



SUMMONS TO ATTEND COUNCIL MEETING

Monday, 12 July 2010 at 7.15 pm
Council Chamber, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

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.

GARETH DANIEL
Chief Executive

Dated: Friday, 2 July 2010

For further information contact: Peter Goss, Democratic Services Manager,
020 8937 1351, 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:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Agenda

Apologies for absence

Item	Page
1 Minutes of the previous meeting	1 - 20
2 Declarations of personal and prejudicial interests	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
3 Mayor's announcements	
4 Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)	
5 Changes to the Council's Financial Regulations	21 - 52
This report sets out the proposed new interim financial regulations to cover the period April 2010 to September 2010. It also sets out the requirements for a further change to the Financial Regulations in the Autumn 2010.	
Ward Affected: All Wards;	Contact Officer: Duncan McLeod, Director of Finance and Corporate Resources Tel: 020 8937 1424 duncan.mcleod@brent.gov.uk
6 Question time	
In accordance with Standing Order 39, up to ten questions selected by the Leaders of the three main political groups will be followed with supplementary questions to the Executive.	
A copy of the selected questions and the answers where possible will be separately circulated to all members.	
7 Reports from:	
a) the Executive	53 - 114

The report from the Leader or other members of the Executive:

- (i) Brent Local Development Framework – adoption of the core strategy
 - (ii) Enforcement of moving traffic and parking contraventions by means of CCTV cameras
 - (iii) Building Schools for the Future
 - (iv) Voluntary sector grants
 - (v) Impact of the Chancellor's budget
 - (vi) Decisions taken by the Executive under the Council's urgency provisions
- b) Chair of Overview and Scrutiny Committee

Opportunity for the new Chair of Overview and Scrutiny Committee to report on activities since the local elections.

8 Urgent business

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



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
 - Toilets are available on the second floor.
 - Catering facilities can be found on the first floor near The Paul Daisley Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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LONDON BOROUGH OF BRENT

**Minutes of the ANNUAL MEETING OF THE COUNCIL
held on Monday, 24 May 2010 at 7.15 pm**

PRESENT:

The Worshipful the Mayor
Councillor Harbhajan Singh

The Deputy Mayor
Councillor M Aslam Choudry

COUNCILLORS:

Adeyeye	Aden
Al-Ebadi	Allie
Arnold	Ashraf
Mrs Bacchus	Baker
Beck	Beckman
Beswick	Brown
Butt	Castle
Cheese	Chohan
S Choudhary	Clues
Colwill	Crane
Cummins	Daly
Denselow	Gladbaum
Green	Harrison
Hashmi	Hector
Hossain	Hunter
John	Jones
Kataria	Long
Lorber	Mashari
McLennan	Mistry
Mitchell Murray	J Moher
R Moher	Naheerathan
Moloney	Ogunro
Oladapo	BM Patel
CJ Patel	HB Patel
R Patel	Powney
Sheth	Sneddon
Steel	Thomas
Van Kalwala	

The outgoing Mayor, Jim O'Sullivan was also present at this meeting.

Apologies for absence

Apologies were received from: Councillors Hirani, Leaman, Matthews, HM Patel and Ms Shaw

Brent Community Champions Awards

Prior to the formal business of the meeting the outgoing Mayor presented Brent Community Champions Awards to the following people in recognition of their outstanding voluntary service within the borough:

Alfred Totesaut
Alia Coleman
Ami Udeshi
Bhavinbhai Patel
Cassandra Cheng
Christina Connolly
Ezra Cohen
Fatima Khalil
Hajrudin Sistek
Nedim Mujcinovic
Jasvinder Sawhney
Jennie Doble
Josie Warshaw*
Meena Patel
Minakshi Patel
Dr. Peter Moore
Rajnikant Somabhai Patel
Ramesh Devani
Samia El-Ali
Mr Sharon Bennett
Sylvia Wiseman
Urmila Parbhu
Zamira Ruspi

*this person was not able to attend and the Mayor presented her award to her representative.

1. To elect the Mayor of the Borough for the municipal year 2010/2011

The Worshipful the Mayor, Jim O'Sullivan, welcomed all Members present. He then called for nominations for the office of the Mayor of the Borough for the municipal year 2010/2011.

Councillor John nominated Councillor Singh and this was seconded by Councillor Beswick. The nomination was supported by Councillor HB Patel.

RESOLVED:

that Councillor Singh be and he is hereby elected, Mayor of the London Borough of Brent, for the municipal year 2010/2011.

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

The past Mayor, Jim O'Sullivan vacated the Chair which was taken by the newly elected Mayor.

The Mayor then thanked Members of the Council for his election and informed the Council that his charities for the year would be the Asian People's Disability Alliance, Shooting Stars Childrens' Hospice and St Luke's Hospice.

2. Appointment of a Councillor of the Borough to be Deputy Mayor. (An intimation will be received from the Mayor regarding the appointment)

The Mayor announced the appointment of Councillor Aslam Choudhary as Deputy Mayor of the London Borough of Brent for the municipal year 2010/2011.

3. Borough elections results - 6 May 2010

RESOLVED:

that the results of the borough elections held on 6 May 2010 be noted.

4. Votes of thanks

Councillor Arnold moved a vote of thanks, which was supported by Councillors Lorber and HB Patel.

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 John moved a vote of thanks to the retiring Mayor for his services to the community. Councillors Moloney, Lorber and HB Patel spoke on behalf of their groups and paid tribute to the work of Jim O'Sullivan during his year as Mayor.

RESOLVED:

that the Council records its appreciation of the outstanding service rendered by Jim O'Sullivan as Mayor of the London Borough of Brent during the past municipal year and for the manner in which he has presided over Council meetings. The Council also appreciates his attendance at a vast number of events and functions and his service to all sections of Brent's diverse community.

Jim O'Sullivan having been invested with the past Mayor's Badge thanked councillors for their tributes and reflected on his year of office.

5. **Any urgent business**

None.

The meeting closed at 8.45 pm

COUNCILLOR HARBHAJAN SINGH
Mayor



LONDON BOROUGH OF BRENT

**Minutes of the ORDINARY MEETING OF THE COUNCIL
held on Wednesday, 26 May 2010 at 7.15 pm**

PRESENT:

The Worshipful the Mayor
Councillor Harbhajan Singh

The Deputy Mayor
Councillor M Aslam Choudry

COUNCILLORS:

Aden	Adeyeye
Al-Ebadi	Allie
Arnold	Ashraf
Mrs Bacchus	Baker
Beck	Beswick
Brown	Butt
Castle	Cheese
Chohan	S Choudhary
Clues	Colwill
Crane	Cummins
Daly	Denselow
Gladbaum	Green
Harrison	Hashmi
Hector	Hirani
Hossain	Hunter
John	Jones
Kabir	Kataria
Long	Lorber
Mashari	McLennan
Mistry	Mitchell Murray
J Moher	R Moher
Moloney	Naheerathan
Ogunro	Oladapo
BM Patel	R Patel
HB Patel	CJ Patel
Powney	Ms Shaw
Sheth	Sneddon
Steel	Thomas

Apologies for absence

Apologies were received from: Councillors Matthews and HM Patel

1. Declarations of personal and prejudicial interests

None declared.

2. Mayor's announcements

The Mayor stated he was honoured to preside over his first meeting of Full Council. He welcomed all newly elected members to the meeting as well as returning members.

The Mayor congratulated former-councillor Bob Blackman on his election as MP for Harrow East.

The Mayor reminded the meeting of his chosen charities for the year which were: Asian People's Disability Alliance, Shooting Stars Childrens' Hospice and St Luke's Hospice.

The Mayor drew attention to the list of current petitions showing progress on dealing with them circulated around the chamber in accordance with Standing Orders.

3. Independent members on Standards Committee

The Borough Solicitor introduced her report which proposed increasing the number of alternate Independent Members on the Standards Committee.

RESOLVED:-

that the Members' Allowance Scheme in part 8 of the constitution be amended to provide for an additional alternate independent member of the Standards Committee.

4. Representation of political groups on committees

The Council was 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 report before Members dealt with the rules to be applied on the allocation of places on committees established by the Council.

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:

Committee	Size	Labour	Liberal	Conservatives
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			Democrats	
General Purposes	10	6	3	1
Planning	11	7	3	1
Audit	3	2	1	0
Totals	24	15	7	2
Overview and Scrutiny	8	5	2	1
Children and Families Overview and Scrutiny	8*	5	2	1
Alcohol and Entertainment Licensing	15	10	4	1
Standards	3#	1	1	1

*plus 4 voting co-opted members and 2 non voting co-opted members
#plus 4 independent members

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

5. The Executive

Councillor Moloney moved a motion to appoint the Leader.

RESOLVED:

- (i) that Councillor Ann John, OBE be appointed Leader of the Council for a four year term expiring upon the Annual meeting of the Council in May 2014;
- (ii) that the appointment of Councillor Muhammed Butt as Deputy Leader and the following Executive Members be noted:

Councillor

John (Leader and Chair)

Butt (Deputy Leader and Vice Chair)

Thomas
J Moher
R Moher
Crane

Beswick
Jones

Powney
Arnold

Portfolio

Corporate Strategy and Policy Co-ordination

Finance and Corporate Resources

Housing and Customer Services
Transport and Highways
Adults, Health and Social Care
Regeneration and Economic Development
Crime Prevention and Public Safety
Human Resources and Diversity,
Local Democracy and Consultation
Environment, Planning and Culture
Children and Families

6. **Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)**

Nominations for the places on committees and other bodies, including chairs and vice chairs, and outside bodies were tabled.

Councillor Lorber amended the nomination of Councillor Clues on the Alcohol and Entertainment Licensing Committee and the Alcohol and Entertainment Licensing Sub-Committee (A) by replacing him with Councillor Cheese.

Councillor Lorber proposed that the chairs of the area consultative forums should be picked from the party with the greatest number of seats in the respective area. On this basis he proposed Councillor Green as chair of the Kilburn and Kensal Area Consultative Forum. In respect of the Willesden Area Consultative Forum the number of councillors representing this area was equal between Labour and the Liberal Democrats and so Councillor Lorber proposed that councillors from each party alternate each year and he proposed Councillor Ashraf for 2010/11. These nominations were put to the vote and declared LOST. In voting against the proposals, Councillor John agreed to further discussion of the arrangements for area consultative forums within discussions to be held on various aspects of the Council's constitution.

Councillor Lorber withdrew the nomination of Councillor Cummins to one of the positions on the Tricycle Theatre. Upon a vote it was agreed that Councillors Long, Ogunro, Jones and Steel be appointed to the Brent Housing Partnership Board.

RESOLVED:

- (i) that the Chairs, Vice-Chairs and membership of committees be appointed as set out in Appendix A to these minutes;
- (ii) that John Mann be re-appointed Chair and Angela Ruotolo appointed Vice-Chair of the Standards Committee;
- (iii) that the following voting co-optees be appointed to the Children and Families Overview and Scrutiny Committee for the municipal year 2010/11:

Mr Akisanya	Parent Governor, Primary
Dr Kumar	Parent Governor, Secondary
Mr R Lorenzato	Catholic faith
Vacancy	Church of England faith

- (iv) that Dr J Levison, representing the Jewish faith, and Mrs Shalla Tabi, representing the Muslim faith, be appointed as non-voting co-opted members of the Children and Families Overview and Scrutiny Committee for the municipal year 2010/11;
- (v) that appointments/nominations to outside bodies be made as set out in Appendix B to these minutes.

7. Municipal calendar of meetings for 2010/11

Councillor Moloney moved the adoption of the calendar of meetings as amended by the tabled supplementary report and subject to the Executive on Monday 21 June 2010 being moved to Wednesday 23 June 2010.

RESOLVED:

- (i) that the dates for Full Council and other meetings to take place during 2010/2011 as set out in Appendix 1 to the report, as amended, be agreed in principle;
- (ii) that the Democratic Services Manager be authorised to make any alterations deemed necessary to the calendar during the course of the municipal year, subject to the usual consultation.

8. Urgent business

There was none.

