

MINUTES OF THE FORWARD PLAN SELECT COMMITTEE

Wednesday, 28th September 2005 at 7.30 pm

PRESENT: Councillor R Blackman (Chair), and Councillors Nerva and Freeson (alternate for Dromey)

Also present Councillor Jones (Lead Member for Environment, Planning and Culture).

Apologies for absence were received from Councillors Harrod, J Moher and Dromey.

Apologies for absence were also received from (Councillor Coughlin, Lead Member for Corporate Resources.

1. Declarations of Personal and Prejudicial Interests

There were none.

2. Deputations

There were none.

3. Minutes of Last Meeting – 8th September 2005

RESOLVED:-

that the minutes of the meeting held on 8th September 2005 be agreed as an accurate record, subject to an inclusion under paragraph 9, point 1, Review of Freedom of Information which should read as: "Councillor Nerva requested a briefing note to the next meeting of the Forward Plan Select Committee on 28th September 2005 regarding the review of the Freedom of Information Act. He sought clarification regarding implementation of the recommendations made by the Access to Information Overview task group. Members asked that Lead Members and lead officers be requested to attend the meeting to respond to Members' questioning."

4. Matters Arising

There were none.

5. Call-in of Executive Decisions from the Meeting of the Executive on 12th September 2005

The deadline for call-in was Monday, 19th September 2005. No items were successfully called in following the meeting of the Executive on Monday, 12th September 2005.

6. **The Executive List of Decisions for the Meeting that took place on 12th September 2005**

Councillor Freeson referred to A Play Strategy for Brent and queried whether Ward Councillors were sent such reports prior to consideration by the Executive and if not, at what point this documentation was circulated to all councillors for information. Councillor Jones (Lead Member for Environment, Planning and Culture) advised Members that these documents were located on the website but acknowledged that some Members would benefit from automatically receiving this information. Councillor Blackman acknowledged that some of the documentation could be bulky but stressed that all Members should automatically receive such documents.

Commenting on responses to Overview and Scrutiny task group reports presented at meetings of the Executive, Councillor Nerva expressed concerns that the majority of final reports presented by Overview and Scrutiny were simply noted. It was stressed that in the Executive List of Decisions there was no mention of what action would be taken by the Executive in response to the final reports or whether the task groups' recommendations would be implemented. Consequently it was felt that a detailed written response should be provided by the Executive outlining its response to a final task group report. Councillor Jones (Lead Member for Environment, Planning and Culture) confirmed that she would take the comments back to Executive Members.

RESOLVED:-

- (i) that the Executive List of Decisions be noted;
- (ii) that the Executive be advised about the Select Committee's comments and concerns regarding the final task group reports presented by Overview and Scrutiny; and
- (iii) that the Executive be requested to provide a detailed written response to Overview or Scrutiny following consideration of a final task group report, outlining what action would/ would not be taken in response to the final report and the recommendations contained therein.

7. **Briefing Notes/Information Updates requested by Select Committee following consideration of Version 4 (2005/06) of the Forward Plan**

(i) ***Domestic Violence Strategy***

Helen Oliver (Domestic Violence Co-ordinator
Policy & Regeneration Unit) provided Members of the Select

Committee with a brief overview of the Domestic Violence strategy which was the first report of its kind in the borough and was in line with best practice/national standards. Members noted that the strategy provided guidance for staff who were the victims/ perpetrators of domestic violence as well providing guidelines for staff that might be approached for advice regarding domestic violence. Helen Oliver confirmed that a large number of referrals were received each year by Housing and Social Services and that 35% of all violent crime in Brent was as a result of domestic violence. The report before members would be presented to the Executive on the 10th October 2005 and that the Domestic Violence strategy would be launched on the 25th November 2005 during the UN Elimination of Violence against Women Week.

