



**MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE**  
**Wednesday 8 March 2017 at 7.00 pm**

PRESENT: Councillor Kelcher (Chair), Councillor Davidson (Vice-Chair) and Councillors Aden, S Choudhary, Duffy and Ezeajughi.

Also Present: Councillors Butt, Mashari, Miller and Southwood.

Apologies were received from: Councillors Stopp

**1. Order of Business**

RESOLVED: That the order of business be amended as follows.

**2. Declarations of interests**

None declared.

**3. Deputations (if any)**

There were no deputations received.

**4. Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 10 January 2017 be approved as an accurate record of the meeting subject to the following amendment:

The following be added to recommendations recorded for the Budget Scrutiny Panel Report:

- i) that the Key Recommendations set out in the Budget Scrutiny Panel Report be referred to Cabinet, with the committee's endorsement.

**5. Matters arising (if any)**

None.

**6. Environmental Sustainability**

A report summarising the work undertaken across key service areas to address the issue of sustainability was introduced to the committee by Councillor Southwood (Lead Member for Environment). Members heard that the report was wide ranging and addressed seven key areas: transport and travel; air quality; in-house carbon management; street lighting and parking; public realm and waste; parks and biodiversity; and, flood risk management. The committee also welcomed

representatives from the Environment Agency, Lee James (Team leader, London West Partnerships and Strategic Overview Team) and Edward Crome (Lead for engagement with Brent on planning matters) who outlined the borough's flood risks and explained the structures in place for responding to these.

During members' discussion, the committee questioned what plans the council had to regenerate areas with persistently poor air quality, address traffic congestion in the borough and tackle proposals to include an incinerator in the Brent Cross Cricklewood development. It was noted that the report, in referring to the council's existing powers to control and limit emissions, omitted mention of charges on diesel vehicles. In light of this, it was queried whether the message was made clear to residents that such charges were intended to act as a deterrent. Clarification was sought regarding the cost implications of the contractual arrangements for disposal of residual waste. Members referred to a BBC report which listed Brent as the second worst borough in London for fly-tipping, questioned whether there was insufficient targeting of enforcement activity and sought details of the level of evidence required to pursue prosecution.

Responding to the queries raised Amar Dave (Strategic Director Regeneration and Environment) referred to the council's air quality action plan, which would tie in with the Mayor of London's plan, and advised that air quality was a key consideration of regeneration projects across the borough. Councillor Southwood noted that the borough would benefit from the Mayor of London's clean bus corridors and advised that a traffic study had been undertaken which would inform work to improve traffic flow, with particular focus on the Wembley triangle. The public mood regarding a charge for diesel vehicles appeared to have become more accepting over the past year as discussions around this issue had progressed. It was understood that the current plans for the Cricklewood Brent Cross development did not include an incinerator, though members heard that incineration was now considered to be a clean process.

Chris Whyte (Operational Director Environment Services) confirmed to members that the council's public realm contractor bore the costs associated with residual waste tonnages exceeding the agreed level. Although specific comment could not be made on the BBC report referred to, it was noted that Brent had a very good and accessible reporting system for residents; this could lead to higher levels of reported incidences of fly-tipping relative to areas without such a system. Councillor Southwood advised that the council's enforcement strategy targeted a range of littering offences. The proportion of Fixed Penalty Notices (FPN) issued for cigarette butts was now below 60 per cent. Rob Anderton (Head of Environmental Improvement) advised that there was a broad range of enforcement responses to fly-tipping. It could be difficult to obtain sufficient evidence of the act of fly-tipping to enable a FPN to be issued or to pursue prosecution of the perpetrators; however other measures could be undertaken including identifying ownership and enforcing a duty of care in relation to the waste.

The committee subsequently directed questions to Lee James and Edward Crome of the Environment Agency. Members queried why the borough of Brent did not have a flood defence project in the capital programme of the Regional Flood and Coastal Committee. Further details were sought regarding the influence of the Environment Agency with the Old Oak and Park Royal Development Corporation (OPDC).