The meeting closed at 7.45 pm

COUNCILLOR HARBHAJAN SINGH
Mayor

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COUNCIL COMMITTEES

ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE

(10/4/1)

BACCHUS (C)	Aden	Adeyeye
BECKMAN	Crane	Daly
CHOHAN	Denselow	Gladbaum
HARRISON	John	Kataria
HECTOR	Mashari	McLennan
JONES	Al-Ebadi	Arnold
KABIR	Mitchell Murray	J Moher
LONG	S Choudhary	A Choudry
MISTRY	Hirani	Hossain
OLADAPO	Beswick	Butt
CHEESE	Vacant	Vacant
MATTHEWS	Vacant	Vacant
SHAW	Vacant	Vacant
SNEDDON	Vacant	Vacant
HM PATEL	BM Patel	HB Patel

AUDIT COMMITTEE

(2/1/0)

AI-EBADI (C)	Beckman	S Choudhary
VAN KALWALA	Harrison	Hector
CUMMINS	Ashraf	Green

GENERAL PURPOSES COMMITTEE

(6/3/1)

BESWICK	Arnold	Bacchus
BUTT (VC)	Jones	Kabir
JOHN (C)	McLennan	Mistry
LONG	Adeyeye	Al-Ebadi
J MOHER	Chohan	S Choudhary
THOMAS	Van Kalwala	Aden
LORBER	Leaman	Castle
BROWN	Beck	Sneddon
MATTHEWS	Sneddon	Allie
HB PATEL	Colwil	BM Patel

EMPLOYEES' JOINT CONSULTATIVE COMMITTEE

(5/2/1)

LONG	Beswick	Butt
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MITCHELL MURRAY	Bacchus	Beckman
J MOHER	Van Kalwala	Kataria
R MOHER	Al-Ebadi	Arnold
MOLONEY	Aden	Adeyeye
HUNTER	Vacant	Vacant
SNEDDON	Vacant	Vacant
COLWILL	HB Patel	Steel

TEACHERS' JOINT CONSULTATIVE COMMITTEE

(5/2/1)

AL-EBADI	Hector	Hirani
ARNOLD (C)	S Choudhary	A Choudry
CHOHAN	John	Jones
HARRISON	Crane	Daly
HOSSAIN	Denselow	Gladbaum
HUNTER	Vacant	Vacant
SNEDDON	Vacant	Vacant
HM PATEL	Baker	Colwill

PLANNING COMMITTEE

(7/3/1)

ADEYEYE	Long	Mashari
DALY	Naheerathan	Ogunro
HOSSAIN	Thomas	Van Kalwala
KATARIA	Oladapo	Powney
McLENNAN	J Moher	Moloney
RS PATEL (C)	Kabir	Kataria
SHETH (VC)	Mistry	Mitchell Murray
CUMMINS	Cheese	Allie
HASHMI	Castle	Clues
CJ PATEL	Lorber	Castle
BAKER	Steel	HM Patel

OVERVIEW AND SCRUTINY COMMITTEE

(5/2/1)

DENSELOW	Beckman	Hossain
KABIR	Bacchus	Chohan
LONG	Van Kalwala	Sheth
MASHARI	McLennan	Aden
MISTRY	Adeyeye	Al-Ebadi
CASTLE (C)	Lorber	Brown
CLUES	Matthews	Allie

COLWILL HB Patel Baker

**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE
(5/2/1)**

ADEN	Mistry	Mitchell Murray
GLADBAUM (C)	S Choudhary	A Choudry
HARRISON	Hirani	Hossain
HECTOR	Daly	Denselow
OLADAPO	Long	Mashari
HUNTER	Sneddon	Ashraf
MATTHEWS (VC)	Clues	Allie
HM PATEL	Baker	HB Patel

VOTING CO-OPTTEES: *Mr Akisanya (Primary School Parent Governor)*
Dr Kumar (Secondary School Parent Governor)
Mr Lorenzato (Catholic Faith)
Vacancy (Church of England Faith)

**NON-VOTING
CO-OPTTEES:** *Dr Levison (Jewish Faith)*
Mrs Shalla Tabi (Muslim Faith)

**STANDARDS COMMITTEE
(1/1/1) plus independent members**

GLADBAUM	Long	Harrison
BECK	Leaman	Lorber
COLWILL	HB Patel	HM Patel

INDEPENDENT MEMBERS:

<i>John Mann (C)</i>	<i>Sheila Darr</i>	<i>Sola Afuape</i>
<i>Angela Ruotolo (VC)</i>	<i>Sola Afuape</i>	<i>Sheila Darr</i>

LONDON COUNCILS LEADERS' COMMITTEE (s101 JOINT COMMITTEE)

JOHN Butt (Deputy)

**LONDON COUNCILS GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE)
(to be confirmed at Executive on 23 June 2010)**

R MOHER Arnold (Deputy)
Butt (Deputy)
Jones (Deputy)

**LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE
(ASSOCIATED JOINT COMMITTEE)**

POWNEY Crane (Deputy)
Jones (Deputy)

J Moher (Deputy)
Thomas (Deputy)

JOINT (LONDON-WIDE) OVERVIEW AND SCRUTINY COMMITTEE

No nomination

No nomination

OTHER BODIES AND PANELS

ADOPTION AND PERMANENCY PANEL

(1/0/0)

HOSSAIN

FOSTERING PANEL

(1/0/0)

GLADBAUM

SCHOOL ADMISSIONS FORUM

(3/1/1)

**GLADBAUM
HARRISON (C)
JONES**

R Moher
Kabir
McLennan

RS Patel
Kataria
Mistry

VACANT

Vacant

Vacant

COLWILL

Steel

HB Patel

TRADING STANDARDS JOINT ADVISORY BOARD

(1/1/1)

JONES

Powney

Beswick

HASHMI

Brown

CJ Patel

BAKER

BM Patel

HM Patel

WELSH HARP JOINT CONSULTATIVE COMMITTEE

(3/1/0)

**HIRANI
KATARIA
MASHARI**

R Moher
J Moher
Kabir

A Choudry
Crane
John

ASHRAF

Vacant

Vacant

SERVICE USER CONSULTATIVE FORUMS

USER FORUM	CHAIR	2 ADDITIONAL COUNCILLORS
BLACK AND MINORITY ETHNIC	ADEN	Kataria Lorber
BRENT DISABLED	ADEYEYE	Long Steel
PENSIONERS'	MOLONEY	Hossain Clues
PRIVATE SECTOR HOUSING	S CHOUDHARY	Long HM Patel
VOLUNTARY SECTOR LIAISON	AL-EBADI	Kabir Colwill

AREA CONSULTATIVE FORUMS

AREA FORUM	CHAIR	VICE-CHAIR
HARLESDEN KILBURN AND KENSAL KINGSBURY AND KENTON WEMBLEY	LONG DENSELOW NAHEERATHAN MITCHELL MURRAY HIRANI	GLADBAUM OLADAPO RS PATEL HOSSAIN
WILLESDEN		KATARIA

YOUTH PARLIAMENT

MASHARI	(Co-Chair)
OLADAPO	(Co-Vice-Chair)

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OUTSIDE BODIES NOMINATIONS 2010/11

Name of outside body organisation	Member/s nominated for municipal year 2010/11	Member/s appointed 2009/10
Age Concern	Chohan [L], Steel [C]	Steel [C]
Brent Housing Partnership (BHP) Board	Long [L], Ogunro [L], Jones [L], Steel [C], Green [LD]	O'Sullivan [C], Long [L], Castle [LD], Hashmi [LD]
Brent Learning Disabilities Partnership Board	Gladbaum [L], Hirani [L]	C J Patel [LD], Colwill [C]
Brent Sports Council	Mistry [L], Moloney [L], Colwill [C]	Colwill [C], Moloney [L], Hirani [LD]
Central and North West London NHS Foundation Trust	Sheth [L]	Detre [C]
Chalkhill Community Centre	Choudhary [L]	O'Sullivan [C]
Chalkhill Community Trust Fund	Aden [L], Beckman [L]	O'Sullivan [C], Kansagra [C]
Edward Harvist Trust	Choudry [L]	Mendoza [C]
Energy Solutions (North West London)	Kataria [L]	Dunn [LD]
Environmental Protection UK	Powney [L], Long [L], HM Patel [C]	Long [L], H M Patel [C], Mistry [C], Steel [C]
Fortunegate Community Housing	Gladbaum [L], Hirani [L]	Long [L], Hirani [LD]
Greater London Enterprise Board	Crane [L]	Mendoza [C]
Hillside Housing Trust	Moloney [L]	Moloney [L]
Historic Environment Champion (English Heritage)	Baker [C]	Mendoza [C]
LHC - Building Components and Solutions	Thomas [L], Ogunro [L]	Dunwell [DC], Thomas [L] PLUS 1 further nomination required

Local Government Association General Assembly	John [L], Butt [L] (dep)	Lorber [LD], Wharton [LD]
Local Government Information Unit (Management Committee)	Jones [L], Gladbaum [L] (dep)	Sneddon [LD], H B Patel [C] (deputy)
London Accident Prevention Council	Adeyeye [L], Baker [C]	Baker [C], Bessong [LD]
London Councils Children and Young People's Forum	Arnold [L], Mashari [L] (dep)	Mistry [C], C J Patel [LD] (deputy)
London Councils Ltd	John [L], Butt [L] (dep), R Moher [L] (dep)	Lorber [LD], D Brown [LD] (deputy), Wharton [LD] (deputy)
London Councils Crime and Public Protection Forum	Beswick [L], Butt [L] (dep)	Matthews [LD], Ms Shaw [LD] (deputy)
London Councils Culture, Tourism and 2012 Forum	Powney [L], Crane [L] (dep)	Mendoza [C], H B Patel [C] (deputy)
London Councils Economic Development Forum	Crane [L], J Moher [L] (dep)	Detre [C], Steel [LD] (deputy)
London Councils Greater London Employment Forum	Jones [L], Harrison [L]	Sneddon [LD], Jackson [LD] (deputy)
London Councils Health and Adult Services Forum	R Moher [L], McLennan [L]	Colwill [C]
London Councils Housing Forum	Thomas [L], Al-Ebadi [L]	Allie [LD], Cummins [LD] (deputy)
London Youth Games Committee	Mistry [L]	Mistry [C]
Museums Association	BM Patel [C]	Motley [LD]
North West London Valuation Tribunal	Mr K Sheth, Mr M Ahulwalia, Mr J Patel	Mr K Sheth**, Mr M Ahulwalia**, Mr J Patel***
Park Royal Partnership Ltd	Van Kalwala [L]	Moloney [L]
Partners for Brent (Local Strategic Partnership)	John [L]	Lorber [LD]
Queen's Park Joint Consultative Group	Adeyeye [L], Denselow [L]	Dunwell [DC], Tancred [LD], Motley [LD]

Reserve Forces and Cadets Association for Greater London	Mistry [L]	Colwill [C]
South Kilburn Neighbourhood Partnership Board	Arnold [L]	Detre [C]
Stadium Housing Association Ltd Management Committee	Hector [L]	Mistry [C]
Standing Advisory Council for Religious Education (SACRE)	Moloney [L], R Patel [L], Choudry [L]	Butt [L], Green [LD], HM Patel [C]
Tricycle Theatre	John [L], (alt Arnold [L], agreed with Tricycle), Colwill [C], Cummins [LD]	John [L], Mendoza [C]
Wembley Educational Foundation	Mitchell Murray [L], HB Patel [C]	Mendoza [C], Mrs Fernandes [C]
Wembley Eleemosynary Charities	Hossain [L], Mitchell Murray [L]	Mendoza [C], Baker [C], Mrs Fernandes [C], H M Patel [C]
West London Alliance	John [L]	Lorber [LD]
West London Partnership	John [L]	Lorber [LD]
West London Waste Authority	Powney [L]	Van Colle [C]
Willesden Consolidated Charities	Jones [L], Hector [L], Choudry [L], Hashmi [LD]	Jones [L], Thomas [L], Sneddon [LD], Hashmi [LD]
Willow Housing Board	Thomas [L], R Moher [L]	O'Sullivan [C] Thomas [L]

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**Full Council
12 July 2010**

**Report from the Director of
Finance and Corporate Resources**

For Action

Wards affected:
ALL

Changes to the Council's Financial Regulations

1.0 Summary

1.1 This report sets out the proposed new interim financial regulations to cover the period April 2010 to September 2010. It also sets out the requirements for a further change to the Financial Regulations in the Autumn 2010.

2.0 Recommendations

2.1 Members are asked to:

- (i) Agree that the proposed new Financial Regulations set out in appendix A be adopted and take effect immediately and that the Council's constitution be amended accordingly
- (ii) Note that further changes will be required in the Autumn 2010

3.0 Detail

3.1 The current Financial Regulations have remained substantially unchanged for a long period and so continue to reflect the multiple financial system environment and the finance structure and responsibilities that existed when they were written.