In response to a question regarding how staff should respond to concerns about domestic violence, Helen Oliver confirmed that staff would be able to provide a range of practical advice including contact details to access specialist advice and financial guidance. It was noted that there was no formal reporting structure in place for concerns/reports of domestic violence but that the strategy provided clarity regarding signposting. Consequently, staff would be able to provide suitable advice and guidance to both internal and external customers. In response to a query regarding the number of incidents a year, Helen Oliver confirmed that there were approximately 5,357 reported cases per year. It was hoped that the strategy would enable victims of domestic violence to access services and agencies with greater ease and reduced delay. Since the strategy included a staff manual that contained a range of key contact numbers, Council staff would be able to signpost victims to a single referral point rather than a number of different agencies. Following a query from the Chair regarding guidance for councillors on how to deal with reports of domestic violence, Helen Oliver confirmed that whilst the manual would be a useful tool for all councillors, a shorter document containing a list of key contacts would be more practical and would therefore be circulated to all councillors in due course. Following a request from Councillor Kabir, training on domestic violence issues would be provided for all councillors in January 2006. It was suggested that joint training with Children's Services regarding domestic violence issues should form part of the induction process for new councillors post May 2006.

In response to a query regarding staff training, Helen Oliver confirmed that there would be an allocated lead officer in every department trained on domestic violence issues and that additional multi-agency training would be offered to all staff.

Whilst training on domestic violence issues would not form part of the Council's formal induction process discussions would take place with Human Resources to identify the best ways to promote these issues and effectively train staff. In response to a query from Councillor Freeson Helen Oliver confirmed that the implications for children as a result of domestic violence issues were detailed in the strategy and work with local schools was underway to raise awareness of these issues. Following a query from Councillor Nerva regarding Adult Social Care support for victims of domestic violence, Helen Oliver confirmed that eligibility was determined by the level of an adult's vulnerability. The eligibility criteria was very specific about what determined a person's vulnerability and therefore what support they were entitled to. It was noted that if an individual did not fall into the set criteria following an assessment they would be signposted to relevant support services outside Adult Social Care.

RESOLVED:-

that the briefing note be noted.

(ii) ***Recommendations for Award of Contract for Bridge Strengthening and Associated Works Outside Wembley Park Station***

Paul Williams (Transportation Unit) provided Members with a brief overview of the details of the report that would be presented to the Executive on the 10th October 2005. This contract would enable bridge strengthening work to take place outside Wembley Park station including the replacement of mass concrete which would increase the weight capacity of the bridge. Paul Williams then highlighted additional improvements that were planned for the area around the station including the creation of four new staircases, a taxi rank, better access to Bridge Road and Olympic Way and improved public transport services. It was noted that some work was no longer necessary on this site and therefore the Council was not expected to incur the anticipated costs.

In response to queries regarding timescales for completion of the work, Members were advised that work would commence in November 2005 with a phased completion which would take into account the opening of the stadium in May 2006. It was anticipated that the contractor would be taken off site by the stadium opening and would then return in order to complete outstanding works by July 2006. In response to a query regarding road closures, Members were advised that no road closures were anticipated and the impact on the railway lines would be minimal with no line closures anticipated. It was noted

that the Council would minimize any potential road/rail disruptions arising from the proposed works.

There was some discussion regarding work on Kilburn High Road and Councillor Nerva requested that a meeting be organised for councillors in the south of the borough and members/officers from Camden to discuss issues arising from Kilburn High Road. In response to a query from Councillor Nerva regarding parking restrictions around Wembley Park station area, Paul Williams explained that whilst the contract was yet to be awarded parking enforcement would feature in the contract. Whilst restrictions in this area were not expected to change, enforcement needs may have to be reviewed. Members stressed the need to ensure that there were effective enforcement and restrictions around the station area following the redevelopment programme.

The Chair requested that Members be alerted once works commenced at this site.

RESOLVED:-

- (i) that the briefing note be noted;
- (ii) that Members be updated as to when bridge strengthening and associated works commence at Wembley Park station;
- (iii) that a meeting be organised for all councillors in the South of the borough in association with the London Borough of Camden regarding issues arising from Kilburn High Road.

(iii) ***Review of Freedom of Information***

Sam Samek (Deputy Director) provided an overview of the Review of Freedom of Information report that would be presented to the Executive on the 10th October 2005. The report would be presented in two parts, (1) providing a statistical overview of performance of Freedom of Information, and (2) the proposed changes to the policies and practice regarding Freedom of Information that would need to be agreed by the Executive.

