



# Brent

## SUMMONS TO ATTEND COUNCIL MEETING

**Monday 22 June 2015 at 7.00 pm**  
Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the MEETING OF THE COUNCIL of this Borough.

CHRISTINE GILBERT  
Chief Executive

Dated: Friday 12 June 2015

**For further information contact:** Peter Goss, Democratic Services Manager  
020 8937 1353, [peter.goss@brent.gov.uk](mailto:peter.goss@brent.gov.uk)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:  
**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

**The press and public are welcome to attend this meeting**  
**Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.**

# Agenda

Apologies for absence

Item	Page
<b>1 Minutes of the previous meeting</b>	1 - 8
To approve the minutes of the Annual Meeting held on 20 May 2015.	
<b>2 Declarations of personal and prejudicial interests</b>	
Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and discloseable pecuniary interest in any matter to be considered at this meeting.	
<b>3 Mayor's announcements (including any petitions received)</b>	
The Mayor will make any announcements she has to make to the meeting and will refer to the schedule of petitions circulated.	
<b>4 Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)</b>	
To make any appointments submitted by each of the political groups.	
<b>5 Report from the Leader or members of the Cabinet</b>	9 - 10
To receive reports from the Leader or members of the Cabinet in accordance with Standing Order 38.	
<b>6 Deputations (if any)</b>	
To hear any deputations received from members of the public in accordance with standing order 39.	
<b>7 Questions from the Opposition and other Non- Cabinet Members</b>	
Questions to be put to members of the Cabinet in accordance with standing order 40.	
<b>8 Report from the Chair of Scrutiny Committee</b>	11 - 16
To receive a report from the Chair of the Scrutiny Committee in accordance with Standing Order 41.	

**9 Appointment of Chief Executive** 17 - 20

To approve the appointment of the Chief Executive for The London Borough of Brent and to designate an Officer of the Council as the Council's Head of Paid Service.

**10 Representation of Opposition Political Groups on Committees** 21 - 28

Further to the Council's review of the representation of different political groups on committees at its annual meeting and the allocation and appointment of seats to the majority group, this report discharges the Council's duty to allocate seats to the opposition groups and to make appointments.

**11 Dismissal of statutory officers** 29 - 36

This report explains changes to the law relating to the dismissal of certain statutory officers. It seeks Council's approval to establish a new panel and to amend Standing Orders.

**12 Shared Internal Audit Services** 37 - 46

This report sets out a proposal to share internal audit services with the London Boroughs of Ealing and Hounslow.

**13 West London Waste Plan** 47 - 50

This report explains that the Council has received an Inspector's report into the Examination of the joint West London Waste Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Full Council agree the adoption of the Waste Plan with the changes incorporated. The changes were considered and recommended for approval by Cabinet on 1 June 2015, but it is a legal requirement that all planning documents forming part of the Development Plan are formally agreed by Full Council.

A copy of the submission plan and the Inspector's report on the Examination into the West London Waste Plan can be found [here](#) .

**14 Motions**

To debate the motions submitted in accordance with Standing Order 45.

**15 Urgent business**

At the discretion of the Mayor to consider any urgent business.



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.



## LONDON BOROUGH OF BRENT

**Minutes of the ORDINARY MEETING OF THE COUNCIL  
held on Wednesday 20 May 2015 at 7.00 pm**

### **PRESENT:**

**The Worshipful the Mayor**  
Councillor Kana Naheerathan

**The Deputy Mayor**  
Councillor Lesley Jones B.Ed MA

### **COUNCILLORS:**

Aden	Agha
Ahmed	Bradley
Butt	Carr
Chohan	S Choudhary
A Choudry	Colacicco
Collier	Colwill
Conneely	Daly
Davidson	Denselow
Dixon	Duffy
Eniola	Ezeajughi
Farah	Filson
Harrison	Hector
Hirani	Hoda-Benn
Hossain	Hylton
Kabir	Kansagra
Kelcher	Khan
Long	Mahmood
Marquis	Mashari
Maurice	McLeish
McLennan	Miller
Moher	J Mitchell Murray
Nerva	M Patel
RS Patel	Pavey
Perrin	Shahzad
Ms Shaw	Krupa Sheth
Southwood	Stopp
Tatler	Thomas
Van Kalwala	Warren

### **Apologies for absence**

Apologies were received from: Councillors Allie, Crane, W Mitchell Murray,

**1. To elect the Mayor of the borough for the municipal year 2015/16**

The Worshipful the Mayor, Councillor Naheerathan called for nominations for the office of the Mayor of the Borough for the municipal year 2015/2016.

Councillor Butt nominated Councillor Jones and this was seconded by Councillor Harrison.

There being no other nominations it was

RESOLVED:

that Councillor Jones be and is hereby elected, Mayor of the London Borough of Brent, for the municipal year 2015/2016.

Councillor Jones was robed and invested with the Mayor's chain. Councillor Naheerathan received his past Mayor's badge.

The past Mayor, Councillor Naheerathan vacated the Chair which was taken by the newly elected Mayor.

Councillor Jones signed the statutory Declaration of Acceptance of Office of Mayor.

The Mayor then thanked Members of the Council for her election and stated that the charity she would be supporting would be Brent Young Carers.

**2. Appointment of a councillor of the borough to be Deputy Mayor**

The Mayor announced the appointment of Councillor Ahmed as Deputy Mayor of the London Borough of Brent for the municipal year 2015/2016.

**3. Votes of thanks**

Councillor Pavey moved a vote of thanks, which was unanimously supported. He added that everyone who freely gave of their time to help serve the community should be thanked. These included those involved in the work of the Scrutiny Committee, Brent Youth Parliament and Hope not Hate and those who had campaigned on a range of issues.

RESOLVED:

that the Council place on record their thanks and regard for the outstanding public service rendered by the co-opted members, independent members, observers and others who have served on council committees, sub-committee, consultative committees, boards, governing bodies, resident associations etc during the past municipal year.

Councillor Butt moved a vote of thanks to the retiring Mayor for his services to the community. He recalled the efficient and skilful manner in which he had presided

over some difficult Council meetings and his tireless work in support of his charities – Brent Mencap and Prostate Cancer UK. Councillor Butt stated that, in addition to his full time job, Councillor Naheerathan had attended many charitable, community and faith events representing the Borough; most significantly, he ensured a fitting tribute to mark Remembrance Sunday and the centenary of the First World War.

Councillors Warren and Kansagra congratulated the new Mayor on her appointment and paid tribute to the work Councillor Naheerathan had undertaken during his year as Mayor.

RESOLVED:

that the Council records its appreciation of the outstanding service rendered by Councillor Kana Naheerathan as Mayor of Brent during the past Municipal Year. The Council also appreciates his attendance at a vast number of community events and functions and his service to all sections of Brent's diverse community.

Councillor Naheerathan, having been invested with the past Mayor's Badge, congratulated Councillor Jones, thanked councillors for their tributes and support and reflected on his year in office. He made reference to his absent wife who was in Sri Lanka to care for her mother and thanked officers, particularly the mayoral staff, for their support.

**4. By election result**

The Mayor welcomed Councillor Maurice to his first Council meeting.

RESOLVED:

That the result of the Kenton by election held on 5 March 2015 be noted.

**5. Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 2 March 2015 be approved as an accurate record of the meeting.

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

None declared.

**7. Long Service Citation**

The Mayor presented Councillor Shaw with a citation marking her 25 years of service on the Council. Councillor Shaw acknowledged her award and thanked the residents of Brondesbury Park for their support over the years.

**8. Notification of Executive appointments**

RESOLVED:

that the appointments to the Cabinet and Highways Committee be noted.

9. **Representation of political groups on committees**

RESOLVED:

- (i) that the size of the committees to be established by the Council and the allocation of seats to each of the political groups be as follows:

<b>Committee</b>	<b>Size</b>	<b>Labour</b>	<b>Conservative</b>	<b>Liberal Democrats</b>
General Purposes	8	7	1	0
Planning	8	7	1	0
Audit	5*	4	1	0
Standards	5*	4	1	0
Corporate Parenting	5	4	1	0
Equalities	5	4	1	0
<b>Totals</b>	<b>36</b>	<b>30</b>	<b>6</b>	<b>0</b>
<b>Other committees</b>	<b>Size</b>	<b>Labour</b>	<b>Conservative</b>	<b>Liberal Democrats</b>
Scrutiny Committee#	8	7	1	0
Alcohol and Entertainment Licensing	15	13	2	0

\*plus 1 non voting co-opted member

#plus 4 statutory co-opted members and 2 non statutory co-opted members

- (ii) to note that the political balance on sub-committees will be reviewed at the first meetings of the Alcohol and Entertainment Licensing Committee and General Purposes Committee.

10. **Appointments to committees and outside bodies and appointment of chairs/vice chairs**

Councillor Warren referred to the allocation of seats under the previous item and the advice he had received that the two Conservative groups had three weeks within which to agree the allocation of seats between themselves otherwise Council on 22 June would take the decisions. He expressed the view that his group should be allocated the Opposition place on General Purposes and Planning Committees.

Councillor Duffy questioned the allocation of committee places to members across the council.

RESOLVED:



- (i) that the appointment of Chairs, Vice-Chairs and the memberships of committees be as set out in Appendix A to these minutes;
- (iv) that the following statutory co-optees be appointed to the Scrutiny Committee for the municipal year 2015/16:

Alloysius Frederick	Catholic faith
Mother Christine Cargill	Church of England faith

- (v) that Dr J Levison, representing the Jewish faith, and Payam Tamiz, representing the Muslim faith, be appointed as non-statutory co-opted members of the Scrutiny Committee for the municipal year 2015/16;
- (vi) that Sheila Darr be appointed as a non-statutory co-opted member of the Standards Committee for the municipal year 2015/16;
- (v) that David Ewart be appointed as a non-statutory co-opted member and chair of Audit Committee;
- (vii) that appointments/nominations to outside bodies be made as set out in Appendix B to these minutes.