3.2 Recently, that landscape has been changing with the key drivers being the Financial Transformation Programme and the roll out of a single financial

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Date

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(Oracle) and procurement (AEP) system across the council. These changes are happening in phases, the first, after a period of transition, is now complete and the council has moved to the Oracle & AEP systems. The second phase will take place in September 2010 when a new finance structure will be implemented.

- 3.3 Accordingly, the council's Financial Regulations need to reflect these changes at the point they occur. It is therefore proposed to introduce two new sets of regulations over this period. The first will cover the new arrangements that have recently come into effect and these are presented to Full Council at **Appendix A** in this report. A second set reflecting the September changes will then be prepared and presented to Full Council at a later date.
- 3.4 The essence of the changes made at these two points is substantially different. The Financial Regulations set out in **Appendix A** reflect the introduction of the two new systems, the implementation of new and automated business processes to support the systems and changes to the control environment by recognising the segregation of duties within Oracle and the systems scheme of delegation within AEP. There has also been some reordering and signposting to help the general flow so that presentation of the regulations follows a logical path hence making it easier to find specific elements. These changes do not impact on the principal roles and responsibilities made under the Councils Constitution for Full Council, the Executive, its Members and Chief officers.
- 3.5 The changes made at this point have been consulted on, signed and agreed by officers of the Strategic Finance Group. The Council's Scheme of Transfers and Virements remains unchanged.
- 3.6 The second change in September will focus on the realignment of responsibilities that will need to take place to support the new finance structure.

4.0 Financial Implications

- 4.1 Financial Regulations are concerned wholly with financial processes. There are no direct budget implications arising from these changes.

5.0 Legal Implications

The Council is required under the Local Government Act 2000 (Constitutions) (England) Direction 2000 to include its financial rules and regulations in its Constitution. The Finance Regulations are set out in Part 6 of the Council's Constitution. The new Financial Regulations amount to a change to the Constitution which requires agreement of Full Council.

6.0 Diversity Implications

There are no diversity implications arising from this report

7.0 Staffing/Accommodation Implications (if appropriate)

None

Contact Officers

Should any person require any further information about the issues addressed in this report, please contact Duncan McLeod, Director of Finance & Corporate Resources on telephone number 020 8937 1290

Duncan McLeod
Director of Finance & Corporate Resources

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Financial Regulations

1. INTRODUCTION

1.1 What This Section Covers

1.1.1 These Regulations form part of the Council's Constitution, which makes up the Council's regulatory framework alongside Standing Orders. They must be followed by all officers of the Council whether directly employed, contracted or employed through an agency in their conduct of financial and related matters. They cover the following fundamental areas of financial management and control:

- setting, monitoring and controlling the revenue and capital budget
- accounting responsibilities
- controlling income and expenditure
- external arrangements
- risk management and control of resources
- procurement
- retention of documents

1.2 To Whom the Regulations Apply

1.2.1 For the purposes of this document, the Chief Finance Officer is the Officer appointed by the Council in accordance with Section 151 of the Local Government Act 1972. (Further details of roles and responsibilities are set out in Part 4 of the Constitution).

1.2.2 These Regulations apply to all Officers, Service Area Directors, Directors and Heads of Corporate and Service Units who are described jointly as Managers in these Regulations. Managers are under a duty to ensure that their staff comply with these regulations. Failure to comply with the regulations may constitute misconduct and lead to formal disciplinary action.

1.2.3 The following describes the overall framework and the main roles and responsibilities in respect of the Regulations. This is not exhaustive and there will be overlaps. The Chief Finance Officer is responsible for reviewing these Regulations and reporting any significant breaches to the Executive or Full Council. Ultimately all staff are responsible for complying with all Regulations:

- The Chief Finance Officer puts in place financial standards and practices across the Council to deliver a framework for financial control, provide accurate, timely and consistent monitoring information, and sound advice on financial decisions to be made by officers and members.
- Service Area Directors ensure that their service area promotes, enacts and monitors adherence to the necessary financial control framework ensures effective budgetary control systems are in place and keeps spending within their aggregate cash limit, indicating where necessary, conflicts between current service policy and plans and resource allocation.

- Service Unit and Corporate Heads and Directors are required to keep accurate financial records, comply with the financial control framework and take timely action to keep spend within budget.
- Finance and Corporate Resources collate financial information, monitor implementation of the financial control framework, support service accountants and Managers in their financial responsibilities, and give assurance to management and members that adequate controls exist to produce sound financial administration.
- Service area accountants collate the financial information about their service area, provide financial advice to Managers in the service areas, provide financial information to Finance and Corporate Resources, support Managers in their financial responsibilities, help to implement the financial control framework and ensure sound financial administrative systems are in place.
- Audit and Investigations provide the Council's internal audit function and anti-fraud services. They are authorised representatives of the Chief Finance officer to assist him to discharge his statutory duties and provide Managers with advice and guidance on the system of internal control. They are responsible for investigations into financial irregularities across all Council services.

1.2.4 These Regulations are supplemented by, and should be read in conjunction with:

- Codes of Practice and Technical Standards, setting out more detailed requirements for financial arrangements, which may change from time to time.
- Guidance notes or memoranda on good financial management practice which may be issued periodically by the Chief Finance Officer.

2. SETTING, MONITORING AND CONTROLLING THE REVENUE BUDGET

2.1 Chief Finance Officer – Budgetary Role

- 2.1.1 The Chief Finance Officer must prepare a consolidated budget for all Revenue Account activities and report on the robustness of the budget estimates and the adequacy of financial reserves. In addition, the Chief Finance Officer must supply information to Government departments and external bodies in a prescribed format. Managers must prepare their budgets in a way that enables them to supply information to the Chief Finance Officer to meet these requirements.
- 2.1.2 The Chief Finance Officer shall prepare and maintain a Scheme of Transfers and Virement to be approved by Full Council. This enables the Executive and Chief Officers to manage budgets with a degree of flexibility within the overall policy framework determined by the Full Council. Any variation from this scheme requires the approval of the Full Council.
- 2.1.3 The Chief Finance Officer will also make arrangements for the supply of financial information that needs to be included in performance plans and to ensure that systems are in place to measure activity and collect accurate information for use as performance indicators. Service Area and Corporate Directors must ensure adherence to these arrangements within their areas.

2.2 Setting the Budget

2.2.1 The budget is the financial representation of the Council's policies. It will be proposed by the Executive and agreed by the Full Council. The Budget and Policy procedure rules are set out in Standing Orders. Each Manager shall be responsible for:

- Maintaining a proper system of budgetary control including ensuring that profiled budgets are loaded into financial systems and are properly maintained.
- Preparing estimates within the overall criteria and policy framework formulated.
- Apply recommended budget forecasting techniques to ensure that accurate monitoring data can be provided.
- Setting performance measures linked to Service Development Plans and reviewing progress and outcomes for the resources allocated.
- Delivering their specified service with the resources agreed.

2.2.2 Budgets must be produced in accordance with the Service Development Planning and Budget Guidelines document issued annually.

2.3 Monetary Limits

2.3.1 The inclusion of money in the Revenue Budget approved by the Full Council shall authorise the Manager concerned to spend up to that sum. Managers are not authorised to exceed the cash limited budget under their control.

2.4 Transfer of Resources between Budgets

2.4.1 Managers may transfer resources between budgets (virements) within that part of the budget under their direct control provided they comply with the relevant Standing Orders and the Scheme of Transfers and virements in this Part of the Constitution.

2.5 Monitoring the Budget

2.5.1 Once the budget is agreed Managers must ensure the budget is strictly monitored.

2.5.2 Finance and Corporate Resources will set out a monthly reporting timetable. The key events and responsibilities in the cycle will be:

- Managers supply information to service area accountants on spend to date, year end forecasts and financial and non-financial performance data in a format prescribed by the Chief Finance Officer.
- All accounts must be prepared on an accruals basis i.e. allowing for outstanding debtors and creditors at the end of each period. All information must be submitted monthly by the 10th working day of each month, signed by the Manager to confirm the accuracy of the figures produced.
- Service areas supply similar information on total spending within their responsibility (including units) to Finance and Corporate Resources.
- The Strategic Finance Group (SFG) will review the monitoring information and provide summary information and exception reports to the Corporate Management Team (CMT). CMT will examine proposed recovery plans, and take any other necessary action to deliver spending within overall resources.

- A budget monitoring report prepared by the Chief Finance Officer will be brought at least quarterly to a meeting of the Executive. In cases where budgets may be potentially overspent the action proposed to bring expenditure within available resources must be detailed. If such action is endorsed by the Executive but makes changes to the Policy framework and the Budget which will require agreement by Full Council (see Part 5), officers cannot implement these changes until such endorsement is obtained.

2.6 Controlling the Budget

- 2.6.1 Strict financial discipline must be maintained and once decisions have been made on the budget for a year Managers must seek to ensure that the budget plan is met.
- 2.6.2 Service Area and Corporate Directors shall make arrangements which ensure that each cost centre has a single named Manager and that significant variance from approved budgets are investigated and reported by Managers regularly.

2.7 Overspends

- 2.7.1 Overspends in service areas are not acceptable. An overspend must be dealt with by action of some kind, even if this means changing policy, service levels and staffing levels, or virements from elsewhere in the Service's budget. This must be implemented within the overall rules of the Constitution. Each Service Area Director must notify the Chief Finance Officer immediately if it appears that any budget under their control is likely to overspend due to an estimate or approved expenditure being exceeded, or income not being achieved.
- 2.7.2 The Service Area and Corporate Director will be required to detail the action they propose to take to correct the overspend. Specific and costed proposals will be expected. Services may need to seek the Executive's and Full Council's approval for a change in policy in order to meet the overspend.
- 2.7.3 Service Areas have to take responsibility for their own budgets and to seriously examine their own capacity to fund new proposals or overspendings.
- 2.7.4 Where the action to be taken to control overspends or to meet any new expenditure involves the application of "*compensating savings*" or being "*met within existing budgets*" then precise budget heads must be identified and detailed. Any service implications must be fully stated. If details are not provided then the action will not be regarded by the Chief Finance Officer as satisfactory.
- 2.7.5 Any overspend of controllable expenditure has the effect at outturn of reducing the Council's Balances. Subject to any decision to the contrary by Full Council the service responsible for the overspend will be required to replenish the Council's balances from its own resources in the following year.

2.8 Surpluses/Underspends

- 2.8.1 A surplus/underspend is only achieved after all items of expenditure and income relating to the year have been accounted for in full and proper allowance has been made for any

uncollectable debts and disputes in relation to creditors and any Reserves and Provisions Established by the Director of Finance and Corporate Resources under the Scheme of Transfer and Virements.

2.8.2 Managers should ensure that at any time in the financial year and particularly towards the end of that year that no expenditure is made for the purposes of avoiding a surplus position. This includes transferring of funds to external partners or agencies. Managers must not commit any of these surpluses until the Council have agreed a policy for that particular financial year.

2.8.3 Following the closure of accounts each year, the Executive will examine the potential for allowing some part of underspends to be released to service areas and make proposals to the Full Council. The extent that this is possible will depend on the overall financial position, including the pressure on capital resources and other Council priorities.

3. SETTING AND MANAGING THE CAPITAL PROGRAMME

3.1 Authorisation and Financing

3.1.1 It is the responsibility of the Chief Finance Officer to prepare for approval by Full Council a capital programme report and to set out the subsequent monitoring and reporting arrangements. The Service Area Directors shall support this process by supplying information in the format prescribed by the Chief Finance Officer.

3.1.2 The Chief Finance Officer will ensure that all reporting requirements under the Prudential Code are met and that all prudential indicators are maintained.

3.1.3 The Full Council will approve the Capital Programme and make budget allocations to Service Areas as part of the Policy Framework and the Budget. The method of financing of capital schemes shall be determined by the Chief Finance Officer except where a scheme can be funded from within a revenue budget cash limit.

3.1.4 Provision for costs associated with final accounts or retentions are the responsibility of the service and are required to build in budgets for this purpose.

3.1.5 When resources are allocated each service area must prepare a draft programme within the following constraints:

- it should not exceed the capital resources allocated for the financial year.
- the Manager must be satisfied that the nature of the works is in accordance with the definition of capital expenditure and the criteria set by Government Departments for grant and other funding regimes.
- commitments in future years must not exceed the budget agreed by the Council.
- any 'ring fenced' allocations must be maintained.

