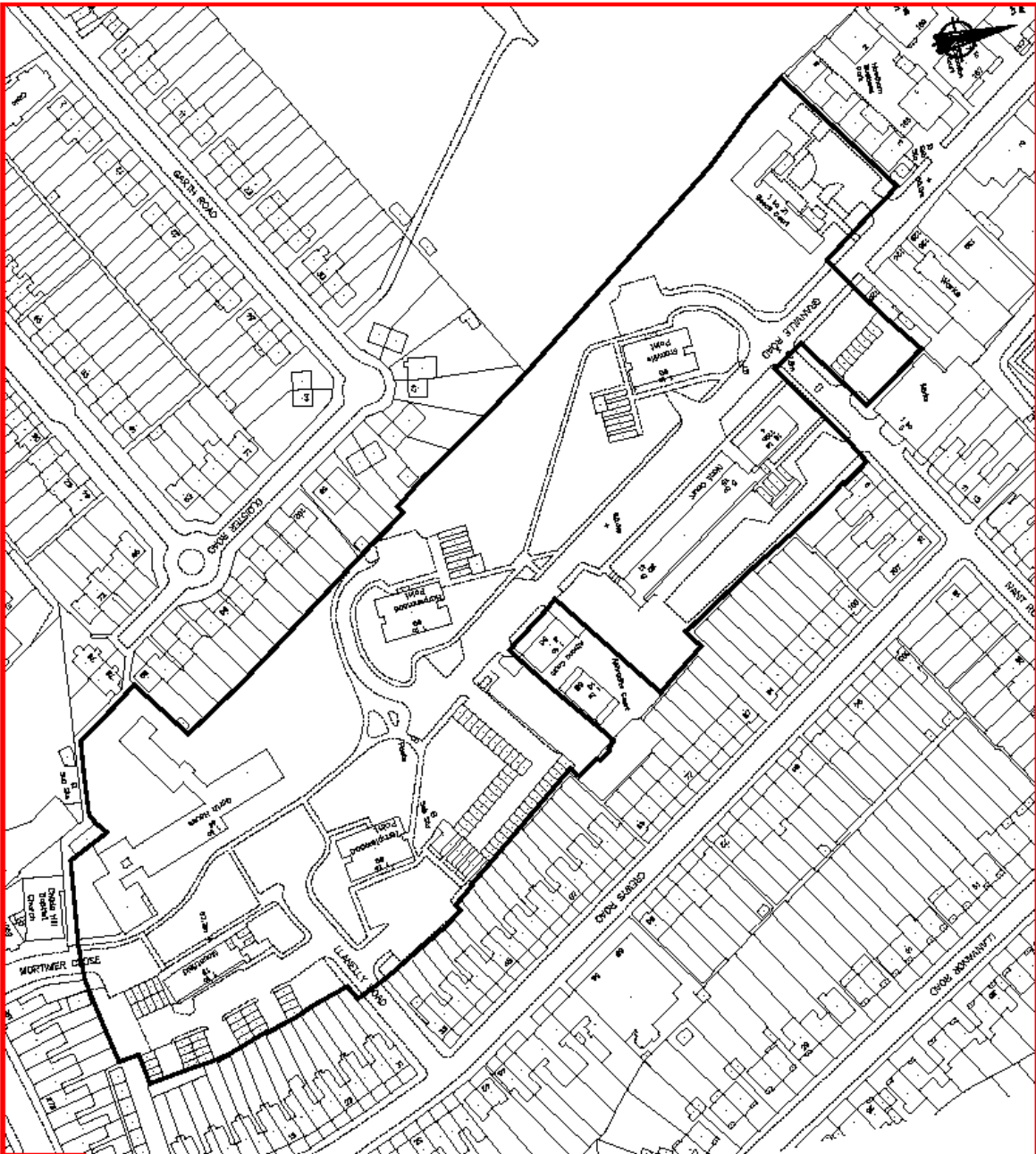
- 9.7 Commercial Services and Corporate Procurement Team were engaged to provide guidance and support to the Regeneration Team in the delivery of a competitive dialogue procedure which had been identified as appropriate for the selection of a partner for the delivery of new homes at Granville Road Estate, NW2. The project group also has representatives from Corporate Finance. The Council's legal interests were represented by Trowers and Hamlins and commercial interests by the CBRE Group.
- 9.8 The Competitive Dialogue process imposes confidentiality between bid proposals which has minimised the level of resident involvement during the procurement exercise. Residents were sent a newssheet in December 2011 updating them on where the Council were in the selection of a development partner.
- 9.9 This report is being re-submitted to Committee further to the Decisions of the Cabinet Resources Committee item number 7 made at its meeting on 18 October 2012 . There is no material change to the content or recommendations of the previous public and exempt reports. The re-submission of this report is considered necessary due to the corruption of data supplied in Section A of Appendix 2. The 'Sub-Total' line and the 'Overall Total' lines of Section A in Appendix 2 were transposed into original report incorrectly. These have now been updated are now correctly shown in Appendix 2. The Committee are requested to note that the corrections have no material impact on the status of the preferred bidder and the use of resources implications. .