#### 11. **Calendar of meetings**

A revised calendar of meetings was circulated.

RESOLVED:

- (i) that the dates for Full Council and other meetings to take place during the municipal year 2015/2016, as set out in the tabled version of the calendar be agreed in principle;
- (ii) that the Head of Executive and Member Services be authorised to make any alterations deemed necessary to the municipal calendar during the course of the municipal year having consulted the Leader of the Council; the Leader of the Principal Opposition Group and the Chair of the affected meeting.

#### 12. **Member's absence from meetings**

RESOLVED:

- (i) that Councillor Oladapo's absence from meetings of the Council since 27 November 2014 be approved on the basis of his ongoing ill-health and that the position be reviewed, if required, at the Full Council meeting in September 2015;
- (ii) that the Council's wishes for a speedy return to good health be passed on to Councillor Oladapo.

#### 13. **Changes to the constitution**

Members considered the circulated report which set out proposed changes to the Constitution; these included the need to determine which political group was the

Principal Opposition Group, the establishment of a new Equalities Committee, recording the establishment of a Pensions Board and a Local Safeguarding Board and the establishment of Old Oak and Park Royal Development Corporation; delegating certain powers to the Chief Executive to act in cases of urgency and delegating to the Chief Legal Officer certain powers to make changes to the constitution.

Councillor Warren submitted that his group should be recognised as the principal opposition group. He expressed support for the establishment of an Equalities Committee and put forward himself to serve on it. Councillor Warren also submitted a number of additional suggested amendments to the constitution.

Councillor Kansagra argued against the position put by Councillor Warren and maintained that his group properly represented the Conservative Party.

Councillor Butt stated that it was not for the Conservative Party to interfere with how the Council structured itself politically and that a decision had to be taken on which of the two Conservative opposition groups was to be recognised as the principal opposition group. He drew a comparison with the consistency of the Conservative Group whose members had stood as Conservatives at the 2014 elections and maintained that position with the group now called the Brent Conservatives who, having stood as Conservative candidates, once elected named themselves as the Brondesbury Park Conservatives and had now changed the name of their group to the Brent Conservatives. Regarding the amendments proposed to the constitution by Councillor Warren, Councillor Butt proposed that these be further considered outside the meeting before any final decisions were taken.

Councillor Warren requested that a recorded vote be taken on recommendation (i) in the report submitted.

RESOLVED:

- (i) that the Conservative Group comprising Councillors Colwill, Kansagra and Maurice be recognised as the Principal Opposition Group for the purposes of the Members' Allowance Scheme;
- (ii) that an Equalities Committee be established on the basis set out in the report submitted;
- (iii) that the Constitution be changed as shown in Appendix 1 of the report submitted.

In accordance with the provisions of Standing Order 47(c) the voting on (i) above was recorded as follows:

FOR: Councillors Carr, Davidson, Shaw and Warren (4)

AGAINST: Councillors Aden, Agha, Ahmed, Bradley, Butt, Chohan, Choudry, Choudhary, Colacicco, Collier, Colwill, Conneely, Daly, Denselow, Dixon, Duffy, Eniola, Ezeajughi, Farah, Filson, Harrison, Hector, Hirani, Hoda-Benn, Hossain, Hylton, Kabir, Kansagra, Kelcher, Khan, Long, Mahmood, Marquis, Mashari, Maurice, McLeish, McLennan, Miller, Moher, J Mitchell Murray, Naheerathan,

Nerva, M Patel, R Patel, Pavey, Perrin, Shahzad, Krupa Sheth, Southwood, Stopp, Tatler, Thomas and Van Kalwala (53)

ABSTENTIONS: The Mayor, Councillor Jones (1)

14. **Urgent business**

None.

The meeting closed at 8.20 pm

COUNCILLOR LESLEY JONES  
Mayor

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## FULL COUNCIL – 22 JUNE 2015

### Report from the Cabinet

1. The Leader and Cabinet members will report on matters which are the responsibility of the Cabinet, in accordance with standing order 38.
2. **Decisions taken by the Cabinet under the Council's urgency provisions**

Under the provisions of rule 38 of the Access to Information Rules in the Constitution, the Cabinet is required to report to the Full Council for information on any key decisions taken by them which did not appear in the Forward Plan giving 28 days' notice or where due notice was not given that a report, or part thereof, was to be considered in private.

Less than 28 days notice was given of the following item considered by Cabinet on the date shown:

26.01.15 Procuring an Accommodation Based Respite Framework Agreement

Notification that the following reports, considered by the Cabinet on the dates shown contained appendices which were considered in private:

26.01.15	Update On Schools Capital Portfolio
23.02.15	Stonebridge redevelopment proposals including Primary School Expansion and the Stonebridge Day Centre - update
23.02.15	Housing Management Related Support Services
14.04.15	South Kilburn Regeneration Programme - The Peel Site
14.04.15	Street Lighting: Energy and Carbon Saving Proposals
01.06.15	Youth services in Brent - a new delivery model

Reason why it was impracticable to defer the decisions until they could be included on the forward plan giving due notice:

In order for the decisions to be taken within timescales and to ensure the Council was not financially disadvantaged.

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 <p><b>Brent</b></p>	<p><b>Full Council</b> 22 June 2015</p> <p><b>Report from the Chief Operating Officer</b></p>
<p>For Action</p> <p>Wards Affected: ALL</p>	<p><b>Report from the Chair of Scrutiny, Councillor Dan Filson</b></p>

## 1.0 Summary

- 1.1 This report provides a summary of the work carried out by the Council's Scrutiny Committee in accordance with Standing Order 14. The report covers the period from March 2015 to present detailing committee members, planned training, programme of work and items discussed during the committee meetings.

## 2.0 Detail

### 2.1 *Scrutiny Committee*

In May 2015 the Council selected five new members to serve on the Scrutiny Committee. Scrutiny training was arranged for committee members and this took place on 9 June, with two substitute members taking part. The first scheduled Scrutiny Committee was scheduled for 16 June. The Chair of the Committee can add an oral report on any issues arising. The Chair of the Committee has held initial meetings with officers to discuss the process for developing a 2015-16 programme of work and will meet with the full Scrutiny Committee over the coming days to develop further the forward plan. It is unlikely the Committee will map out fully how the forthcoming year will be used as the Committee will want to retain some flexibility as to its programme, not least so it can respond to issues as they may arise and to ensure room for issues that members of the wider public may suggest.

The Chair has invited all members of the Council, not just members of the Committee, to make proposals for items for inclusion in the work programme, and these will be reviewed by the Committee, as will ideas submitted by the public. Scrutiny Committee will also review the Cabinet Forward Plan and consider reports from such task groups as are created. The Committee will

make greater use of time-limited task groups involving a small group of councillors and others, usually led by a member of Scrutiny Committee.

## 2.2 *Training*

On the 9 June the Scrutiny Committee received Member Development training. The purpose of this session was to brief Members on their role on the Scrutiny Committee in accordance to the governance of the Council, as well as to outline the legal and statutory function of Scrutiny with regard to both the council and other public service providers. The session also covered the important community engagement aspect of Scrutiny activities and creating local accountability. The second section of the training provided an introduction to scrutiny questioning skills and influencing techniques.

## 2.3 *Programme Planning*

The Chair of the committee has held an informal meeting with officers to discuss the 2015/16 programme of work and will be meeting with the entire Scrutiny Committee to further develop and confirm their forward plan. All members had been invited by the Chair of the Scrutiny Committee to make proposals for items for inclusion in work programme; these will be reviewed by the Committee.

Scrutiny Committee members also reviewed the Cabinet ??Forward Plan and considered feedback from other members on issues for Scrutiny committee agendas and task groups.

A copy of the Scrutiny Forward plan is attached (Appendix 1)

## 2.4 *Committee Meetings*

Since the last scrutiny report to Full Council the Committee has held 2 meetings. These meetings were under the chairmanship of Councillor Aslam Choudry to whom we owe much thanks for his leading the Committee over the last year. A summary of all the meetings is as follows:

In March 2015, the committee received an update on the Community Access Strategy and the projects designed to deliver the strategy. The committee voiced concerns regarding how the projects were addressing the diversity of the borough and in particular the needs of residents whose first language isn't English.

In March 2015, the committee also considered housing pressures in the borough, particularly homelessness and housing supply and demand. The committee investigated the impact of welfare reform, the use of empty properties, overcrowding and the potential for inspecting licenced properties. The committee received information on the 'Work Programme Scheme' which has been established to tackle unemployment in the borough; the committee noted the work on this issue.

On the 30 April 2015 the Scrutiny Committee heard from the Operational Director of Community Services, who presented a report summarising the work undertaken across key service areas to address the issue of sustainability. The Committee raised several queries regarding air pollutants



and the use of diesel fuel, seeking information on when TFL would be introducing non-diesel buses, how the council would encourage the use of non-diesel private and commercial vehicles, how traffic flow could be improved across the borough and the number of charging points provided in Brent for electric vehicles. Further information was sought regarding the work done with property.

In April 2015 the Brent Clinical Commission Group introduced a report detailing its commissioning intentions for 2015/16. Members' attention was drawn to the evidence base underpinning the commissioning intentions. This drew specifically on the Joint Strategic Needs Assessment and the Brent Better Care Fund Plan. The Committee requested an update be provided to a future meeting.

The last item heard in April 2015 was a report on the Review of Equalities and HR Policies and Practices, conducted between October 2014 and January 2015 by the Deputy Leader of the Council. The report was introduced to the Committee by the Chief Executive and members welcomed the review. During the subsequent discussion concerns were raised regarding the number of staff failing to receive supervisory appraisals, the implications this had for staff progression and whether managers were using the appraisals as an effective tool to support staff.