3.1.6 Draft programmes must be submitted to the Executive for approval. The report must seek individual scheme approval and managers must supply timely and accurate information that includes:

- a detailed appraisal of the all proposed schemes in both financial and/or social terms. The merits and disadvantages of each scheme must be made clear to Members. The financial appraisal may include the use of techniques such as discounted cash flow or cost benefit analysis and must consider whole life costs and alternative procurement mechanisms.
- the total cost of the scheme and the phasing of these costs where they extend beyond one year.
- any revenue costs associated including running costs and capital charges.
- the service outputs expected from the capital investment.
- a risk analysis dealing with the development, construction and funding of the scheme.
- where required by the Executive, block allocations should be broken down to scheme level and prioritised in accordance with policy guidelines.

3.1.7 Until approval of the Executive is granted there is no authority to incur expenditure on capital schemes other than those costs involved in preparing the scheme and its estimate, i.e. fees for architects, quality surveyors and engineers.

3.1.8 Once approved the Manager concerned shall be authorised to incur expenditure on a scheme provided that the Manager has complied with any other parts of these regulations and the Council's Contract Standing Orders.

3.1.9 Adjustments to Service Area capital programmes can be made during the year to reflect changes, for example in priority or the resources available provided that such adjustments are made in accordance with the Scheme of Transfers and Virements in this part of the Constitution. Any such change will need to be agreed by the Executive and then by the Full Council if it is outside the Policy Framework and the Budget. Details of all approved capital programmes and any changes made during the year must be forwarded to the Chief Financial Officer.

3.1.10 All bids to Government Departments for grant or other funded programmes shall be made by the relevant officer in the appropriate Unit. The Chief Finance Officer should be informed of by the responsible person in advance of any bid so the process can be co-ordinated.

3.1.11 Any interim/final grant claims or capital returns, which relate specifically to an individual Unit, shall be completed by that Unit. Claims and returns covering a number of Units shall be completed by the Chief Finance Officer, e.g. capital payments and out-turn returns. Copies of all annual bids, interim returns or final claims prepared by Units must be sent to the Chief Finance Officer.

3.2 Capital Programme Responsibility

3.2.1 The Service Area and Corporate Directors shall be responsible for:

- making adequate arrangements for the management and monitoring of their capital programme.
- reporting to the Chief Finance Officer forecast overspends and detailing the action they propose to control the overspend and to set out the arrangement by which it will be funded from within the service area's programme. In cases where this proposed action

will stop or significantly change any previously agreed projects or programmes then this may require the approval of the Executive and Full Council.

- ensuring capital monitoring returns in the form and with the frequency specified by the Chief Finance Officer are produced by the responsible officers.
- providing progress reports on their capital programme as requested by the Chief Finance Officer.

3.2.2 Each Manager is responsible for ensuring that:

- Expenditure is contained within the capital resources allocated in each financial year, and that the overall cost of the scheme does not exceed the budget allocated.
- Commitments falling into future years are kept within agreed limits.
- Where an individual scheme has exceeded, or is projected to exceed, the approved budget, this should be reported to the Service Area Director and the Chief Finance Officer immediately.
- Post completion reviews are undertaken for all schemes valued in excess of £150,000.
- Adequate option appraisal has been undertaken on all individual schemes valued in excess of £150k. This should include design & construction options together with likely cost implications, contract procurement options and funding options.

3.2.3 Where an underspend occurs the Executive will examine the potential for allowing some part of the underspend to be released to the unit concerned and make proposals to the Full Council.

3.3 Underspends and Slippage

3.3.1 Following the closure of accounts each year, the Executive will examine the potential for allowing some part of underspends to be released to service areas and where required make proposals to the Full Council. The extent that this is possible will depend on the overall financial position and other Council priorities.

3.3.2 Managers must ensure that adequate systems are in place to identify and then report to the Chief Finance Officer any schemes or programmes that are forecast to underspend or where expenditure slippage may occur.

3.3.3 Slippage on scheme budgets identified:

- At year end will be treated as if an overspend per paragraph 3.3.1 above.
- During the year will be allowed to be carried forward where:
 - (a) There is an existing contractual agreement for the provision of the works related to the scheme, or
 - (b) The scheme covers more than one financial year and costs are being rephrased.

4. ACCOUNTING RESPONSIBILITIES

4.1 Accounting Systems and Procedures

4.1.1 The Chief Finance Officer is responsible for:

- determining the accounting system and supporting services that shall be used;
- defining the financial processes that shall be operated to support the system;
- ensuring adequate controls and segregation of duties exist within the system;
- ensuring adequate security arrangements have been made for the operation of the system;
- ensuring that adequate procedures are in place to enable accounting records to be reconstructed in the event of system and procedure failures.

4.1.2 Service Area Directors are responsible for:

- Ensuring that officers using accounting system have been assigned the correct user responsibilities: The valid responsibilities cover-

	Accounts Payable	Accounts Receivable	General Ledger	Cash Management
Responsibility:				
Input	Yes	X	X	X
Payment	Yes	X	X	X
Validation	Yes	X	X	X
Entry	X	Yes	X	X
Remittance	X	Yes	X	X
Journal entry	X	X	Yes	X
Journal approver	X	X	Yes	X
User	X	X	X	Yes
Inquiry	Yes	Yes	Yes	Yes

- ensuring that officers involved in operating accounting systems and undertaking financial procedures receive proper assessment of their financial skills and learning and development needs.

4.1.3 Service area Heads of Finance are responsible for ensuring that all accounting and monitoring reports are timely, accurate, clear, convenient and readily understood by users.

4.1.4 System users are responsible for following procedures and processes, entering data correctly and reporting faults.

4.2 Accounts and Accounting Policies

4.2.1 The Chief Finance Officer is responsible for

- determining the Council's accounting policies;
- for ensuring that the annual statement of accounts is prepared in accordance with the CIPFA Code of Practice on Local Authority Accounting in the UK and that proper arrangements are made for the audit of the accounts in accordance with the Accounts and Audit Regulations;
- issuing the "Closing Your Accounts" document on an annual basis. This will detail all end of year reporting requirements as specified by the Chief Finance Officer;
- Determining the treatment of balances where a provision and/or liability recorded in the balance sheet is deemed no longer appropriate.

4.2.2 The Service Area Heads of Finance is responsible for:

- all accounting activities, reconciliations, records and bank accounts under the services control;
- ensuring compliance with the Chief Finance officer instruction and requirements;
- maintaining full supporting documentation and audit trail to justify all figures contained in their accounts and be able to present for internal and external audit as required;
- signing off the service area accounts.

4.2.3 Accounting policies will be adhered to and applied consistently, the underlying principles include:

- accounts should be a fair financial presentation of the position and the transactions in respect of that financial year;
- income and expenditure should relate to the services provided in the same accounting period (the financial year). In revenue accounts, provision must be made for income and expenditure earned/used irrespective of when the amounts are actually paid or received;
- the accounts should be prepared on a prudent basis with income only being included to the extent that it is likely to be received; proper allowance should be made for all known and expected liabilities and losses.

4.3 Accounting Records

4.3.1 Where accounting records are held or bank accounts maintained, the responsible officer shall:

- ensure they are properly maintained, securely held, complete and accurate;
- that VAT, Income Tax and other statutory additions deductions are properly calculated and accounted for on all transactions where appropriate;
- supply Chief Financial Officer such details of statutory additions/deductions as are required to meet the appropriate accounting requirements and enable the submission of statutory returns;
- ensure that prime reconciliations are carried out on a regular basis and shall provide evidence as required by the Chief Finance Officer. As a minimum:
 1. All bank accounts under their control, including client and purchasing accounts, must be fully reconciled and reported on a monthly basis.
 2. All Accounts, including Debtors and Creditors Accounts, VAT and Payroll must be reconciled on a regular monthly basis and at the end of each financial year.
 3. Holding Accounts and Suspense Accounts must be cleared on a regular monthly basis and, if there is any balance at the end of the financial year, this must be justified.
- Ensure journal entry adjustments are properly documented, approved and incorporate adequate explanatory narrative and cross-referenced to proper working papers;
- Ensure accounting documentation is retained for inspection for a period complying with the rules on retention of documents as detailed in section 11.

5. PROCUREMENT, CONTRACTS & LEASING

5.1 The Chief Finance Officer has responsibility for :

- determining Procurement system that shall be used by the Council;
- the financial and business processes that shall be operated to support the system;
- ensuring adequate controls and segregation of duties exist within the system;
- ensuring adequate security arrangements have been made for the operation of the system;
- ensuring that adequate procedures are in place to enable procurement records to be reconstructed in the event of system and procedure failures;
- putting in place arrangements which ensure the requirements of the Prudential Framework and the International Financial reporting Standards are complied with;
- maintaining procurement catalogues;
- managing and controlling all punch out arrangements;
- setting in place arrangements for the use of GPC cards;
- making arrangements for a register to be maintained of all contracts awarded or entered into.

5.2 The Service Area Directors must:

- Maintain an local scheme of delegation for the operation of the procurement system by allocating responsibilities for requisitioning, receipting and approving the acquisition of goods and services. There must be a separation of duties so that those officers who requisition and receipt should not be approvers;
- To set and maintain appropriate approval limits for officers;
- Ensure the scheme is maintained and reviewed on a regular basis to that it is fit for purpose;
- sign off any variations or amendments to contracts;
- ensure that adequate contract monitoring and review arrangements are in place to cover contracts for externally provided services;
- maintain a list of staff authorised to make amendments and variations to contracts, which includes limits on the value of variations and amendments that they can make.

5.3 All Officers are required to procure using the procurement system and the contracts purchasing arrangements set up therein. In addition officers are required to comply with:

- the Council's Standing Orders on Contracts (Part 3 of the Constitution) for entering into contracts Contracts of £150,000 in value or more must be executed in accordance with the Council's Standing Orders;
- the requirement that contracts or procurement of less than £150,000 in value shall be signed only by officers authorised to do so and that value for money has been obtained;
- Contract Procurement and Management Guidelines (the "*Blue Book*");
- the requirement to ensure the Contracts Register is maintained;
- Instruction issued for the use of GPC cards.

5.4 In order to ensure compliance with the Governments Prudential Framework, managers must not enter into any contract, leasing agreement, agreement for the use of an asset or any other loan or financing arrangements for the acquisition of property, vehicles, plant or equipment without the prior written consent of the Chief Finance Officer.

5.5 Any departure from the blue book must be agreed with the relevant manager, notified to the Chief Finance Officer and the reasons for departure recorded in the contract file. Elements of this guidance set out legislative requirements and the Council's own rules. These elements are highlighted within the Guidance and compliance with these elements is mandatory in order to avoid the Council acting illegally and cannot be departed from in any circumstances.

5.6 A copy of all contracts shall be retained by the issuing Unit. Any subsequent variation or amendment to a written contract shall be made only by those staff authorised to do so and changes formally noted and recorded.

6. ORDERS & PAYMENTS

6.1 Orders

6.1.1 Official orders must be issued to suppliers for all work, goods or services to be supplied to the Council at the time the order is agreed. Officers must not place orders for private use.

6.1.2 The procurement system must be used for the generation of requisitions and orders and this must be done at the time of placing the order. Exceptions to this must be agreed by the Chief Finance Officer prior to the order being placed

6.1.3 All requisitions/orders must be approved by the Budget Holder in the first instance and then follow the systems scheme of delegation through the approval levels.

6.1.4 Officers approving requisitions/orders must ensure that:

- value for money has been obtained in the purchasing of all goods and services;
- the requisition is lawful expenditure and be satisfied that the goods and services ordered are appropriate and needed;
- the correct code has been used to charge that expenditure;
- and that adequate budget exists;
- necessary quotations or tenders have been received;
- be satisfied that any contractor is technically competent, has sufficient financial standing to carry out the work and can produce work, goods and services to the required quality;
- Full and accurate details of the supplier have been captured.

6.1.5 All goods and service received must be receipted on the procurement system officers authorised to do so. Receiptors must inspect the goods and service and receipt only those items actually received.

6.1.6 Any variations to orders must be input into the system and approved. Cancelled orders must be actioned on the system promptly.