Commenting on the statistical overview, Sam Samek confirmed that the Council was performing well with 84% of requests having been processed in accordance with deadlines between January and June, 89% in July and 100% in August. Members were advised that the number of requests had fallen below

expectations but that complexity was far greater than anticipated. It was noted that as a result of the cross-cutting nature of the majority of requests, service areas were not always able to respond and Catherine Best (Information Manager) had to respond to far more requests than anticipated. Whilst the Council was doing well to meet strict deadlines with limited resources ways to improve performance had to be identified.

Members were advised that whilst a number of proposed changes had been considered by CMT, a number of outstanding items required agreement by the Executive such as the signing off of refusals. Commenting on the Freedom of Information champion, Members were advised that this was likely now to be Duncan McLeod. In response to a question regarding the proposed use of a temporary staff member, Sam Samek explained that they wanted to focus on establishing protocols and processes for which service areas would be assisted to deal with their own Freedom of Information requests rather than having to forward them on centrally for a response. Consequently the temporary resource was seen as an interim step to change the way that Freedom of Information requests were currently managed. Following a query, Sam Samek confirmed that there was one named Freedom of Information officer in each service area and 80 action officers in each team across the Council. Whilst there were specialist people across the Council some action officers never dealt with Freedom of Information requests whilst others had to respond to a large number of requests. It was noted that since a large number of requests were dealt with centrally, staff within the service areas, with few exceptions, did not generally have to put their normal work to one side. However, it was difficult to evaluate exactly what time was given over to responding to Freedom of Information requests.

Following a query from Councillor Nerva regarding the publication scheme and whether this had been updated in line with the recommendations of the Freedom of Information Overview task group, Catherine Best confirmed that the publication scheme was not scheduled for statutory review until 2007. It was acknowledged however that such a review would probably lead to fewer Freedom of Information requests being made to the Council and officers intended to look at the scheme again if the resources proposed in the executive report were agreed. Whilst acknowledging concerns, Sam Samek explained that the timing of a review was intended to follow a bedding-in period for Freedom of Information. Councillor Nerva expressed concerns that the publication scheme was limited and that the website contained little information regarding Freedom of Information and requested that these issues be considered

further as a matter of urgency. Councillor Nerva requested that the recommendations of the task group be reconsidered in light of this report and, where necessary, followed up appropriately. He requested an update report that provided information about which of the task group recommendations had been implemented.

Following a query, Sam Samek provided details about the two outstanding Information Commissioner complaints. Councillor Nerva then queried whether there had been a culture change amongst Council employees' regarding emails and Freedom of Information and was advised that this was likely to take some time. He explained that most employees had a general awareness of Freedom of Information but certain areas could be improved such as records management, retention and disposal. Following a query from the Chair, Sam Samek confirmed that 230 Freedom of information requests had been received to date, a third of which were received from the public, a quarter from agencies and companies, 7% from journalists (local and national) and 7% from councillors. Catherine Best confirmed that in July and August, 25 and 26 Freedom of Information requests had been received respectively. Sam Samek provided details about the type of requests received where information had not been provided and confirmed that 19 refusals had been given based on exemptions.

Following a query regarding the number of cases where people had been asked to refine their request, Catherine Best confirmed that the Council did not necessarily record these cases in such a way. Sam Samek explained that the Council had the statutory right to refuse a request if it exceeded the £450 charge but also had the duty to advise the applicant how to refine the request. It was noted that a number of neighbouring authorities did not have comparative performance data. At this point Sam referred to the need for close working relationships with other agencies and partners regarding information. Commenting on the establishment of multiple protocols with regard to how to handle requests for information amongst agencies/ organisations it was acknowledged that such protocols could potentially complicate the processing of requests.

RESOLVED:-

- (i) that the briefing note be noted;
- (ii) that the Executive be advised about the comments raised by the Select Committee regarding the Freedom of Information report and of its request that the Executive

review the recommendations previously made by the Freedom of Information Overview task group; and

- (iii) that Councillor Nerva be forwarded the detailed statistical information regarding Freedom of Information performance.

(iv) ***Wembley Redevelopment – Crowd Safety and Security***

Members were advised that this report had been deferred to a later meeting of the Executive. Consequently a briefing note would be submitted to the Select Committee for consideration at a later date.