The Committee also sought clarification on Black Asian Minority Ethnic BAME representation at senior management. The Chair highlighted the importance of ensuring that there was robust monitoring of the action plan and the Committee agreed that an update should be provided on the progress achieved in six month's time.

The Committee received one task group report, with a second to be received at the 16 June Scrutiny Committee:

- The use of the Pupil Premium Grant in Brent – 16 recommendations made and agreed. This was a considerable body of work and an example of how councillors, officers and others can produce serious detailed examination of a key issue.
- Access to Extended GP Services and Primary Care in Brent (received at the 16 June Scrutiny Committee)

The next meeting of the Scrutiny Committee was scheduled for 16 June and will have considered:

- The paediatric services provided to Brent residents and the potential impact changes to paediatric services at Ealing Hospital will have on Northwick Park Hospital.
- Access to Extended GP Services and Primary Care in Brent, Interim feedback on the work of the Scrutiny Task Group focusing on Access to Extended GP Services and Primary Care in Brent. The report

outlined the task group scope and methodology and provided an overview of emerging findings and recommendations.

- Public Health - priorities and progress; as a result of the Health and Social Care Act 2012, local authorities have new responsibilities for public health. The report outlined these responsibilities and how the Council is discharging these.
- Access to affordable childcare; the report looked at the challenges of providing access to affordable, quality childcare.

The Chair of the Committee can add an oral report on any issues arising.

### **Contact Officers**

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cathy.tyson@brent.gov.uk  
0208 937 1045

**Scrutiny Committee  
Forward Plan 2015/16**

<b>Date of Committee</b>	<b>Agenda items</b>	<b>Responsible officers</b>
Tuesday 16 June 2015	<ul style="list-style-type: none"> <li>• Access to affordable childcare.</li> <li>• Paediatric Services in Brent.</li> <li>• Public Health – priorities and progress.</li> <li>• Report from the Access to GP services task group</li> </ul>	<p>Sara Williams, Operational Director Early Help and Education.</p> <p>Northwest London Hospitals Trust, Brent Clinical Commissioning Group. Melanie Smith, Director of Public Health</p> <p>Chair of Task Group</p>
Wednesday 8 July 2015	<ul style="list-style-type: none"> <li>• Licencing procedures including licenced premises and betting shops.</li> <li>• Local Government ombudsman complaints and corporate complaints.</li> <li>• Up-date on performance of Brent Housing Partnership</li> </ul>	<p>Andy Donald, Strategic Director Regeneration and Growth Cathy Tyson, Head of Policy and Scrutiny</p> <p>Tom Bremner, Managing Director Brent Housing Partnership. Andy Donald, Strategic Director Regeneration and Growth</p>

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 <b>Brent</b>	<b>Full Council</b>  22 June 2015  <b>Report from the Chief Operating Officer</b>
For Action	Wards Affected: ALL
<b>The Appointment of the Chief Executive and Designation of Head of Paid Service.</b>	

## 1.0 Summary

- 1.1 To approve the appointment of the Chief Executive for The London Borough of Brent and to designate an Officer of the Council as the Council's Head of Paid Service.

## 2.0 Recommendation

- 2.1 To approve the appointment of Carolyn Downs, CB, as Chief Executive and designate Carolyn Downs as the Head of Paid Service with effect from 7 September 2015.

## 3.0 Background

- 3.1 The Council undertook a procurement exercise to appoint recruitment consultants to undertake the task of finding suitable candidates for the post of Chief Executive. Davidson and Bloomsbury Resourcing were appointed and they were able to encourage a strong, diverse and lengthy field of 23 applicants. Following discussion with the Senior Staff Appointments Sub-Committee, a long list of 12 suitable candidates was produced and all of those candidates were subject to a lengthy interview process and paper based assessment by the consultants. These were again discussed with the Senior Staff Appointments Sub-Committee; as a result of that process a shortlist of 5 candidates was prepared. One of those candidates withdrew from the process and so 4 candidates attended an informal event with members and were also formally interviewed.
- 3.2 In accordance with the Council's Constitution, the Senior Staff Appointments Sub Committee met on Tuesday 19 May 2015. The Committee was

constituted of Councillors Butt, Hirani, Kansagra, Mashari and Pavey, advised by the consultants. As a result of that interview process the Committee resolved that the post of Chief Executive should be offered to Carolyn Downs, subject to the Cabinet notification requirements and the approval of Full Council.

- 3.3 Carolyn Downs is presently the Chief Executive of the Local Government Association. Before she held this role, she was Chief Executive of the Legal Services Commission where her role was to drive performance and secure a stronger financial future. Carolyn was also previously Deputy Permanent Secretary and Director General of corporate performance at the Ministry of Justice. She was responsible for all corporate services, including finance, estates, personnel, risk management, business planning and communications. From 2003 to 2009, Carolyn was Chief Executive of Shropshire County Council. She has extensive local government experience, including that of Director of Environment and Community. She began her career in local government as a Library Assistant at Bolton Council.
- 3.4 In accordance with Standing Order 77, the Cabinet has been informed of the preferred choice of candidate and no objection has been made to the proposed appointment. If Council approves the recommendation a formal offer of appointment can be made and a date for the commencement of Ms Down's employment agreed.

#### **4.0 Financial Implications**

- 4.1 The remuneration of the Chief Executive is set out in the Pay Policy Statement agreed by Full Council on 2<sup>nd</sup> March 2015. Ms Downs will be paid at the top of the scale. She does not wish to be part of the local government pension scheme.

#### **5.0 Legal Implications**

- 5.1 There are two clear and distinct concepts, namely the contractual appointment to the post of Chief Executive, and the designation of an officer of the Council as Head of Paid Service. It is usual for one individual to discharge both roles.
- 5.2 The Local Authorities (Standing Orders) Regulations 1993, as amended, and the Local Authorities (Standing Orders) (England) Regulations 2001 as applied by the Council's Constitution make clear that it is for full Council to determine any appointment to the contractual post of Permanent Chief Executive and to designate an officer of the Council as the Council's Head of Paid Service under section 4 of the Local Government and Housing Act 1989.

#### **6.0 Diversity Implications**

- 6.1 The brief for the recruitment consultants emphasised the importance of producing a diverse field of applicants. This was an important consideration at each stage of the process.

**Background Papers**

None.

**Contact Officer**

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Tel: 020 8937 4101

Brent Council, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

**LORRAINE LANGHAM**  
**CHIEF OPERATING OFFICER**

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 <p><b>Brent</b></p>	<p><b>Full Council</b></p> <p>22 June 2015</p> <p><b>Report from the Chief Legal Officer</b></p>
<p>For Action</p>	<p>Wards Affected: ALL</p>
<p><b>Representation of Opposition Political Groups on Committees</b></p>	

## 1.0 Summary

- 1.1 Further to the Council's review of the representation of different political groups on committees at its annual meeting and the allocation and appointment of seats to the majority group, this report discharges the Council's duty to allocate seats to the opposition groups and to make appointments.

## 2.0 Recommendations

- 2.1 That the Council:
- (i) agree the allocation of seats on committees to the opposition political groups as set out in paragraphs 3.6 to 3.9.
  - (ii) make appointments to the committees giving effect to the wishes of the political group concerned.

## 3.0 Detail

### *Political Balance of Committees*

- 3.1 The Council is required to review and determine the representation of the political groups on committees and allocate committee places to political groups accordingly at, or as soon as practicable after, its Annual Meeting. The allocation is determined by applying the "political balance rules" under the Local Government and Housing Act 1989. These are designed to ensure that the political composition of the Council's decision making and deliberative committees, as far as possible, replicates the political composition of the full Council. Committees are subsequently required to carry out a similar process in relation to any sub-committees they may have.

- 3.2 At its Annual Meeting on 20 May 2015, the Council discharged its duty to review political balance and allocated seats on relevant committees. For this purpose, seats were allocated on committees on the basis of there being two political groups: (1) the Labour Group, and (2) the Conservative and the Brondesbury Park Conservative (now known as Brent Conservative) Groups combined.
- 3.3 Members were advised that the Local Government (Committees and Political Groups) Regulations 1990 (the 1990 Regulations) provide that Members are treated as being from the same political group for the purpose of political balance rules, where at the election more than half of the members in each political group were shown on the election nomination forms to be in the same party.
- 3.4 It is now appreciated, however, that the 1990 Regulations require two or more political groups to be treated as one combined group in limited circumstances only. Namely, to avoid all the seats on a committee being allocated to Members who when elected were members of the same group. As the size of the combined opposition group (i.e. 6 Members) mean that there is no question of that happening, the rule about treating the groups as one combined group is not relevant.
- 3.5 Having already allocated seats to the Labour Group in accordance with the political balance rules (which are set out in Appendix 1 to this report) and made appointments giving effect to the wishes of that group, the Council now needs to allocate seats separately to the two opposition groups. In practical terms, this makes little or no difference for two reasons. First, the number of seats each group is entitled to remains the same i.e. each group will be allocated 1 seat on 3 ordinary committees. Second, the decision to allocate seats and to make appointments on committees is still made by full Council.
- 3.6 Accordingly, the table below lists the 6 ordinary committees of the Council subject to the political balance rules and confirms the size of each committee and the number of seats already allocated to the Labour Group. Members therefore need to allocate the one remaining seat on each committee to either the Conservative Group or the Brent Conservative Group so that each group is allocated a total number of 3 seats.