6.1.7 Retrospective orders shall not be made unless covered by circumstances agreed by the Chief Finance officer

6.2 Payments

6.2.1 No payment shall be made unless supported by an invoice or an payment request.

- 6.2.2 Where orders have been raised through the procurement system the corresponding invoice must contain the purchase order number. The invoice will be scanned into and then matched within the system. Fully matched invoices will be passed for payment. Partially matched invoices will be manually matched following investigation and resolution of unmatched lines. Those officers responsible for manually matching invoices and or preparing payment runs must not have any responsibilities within the procurement system.
- 6.2.3 Payments put on hold by the system must be investigated and resolved and can then only be released for payment by validators
- 6.2.4 Where an invoice is received relating to services or works procured outside of AEP then it must be directly input into the Accounts Payable only after it has been matched to the manual order raised. Except in emergency the invoice must not be a photocopy or faxed
- 6.2.5 Internally generated payment requests must be directly input into the Accounts Payable after an approved payment request form has been received and adequate supporting information has been provided.
- 6.2.6 Where an invoice is received outside of the procurement system or an internally generated payment is raised both documents must be :
- Checked to ensure it is properly payable, arithmetically correct and includes the appropriate VAT details;
 - Marked to demonstrate compliance with the above and authorised for payment by an appropriate officer;
 - Certified to show it has been checked to ensure it has not been previously paid and that it is coded correctly.
- 6.2.7 Officers responsible for entry and payment must not be validators or users of the procurement system. Also those officers certifying invoices for payment preparation should not have been involved in the requisitioning and ordering of those goods or services or in the raising of the payment requests.
- 6.2.8 Those officers responsible for validation must ensure that all invoices “on hold” are investigated and resolved before they are released for payment.
- 6.2.9 When Validators are validating payment batches they must check to ensure that all invoices contained within a batch have been matched to PO’s or properly released from hold before validating the payment batch. The payment batch must be reconciled to the control value and total number of invoices to be paid.
- 6.2.10 Those officers authorised as BAC’s signatories shall ensure that batch totals and values are correct. The officer can sample check individual items and has a right to query a payment or request any information they deem necessary.
- 6.2.11 Those officers signing cheques shall satisfy themselves that the payment has been properly approved.
- 6.2.12 Internal transactions shall be treated in accordance with instruction issued by the Chief Finance officer.

- 6.2.13 In cases where goods are ordered from abroad it may be necessary to make a payment in a foreign currency. These arrangements should always be made through the Council's bank using GPC card, Bankline or Foreign Draft.
- 6.2.14 Periodic payments are those made for rents, ground rents way leaves etc. for many years. A register of periodic (regular) payments should be kept to ensure that payments are made accurately and by the due date.

7. EXPENDITURE ITEMS

7.1 Expenditure – Payroll

- 7.1.1 The payment of all salaries, wages, pensions, compensation, deductions from salaries for tax, superannuation and other deductions to and/or from all employees and former employees of the Council shall be made under arrangements approved by the Chief Finance Officer. Managers are under a duty to ensure that all appointments, resignations, absences, overtime or other circumstances affecting the salary, wage of an employee in their Unit are acted upon immediately to ensure staff are paid correctly and overpayments kept to a minimum.
- 7.1.2 Managers must ensure that all appointments are made in accordance with the framework of terms and conditions, including grading structures and pay scales, approved by the General Purposes Committee (and available from Human Resources) and that adequate budget provision is available.
- 7.1.3 Managers are responsible for ensuring that suitable arrangements are in place for payroll administration. It is essential that Managers ensure that sufficient controls are in operation to prevent fraudulent or erroneous payments. Managers are responsible for ensuring that only authorised payments are made. In particular effective authorisation procedures are needed in respect of new starters, leavers, absences and variations to pay. They should include a proper division of duties between staff authorising payments and those checking payroll output. In no circumstances may a member of staff authorise or process a transaction in relation to their own remuneration.
- 7.1.4 Managers are responsible for ensuring that all data is notified to payroll within the time scale set.
- 7.1.5 All car mileage payments must be made through the payroll. Car mileage claim forms must be sent to Payroll Section with a valid cost code.
- 7.1.6 It is the responsibility of the Manager to ensure that settlement of any Council loans is agreed when an employee gives notice or on completing the leavers notice. A copy of the notice must be sent to Exchequer Services if the Leaver has an outstanding loan and the employee directed to discuss repayment as early as possible..

7.2 Expenditure - Petty Cash

- 7.2.1 Petty Cash must be properly accounted for and reconciled on a monthly basis also taking into account VAT where applicable. Officers administering petty cash should ensure that expenditure conforms to the legal and justifiable tests as for general expenditure. Proof of expenditure must be provided in all cases and documentation should be retained in accordance with general expenditure items.
- 7.2.2 Reimbursement to staff for petty cash expenditure will be by BAC's payment.
- 7.2.3 Wherever possible staff should be encouraged to use GPC cards for petty cash expenditure and pre pay oyster cards for travel on tube and bus travel.
- 7.2.4 Subsistence rates must be adhered to.
- 7.2.5 Managers must make adequate arrangements:
- for the safe custody of cash held;
 - to ensure the float is never used to cash personal cheques or to make personal loans;
 - Cash held is kept to a minimum.

7.3 Expenditure - Capital Payments

- 7.3.1 Each Unit is responsible for making their own capital payments. The responsible officer must ensure that procedures comply with **Section 6.2** of these Regulations.
- 7.3.2 Units are responsible for ensuring that adequate records are kept and that the proper treatment is applied to VAT and Construction Industry Tax transactions. Returns in this respect are required to be submitted to the Chief Finance Officer. In order to ensure that proper capital charges are calculated, Units will be asked to submit at regular intervals details of expenditure for each Capital Scheme and asset values.
- 7.3.3 Units shall keep capital contract files to provide a record of all interim payments and any outstanding retention amounts.

7.4 Expenditure – Internal Trading

- 7.4.1 The Chief Finance Officer is responsible for approving new internal trading initiatives. Where necessary approval of the Executive or Full Council will be obtained.
- 7.4.2 Managers are responsible for ensuring that the agreed budgeting, accounting and charging procedures are adhered to.
- 7.4.3 Any trading surpluses shall be retained for the benefit of the authority and their application shall require the approval of the Chief Finance Officer.

7.5 Expenditure & Income Taxation Returns

- 7.5.1 It is the responsibility of the Chief Finance Officer to make arrangements for the completion of all returns to the HM Revenue & Customs. Managers must provide information to the

Chief Finance Officer in the format and timetable required in order to meet these responsibilities. Finance Technical Standards have been issued to cover these areas.

- 7.5.2 Managers are responsible for VAT on expenditure and income. A number of Council services attract VAT, which must be passed on to customers and separately accounted for. Details of items attracting VAT, the rates to be applied and the specific accounting arrangements are contained in Finance Technical Standards - VAT.
- 7.5.3 The majority of payments made to suppliers and contractors will be subject to VAT. In these cases an original VAT invoice must always be obtained. A supplier not registered for VAT is not entitled to charge VAT. VAT invoices must contain certain information, details of, which are set out in the Finance Technical Standards. These also set out a number of practical guidelines, which must be observed.
- 7.5.4 Heavy penalties will be imposed on the Council if it submits incorrect VAT returns. Any penalties resulting from a misdeclaration will be charged to the Unit concerned.
- 7.5.5 Managers must submit a monthly return to the Chief Finance Officer providing details of VAT charged and paid. These returns must be submitted in a format notified by the Chief Finance Officer within specified timescales.
- 7.5.6 Payments to subcontractors engaged or contracted by the Council for work of a construction nature are subject to special verification and reporting. These arrangements are set out in the **Finance Technical Standards - Income Tax**. Each Manager must submit returns in a prescribed format to the Chief Finance Officer providing details of payments made for construction operations under the Construction Industry Scheme.
- 7.5.7 All payments to employees and former employees of salaries and wages - including London Weighting - overtime, fees, commissions, bonuses, performance related pay, contract additions, leased car allowances, honoraria, sickness payments - including SSP and SMP - holiday pay, pensions compensation, other emoluments and other taxable and/or superannuable payments must be made through the payroll system. They must not be paid out of petty cash, or through Unit payments systems. This is essential to ensure that all statutory deductions and pension contributions are correctly made and paid over.
- 7.5.8 Any payments made to employees, which are taxable benefits i.e. competition rewards and incentive free gifts but are not made through the payroll system, must be declared to the HM Revenue & Customs via the P11d return circulated by the Chief Financial officer.
- 7.5.9 Payments to self-employed persons employed by Units, as consultants or temporary workers must be treated with extreme care. Before paying an invoice to a self employed person the paying unit must satisfy themselves of the status of the person by completing the questionnaire included in Finance Technical Standards – Income Tax. If in any doubt the person must be paid through the payroll.
- 7.5.10 For payments where interest is payable, income tax must be deducted from the interest at the prevailing rate. A certificate of deduction of income tax must be completed and sent to

the payee. A monthly schedule of interest paid and tax deducted must be sent to the Chief Finance Officer to enable the tax deducted to be paid over to the HM Revenue & Customs.

8. INCOME & DEBT

8.1 Income - General

8.1.1 Each Manager is responsible for the:

- collection of all income due to the Council in respect of services provided;
- safe custody of all income and prompt deposit with the bank;
- effective recovery action;
- establishment of performance management systems to monitor the recovery of income;
- maintaining of all records relating to income collection and debt write-offs.

8.1.2 Detailed guidance on income collection is included in the Finance Technical Standard on Income Collection.

8.1.3 Any proposals to enable on-line income collection or payment facilities must be approved by the Chief Finance Officer prior to implementation.

8.1.4 Wherever possible, income should be collected prior to or at the point of delivery of service. Where invoices are raised for the collection of income they must be done using accounts receivable. Managers must ensure the appropriate charging of VAT.

8.1.5 As far as possible the responsibility for raising an invoice should be separate from that of determining amounts due. Within the system those responsible for invoice entry shall be separate from those responsible for remittance i.e. the matching of invoices and the allocation of amounts.

8.1.6 Where invoices are issued for the collection of debts these shall be issued promptly and all necessary action taken for recovery of that debt. Detailed guidance on recovery is included in the Finance Technical Standards on Income Collection (see section on Recovery).

8.1.7 Where arrangements have been put in place, debt over 30 days shall be collected by the debt recovery team.

8.1.8 All income received on behalf of the Council shall be paid into the appropriate bank account without delay. Third party and personal cheques must not be cashed from moneys held on behalf of the Council.

8.1.9 Income must be receipted against AR invoices at the time the money is banked.

8.1.10 Each Manager shall review their charges at least annually. Such reviews shall take account of any criteria agreed by Full Council except where such charges are fixed by statutory provision.

- 8.1.11 A numbered receipt must be issued for all items of income collected on behalf of the Council in cash. With the exception of tickets, Managers must keep a copy of each receipt. All forms of receipt must be treated as controlled stationery, i.e. numbered and kept in a secure place with all issues recorded.
- 8.1.12 Receipts must be properly accounted for and accounts reconciled on a regular basis. Any major discrepancies in income collected against that banked must be immediately investigated and notified to Audit and Investigations.
- 8.1.13 Cash should be banked as soon as possible after receipt and should be held in a secure place until banked. Each Manager must advise the Chief Finance Officer of their arrangements so that insurance cover can be effected on cash in transit and income limits on safes etc. can be observed.

8.2 Income – Grants

- 8.2.1 Where income is in the form of grants from government or other external bodies then the Manager shall ensure that when claiming that grant, all eligible expenditure is taken into account and that grant claim submission dates are met. For audit purposes, the Manager must ensure that an adequate audit trail exists from the claim to the general ledger.

8.3 Income – Bad Debts and Write Offs

- 8.3.1 Directors shall make an appropriate bad debt provision within their budgets. Where it is necessary to establish a bad debt provision, these must be made net of VAT. Further advice on the treatment of income related VAT can be found in the Finance Technical Standard on VAT.
- 8.4.1 Debts should not be written off until all appropriate recovery action has been exhausted. A decision to write-off a debt must be taken independently of the person responsible for debt collection. Directors have delegated powers to authorise the write-off of debts only in relation to their own operational budgets up to the value of £1,000 a schedule of which must be submitted to the Director of Finance and Corporate Resources in an approved format. Any debt above £1,000 is to be agreed individually in advance by the Director of Finance and Corporate Resources. Those debts over £3,000 will be reported to the Executive bi-annually.
- 8.4.2 Following approval to write-off debt, Managers must ensure that the appropriate accounting and budgeting adjustments are made.