8. **The Forward Plan (*Issue 5 2005/2006*)**

Issue 5 of the Forward Plan (03/10/05 to 03/02/06) was now before Members of the Select Committee. Following consideration of Issue 5 of the Forward Plan, the Select Committee requested further information to future meetings on the following items:-

(i) ***Salisbury Road Car Park Site – Proposed Sale***

Councillors Nerva and Freeson requested a briefing note to the meeting of the Forward Plan Select Committee on 31st January 2006 regarding Salisbury Road Car Park Site and the proposed sale. Members asked that the Lead Members and lead officers, specifically Robert Johnson, be requested to attend the meeting to respond to Members' questioning. Members sought clarification regarding what would be written into the sale agreement and greater clarity regarding the relationship between supplementary planning guidance and Council ownership of land.

(ii) ***Dollis Hill House***

Members confirmed that a request had been made at a previous meeting of the Select Committee regarding this report and that following consultation with the Dollis Hill House Trust an update report would be presented to the Executive. It was anticipated that a briefing note would be presented to the Select Committee at its October meeting.

(iii) ***Disposal of Land at Alperton School***

Councillor Freeson requested a briefing note to the next meeting of the Forward Plan Select Committee on 27th October 2005 regarding the disposal of land at Alperton School and, in particular, what other options for use of this land had been

pursued by the Council.*¹ Members requested that lead officers and Lead Members be requested to attend the meeting to respond to questions.

(iv) ***Relevant Area on Consultation for Admissions Arrangements***

Councillor Nerva requested a briefing note regarding the relevant area on Consultation for Admissions Arrangements report to the meeting of the Forward Plan Select Committee on 27th October 2005. Members requested that the Lead Members and lead officers be requested to attend the meeting to respond to questions.

(v) ***Wembley Redevelopment – Crowd Safety and Security***

Members noted that a briefing note on the status of this report had previously been requested by the Select Committee and was expected at the meeting on 27th October 2005 following a further delay to presentation of this report to the Executive.

(vi) ***Section 106 Update***

Members of the Select Committee were advised that this item had been deleted in error from an earlier version of the Forward Plan. It was now anticipated that the Section 106 update report would be presented to a future meeting of the Executive and Members asked therefore that the briefing note be presented to the Select Committee meeting on 27th October 2005 in line with their earlier request. Members requested that lead officers and Lead Members be requested to attend the meeting to respond to questions.

(vii) ***Parking Policy***

Members noted that a briefing note on the status of this report had already been requested by the Select Committee and would be presented to a future meeting of the Select Committee for consideration in advance of the relevant Executive meeting. It was anticipated that the report would go to the Executive in December or January 2006.

Members were advised that the report on Leasehold Services Charges Capping Proposal to Leaseholders in South Kilburn had been deferred and would not be presented until the November meeting of the

¹ The minutes were amended at the meeting of the Forward Plan Select Committee on 27th October 2005, to read as above and thereafter agreed as true and accurate record of the meeting.

Executive. The Select Committee requested that all Ward Councillors in South Kilburn be forwarded a copy of this report for information in advance of the Executive meeting.

Members then considered the tracking report attached at appendix 1 and the status of reports that had been included on the Forward Plan. The Select Committee thanked Anne Reid for her work in preparing the tracking report.

9. Items considered by the Executive that were not included in the Forward Plan

Members were advised that the report on Wembley Manor – Decision of School Organisation Committee would be considered at the 10th October 2005 meeting of the Executive for reasons of urgency although these grounds had not been specified.

At this point the Chair expressed concern that items were being added to the Forward Plan at short notice such as the report on the development of a second city academy in Brent which would be presented at the October meeting of the Executive. He stressed that under these circumstances there was little opportunity for scrutiny to preview this report and consider the issues raised therein. It was acknowledged that the report was a submission of interest and therefore there should be further opportunities for scrutiny to consider the issues in more detail. However, Members expressed concern that the Forward Plan was not being used appropriately.

10. Date of Next Meeting

RESOLVED:-

that the next meeting of the Forward Plan Select Committee take place on Thursday, 27th October 2005.

11. Any Other Urgent Business

There was none.

The meeting ended at 9.33 pm

R BLACKMAN
Chair

Mins0506/scrutiny/ForPlan08sk