<b>Ordinary Committees</b>	<b>Size</b>	<b>Labour Group</b>	<b>Conservative Group</b>	<b>Brent Conservative Group</b>	<b>Liberal Democrats</b>
		<b>56 88.88%</b>	<b>3 4.76%</b>	<b>3 4.76%</b>	<b>1 1.59%</b>
General Purposes Committee	8	7	?	?	0
Planning Committee	8	7	?	?	0
Audit Committee	5	4	?	?	0
Standards Committee	5	4	?	?	0
Corporate Parenting Committee	5	4	?	?	0
Equalities Committee	5	4	?	?	0
<b>Total seats</b>	<b>36</b>	<b>30</b>	<b>3</b>	<b>3</b>	<b>0</b>

- 3.7 The only other committee which the political balance rules apply to is the Scrutiny Committee. The table below confirms the size and make-up of the Committee and it is for Members to decide which opposition group the one remaining seat should be allocated to.

<b>Other Committees</b>	<b>Size</b>	<b>Labour Group</b>	<b>Conservative Group</b>	<b>Brent Conservative Group</b>	<b>Liberal Democrats</b>
		<b>56 88.88%</b>	<b>3 4.76%</b>	<b>3 4.76%</b>	<b>1 1.59%</b>
Scrutiny Committee	8 (plus 4 voting co-opted members and 2 non-voting co-opted members)	7	?	?	0

3.8 The political balance rules do not apply to the Health and Well-being Board but it has been previously agreed that this Board comprise 4 Cabinet Members and one opposition group Member. The 4 Cabinet Member appointments have already been made to the Board and Members therefore need to make the final opposition group Member appointment.

3.9 Nor do the political balance rules formally apply to the Alcohol and Entertainment Licensing Committee but are applied as a matter of policy (not law). As set out below, each opposition group is entitled to be allocated one seat on this Committee.

<b>Committees</b>	<b>Size</b>	<b>Labour Group</b>	<b>Conservative Group</b>	<b>Brent Conservative Group</b>	<b>Liberal Democrats</b>
		<b>56 88.88%</b>	<b>3 4.76%</b>	<b>3 4.76%</b>	<b>1 1.59%</b>
<i>Alcohol and Entertainment Licensing Committee</i>	15	13	1	1	0

- 3.10 Subsequent to allocating seats, Members have to *appoint* named Members to the committees and bodies mentioned in this report giving effect to the wishes of the relevant group.
- 3.11 For Members' information, on 27 May 2015, the General Purposes Committee (the only committee of the council which is subject to political balance rules and which has appointed sub-committees), allocated seats on its three sub-committees to the two opposition groups separately and made appointments accordingly. The political balance rules do not apply to the sub-committees of the Alcohol and Entertainment Licensing Committee and these three Member sub-committees will not be politically balanced.

#### **4.0 Financial Implications**

- 4.1 These can be met from within existing budgets.

#### **5.0 Legal Implications**

- 5.1 These are addressed in the body of the report.

#### **6.0 Diversity Implications**

- 6.1 None.

#### **Background Papers**

None

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## Appendix 1

### **The political balance rules under the Local Government and Housing Act 1989 ('the Act') and the Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations')**

1. The rules are that seats must be allocated so far as reasonably practicable in accordance with four overriding principles:
  - (a) that not all the seats on the body are allocated to the same political group;
  - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the authority that belong to that group; and
  - (d) subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the authority that belong to that group.
2. Principle (c) refers to "ordinary committees" which under the Act means those appointed under section 102(1) of the Local Government Act 1972, namely General Purposes Committee, Audit Committee, Standards Committee, Corporate Parenting Committee, Planning Committee and the Equalities Committee.
3. Principle (d) applies to a "body" to which the Council makes appointments. The Act provides that the bodies to which this principle applies include ordinary committees (as defined above) and ordinary sub committees, advisory committees and sub-committees, and joint committees where at least 3 seats are allocated. By virtue of the Local Government Act 2000, principle (d) also applies to the Scrutiny Committee.
4. Accordingly under principle (c) above, the General Purposes Committee, Audit Committee, Standards Committee, Corporate Parenting Committee, Planning Committee and the Equalities Committee first have to be taken together to determine the number of seats that should be allocated to each group. Then, in accordance with paragraph (d) above, the political balance rules have to be applied to each of those committees individually.

5. In relation to the Scrutiny committee, only principle (d) applies; the additional requirement in (c), namely consideration of the combined impact of seat allocation, does not apply.
6. The political balance principles do not apply to the London Councils' Joint Committees or the Joint Health Overview and Scrutiny Committee because only one appointment is made to each.
7. The current membership of the authority is 63 consisting of 56 Labour Group councillors; 3 Conservative Group councillors; 3 Brent Conservative Group councillors and 1 Liberal Democrat councillor. A political group for the purposes of the 1990 Regulations is a group of two or more Members. The sole Liberal Democrat councillor is not therefore part of a group.

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 <p><b>Brent</b></p>	<p><b>Full Council</b></p> <p>22 June 2015</p> <p><b>Report from the Chief Operating Officer</b></p>
<p>For Action</p>	<p>Wards Affected: ALL</p>
<p><b>New statutory rules relating to the dismissal of certain statutory officers</b></p>	

## 1.0 Summary

- 1.1 This report explains changes to the law relating to the dismissal of certain statutory officers. It seeks Council's approval to establish a new panel and to amend Standing Orders. Council is asked to note that the disciplinary and dismissal procedures for the officers concerned will also be reviewed and approved by the General Purposes Committee.

## 2.0 Recommendations

- 2.1 That the Council establish a Dismissal Advisory Panel, comprising three independent persons appointed to deal with Member Code of Conduct complaints under the Localism Act 2011, to fulfil the role of 'the Panel' referred to in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- 2.2 That the Council approve the terms of reference of the Dismissal Advisory Panel set out at paragraph 3.15 and that the establishment of the Panel be included in the Constitution.
- 2.3 That the Chief Operating Officer be authorised to explore the possibility of sharing independent persons appointed by other councils, whether or not on a reciprocal basis, and report to the General Purposes Committee for its approval.
- 2.4 That the proposed amendments to Standing Orders as set out at paragraph 3.17 be approved and that the Monitoring Officer be authorised to make any

further consequential changes to the Constitution to reflect the new statutory framework.

- 2.5 That the Council notes that the disciplinary and dismissal procedures for the roles of Chief Executive, Monitoring Officer and Chief Finance Officer will be reviewed by the General Purposes Committee to reflect the new arrangements.

### **3.0 Background**

- 3.1 The Regulations relating to disciplinary action regarding the Chief Executive, Chief Finance Officer and Monitoring Officer have recently been changed.
- 3.2 Previously, no disciplinary action could be taken in respect of the Chief Executive, Monitoring Officer or Chief Finance Officer other than in accordance with a recommendation contained in a report made by a designated independent person (DIP) under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.
- 3.3 Staffing issues are non-executive functions and, as such, they fall within the General Purposes Committee's (GPC) powers or the Chief Executive's as Head of Paid Service. GPC can carry out any non-executive functions of the Council which are not the responsibility of any other person or committee or sub-committee.
- 3.4 This means that, in practical terms, GPC acts as the Council's investigation and disciplinary committee in relation to these three statutory roles and would be the committee that any allegations of misconduct are referred to. GPC would decide whether there is a case to answer, whether to appoint an investigator and whether to suspend the officer concerned during the investigation.
- 3.5 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the 2015 Regulations), which came into force on 11 May 2015, amend The Local Authorities (Standing Orders) (England) Regulations 2001 in the following way.
- 3.6 The amendment removes the requirement for a DIP i.e. an independent person, often a barrister, appointed to investigate and make a binding recommendation on disciplinary action against the Head of Paid Service (i.e. in Brent, the Chief Executive); the Monitoring Officer (i.e. in Brent, the Chief Legal Officer) and the Chief Finance Officer.
- 3.7 According to the Government's Explanatory Memorandum to the 2015 Regulations, the DIP process is, in practice, complex, protracted and expensive and places councils at a great disadvantage, particularly given that the recommendation of the DIP must be followed.
- 3.8 The 2015 Regulations stipulate that, as from 11 May 2015, dismissal decisions (other than for reasons of redundancy and ill-health) will be taken by

Full Council who must consider, amongst other things, any advice, views or recommendations from a panel. This statutory role of the panel will be in addition to the requirement to properly investigate any allegation in accordance with established principles of employment law. The 2015 Regulations stipulate that the panel is required to be appointed at least 20 working days before the Full Council meeting but the timing of the panel's meeting is not mentioned.

- 3.9 The flow chart attached to this report as Appendix 1 outlines the key stages of the new procedure and, in particular, shows the stage at which the panel is required to play its role.
- 3.10 The Council is required to invite independent persons, appointed to deal with Member Code of Conduct complaints under the Localism Act 2011, to sit on the panel with the view to appointing at least two such persons.
- 3.11 The Council will be required to invite independent persons to form part of a panel in the following priority order:
- an independent person who has been appointed by the Council and who is registered as a local government elector in the borough of Brent;
  - any other independent person who has been appointed by the Council; and
  - an independent person who has been appointed by another council or other councils.
- 3.12 The Council has appointed one independent person to deal with Member Code of Conduct complaints but the 2015 Regulations explicitly allow the Council to utilise independent persons appointed by other councils. This is why it is proposed that the Chief Operating Officer be authorised to explore the possibility of sharing independent persons appointed by other councils with a view to establishing a pool of 5 independent persons from which 3 can be selected to form a panel. Such a shared system may be a more cost effective and efficient use of a limited number of independent persons.
- 3.13 The 2015 Regulations limit the remuneration that can be paid to independent persons on the panel to the level of the remuneration which they would normally receive for their Member Code of Conduct role. The issue of fees will be addressed through the pooling arrangements which it is proposed that the Chief Operating Officer be authorised to explore and report to the General Purposes Committee for its approval.
- 3.14 According to the 2015 Regulations, the panel will be an advisory panel established under s102(4) of the Local Government Act 1972. The DCLG recommends that the panel consist of independent persons only. According to the DCLG, this is necessary to ensure independent scrutiny and the involvement of non-elected persons in the disciplinary process.