In response, Lee James and Edward Chrome explained that Brent council over a six year period would contribute £1.2million to the Regional Flood and Coastal Committee capital programme. Currently, the North West London Flood Partnership (of which Brent Council was a member) was represented on the RFC committee by a Councillor from the London Borough of Barnet. It was through this representative that the council could exert influence over the RFC capital programme. It was further explained that flooding from rivers would be addressed by projects lead by the Environment Agency; however, the responsibility for addressing surface water flooding sat with the council, who could submit a proposal to the RFC committee to access funding. The Environment Agency held the same statutory consultee powers in relation to the OPDC as it did with the Council.

Chris Whyte asserted that the risk of flooding in Brent was quite low and recent incidences were attributable to drains being overwhelmed. The council's Transport Team had undertaken a range of work to address this issue. It was confirmed that maintenance and cleaning of gullies was carried out and monitored by the Highways team which now employed a targeted, rather than cyclical, cleaning programme.

During the discussion, the committee requested that information be circulated to the committee following the meeting regarding the procedures in place to ensure that drainage was protected in new developments; detailing the actions taken to mitigate further incidences of surface water flooding; and, identifying funding received from or opportunities to obtain funding from the RFC Committee. Members also sought further details of the practical measures that could be taken to improve traffic flow and requested confirmation of whether the Crickwood Brent Cross development plans currently included an incinerator.

RESOLVED: that the report be noted.

## **7. PREVENT Programme**

The committee received a report and introductory presentation on the Prevent programme delivery in the borough of Brent. Kibibi Octave (Strategic Prevent Coordinator) highlighted that under the Counter – Terrorism and Security Act (CTSA) 2015, the council had a duty to have due regard to the need to prevent people from being drawn into terrorism. The Council approached this duty as a safeguarding concern, recognising the risks of grooming, extortion and harm that vulnerable people could be subject to. The requirements of the Prevent Statutory Guidance, including the requirement to conduct a risk assessments and develop an action plan, were outlined to the committee. Members heard that these requirements were met via 'mainstreaming' (embedding) the work into existing internal and external partner processes and practise. The Prevent programme specifically addressed activity relating to four groups; Northern Ireland related terrorist groups; Al – Qaida, its affiliates and like-minded terrorist groups; Extreme Right Wing terrorist groups; and, Animal Rights terrorist groups. The government had identified Al - Qaida and related groups as of the greatest threat to the UK and Brent's main concerns currently came from this strand. It was recognised that Brent had a large Muslim community and there was a danger that this community could feel particularly marginalized as Prevent objectives were addressed.

In the subsequent discussion the Committee queried the use of terms such as 'pre criminal' and sought further details regarding engagement with Brent's Muslim community. Members emphasised the importance of engaging the whole of a community, including seeking women's voices and of supporting good governance of community groups and organisations, including supplementary schools. Further questions were raised regarding any potential alignment with work relating to gang recruitment and activity and the provision of training to community leaders.

Responding to members' questions, Councillor Miller (Lead Member for Stronger Communities) advised that there were often identifiable stages in mobilisation of a person to support or commit terrorist activities. Whilst it was acknowledged that the term 'pre criminal' could be replaced with a less connotative label, it was emphasised that the identification of such a stage supported early intervention to prevent someone falling victim to the process. Members heard that Councillor Miller championed a shared approach to the Prevent duty, through which Brent's communities could feel that work was being undertaken collaboratively. Members of Brent's Muslim community were engaged with the council's Prevent work but due to the perception that Prevent was targeted specifically at the Muslim Community there could be a reluctance to associate with the Prevent banner. The council was sensitive to this perception and worked to move from a State to Community focus to the work. It was acknowledged that there were fewer women from Brent's Muslim Community engaged with the work of Prevent but there were still some very proactive women involved, particularly within a school setting. There were some commonalities with work on gangs but unlike gang recruitment there was not a typical profile of someone who could be recruited into violent extremism.

The committee welcomed the approach described by Councillor Miller and emphasised the importance of reaching the whole of a community, rather than just those who were most readily accessible. Members also acknowledged the importance of good governance in community and religious organisations including supplementary schools.