10. LIST OF BACKGROUND PAPERS

- 10.1 The background papers relevant to this report are as follows;
- The Invitation to Submit Outline Solutions (ISOS)
 - The Invitation to Participate in Dialogue (ITPD)
 - Invitation to Final Tender (IFT)
- 10.2 Any persons wishing to inspect the background papers should contact Susan Hunter on 020 8359 4255.

Legal – TE
CFO – MC

APPENDIX 1 – Granville Road, NW2 Boundary Map



NOTES:

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Revision and Date	Description	By

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SCHEME:
GRANVILLE ROAD HOUSING ESTATE,
CRICKLEWOOD, NW2

TITLE:
GRANVILLE ROAD DEVELOPMENT
DISPOSAL MAP

Scale:	1:1250	Date:	18/01/12
Drawn:	A.E.B.	Checked:	B.H.
Drawn:	A.E.B.	Checked:	B.H.

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APPENDIX 2

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
A - PLANNING AND DESIGN (45%)							
Development Mix and Phasing (2.25% of total)	5	2.25%	1.80	2.25%	1.80	2.25%	1.35
(a) Number of houses (and %)							
(b) Number of family homes (and %)							
(c) Total number of homes and unit sizes							
(d) Number of affordable homes							
A1 Design Related Issues							
Design (31.5% of total)							
(a) Does the scale and character fit the suburban setting?	5	2.25%	1.80	2.25%	1.80	2.25%	1.80
(b) Do the proposals adequately respond to the retained tower blocks	5	2.25%	1.35	2.25%	1.35	2.25%	0.45
(c) Does the proposed street pattern create a well-structured layout which fits in and connects the surrounding area?	5	2.25%	2.25	2.25%	2.25	2.25%	1.35
(d) Does the scheme design make positive use of topology, landscape and aspect?	5	2.25%	1.35	2.25%	2.25	2.25%	1.35
(e) Does the scheme adequately provide for public open space and play provision which the residents can use?	5	2.25%	1.35	2.25%	1.80	2.25%	1.35
(f) Does the scheme provide adequate private/communal amenity space for the existing and new residents?	5	2.25%	1.80	2.25%	1.80	2.25%	1.35
(g) Do the proposals include adequate car parking which is integrated and supports the urban design objectives of the building layout?	5	2.25%	0.90	2.25%	1.80	2.25%	2.25

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
(h) Are Streets, car parks and spaces overlooked to improve security	5	2.25%	1.80	2.25%	1.80	2.25%	1.80
(i) Do the proposed pedestrian and cycles route connect to the surrounding area?	5	2.25%	1.35	2.25%	1.35	2.25%	1.35
(j) Have the buildings been designed to suit the location and urban design aspirations?	5	2.25%	2.25	2.25%	2.25	2.25%	2.25
(k) Does the scheme provide for adequate internal space standards?	5	2.25%	2.25	2.25%	2.25	2.25%	2.25
(l) Is the scheme designed to Lifetime Homes standards?	5	2.25%	1.35	2.25%	1.35	2.25%	1.35
(m) How many units are capable of adaptation for wheelchair users (10% minimum requirement)?	5	2.25%	2.25	2.25%	2.25	2.25%	2.25
(n) Is the scheme designed to meet Secure by Design?	5	2.25%	2.25	2.25%	2.25	2.25%	2.25
A2 Technical Information - Movement, Highways and Infrastructure (2.25% of total)							
(a) Extent of proposals, including for the highway layout as well as those for behavioural change and sustainable transport choices (including specifying which roads will be adopted)	5	2.25%	1.35	2.25%	1.80	2.25%	1.35
(b) Effectiveness of mode share and enforceability of travel related targets							
(c) Proposed Financial regime and mitigation package (s106 / s278) for delivering the Transport Strategy							