- 3.15 In light of these changes, it is proposed that the Council establish a Dismissal Advisory Panel with the following terms of reference and that the Constitution be amended accordingly.

***“Dismissal Advisory Panel***

***Membership***

*The Panel comprises 3 independent persons appointed under s28(7) of the Localism Act 2011 and in accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (‘the 2015 Regulations’).*

*The Panel shall be appointed at least 20 working days before any meeting of Full Council to consider whether or not to approve a proposal to dismiss the Chief Executive, Monitoring Officer or Chief Finance Officer for any reason other than redundancy, permanent ill-health or infirmity of mind or body.*

***Terms of reference***

*The function and remit of the Panel are as set out in the 2015 Regulations. Accordingly, the Panel can give advice, express its views and make recommendations to Full Council before it meets to consider whether or not to approve a proposal to dismiss the Chief Executive, Monitoring Officer or Chief Finance Officer.”*

- 3.16 As the Council is not in a position yet to appoint to the panel the outcome of the arrangements approved by the General Purposes Committee will be subsequently reported to Full Council for appointments to be made.
- 3.17 The Council is also required to modify its standing orders to implement these changes no later than the first ordinary meeting of the Council after 11 May 2015 i.e. this meeting. The proposed amendments to Standing Orders are set out below for approval.

***“78. Disciplinary action against the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer***

- (a) *Except as described in paragraph (b) below, no disciplinary action (as defined in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001) may be taken in respect of the Chief Executive, Monitoring Officer or Chief Finance Officer other than in accordance with Standing Order 79 with a recommendation contained in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.*
- (b) *The Chief Executive, Monitoring Officer and Chief Finance Officer may be suspended by the General Purposes Committee for the purpose of investigating the alleged misconduct occasioning the action. That suspension will be on full pay and will if it lasts ~~no~~ longer than two months from the date*

it took effect, it will be reviewed by the General Purposes Committee.

**79. Dismissal from Senior Management Posts**

- (a) Any proposal to dismiss a person from any of the posts mentioned in Standing Order 77(b) ~~or (c)~~ shall be notified to the Director Human Resources and Administration together with any other particulars that the person or body proposing the dismissal considers are relevant to the dismissal and no notice of dismissal shall be given unless the following paragraphs have been complied with.
- (b) The Director Human Resources and Administration shall forthwith notify ~~to~~ every member of the Cabinet:-
  - (i) the name of the person whom it is intended to dismiss;
  - (ii) any other particulars relevant to the dismissal which have been notified to the ~~Operational~~ Director Human Resources and Administration; and
  - (iii) the period within which any objection to the dismissal is to be made by the Leader of the Cabinet on behalf of the Cabinet to the ~~Operational~~ Director Human Resources and Administration.
- (c) The Leader shall within the period specified in the notice ~~from the Operational Director Human Resources~~ notify ~~the person or body proposing the dismissal and~~ the Director Human Resources and Administration of any objection which the Leader or any other member of the Cabinet has to the proposed dismissal.
- (d) If no such objection is received by the Director Human Resources and Administration, ~~or the person proposing the dismissal~~ the Director Human Resources and Administration may proceed to give notice of the dismissal to the employee. If an objection is made the person or body proposing the dismissal shall consider whether to proceed with the dismissal. If satisfied that the objection is not material or is not well founded then the Director Human Resources and Administration may proceed to give notice of the dismissal to the employee.
- (e) In the case of the dismissal of the Chief Executive, Monitoring Officer or the Chief Finance Officer, the proposed dismissal must be approved at a meeting of Full Council before notice of dismissal is given.
- (f) Before the taking of a vote at any such meeting Full Council must take into account, in particular:
  - (i) any advice, views or recommendations of the Dismissal Advisory Panel;
  - (ii) the conclusions of any investigation into the proposed dismissal; and
  - (g) (iii) any representations from the officer concerned."

- 3.18 Members are asked to note that the disciplinary and dismissal procedures for the roles of Chief Executive, Monitoring Officer and Chief Finance Officer will also be reviewed by the General Purposes Committee to reflect the new arrangements.

#### **4.0 Financial Implications**

- 4.1 Any financial implications are limited to any fees payable to independent persons in the event that it is necessary for the Dismissal Advisory Panel to meet.

#### **5.0 Legal Implications**

- 5.1 These are addressed in the body of the report.

#### **6.0 Diversity Implications**

- 6.1 None.

#### **Background Papers**

None.

#### **Contact Officers**

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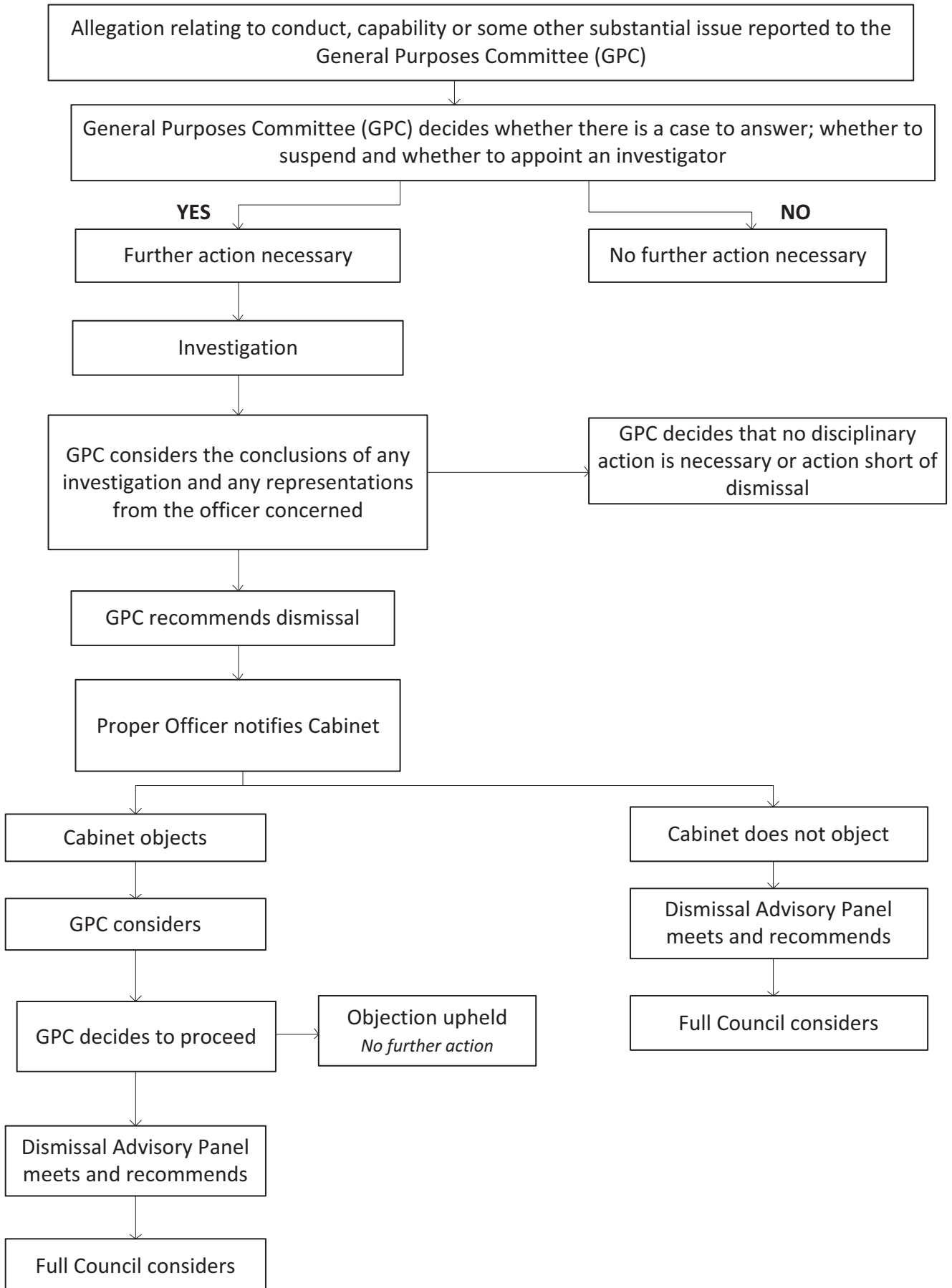
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**Chief Operating Officer**

## Appendix 1

### Outline of the new procedure for the dismissal of the Chief Executive, Monitoring Officer or Chief Finance Officer



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 <p><b>Brent</b></p>	<p><b>Council</b> 22 June 2015</p> <p><b>Report from the Chief Finance Officer</b></p>
<p><b>Shared Internal Audit Services</b></p>	

## 1 Summary

- 1.1 The council is seeking to make savings of an average of 40% in the provision of its support services, in response to the financial pressures that it faces. Officers are responding to this challenge by considering different models of service delivery, seeking to reduce costs whilst mitigating the impact on service delivery.
- 1.2 This report sets out a proposal to share internal audit services with the London Boroughs of Ealing and Hounslow. This would enable an immediate saving on management costs to be achieved, as set out in the report, whilst future proofing the important assurance and deterrence functions that the service provides. Over time the proposal would also deliver further financial savings through economies of scale and efficiencies and the opportunity to improve the service by facilitating more cross-borough working and sharing best practice. In particular it would enhance the resilience of the service.
- 1.3 Due to the particular nature of the internal audit service, decisions to change the way in which it is provided, as proposed in this report, require the approval of Council. This helps to protect the operational independence of the service. The Audit Committee, on 7 January 2015, noted the report, and was supportive of the proposal. The detailed comments of the Audit Committee appear at paragraph 6.8.