9. EXTERNAL ARRANGEMENTS

9.1 Accountable Body and Partnership Arrangements

- 9.1.1 The Chief Finance Officer must be informed and written approval obtained before entering into any proposed accountable body or partnership arrangements, Managers must provide to the Chief Finance Officer unless he/she confirms in writing this is unnecessary in the particular case:

- evidence of scheme appraisal for financial viability in both the current and future years;
- a risk appraisal including a management action schedule and a statement setting out the internal control framework;
- confirmation of funding streams, the level on contribution and how they have been determined;
- evidence of the funding agreement, including the treatment of any under or overspending;
- in the case of partnership arrangement, details of service continuation proposals upon expiry;
- evidence of the financial viability of any partners;
- details of any performance/output standards that must be achieved and who will monitor them;
- details of the agreed audit arrangements;
- the protocol for any disputes;
- the arrangements put in place for the review of inflation and efficiency saving;
- which assets will be used and who will own them.

9.1.2 In addition, where the arrangement includes a pooled budget then the Chief Finance Officer must be notified of:

- who will be the lead and host authority;
- who will be the pooled budget manager;
- the provisions of the agreement;

9.1.3 Managers must:

- ensure that all statutory accounting requirements are identified and that adequate accounting arrangements are agreed in order to ensure that all expenditure and income is properly incurred/received and recorded;
- maintain a register of all arrangements entered into with external bodies and that agreements and arrangements are properly recorded;
- ensure that such arrangements do not impact adversely upon other services provided by the Council.

9.2 External Funding

9.2.1 When seeking or bidding for external funding, including grants, Managers must ensure that the objectives of the funding programme are consistent with the Council objectives and priorities.

9.2.2 Managers must also ensure that the receipt of any external funding does not lead to a resource commitment in future years that does not have a sustainable funding source. The Chief Finance Officer must be advised of any such arrangements prior to entering into the same.

9.2.3 Managers responsible for expenditure funded wholly or partly by central government and or other external bodies/partners must ensure that:

- all funding notified by external bodies is received and properly recorded in their accounts;
- the match funding requirements are considered prior to entering into agreement and that future revenue budgets reflect these requirements;
- service output targets/requirements can be met and that adequate arrangements are put in place for their monitoring and reporting;
- any audit requirements are met or audit involvement is timely;
- any other conditions associated with the funding are achievable and complied with.

9.3 Provisions of Goods, Services and works to Other Bodies

9.3.1 Current legislation enables the Council to provide a range of goods, services and works to other bodies Before entering into any new contractual arrangement, Managers must ensure that they have written legal advice that the Council has power to make such arrangements.

9.3.2 Managers will also need specific Executive approval (or if appropriate the General Purposes Committee) to enter a contract for the provision of goods, services or works to a body or individual external to the Council if:

- the contract value would exceed £150,000 per annum; or
- the gross cost to the Council of providing the relevant goods or services under the contract is estimated to exceed £150,000 per annum having consideration to the full costs over the term of the contract. It is not acceptable to split contracts into smaller parcels to avoid exceeding the £150,000 per annum threshold above.
- Where a company is to be set up for the purposes of the arrangements

9.3.3 Reports to the Executive (or if appropriate the General Purposes Committee) on such proposals must include legal advice prepared by the Borough Solicitor or his or her representative indicating whether the Council has legal powers to enter the contract, an explanation of the business risks associated with entering the contract and a full analysis of the financial impact.

9.3.4 Any contract for the provision of goods, services or works to a body outside the Council, which exceeds £500,000 per annum in value, shall be in a formal document under the seal of the Council.

9.3.5 The Chief Finance Officer must be informed of any proposed arrangements and shall agree all financial arrangements made prior to approval by the Executive, Full Council (or if appropriate the General Purposes Committee).

9.3.6 The Manager shall be responsible for:

- ensuring that appropriate insurance arrangements are made;
- ensuring that all potential risks are identified and action identified which will minimise those risks to the Council;
- wherever possible, payment is received in advance of the delivery of the service;
- ensuring that such contracts do not impact adversely upon the services provided by the Council;

- maintaining proper contractual documentation;
- proper accounting and reporting arrangements exist.

9.4 Grants to Outside Bodies

- 9.4.1 Grants are given by the Council under various statutory powers to improve various aspects of life in the borough. An example of such statutory power is Section 25 of the Local Government Act 1988, which deals with the provision of financial assistance to individuals in connection with the provision of housing.
- 9.4.2 Grants must be distinguished from contracts and it is essential that officers entering into grant arrangements carefully consider whether or not the Council wishes to enter into contractual relations with the recipient of money from the Council. It may be the case that a grant is not appropriate in certain circumstances, in which case a contract should be used.
- 9.4.3 Where grants are to be given, the Council must ensure that the organisation in receipt of the grant adheres not only to the Council's agreed "Standard Conditions Of Grant Aid" but also to any further specific conditions over and above those which are standard. Where there is a detailed grant agreement the Standard Conditions themselves need not be incorporated into the agreement provided the Borough Solicitor is satisfied that the grant agreement contains equivalent provisions.
- 9.4.4 It is essential that officers who administer grants ensure that there is a proper system in place to ensure that the Council is gaining value for money through its grant process. This gives rise to the necessity of having a robust monitoring, evaluation and reporting structure in place.
- 9.4.5 It is essential that the money paid must be into a UK bank account the records relating to which the Council can inspect.
- 9.4.6 Managers must ensure that adequate controls are included in all procedures to safeguard the Council, its resources and its assets from fraud or loss.

10. RISK MANAGEMENT AND CONTROL OF RESOURCES

10.1 Risk Management and Insurance

- 10.1.1 The Chief Finance Officer shall be responsible for the preparation and promotion of the Council's risk management policy statement.
- 10.1.2 Subject to any liability imposed on the Council by statute or other legal obligation, all insurance shall be effected by the Chief Finance Officer or under arrangements approved by him/her. Managers shall be responsible for ensuring that assets under their control have appropriate insurance cover within the overall guidance issued.
- 10.1.3 Service Area Directors must:
- ensure that adequate risk management controls are implemented, monitored and reviewed;

- notify the Chief Finance Officer immediately of any loss, liability or damage that may lead to a claim against the Council;
- notify the Chief Finance Officer of all new risks, properties or vehicles that require insurance and of any alternations affecting existing insurances;
- consult with the Chief Finance Officer and the Solicitor to the Council on any terms or any indemnity that the Council is requested to enter into.

10.2 Internal Controls

10.2.1 The Chief Finance Officer shall make arrangements for the production and publications of an annual independent statement on internal control and risk management.

10.2.2 Service Area and Corporate Directors must ensure that:

- adequate systems of internal control are established, adhered to, tested and reviewed in order to be confident in the areas set out in the annual assurance matrix;
- staff have a clear understanding of the consequences of lack of control and knowledge of Financial Regulations.

10.3 Audit Requirements

10.3.1 The Chief Finance Officer will ensure that a strategic and annual audit plan is prepared by the Head of Audit and Investigations which takes account of the characteristic and relative risks of the activities involved. The Chief Finance Officer is responsible to the audit committee for ensuring that adequate arrangements are made for the effective delivery of this plan.

10.3.2 The Chief Finance Officer will ensure that members, and in particular the audit committee, and chief officers receive suitable reports setting out the findings of internal and external audit reports.

10.3.3 The Chief Finance Officer, or authorised representative, shall have authority to:

- Enter any municipal building, land or area where records relating to any activity of the Council, its partners, contractors or any body partly or wholly funded by the Council, are, or may be, held. This includes all schools who receive funding from the Council. If necessary, to conduct searches of those areas, including cabinets, workspaces, desks for the purposes of locating documents or other material relevant to any matter under investigation. Where necessary to remove and examine IT equipment.
- Have access to all records, data, computer systems, correspondence and any other source of information relating to any matter under examination and remove any documents and records as deemed necessary. This will include documentation held by Council Officers in respect of organisations who are partners of the Council receiving funding from the Council or are providing services on behalf of the Council.
- Require and receive such explanations as are considered necessary concerning any matter under examination.

- Require any person holding or controlling cash, stores or any other Council property to produce such items for examination. These may be removed as deemed necessary.

10.3.4 Service Area and Corporate Directors must:

- consider and ensure Managers respond promptly to recommendations in both internal and external audit reports;
- ensure that agreed actions arising from the audit recommendations are carried out in a timely and efficient fashion;
- report to members the reasons for any failure by Managers to implement those audit recommendations.

10.3.5 Managers must ensure that new systems for maintaining financial records, or changes to such systems, are discussed and agreed by the Head of Audit and Investigations prior to implementation.

10.4 Financial Irregularities

10.4.1 Whenever any matter arises which involves, or is thought to involve, irregularities concerning cash, stores or other property of the Council or any suspected financial irregularity in the exercise of the functions of the Council, every employee has a duty to report such matters to their Manager. This includes anything that can detrimentally affect the Council's interests. The Manager concerned shall, as soon as the matter becomes identified, notify Audit and Investigations in line with the **anti-fraud framework** agreed at the full Council meeting in September 2008. Employees who feel unable to report matters to their line Manager are encouraged to contact the Audit and Investigations team directly.

10.4.2 In addition the Council has a Whistle blowing scheme, whereby employees can report their concerns in confidence. The Council has a statutory duty, under the Public Interest Disclosure Act 1998, to protect whistleblowers from recrimination. Details of the scheme can be found on the intranet or obtained from the Human Resources or Audit and Investigation teams.

10.4.3 Service Area and Corporate Directors must keep a service based register of gifts and gratuities received by officers.

10.5 Money and Banking

10.5.1 Managers should ensure that adequate security arrangements exist for the holding of cash including controlling access to safes and other receptacles. At all times cash holdings should be kept to a minimum.

10.5.2 Each Manager shall maintain such bank accounts as he/she, in consultation with the Chief Finance Officer, considers necessary for the efficient operation of the Unit's finances. Unless specifically agreed by the Chief Finance Officer, bank accounts must be held in the name of the London Borough of Brent at the designated branch of the Council's bank. The Chief Finance Officer is responsible for opening and amending details of any bank account.

- 10.5.3 Managers are responsible for approving the authorised signatories to all bank accounts within their Unit and for ensuring that there is more than one signatory.
- 10.5.4 Arrangements should be made with the bank to provide statements of account, together with supporting documentation, at pre-determined intervals. To enable the Council's statutory accounts to be closed on a proper basis it is essential that a statement is obtained showing the position at the close of business on 31st March, or the last banking day prior to the 31st March.
- 10.5.5 Managers shall maintain a cash book and other records of all transactions passing through those bank accounts and shall ensure that such records are balanced and reconciled at periods of no less than one month and that prompt action is taken on any discrepancy. A monthly bank reconciliation must be prepared as part of the financial reporting arrangements. Managers are responsible for the effective management of cash flow through their bank accounts.
- 10.5.6 Imprest and petty cash bank accounts must not be overdrawn at any time. Managers should make every effort to keep their bank account(s) in credit.

10.6 Money Laundering

- 10.6.1 It is the responsibility of the Chief Finance Officer to put in place anti-money laundering policies.
- 10.6.2 All managers must report to the Chief Finance Officer any transactions including the suspected proceeds of crime or terrorist funds. Such transactions may seek to conceal, convert, transfer or remove criminal property or may facilitate the acquisition, retention, use or control of criminal property by or on behalf of another person.
- 10.6.3 Managers must also report any:
- high value cash transactions and employers should not accept cash payment in excess of £10,000 without the prior consent of their manager.
 - instances where an employee hears of a potential transaction.

10.7 Property, Stock and Equipment

- 10.7.1 Each Manager is responsible for maintaining the security at all times of all land, buildings, stores, equipment and other property under their control. Managers must ensure that land and buildings are adequately secured to prevent against unauthorised access or possession. Where Managers feel that special security arrangements are required they should consult the Chief Finance Officer.
- 10.7.2 Managers should annually review their use of property for the purpose of identifying surplus or inefficient properties.
- 10.7.3 The Chief Finance Officer shall maintain an appropriately valued asset register of all the Council's land and buildings. Managers should maintain an inventory, of valuable goods and

equipment. The inventory, which should be kept in a secure place, should include a full description of the items including a note of any security markings and identification numbers etc. Managers should ensure that a comprehensive inventory check is carried out at intervals of no more than twelve months.