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
(d) Quantification and understanding of transport impacts, proposed mitigation incorporated into the scheme proposals, to include highways, cyclists and pedestrians (see below for buses)							
(e) Is the car parking well integrated to support the urban design and appropriate to the streetscape and building design?							
(f) Are there sufficient car parking places to support the proposed new neighbourhood and existing homes							
(g) What provision is made for affordable car parking for affordable units?							
A3 Environmental (2.25% of total)							
(a) What Code for Sustainable Homes level is being achieved (min. level 4)?	5	0.90%	0.9	0.90%	0.9	0.9	0.90%
(b) Other features to minimise environmental impact in particular i. Reduction in loading from new development on existing sewers and water courses ii. Reduction in water use iii. Reduction in energy use iv. Reduction in embodied energy v. Use of recycled materials	5	1.35%	1.35	1.35%	1.35	1.35	1.35%

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
A4 Community & Other Benefits (6.75% of total)							
A.4.1 Affordable Housing							
(a) Types and range of intermediate affordable units	5	1.35%	0.81	1.35%	1.35	1.35%	1.35
(b) Proposed commuted sum							
(c) Partnership arrangements in place							
A.4.2 Contribution to local employment initiatives and locally appointed apprenticeships							
(a) What commitment will the developer give to employing local Barnet residents	5	1.35%	1.35	1.35%	1.35	1.35%	1.35
(b) How many local residents to be appointed as apprenticeships to work initially on Granville Road							
A.4.3 Third Party Acquisitions							
(a) What is the developer's experience/track record on managing similar processes.	5	0.17%	0.10	0.17%	0.17	0.17%	0.10
(b) Will the developer request a CPO?	5	0.17%	0.00	0.17%	0.17	0.17%	0.17
(c) Will the developer take responsibility for managing the process?	5	0.17%	0.17	0.17%	0.17	0.17%	0.17
(d) Will the developer be offering equity exchange	5	0.17%	0.10	0.17%	0.17	0.17%	0.17

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
A.4.5 Estate Management							
(a)What arrangements is the developer be making to managing the public realm and amenity space	5	1.69%	1.35	1.69%	1.69	1.69%	1.69
(b) How will services charges be calculated and charged across units types and tenures?	5	1.69%	1.69	1.69%	1.69	1.69%	1.69
(A) PLANNING AND DESIGN TOTAL	130						
Weighted (A)		%Total	35.27	%Total	39.16	%Total	35.04
B) DELIVERY STRUCTURE AND LEGAL (10%)		10%	6	10%	8	10%	8
The extent to which Bidders' proposed amendments or issues with the draft legal documentation expose the Council to greater risk. The assessment will take into account: (a) the extent to which the proposals depart from the draft legal documentation and/or materially transfer risk which is not justified by the solution being put forward by the Bidder; (b) the extent to which proposals depart from those dialogued with the Council; (c) the extent of fine-tuning required to finalise the draft legal documentation; (d) whether the draft legal documentation is consistent with the service delivery, technical, financial and commercial proposals	5						
(B) DELIVERY STRUCTURE AND LEGAL TOTAL	5						
Weighted (B)		% Total	6.00	% Total	8	% Total	8