## 2 Recommendations

That Council:

- 2.1 Agree to delegate the provision of its internal audit service to the London Borough of Ealing with effect from 1 October 2015 or such other date as may be reasonably agreed with the London Borough of Ealing.
- 2.2 Note that the cost of operation of such delegated internal audit service by the London Borough of Ealing will be, initially, at least £75,000 less than the current service cost.
- 2.3 Agree to enter into an agreement confirming the terms of delegation and delegate authority to the Chief Finance Officer in consultation with the Chief Legal Officer to

determine the precise terms of the legal agreements necessary to achieve the same, as set out in section six of this report.

- 2.4 Agree to the proposed staffing arrangements including the transfer of internal audit and investigation staff to the London Borough of Ealing as set out in paragraphs 4.5 and 4.6.
- 2.5 Note that this proposal will enable the council to reduce the number of heads of service employed by one, the saving from which will contribute towards the £1.4m to be achieved through the corporate management restructure.
- 2.6 Authorise the Chief Legal Officer to make any necessary changes to the Council's Constitution to reflect the delegation of the internal audit function to the London Borough of Ealing.

### **3 Internal audit – background**

- 3.1 Internal audit provides an essential service to the organisation, the importance of which should never be underestimated. A good internal audit service provides a council's political leadership and senior management with assurance that business processes across the organisation are effective and that risks are identified and well managed. It assists the external auditors to judge the effectiveness of controls, driving down total audit costs as a result. It highlights exceptions to proper practices and plays the dual role of helping managers to address these whilst also holding them to account.
- 3.2 Internal audit helps to prevent fraud within the council and the borough, advising on system design to reduce fraud risk, promoting a strong anti-fraud ethic, investigating potential cases of fraud and publicising, as appropriate, the sanctions imposed on fraudsters. It provides a responsive service to management where investigations into the actions of individuals are required, and as it has a degree of independence from day to day operations, can provide assurance externally that the council is conducting its business properly.
- 3.3 Like any service, this does not make internal audit immune to change, and savings are required here just as for any other support service. The risk for the council is that, as a relatively small service, once savings beyond a certain level are delivered the remaining function becomes too small to be sustainable or have the economies of scale necessary to remain efficient.
- 3.4 If the service is simply crudely downsized then there are significant risks that it will become increasingly difficult to attract and retain staff with the right mix of skills, especially at the higher end forensic services. At the same time the contract through which most of the systems work is performed could be squeezed to the point where its management costs become unreasonably high as a proportion of total spend. In addition, accountancy firms of the requisite size to be able to provide the range of services that will always be needed may struggle to provide economic rates for small contracts, driving up day rates and unit costs.
- 3.5 These financial arguments are a relevant consideration. However, it is important to note that perhaps the more significant consideration will be the resilience of the service. Small teams lack the inherent resilience of larger teams and there is a significant risk that substantial downsizing of the service would result in a model that could no longer be confident of delivering high quality outcomes.
- 3.6 For these reasons an alternative service delivery model has been examined, sharing services with Ealing and Hounslow, who already operate a shared internal audit service.

- 3.7 Internal audit currently has a Head of Service, graded Hay 4, performing the Chief Internal Auditor role, responsible for the two principal arms of the service – anti-fraud work and systems and risk audit. On the systems and risk side there is an internal audit manager and one officer, with the bulk of the work carried out by an external provider, currently Mazars. Anti-fraud services are carried out in house, with a team of long-established staff conducting investigations. This team was reduced in 2014/15 as four staff transferred to the DWP as part of the creation of a national Single Fraud Investigation Service (SFIS), and responsibility for countering HB fraud also passed from the council.
- 3.8 This is a fairly common model. Many local authorities outsource their audit and risk services to external providers, as Brent has done. As a result the directly employed staff are relatively few in number: less than 20 including the two apprentices also placed in the unit, and from time to time the council's CIPFA trainees who are also seconded to it.
- 3.9 Around 1,200 input days of systems audit and risk work was delivered in 2014/15. This total was reduced for 2015/16 as part of the agreed budget proposals. On a like for like basis this reduced the audit days to about 900, but some of this reduction has been offset by greater use of trainees. Brent's input audit days for 2015/16 will be at around the average figure for London, as other boroughs are also reducing internal audit days in response to financial pressures, whereas historically the service has tended to deliver more input days than average.
- 3.10 Anti fraud services are, by contrast, provided in house by most local authorities. An external market exists for these services, but is characterised by high day rates. For some specialist investigations it can be the appropriate way forward, but, like most authorities, Brent would only use this if the circumstances of a particular case warranted this specialisation.
- 3.11 Much of the work of the anti-fraud team is in practice focused on high volume and recurring types of fraud. For example, housing benefit anti-fraud work, until its transfer to the Department for Work and Pensions in October 2014, suited internal delivery. There was sufficient volume of attempted fraud to keep staff consistently busy, and the legislation was complex enough to require particular skills to be developed that led to economies of scale. Having an external contractor do this sort of work is not impossible, but most authorities take the view that the contractual hand-offs associated with this would be unduly complex and expensive, and that the service would be less responsive as a result.
- 3.12 The same is true of other principal categories of attempted fraud, such as tenancy fraud, which is an increasing area of focus given the housing pressures. It also, sadly, remains the case that some investigations into council employees attempting fraud or committing other financial irregularities will always be needed. Most authorities take the view that a formal external contract for these services with a commercial provider is not likely to be the best way of resourcing these investigations.
- 3.13 However, by continually reducing these services over the next four years (and the average 40% savings currently targeted for support services are only enough to balance the budget for the next two years) these economies of scale will be reduced as the team downsizes, to the point when it may become difficult to deliver an adequate service at all. And, in fraud investigation work, there are fewer opportunities to deliver efficiencies in a small team, although of course service standards and quality of work can always be improved. In this scenario staffing savings tend to look a lot more like straightforward cuts leading to less work being

done, and there are significant financial and reputational risks associated with adopting a public position of no longer trying to investigate certain types of fraud.

- 3.14 It is also relevant that the inevitable nature of a small service led at a Head of Service (Hay 4) grade is that the management overhead is necessarily high. In most other services a senior manager at this grade would manage a larger group of staff. This reflects the specialist nature of the service being provided, but the council's leaders are rightly concerned to seek to bear down on management costs.

#### **4 Shared service model**

- 4.1 In this context a shared service model has, on the face of it, significant potential attractions. There are several such services already operating in London, for example Kingston and Richmond, OneSource (Newham and Havering), the tri-borough service and Ealing and Hounslow, with whom it is proposed to enter into a shared service arrangement.
- 4.2 Hounslow and Ealing operate a shared internal audit service. This was initially established as a relatively informal arrangement, with staff employed by their host authority but managed for practical purposes by a shared Head of Audit. More recently this arrangement has been formalised with a TUPE transfer of staff underway from Hounslow to Ealing to create a true shared service. The service is led by Ealing, who employ the Chief Internal Auditor, who performs this service for both boroughs, with reporting lines in to each Chief Executive and Audit Committee chair as required. Both are satisfied that the service has worked effectively, and in particular Hounslow, as the customer of the service, is satisfied that it receives the assurances that it needs from the service.
- 4.3 Officers have discussed this model, and propose joining the service on the basis set out below.
- 4.4 The model proposed is a 'delegate and buy back' service. This would mean that, if the arrangement were to go ahead, Brent would delegate its audit function to Ealing and enter into an arrangement to buy the service back. This is significantly simpler in procedural terms than establishing a special purpose vehicle or other local authority controlled company or joint committee arrangement. There is the added advantage of joining a known arrangement, rather than trying to create something new. This means that the proposal could be implemented quickly and with fewer risks.
- 4.5 This would mean that the staff concerned would transfer across to Ealing, and TUPE would apply. The immediate staffing saving would be delivered because in the new model the cost of the Head of Internal Audit would be shared between three boroughs, whereas at present Brent pays the entire cost of this role.
- 4.6 It is not proposed to undertake budget reductions for the other staff prior to the transfer. This reflects the fact that the sharing of services is only partly being driven by the need to make immediate reductions in the budget, with a more significant driver being securing a future service, with planned future cost reductions built into the business plan. There are no redundancy costs associated with this proposal.
- 4.7 The advantages of this arrangement are as set out below.
- 4.8 This is joining an existing and successful arrangement. This 'starting small and then expanding' model is a preferable way to achieve successful shared services, as has been demonstrated by the difficulties some larger partnerships have faced.
- 4.9 The boroughs are geographically close. Despite advances in technology it is the nature of internal audit and investigation work that a significant amount of work on site will always be required. Having an arrangement with geographic partners

therefore has advantages over, for example, entering into an arrangement with One Source or Richmond and Kingston. This geographic closeness will also enable the development of a co-located audit function with its headquarters in Ealing.