- 10.7.4 All assets should be held in the name of the Council and not in the name of individual officers or their post titles. It is important that valuable items are held in a secure environment commensurate with the value of the items and the cost of security. Large cash holdings should be kept in a suitable locked safe. Keys should be kept in a secure place or retained by the key-holder at all times. All officers should be aware that many documents such as cheque books, savings books, securities and order pads are the equivalent of cash and must be treated accordingly. It is not acceptable to leave safes unlocked during working hours or to leave cash holdings in unlocked desk drawers or filing cabinets. The Council's insurance policy may be invalidated if appropriate security measures are not taken.
- 10.7.5 The Head of Property and Asset Management shall ensure records are maintained of all properties owned or managed by the Council. Each Manager shall ensure that where commercial rents are payable to the Council a regular review of such rents is carried out to ensure they are set at an appropriate level. The terms of any leases should generally reflect market rents.
- 10.7.6 Each Manager shall be responsible for the care and custody of the stores held in their Unit. Stores are those items, which are financially a significant part of a Unit's activity and until issued, are included within the balance sheet. Each Manager shall make arrangements for a periodical test check of stores under their control by an independent person and shall ensure that all stores are checked at least once in each financial year. Each Manager shall provide the Chief Finance Officer with a certificate of stores, as at 31st March each year, for accounting purposes. Managers should periodically review the value of holdings of stores etc. in the light of turnover and cost.
- 10.7.7 Where it becomes necessary to hold property on behalf of a member of the public or another third party an itemised inventory shall be maintained of all such items. Each Manager shall make secure arrangements for such property and shall arrange for periodical checks by a person other than the employee responsible for the custody of the property.
- 10.7.8 Where officers are required to take assets or equipment home, this shall be properly recorded on the inventory.

10.8 Sale of Council Assets – General Requirements

- 10.8.1 Managers must at all times have regard to the current scheme of management and ensure compliance with the requirements set out in the Technical Standard – Property and Land Disposals and IT standards for the disposal of IT equipment.
- 10.8.2 Managers need to demonstrate that if surplus or redundant stock, equipment or property assets are disposed of correct procedures have been followed, the best value for the Council obtained and the Council's interests protected.

10.8.3 Where land, buildings and equipment are to be disposed of, the Chief Finance Officer must be informed so that appropriate adjustments can be made to the accounts. A full description, sale value and date of completion must be submitted.

10.8.4 Managers who determine that any asset, other than computer hardware and software, with a resale value is surplus to requirements must record that fact in writing giving the reason. A disposal file should be held by all units responsible for assets, where this and all other relevant information concerning the disposal can be kept for future inspection. Disposals of computer equipment are dealt with in the Information Technology Technical Standards.

10.7.5 Any officer who determines that an asset is surplus to requirements or is involved in the disposal must never attempt to purchase it or take it for himself or herself. There should be a clear separation of duties here.

10.7.6 Managers must appoint a single person responsible for disposal whose name must be clearly identified in the disposal file. He or she should be instructed in writing on the disposal and will be accountable to the Council for ensuring that disposal is for the best price reasonably obtainable.

10.7.7 All paperwork in connection with the disposal should be kept in the disposal file. The file should be kept for a period of six years after the disposal. The file should include at least:

- the Manager's written record declaring the asset surplus, and instructions to the person appointed as responsible for the disposal;
- the independent valuation;
- the advertisement;
- the offers made; and
- the receipt.

10.7.8 In order to achieve the best price reasonably obtainable all assets for disposal must be subject to independent valuation and/or disposed of by way of either:

- subject to competitive bids following advertisement;
- subject to auction, or both.

10.9 Disposal of Equipment and Stock

10.9.1 Where the estimated value of the asset is less than £500 an independent valuation alone is acceptable provided the person giving the valuation is qualified to judge, is clearly identified in the disposal file, and is properly independent.

10.9.2 All assets should be offered to other service units before members of staff or the public unless they have a value of £500 or more. Information about the assets available should be circulated to all Units and adequate time allowed for them to make a bid. A sale may proceed to any person offering at or above the valuation. If there is competition, the sale should be to the highest bidder.

10.9.3 Where the estimated value of the asset exceeds £500, it should be advertised in such a way as to facilitate bids by other service units and potential purchasers outside the Council. Sale should proceed by way of submission of written bids, which name the purchaser. The sale may proceed to the highest bidder, unless this does not reflect the proper value of the asset.

10.9.4 Official receipts must be issued for income received. Moneys must be received and properly accounted for by someone who has not been involved in the disposal.

10.9.5 Where the total amount received is less than £1,000 then this should accrue to the general balances of the unit. The treatment for amounts received in excess of this shall be determined by the Chief Finance Officer.

10.9.6 The Manager must ensure the disposal is recorded on the Unit's inventory.

10.10 Disposal of Land and Buildings

10.10.1 All disposals must be agreed by the Council's Executive except in circumstances specified in the Council's Constitution in relation to certain leases. These exceptions do not extend to the disposal of freehold interests.

10.10.2 Reports to Executive must include:

- why and how the proposed disposal satisfies any applicable consent.
- the original valuation of the property and the recommended disposal value. Any significant variances should be explained.
- any other terms relating to the disposal.
- the reasons for the disposal and any impact on Council services.
- consideration of any alternative uses for the asset including use by another service area.

10.10.3 The Chief Finance Officer shall be notified of any proposed disposal for entry in the Council's assets register and for referral to the Capital Board.

10.10.4 All disposal receipts are a corporate resource and must be paid into the Council's Corporate bank account. The allocation of these receipts shall be considered by the Capital Board. Managers should not assume any amounts for ring fencing as the re-investment of reserves shall be made on a prioritised basis according to the capital asset management plan.

10.10.5 All land and property disposal shall be led by and managed by the Head of Property and Asset Management.

10.11 Treasury Management

10.11.1 All borrowing shall be effected by the Chief Finance Officer, be in the name of the Council and in accordance with the Council's Treasury Policy statement and any Codes of Practice recommended by the relevant professional bodies or the Local Authority Associations. The Chief Finance Officer shall report periodically to the Council on all borrowing matters.

10.11.2 All investments shall be effected by the Chief Finance Officer or under arrangements approved by him/her. All investments shall be made in the name of the Council or in the

name of nominees approved by the relevant committee. The Chief Finance Officer shall be responsible for the safe custody of securities held by or on behalf of the Council.

10.11.3 All Trust Funds held by the Council shall, where legally possible, be in the name of the Council. Officers acting as trustees by virtue of their official position shall deposit all securities and similar documents relating to the Trust under arrangements approved by the Chief Finance Officer unless the Trust Deed provides otherwise.

10.12 Financial Implications within Reports

10.12.1 Each Manager must consult with the Chief Finance Officer before reporting to the Executive, the Full Council, Highways Committee or any other committee of the Council, on any matter having a financial effect. The Chief Finance Officer may, where considered necessary, issue a concurrent report on matters requiring the Members' attention.

10.12.2 Each Manager must ensure that reports they present to Full Council, the Executive and Sub-Committee thereof contain a section on financial implications even if this is to state that there are no direct implications from agreeing the recommendations. In cases where there are such implications these should be fully explained to Members.

10.12.3 The financial implications of any new proposal should set out:

- Its cost in the current and future financial years, and the basis on which that cost has been calculated;
- The proposed funding source, indicating either that it can be met from existing resources or what compensating savings will also have to be agreed; and
- If additional resources are required clear detail indicating what part of the cost is additional, and the policy and service implications of both not proceeding and funding the proposal from within existing resources.

10.12.4 The Chief Finance Officer must be consulted on all financial implications that may result in a reference for additional funding, and should be consulted on major financial issues where spending is being contained within budget.

10.12.5 Service areas must provide to Brent Finance Services a copy of a report containing financial implications for consultation and agreement in reasonable time to allow appropriate consideration. In all cases failure to provide financial implications in the prescribed manner means that expenditure approval has not been given, and any expenditure that takes place is unauthorised.

10.12.6 Where the Chief Finance Officer believes the financial implications of a report to be invalid he may:

- Require the report to be withdrawn;
- Supply alternative financial implications under his own name to be circulated to Members; or
- Indicate to Members the reasons why he believes the financial implications are incomplete and/or incorrect and the consequences of proceeding on that basis (i.e. that the expenditure would be unauthorised).

11. RETENTION OF DOCUMENTS

11.1 The following items must be retained indefinitely or during the whole of the Council's possession of the relevant asset and for **twelve** years afterwards:

- Property deeds, contracts and leases relating to land and buildings in the ownership or occupation of the Council.
- Share certificates, stocks, bonds and other securities together with any appropriate contracts of purchase or sale.
- Guarantees, indemnities, insurance policies.

11.2 All other contracts carried out under the seal of the Council must be retained for **twelve** years after completion of the contract.

11.3 Local authorities are required by statute to retain all accounting documents for a minimum of six years. The statute of limitations for contracts not under seal applies for six years after completion of the contract. In addition Inland Revenue and Customs and Excise may inspect documents for periods of six years. Officers can be held personally liable where documents required are not available. In order to give effect to these requirements the following documents must be retained for a minimum of **six** years:

- All accounting documents including invoices, contract certificates, paid cheques, bank statements;
- Debtor accounts, income receipts and associated documents;
- All contracts not under seal for works, goods or services (six years after completion of the contract);
- All tender and related documents (six years after completion of the contract);
- Details of salaries, wages and superannuation payments including particulars of pay calculations, copy payslips, P60 documents.

11.4 Audit and Investigations should be consulted before Managers copy documents not previously copied or use a new method to ensure such methods would be accepted for evidence purposes.

11.5 Managers shall nominate an officer to make safe arrangements for the storage and review of information. All records must be properly indexed to allow efficient recovery.

11.6 Managers must also consider the requirements of the Freedom of Information Act 2000 in determining their local retention policies.



Full Council – 12 July 2010

Report from the Executive

1. **Brent Local Development Framework – adoption of the core strategy**

The Executive at its meeting on 23 June 2010 considered the above report, now attached for Council, and agreed the recommendation contained within it.

Council is now recommended to adopt the Core Strategy, as submitted to the Secretary of State and incorporating the changes recommended by the Inspector, as set out in appendix 1 to the report.

2. **Enforcement of moving traffic and parking contraventions by means of CCTV cameras**

The Executive at its meeting on 23 June 2010 considered the above report, now attached for Council, and agreed the recommendations contained within it.

Council is now recommended to approve the transfer of powers to the Council from the Metropolitan Police to enforce moving traffic contraventions, as required by the London Local Authorities and Transport for London Act 2003 and that the borough take on these powers from 1 January 2011.

3. **Items to be reported by the Executive**

The Leader has given notice that the Executive will report to Council on the following items:

- (i) Building Schools for the Future
- (ii) Voluntary sector grants
- (iii) Impact of the Chancellor's budget

4. **Decisions taken by the Executive under the Council's urgency provisions**

Under the provisions of rule 38 of the Access to Information Rules in the Constitution, the Executive is required to report to the next Full Council for information on any key decisions taken by them but which did not appear in the Forward Plan.

(i) Amendment to Housing and Social Care Non HRA PFI Project – Authority to Award Phase 2 of Contract Report

The above item was considered by the Executive on 23 June 2010 when the decision was taken to revise the total of 169 units at Phase 2 of the PFI scheme – taking the total number of units for Phase 1 and Phase to 384 units.

Reason why it was impractical to defer the decision until it could be included on the Forward Plan:

On 15 March 2010, the Executive agreed to a revised total of 165 units at phase 2 of the PFI scheme following consideration of the report regarding the Housing and Social Care Non HRA PFI Project – Authority to Award Phase 2 of the Contract Report. The correct figure for the revised total number of units is in fact 169 units and not 165 as set out in the Minutes of the Executive meeting of 15 March 2010. This discrepancy has not been amended or rectified and therefore, it is necessary for the Executive to authorise the correct number of units. The financial close for the variation to the contract, as approved by the Executive on 15 March 2010, is the end of June 2010 and therefore, the decision must be made by the Executive before the end of June at its meeting on 23 June 2010. Thus, the matter cannot wait until the July 2010 Executive meeting. It is important that the correct figure of units is stated on the report to the Executive so that the Council is properly authorised to enter into Phase 2 of the PFI scheme and that there is no risk that the variation of the PFI contract agreeing to a revised total of 169 units can be challenged on grounds that it is ultra vires.