At the invitation of the Chair, Mr Francis, a member of the public, sought further details regarding the number, source and characteristics of referrals made through the Prevent programme, the channel through which they were directed and the associated success rate. Mr Francis also raised queries regarding the community groups chosen to advise the Brent Delivery Group. Councillor Miller advised that a written response could be provided, though it would not be possible to provide information on any referrals as these were exempt from disclosure.

RESOLVED: The committee noted the duty placed on the council under the Counter – Terrorism and Security Act (CTSA) 2015 and endorsed the council's open and critical approach to meeting this, led by Councillor Miller.

#### **8. Update on the committee's work programme 2016-17**

The committee noted the report updating members on the committee's work programme for 2016-17.

#### **9. Any other urgent business**

The Chair declared the following item of business urgent in accordance with S100B of the Local Government Act 1972: Scoping Paper for Scrutiny Task Group: Growing the SME Sector in Brent. The committee considered the accompanying report and RESOLVED:

- i) that the report be noted;
- ii) that a scrutiny task group be established as detailed in the report from the Director of Policy, Performance and Partnerships to examine how Brent may grow and develop the SME sector in the borough.

**10. Date of next meeting**

The committee noted that the next meeting was scheduled for 3 May 2017.

**11. Exclusion of Press and Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of agenda item 7. This was on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3, Part 1 of Schedule 12A, as amended, of the Act: Information relating to the financial or business affairs of any particular person (including the authority holding the information).

**12. Pre-Cabinet Scrutiny of Proposals Relating to Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols**

Councillor Southwood (Lead Member for Environment) advised that the report before the committee was a draft report which would be finalised and submitted to the forthcoming Cabinet meeting on 13 March 2017. The report reviewed the uniformed street patrol pilot which had been undertaken with Kingdom Security Ltd, outlined the available options for taking the service forward from June 2017 and concluded that the creation of an in-house service would be the most advantageous of these options.

In the ensuing discussion, several queries were raised by the committee including whether formal minutes had been taken of discussions between officers and Kingdom Security Ltd. Further information was sought regarding the intended balance of enforcement activity for minor littering offences with larger-scale illegal rubbish dumping and how amending this relationship could affect the viability of the model. Members questioned whether Kingdom Security Ltd were London Living Wage accredited and whether the anticipated wages for an in-house team were of an appropriate level. A member expressed the view that a private company undertaking the service could realise greater benefits for the council and questioned why the option of partnering with other authorities was not favoured.

Responding to members' questions, Amar Dave (Strategic Director of Regeneration and Environment) advised that the outcome of discussions between officers and Kingdom Security Ltd was detailed in the report before the committee but no formal minutes had been taken. Councillor Southwood explained that the revenue generated by Fixed Penalty Notices (FPN) issued for low-level offences had been reinvested into the service, enabling additional CCTV cameras to be installed and

financing targeted interventions in problem areas. It was emphasised that many of the low-level offences had serious public health consequences and it was important to take a zero tolerance approach to this kind of activity. Discount for early repayment was not offered as this was consistent with the approach employed for other types of FPNs and the message that littering and other such offences were not acceptable. The current relationship between the enforcement activity undertaken by Kingdom Security Ltd, the work of Veolia (the council's public realm contractor) and that of the council was explained to the committee. Members heard that Kingdom Security Ltd had provided support to Veolia in searching illegally dumped rubbish for evidence of ownership which would then be passed to the Council's Waste Enforcement Team for investigation. Kingdom Security Ltd did not receive any additional payment for undertaking this work.

Officers confirmed that Kingdom Security Ltd were not a London Living Wage (LLW) accredited firm but did pay employees working in Brent wages consistent with the LLW. It was acknowledged that this was not clear within the report and this would be amended. The costing for equivalent in-house positions had been based on an evaluation of how the various roles would fit within the council's pay structure. The in-house option was considered financially viable and enabled flexibility to shape the service going forward, including the possibility of bidding to provide services for other authorities.

RESOLVED – that the report be noted.

The meeting closed at 10.00 pm

M KELCHER  
Chair