- 4.10 However, it is the nature of the audit function that a high proportion of the work requires an on-site presence, to conduct interviews or to review evidence first-hand, for example. Staff would therefore need to retain a regular presence at the Brent Civic Centre, and continue existing flexible working arrangements, for example to access the council's zip cars to make efficient site visits and so on.
- 4.11 Buying in to this shared service arrangement will enable the development of expertise. On the systems and risk side of the business there would be increasing opportunity for collaboration. It is, for example, obviously more efficient to carry out the standard audits of those systems that always need to be reviewed annually (creditors, council tax and so on) on a three borough basis. The same person can do the audit three times, sharing good practice and reducing the average time taken to do the same element of work. The efficiency gains from this are unlikely to be major, although they would be real. The opportunity for sharing best practice is a more significant opportunity that could lead to material enhancements in the service.
- 4.12 In anti-fraud activities the potential value of such ready access to data sharing across three boroughs will obviously be significant, although care will be needed to ensure that responsibilities under the Data Protection Act are preserved. Would be fraudsters do not limit their activities by borough boundaries, and the ability to co-ordinate more easily internal audit activities across three boroughs could improve detection rates and the deterrence value of the service.
- 4.13 Within a larger service there will also be more opportunity to create staffing structures that promote career development opportunities. Staff will be able to develop expertise in particular areas, or by exposure to different London boroughs gain a wider insight into governance and risk management issues, enhancing their skill sets.
- 4.14 The contracts are also aligned (Ealing and Hounslow operate the same model of service delivery as Brent, with an external provider for most of the systems and risk work and internal staff for the anti-fraud work). Mazars provide internal audit services to all three boroughs, with a common expiry date of March 2016, so a collective re-procurement exercise can be carried out for 2016/17.
- 4.15 There are significant advantages to the shared service option arising from contract management efficiencies. As the three authorities' contracts are essentially similar it would be much cheaper for one officer to manage them all. This would also enable a more co-ordinated approach to be taken to hold the external contractor to account in the event of under performance.
- 4.16 Future contract re-procurement is also likely to be cheaper, certainly in terms of the internal resource needed to manage the process but also in terms of being able to offer a package that will be more attractive to the market.
- 4.17 As has been noted above, adopting this model would reduce the overall cost of management and its proportion of the total internal audit cost. Discussions with Ealing have shown that they would be able to offer enhanced service standards in some areas to that currently achieved. In summary, this proposal offers the opportunity to deliver at least the existing standard of service, and in many respects a better standard, for a lower cost.

## **5 Other options**

- 5.1 Other options have been considered, and these and some other considerations are set out below.
- 5.2 The systems audit and risk management service could be brought back in house. The difficulty with this is that the team to provide the service would be fairly small and therefore hard to sustain. This was what drove many local authorities to outsource it in the 1980s and 1990s when teams were significantly larger. Brent has a total of around 1,200 internal audit days, of which over 900 are provided by the external contractor and the balance by the in house team.
- 5.3 If this part of the service were to be entirely in-sourced the team required to deliver it would be around five FTEs (assuming 900 total audit days), within which it would be difficult to have the full range of skills required. There would also be a high management overhead, as audit programmes for each piece of work would have to be designed individually, whereas an external provider has significant economies of scale. Most local authorities therefore rely on external provision for this. However, where there is scope for variation is in the balance of externally and internally provided audit days.
- 5.4 The option of entirely insourcing the internal audit service has therefore not been pursued. However, the shared service option, with its economies of scale, could in future increase the proportion of audit days delivered internally. This would have the effect of driving down costs and also providing greater training opportunities for the council's apprentices and CIPFA trainees.
- 5.5 Savings could just be delivered by reducing the number of investigation staff. No further reductions in the number of purchased systems and risk management days are proposed at the present time, other than already set out in this report, since this would expose the council to unreasonable levels of risk. The current team of investigators could be reduced from those currently employed in order to deliver immediate savings. However, this is not recommended as it would significantly limit the ability of the council to deliver anti-fraud services. However, the council will retain the right to reduce the cost of this service in the future, under the shared service proposal. This will give the council the ability to deliver future savings in a planned and managed way, preserving the quality of the service.
- 5.6 Other partners have been considered. However, a key issue here is geography. Internal audit is very much a service where outputs are closely correlated to input hours. Of course, the quality of staff and management matters, as for any service, as does the technology required to support, for example, the data matching services that can help to identify fraud risks. Nevertheless, the fact remains that, certainly for the more standardised elements of audit services, such as for routine audits into standard systems or investigations into high volume fraud areas like tenancy and housing benefits, input hours will be a significant determinant of outputs.
- 5.7 In this context a shared service offering not based on geographic proximity is likely to add costs and reduce flexibility. This is not just to do with staff travel to work times, but with the ability of staff to work across more than one site in any short period of time to share best practice and gain efficiencies of scale.
- 5.8 The Ealing offer certainly has the benefit of this geographic continuity. An alternative provider could be OneSource, the shared service vehicle between Havering and Newham. This has been considered, but rejected in this instance because of the distances involved, certainly to Romford. Similarly the Richmond and Kingston shared service is based too far away to be likely to be successful. Discussions with other potential partners in the London boroughs have not revealed any significant appetite for adding to existing shared service models.
- 5.9 The Ealing model is established and stable. Circumstances can of course change, but decisions need to be progressed based on the current conditions, and at present

Ealing have the model that best suits the rapid achievement of a shared service, as well as the advantage of being geographic neighbours.

- 5.10 A more radical option might be to opt for a very different sort of contract for systems audit and risk services. Some of the accountancy firms are developing offers for internal audit services based on higher day rates and more sophisticated data analysis tools. They claim to be able to provide the same or greater levels of assurance at no increase in overall cost. However, these models are relatively new and adopting one at this stage would be a high risk strategy. It would also almost certainly not be cheaper. Officers propose to keep this under review in line with the proposed re-tendering of the three contracts for April 2016.
- 5.11 From this option appraisal officers believe that the best way to secure the future of the internal audit service at a lower cost is to proceed with the shared service option with Ealing.

## **6 Governance and risk**

- 6.1 The shared service model proposed will need effective governance in place to work. The precise details will be resolved through the legal agreement. They will have to include (and are not in any way contentious with Ealing):
- Rights of access of the joint Chief Internal Auditor to the Chief Executive and Chair of the Audit Committee
  - Briefings for the Chair and other Members of the Audit Committee and attendance at them
  - Regular meetings (at least monthly) with the Chief Finance Officer and Monitoring Officer
  - Regular meetings (at least quarterly) with the Chief Executive
  - Attendance at DMTs or other relevant meetings with Directors, for example to address significant audit findings, assist in audit planning and risk identification and to progress confidential matters
  - Liaison with external auditors as appropriate
  - Assurances as to the level and quality of service to be provided
  - Procedures to follow to address complaints or other issues of service quality, including ultimately Brent's rights to terminate the agreement.
- 6.2 Ad hoc meetings on urgent issues as they arise will of course be required, and the nature of the shared service model proposed, with its reduction in management costs, inevitably poses some risks in the situation where urgent issues arise in two or more authorities at once. These have been managed successfully by Ealing and Hounslow and there is no reason in principle to assume that they could not be extended, and to a large extent the risks simply flow from the reduced management costs, which are being managed across the council.
- 6.3 Officers recommend at this stage delegating the management of the contract with Mazars to Ealing, rather than formally novating the contract. (Strictly speaking, the contract is with the London Borough of Croydon, who have let a framework contract which Brent accesses). This will enable maximum flexibility in the run up to re-procurement in April 2016.
- 6.4 A nominated point of contact within Brent for day to day contract management issues and for intelligence gathering and briefing will be required. This is proposed to be the Operational Director, Finance. However, the sensitive nature is such that the Chief Finance Officer will continue to exercise close personal oversight of the head of internal audit, albeit that this will become a relationship managed under a shared service agreement rather than under an employment contract.

- 6.5 In conclusion, the shared service option with Ealing and Hounslow offers a robust opportunity to reduce costs without introducing significantly greater risks. The shared service could enhance efficiencies and the quality of service offered, for example by allowing economies of scale and sharing of best practice.
- 6.6 The disruption to staff through the transfer would of course need to be carefully handled. However, TUPE will apply with all the protections that implies, and the transfer will be to another local authority rather than to a private company. In the slightly longer term the model should also offer staff better career paths through being part of a larger service.
- 6.7 Above all, from a managerial perspective, it offers the chance to deliver savings in management costs and efficiencies, rather than wholesale service reductions and the accompanying significant increase in risk.
- 6.8 The Audit Committee considered the proposal at its meeting on 7 January 2015, and commented as follows:
- 6.8.1 The Audit Committee is supportive of the principle of the proposal
- 6.8.2 The Audit Committee considered it essential that a full and proper legal agreement was entered into to underpin the shared service arrangement to protect the Council's interests
- 6.8.3 The Audit Committee were reassured by officers that a satisfactory legal agreement would be entered into prior to commencement of the proposal, ensuring in particular that the arrangements for the head of audit to report directly to the Audit Committee, Chief Executive and Chief Finance Officer would remain unchanged
- 6.8.4 The Audit Committee noted that the audit plan for 2015/16 would be agreed prior to commencement of the proposal and that the annual governance statement and head of audit's certificate for 2014/15 would need to be completed
- 6.8.5 The Audit Committee agreed to receive a report within one year of commencement evaluating the effectiveness of the new arrangements
- 6.8.6 The Audit Committee noted that in due course there might be scope to consider adding other services into the arrangement, if a satisfactory business case existed.

## **7 Financial implications**

- 7.1 The gross expenditure budget for the current service is £1.1m, of which £0.8m relates to staffing costs and £0.3m to the internal audit contract. Some amendments to this will be required in 2015/16, to reflect transfers of staff to the Single Fraud Investigation Service earlier in the year
- 7.2 On a like for like basis agreeing this proposal would deliver a saving of approximately £75,000 through sharing the costs of the Chief Internal Auditor.
- 7.3 There are good grounds for assuming that further efficiency savings could be delivered through this arrangement in the future. This could be achieved through more efficient procurement and contract management by achieving economies of scale, for example. Enabling more cross borough working and staff specialisation will also create opportunities for service enhancement.

## **8 Legal implications**

- 8.1 Section 101 Local Government Act 1972 enables an authority to make arrangements for the discharge of its functions by a committee, subcommittee or officer of the



authority or by another authority (sections 19 and 20 Local Government Act 2000 deal with executive functions).