EVALUATION CRITERIA	Bidder A			Bidder B		Bidder C	
	Total Score	% of total score	% Score Attained	% of total score	% Score Attained	% of total score	% Score Attained
C) FINANCIAL OFFER TO THE COUNCIL (45%)							
(a) Return to Council (NPV)	5	13.5%	8.10	13.5%	8.10	13.5%	10.80
(b) Developer's approach to the redevelopment of Beech Court	5	2.25%	0.90	2.25%	1.35	2.25%	1.35
(c) How robust/deliverable are the developer's financial assumptions	5	4.5%	2.70	4.5%	2.70	4.5%	2.70
(d) Developer's approach to profit share and risk	5	11.25%	4.50	11.25%	6.75	11.25%	6.75
(e) Cost of public realm	5	2.25%	1.35	2.25%	1.80	2.25%	1.35
(f) Developer's approach and treatment of affordable housing	5	2.25%	1.35	2.25%	1.80	2.25%	1.35
(g) Is the developer's approach innovative and capable of generating further savings and/or income streams for the Council	5	4.5%	1.80	4.5%	1.80	4.5%	1.80
(h) Optimism Bias Assessment	5	4.5%	2.70	4.5%	2.70	4.5%	2.70
(C) FINANCIAL OFFER TO THE COUNCIL TOTAL	40						
Weighted (C)		% Total	23.40	% Total	27.00	% Total	28.80
GRAND TOTAL	175						
	100%	% TOTAL	64.68	% TOTAL	74.16	% TOTAL	71.84

APPENDIX 3

Granville Road, NW2 New Housing Development – Competitive Dialogue

Key provisions common to all bidders

1. Parties – Bidder B proposes to set up a special purpose vehicle (SPU) to undertake the project – this will be a separate limited liability partnership which will enter into the Agreement with the Council and will be jointly owned by the developer and the registered provider (RP). Bidder A and C propose that the developer and a registered provider (RP) will be parties to the Agreement with the Council. The RP will be the owner of the new affordable shared ownership homes. Under the bids the RP will be the owner of the new affordable shared ownership homes. All bidders have put forward a guarantor (s) which will be party to the Agreement.
2. Phasing – All bidders propose to carry out the regeneration on a phased roll on basis.
3. New Homes – both bidders are required to provide a minimum of 30% affordable shared ownership homes. A minimum 70% homes are to be for private sale. All bidders are to include a high proportion of family homes which include houses. Bidder A proposes 50% of the homes to be houses, Bidder B proposes 36% of the homes to be houses and Bidder C 24% of the homes to be houses.
4. The only homes to be demolished are those at Beech Court. The remaining homes will continue to be owned by the Council (subject to leasehold acquisitions) and managed by Barnet Homes.
5. Employment and Skills – all bidders will offer Apprenticeships, Construction Training Initiative and facilitate the employment of local people during the construction period.
6. Regeneration Objectives – all bidders commit to achieving a deliverable scheme, creating a neighbourhood with a high quality of design, public realm and integration with the surrounding community and the existing homes to be retained.
7. Parking – Each home will have access to parking the costs of which will be included in the purchase price for each home. For the existing residents, there will be designated parking offering improved design and increased provision for the existing residents on the estate.
8. Costs - The costs of the regeneration will generally be the responsibility of the Bidder.
9. Planning Consent – all Bidders will be required to make a planning application for the scheme.
10. Estate Management – all bidders will need to ensure that there is a joined up approach to estate management with Barnet Homes who are responsible for the management of the homes owned by Council both during and after the construction of the new homes.
11. Resident involvement – Both Bidders are required to work with residents to create a resident organisation for the Granville Road Estate, NW2 which would represent residents and involve them in the regeneration of the Granville Road Estate, NW2.

12. Residents – both bidders are required to keep residents informed as to the progress of the development programme and to generally use its reasonable endeavours to co-operate with the Council in delivering the regeneration.
13. Council Tenants at Beech Court - The Council will be responsible for decanting the existing tenants at Beech Court and securing them alternative accommodation.
14. Existing Leaseholders at Beech Court – Both Bidders would be responsible for buying back properties from leaseholders at Beech Court in accordance with offer terms agreed with the Council. These include a shared equity offer to resident leaseholders who wish to acquire a new home in Granville Road, NW2.
15. It is envisaged that the complete regeneration of Granville Road Estate, NW2 could take up to five years.
16. Site Safety – All bidders will be required to maintain an office on the site during the construction phases and until completion. All Bidders will be responsible for site safety and security during both demolition and construction works and for ensuring that no known deleterious materials are used in the construction. They will be required to minimise disruption to the existing residents on both Granville Road Estate, NW2 and the surrounding roads. Both the Bidder and its main building sub-contractor are required to comply with a works procedure which governs issues such as noise, pollution and disruption during the period of the regeneration.

Nicola Bird
London Borough of Barnet

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AGENDA ITEM 14

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AGENDA ITEM 15

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