- 8.2 Support Services such as Internal Audit Services are classified as non-executive functions under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 SI 2000/2853 as amended (Paragraph I 39 of Schedule 1), as are staffing matters under Section 112 Local Government Act 1972. As a result, the decision regarding delegation of the service needs to be made by a non-executive body, such as full Council.
- 8.3 It should be noted that the arrangements proposed are not intended to amount to a procurement of services which would fall within the scope of the EU Procurement Rules. Instead, Brent is delegating its internal audit function to the London Borough of Ealing and it is the London Borough of Ealing exercising the function on behalf of Brent, rather than agreeing some form of contractual arrangements, similar to those which would pertain with an external provider of internal audit services.
- 8.4 In practice this means that the Chief Internal Auditor is carrying out the audit function on behalf of Brent and the collaboration agreement records the terms upon which costs will be shared and the other practical issues which have been documented for the arrangements. It also means that various roles and responsibilities will need to be reflected in Brent's Constitution which is likely to require amendment as a result of the new arrangements. Until the full details of the legal agreement governing the terms of the delegation are agreed, it is not possible to specify all the changes that may be required to Brent's Constitution.
- 8.5 As indicated at paragraph 4.5, staff would transfer to the London Borough of Ealing pursuant to TUPE. When TUPE was first drafted it applied when there was a transfer of a recognisable economic entity. The precise definition of what a recognisable economic entity amounted to was the subject of a huge amount of debate and litigation. The result of that was that some transactions that involved staff transfers, in their non legal meaning, were held not be covered by TUPE. As a result the ambit of TUPE was widened so as to include service provision changes ("SPC").
- 8.6 An SPC has a very wide definition and was designed deliberately on that basis to essentially bring as many transactions within the ambit of TUPE as possible. In this case it seems relatively clear that TUPE would apply as the **"activities cease to be carried out by a person on his own behalf and are carried out instead by another person on the client's behalf..."** This definition is capable of covering a huge amount of situations and the one proposed here is caught, beyond doubt, and as such TUPE is certain to apply.
- 8.7 TUPE as a process is not that difficult to manage but there is a lot of accumulation and tabulation of detail required. Similarly, there are positive duties to inform and consult on various matters that have to be observed as a matter of law. Failure to observe such matters could result in litigation and the potential for compensation to be awarded. As a result it will invariably be the case that the earlier that an HR Manager can be appointed to project manage that process the more successful and smoother that process is likely to be.
- 8.8 As the internal audit function is being delegated to the London Borough of Ealing, Brent will suffer a loss of direct control over the delivery of the internal audit service and the management of staff. In order to mitigate against this, there will be a collaborative agreement setting out in detail governance and service delivery requirements. Appropriate performance management arrangements and exit clauses would be needed to negotiated, as is standard in any such arrangement.

- 8.9 There is no statutory requirement for auditors to be employees of the Council nor is there any statutory requirement for an auditor to be employed by the Council to present evidence at a disciplinary or other hearing. There have been various challenges made to individuals investigating and presenting cases at disciplinary hearings who are not direct employees. However, none of those challenges have ever succeeded, primarily as there is no legal requirement for this to be the case and secondly, because the test is essentially whether it is reasonable to appoint an individual who is not an employee. As long as the individual is competent and able, their employment status is not an issue.

## **9 Staffing and equalities implications**

- 9.1 Staff would be protected by TUPE transfer. Change processes would need to be handled in accordance with policy, including the proposed change of work locations.
- 9.2 Becoming part of a larger team with shared expertise will allow some improvement to staff development opportunities. Staff have been consulted, through briefings to the entire team and one-to-one follow up meetings as requested.
- 9.3 Staff have raised a number of issues in the consultation. Staff understood the principles on which it was being proposed and commented on the benefits that could flow from this, as well as the risks involved and how these would need to be managed. The application of TUPE significantly lessens the material financial consequences of the change for individual employees, but suggestions were made as to the importance of not creating significant or unnecessary travel time. A number of practical comments were also made, such as around access to IT systems and equipment, all of which can be taken into account during the TUPE transfer process.


## **10.0 Background Papers**

- 10.1 None

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**CONRAD HALL**  
**Chief Finance Officer**

 <p><b>Brent</b></p>	<p><b>Full Council</b> 22 June 2015</p> <p><b>Report from the Strategic Director of Regeneration and Growth</b></p>
<p>Wards affected: All</p>	
<p><b>Waste Plan</b></p>	

## 1.0 Summary

- 1.1 This report explains that the Council has received an Inspector's report into the Examination of the joint West London Waste Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Full Council agree the adoption of the Waste Plan with the changes incorporated. The changes were considered and recommended for approval by Cabinet on 1 June 2015, but it is a legal requirement that all planning documents forming part of the Development Plan are formally agreed by Full Council.

## 2.0 Recommendation

- 2.1 That Full Council agree the adoption of the West London Waste Plan, incorporating the recommended changes set out in the Inspector's report.

## 3.0 Detail

### Background

- 3.1 The six London Boroughs which comprise the West London Waste Authority (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) agreed to prepare a Joint West London Waste Plan (WLWP). The Plan, when adopted, will form part of Brent's development plan. The purpose of the WLWP is to set out a planning strategy to 2026 for sustainable waste management, deliver national and regional targets for waste recycling, composting and recovery and provide sufficient waste management capacity to manage waste arising across the six west London boroughs. Planning applications for any new waste management facilities will be considered in the light of the WLWP policies, and they will also be assessed by each council against their local planning policies.
- 3.2 The Plan identifies sites in west London which are allocated for waste processing. There are no additional sites proposed within Brent. The Brent sites included in the Plan are two existing waste management sites:
- Twyford Waste Transfer Station

## Examination of the West London Waste Plan

- 3.3 In February 2014, the Boroughs published the Proposed Submission Version of the WLWP to allow for representations to be made on its "soundness" and "legal compliance". The Plan and the representations received were then submitted to the Secretary of State for examination of its soundness and legality. The Boroughs wrote to the Inspector on 1 September 2014 requesting that, as part of the Examination process, and pursuant to section 20(7) (c) of the Planning and Compulsory Purchase Act (2004) (as amended), modifications be recommended to the WLWP to ensure it satisfies the requirements in subsection (5) (a) of the Act and is sound. Between 7 October and 10 October 2014, the Inspector held hearings on aspects of the WLWP as part of the Plan's Public Examination. During the hearings the Inspector indicated that, in order for the Plan to be sound, the Boroughs should modify the Plan in a number of areas. Proposed Main Modifications to the Plan were published for representations on their "soundness" and "legal compliance" during a six week consultation period running from 7 November to 19 December 2014. The Inspector has now issued his Report to the Boroughs and subject to the inclusion of certain modifications he concludes that the Plan is legally compliant and sound.

### Inspector's Report

- 3.4 As indicated above, the Inspector has found the WLWP sound subject to a number of recommended changes. This means that the Council can adopt the document with the changes incorporated. The Inspector's report including detailed recommendations is available as a background document.
- 3.5 The non-technical summary of the Inspector's report is repeated below:

*This report concludes that the West London Waste Plan provides an appropriate basis for waste planning in the west London boroughs over the next 17 years providing a number of modifications are made to the Plan. The borough councils have specifically requested me to recommend any modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the boroughs and I have recommended their inclusion after considering the representations from other parties on these issues.*

*The principal main modifications can be summarised as follows:*

- *adding reference to superseded policies;*
- *recognising updated national policy (National Planning Policy for Waste);*
- *aligning the Vision and Strategic Objectives with national policy;*
- *encouraging appropriate provision for construction, demolition and excavation waste and hazardous waste;*
- *adding a policy on the provision of new waste management capacity;*
- *ensuring the effectiveness of policies on safeguarding, the location of development, high quality development, decentralised energy and sustainable site waste management;*
- *correcting details regarding allocated sites;*
- *adding site descriptions and relevant considerations; and*
- *introducing monitoring triggers.*

- 3.6 When the WLWP is adopted, it will supersede saved UDP policies W3 (New Waste Management/ Manufacturing Proposals – Environmental and Access Criteria), W4 (Waste Management / Manufacturing Areas), W5 (Safeguarding of Waste Facilities), W6 (Proposals for Waste Management Facilities outside Waste Management/Manufacturing Areas) and W11 (Waste Transfer Facilities/Waste to Landfill).
- 3.7 Full Council is asked to agree the adoption of the WLWP with the changes included, as recommended by Cabinet on 1 June 2015.

#### **4.0 Financial Implications**

- 4.1 The preparation and ultimate adoption of the WLWP will provide a more up to date statutory Plan which carries greater weight in making planning decisions, which leads to fewer appeals and reduced costs associated with this. It also provides greater certainty for developers who are more likely to bring forward sites for development in the knowledge that schemes which comply with the requirements of the Plan have a good chance of receiving planning consent.
- 4.2 The cost of preparing the WLWP has been divided equally amongst the 6 boroughs. Brent's financial contribution has been met from the Planning & Regeneration budget (formerly Planning & Development). To date the total cost of taking forward the WLWP to Brent has been approximately £144,000.

#### **5.0 Legal Implications**

- 5.1 The preparation of the Local Plan, including the WLWP, is governed by a statutory process set out in the Planning and Compulsory Purchase Act 2004 and associated Government planning guidance and regulations. Once adopted the WLWP will have substantial weight in determining planning applications and will supersede part of the UDP.

#### **6.0 Diversity Implications**

- 6.1 Full statutory public consultation has been carried out in preparing the Waste Plan. An Equalities Impact Assessment has also been carried out.

#### **7.0 Staffing/Accommodation Implications**

- 7.1 There are no staffing or accommodation implications arising directly from this report.

#### **8.0 Environmental Implications**

- 8.1 The identification and use of appropriate sites will mean that the environmental impact is controlled and minimised, particularly upon residential areas, and managing waste locally rather than it being sent to landfill will help mitigate the effects of climate change. A Sustainability Appraisal has been undertaken at all stages of preparing the Waste Plan.

#### **9.0 Background Papers**

West London Waste Plan, London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond, April 2015

Report to the Council of the London Borough of Brent, Harrow, Hillingdon, Hounslow and Richmond, The Planning Inspectorate, 16 March 2015

**Contact Officers**

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