(ii) Authority to award a contract for office supplies

The above item was considered by the Executive on 23 June 2010 when the decision was taken to award the contract for office supplies to Office Depot (UK) Ltd for a term of 3 years 9 months commencing 1 July 2010.

Reason why it was impractical to defer the decision until it could be included on the Forward Plan:

Contract needed to be awarded for 1 July 2010 to ensure continuity for stationery supplies to services in the Council.



Executive
23 June 2010

**Report from the Director of
Environment and Culture**

Wards Affected:
ALL

Brent LDF - Adoption of Brent's Core Strategy

1.0 Summary

- 1.1 This report asks Executive to recommend that Full Council of 12th July adopts Brent's Core Strategy, as submitted to the SoS in September 2009, and incorporating the changes recommended by the Inspector, which are binding on the Council. It summarises the key recommendations of the Planning Inspector and explains what the implications of the changes are.

2.0 Recommendations

- 2.1 That Executive recommends to Full Council that the Core Strategy, as submitted to the Secretary of State and incorporating the changes recommended by the Inspector, and set out in Appendix1, be adopted.

3.0 Detail

Examination of the Core Strategy

- 3.1 The Core Strategy is a key document of Brent's Local Development Framework. It sets out an overarching spatial strategy for development in the Borough. It identifies the key locations in the Borough for new development, particularly housing, and shows these as Growth Areas. It sets out what the infrastructure requirements are to meet the need arising from the development It also sets out some general, Boroughwide requirements for development relating to matters such as sustainable design and protection of open space.
- 3.2 The Core Strategy has been subject to a long, statutory process including four rounds of public consultation requiring a number of

changes to the document. It has now been formally examined by a Planning Inspector, who considered objections to the strategy at a series of hearings in January 2010. His report, which was received on April 19th, finds the strategy sound, i.e. it can now be formally adopted, subject to a number of recommended changes which are binding upon the Council. The full Inspector's report is available on the Council's website at <http://www.brent.gov.uk/tps.nsf/Planning%20policy/LBB-310>

- 3.3 The Act that introduced the Local Development Framework requires that the independent Planning Inspector's report is binding on the council. This is a change to the previous Unitary Development Plan process where the council did not have to accept all of the Inspector's recommendations. The council has limited choices: accept the changes or start the process of submission and examination over again. Since the Inspector's recommendations are based almost entirely on changes officers accepted at the examination hearings, it is recommended that the Core Strategy be adopted. To start again will be time consuming, take at least a year and will cost approximately £100k- the costs of the examination process. Brent is now among a few London Boroughs that will have an adopted a Core Strategy and in the top 20% of authorities in the country to complete the complex and onerous task of taking the authority's Core Strategy through Examination to Adoption. Your officers clearly support the adoption of Brent's LDF Core Strategy, and seek Executive's recommendation to Council to do so.

Inspector's Report

- 3.4 The Planning Inspector states that his "overall conclusion is that the Core Strategy is sound, provided that it is changed in the ways specified" in the binding report. The changes are specified only where there is a clear need to amend the document in the light of legal requirements and/or tests of soundness set out in Government guidance. Many of the recommended changes are relatively minor and most of them were agreed by Council officers during the examination. The Inspector's recommended changes are set out in full in Appendix 1. The most significant changes are as follows:

- a) Increased policy support for the provision of family housing.

The submitted version of the Core Strategy included an objective that 25% of new homes should be family-sized (3 bed or above). The Inspector considered that this should be articulated in policy and has recommended accordingly. Council officers accepted that this would help achieve the objective.

- b) Amendment of shopping centre hierarchy to give Kilburn equal status with Wembley and to redesignate Colindale as a District centre

The Inspector considered that the preference expressed in the Core Strategy for shopping development at Wembley ahead of Kilburn was at odds with national planning policy and had not been adequately justified. Council officers supported the proposed change. In practical terms this will make little difference to the application of policy as there are substantial opportunities and proposals to extend shopping provision at Wembley whilst opportunities are very limited in Kilburn, on either side of the High Road, and are likely to remain limited.

The re-designation of Colindale as a District centre was proposed by officers to bring it into line with revisions in Barnet's LDF and with the London Plan.

c) Deletion of support for enabling development at Northfields industrial estate.

The GLA had objected to a policy within the Core Strategy which would allow for some enabling housing development on the Northfields industrial estate. This enabling development was considered by officers to be necessary to help facilitate a regeneration of the site with new employment development and a new direct road link from the North Circular Road across the river Brent. However, the land in question comprises part of the Strategic Employment Area, which is also a designation in the London Plan, and which protects the land for employment use, i.e. industry and warehousing. The Inspector was unable to accept the proposed de-designation because the Council was not proposing a revised Strategic Employment Area boundary and had not provided viability evidence as to the need for enabling housing development. Accordingly, the Inspector has recommended (RC36) that the reference to enabling development at Northfields Industrial Estate be removed from policy CP12.

d) Deletion of requirements to provide for decentralised energy networks in growth areas other than Wembley

While the Inspector was satisfied that the technical feasibility of establishing sustainable energy infrastructure in the form of Combined Heat and Power (CHP) had been established at Wembley, he did not feel that financial feasibility had been demonstrated. At the same time, he did not consider that technical feasibility had yet been demonstrated for growth areas other than Wembley. The Inspector has recommended, therefore, that the requirement for CHP be limited to Wembley at this stage.

e) Clarification of the policy approach to tall buildings

The inspector has recommended that policy CP6 and supporting text should be amended to reflect current local guidance on the appropriate

locations for tall buildings contained in supplementary planning documents for Wembley and Kilburn.

- 3.5 The Inspector supported the Council's position on almost all of the key elements of the strategy. This includes the approach of identifying growth areas and generally protecting local character and open space outside of these areas, the new housing targets and requirement for affordable housing, policy to achieve higher levels of building sustainability by requiring new housing in the growth areas to achieve level 4 of the code for sustainable homes and the requirement for CHP in Wembley subject to financial viability. He also generally supported the infrastructure requirements identified as necessary to support new development, the provision of new shopping development at Wembley, and the Council's approach to the protection of employment land (with the, exception of the land at Northfields estate referred to above).
- 3.6 It should be noted that the policies in the Core Strategy supersede a number of policies in the UDP 2004. A list of these is provided in Appendix B of the Core Strategy.

Future LDF Priorities

- 3.7 Alongside the Core Strategy, the council has also approved a Site Specific Allocations document which, incorporating 3 additional sites agreed for consultation in January 2010, it is intended to submit in June 2010 to the SoS for examination. It is anticipated that this will be examined in the Autumn and adopted in early 2011. Work is also ongoing on Supplementary Planning Documents for Alperton and South Kilburn growth areas and it is intended that planning policy for Wembley be consolidated into an Area Action Plan before a revised Development Policies Development Plan Document is brought forward. At this point all policies in the UDP will be superseded by the LDF.

4.0 Financial Implications

- 4.1 The costs of examining the Core Strategy are estimated at up to £100,000. A provision exists to cover these costs. The Council has yet to be invoiced by the Inspectorate for the costs of examining the Core Strategy. If the Core Strategy were not adopted and resubmitted a similar cost would be required.

5.0 Legal Implications

- 5.1 The preparation of the LDF, including the Core Strategy, is governed by a statutory process set out in Government planning guidance and regulations. Once adopted the Core Strategy will have substantial weight in determining planning applications and will supersede a number of policies in the UDP.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the Core Strategy and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the Core Strategy, was prepared and made available in November 2008.

7.0 Staffing/Accommodation Implications (if appropriate)

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

8.0 Environmental Implications

- 8.1 The Core Strategy will have a major impact upon the environment, particularly as it relates to new development and the protection of local character and open space. It includes significant new policy to help mitigate against the effects of climate change. Sustainability appraisal has been undertaken at all stages of developing the Core Strategy.

9.0 Background Papers

- 9.1 London Borough of Brent LDF – Core Strategy Proposed Submission DPD, June 2009
- 9.2 Inspector's Report on the Examination into Brent's Core Strategy, April 2010
- 9.3 Brent UDP, 2004

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning Service 020 8937 5309

Richard Saunders
Director of Environment and Culture

Appendix 1

Inspector's Recommendations

RC1: Policy CP2: 1st sentence: add "between 25,000 and" before "28,000".

RC2: Delete Appendix A, including the housing trajectory, figure A.1 and tables i - vii. Consequent renumbering of subsequent appendices.

RC3: Policy CP2: 4th sentence: add "(excluding the reoccupation of vacant homes)" after "the following minimum targets".

RC4: Paragraph 5.92: Add new sentence to end of paragraph: "More detailed policy criteria to ensure the implementation of relevant London Plan affordable housing policies will be provided in the Development Management Policies DPD."

RC5: Policy CP2: Insert new penultimate sentence (before "Over 85% .."): "At least 25% of new homes should be family sized (3 bedrooms or more)."

RC6: Paragraph 5.77: Add new sentence to end of paragraph: "More detailed policy criteria to ensure the implementation of policy CP21 will be provided in the forthcoming Development Management Policies DPD."

RC7: Paragraph 5.82: 1st sentence: delete "a subsequent Development Plan Document" and insert "the Development Management Policies DPD".

RC8: Delete paragraph 4.36 and insert "Town centre uses are those defined in paragraph 7 of Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS 4), including retail, leisure and offices."

RC9: Paragraph 5.6(1): delete "PPS 6" and insert "PPS 4".

RC10: Appendix C (Glossary): definition of Sequential Approach: delete "the Planning Policy Statement 6: Planning for Town Centres" and insert ", for example, Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS 4)"

RC11: Paragraph 5.6: Add new penultimate sentence (after "... by 2026"): "The results of this study were tested in the Scenario and Sensitivity Testing Paper on Retail Matters (September 2009)."

RC12: Paragraph 5.6(3): delete "November 2008".

RC13: Paragraph 5.4: 2nd bullet: add "(called Main District Centres in the UDP 2004)" after "Centres".

RC14: Paragraph 5.4: 3rd bullet: add "(called Other District Centres in the UDP 2004)" after "Centres".

RC15: Paragraph 5.5: 1st sentence: add ", called Local Centres in the UDP 2004" after "hierarchy".

RC16: Policy CP16: delete hierarchy and insert:

"Major Town Centres (Wembley and Kilburn)

District Centres

Local Centres

Neighbourhood Centres

Out of Centre Locations"

RC17: Policy CP16: 1st paragraph: insert "major" before "new retail".

RC18: Policy CP16: 2nd paragraph: delete 1st and 3rd sentences.

RC19: Policy CP1: 3rd para: insert "Within the five growth areas," at start of sentence (i.e. before "Wembley will be ...").

RC20: Paragraph 5.5: delete "Colindale" from list of Local Centres and add to list of District Centres. Consequent change to map 5.1.

RC21: Paragraph 5.5: 5th sentence: add "Colindale," before "Wembley Park".
6th sentence: delete "three" and insert "four".

RC22: Paragraph 5.8: 1st sentence: delete "have also been identified" and insert "will be identified in the Site Specific Allocations DPD". 2nd sentence: delete ", as listed in the Site Specific Allocations DPD," and insert "will".

RC23: Policy CP16: 3rd paragraph: 2nd sentence: delete "have been identified within, or on the edge of, some existing" and insert "will be identified within, or on the edge of,". 3rd sentence: delete "usually" and insert "likely to be".

RC24: Policy CP1: 5th paragraph: delete "Strategic and Borough Employment Areas" and insert "Strategic Industrial Locations and Locally Significant Industrial Sites". Same change at paragraph 5.45: 1st sentence.

RC25: Paragraph 5.46: 1st sentence: delete "Strategic Employment Areas (SEAs) and Borough Employment Areas (BEAs)" and insert "Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)".

RC26: Paragraph 5.47: 1st sentence: delete "Strategic Employment Areas are the local expression of". Insert "are" after "Strategic Industrial Locations". 3rd sentence: delete "SEAs" and insert "SIL"

RC27: Paragraph 5.49: delete paragraph and insert: "Locally Significant Industrial Sites are those of local significance for Brent's economy and should be protected. Occupancy within these areas is generally similar to that within SIL, but is also more varied and may include quasi-office or trade uses".

RC28: Paragraph 5.52: delete table and insert new table as follows:

Strategic Industrial Locations Locally Significant Industrial Sites

Park Royal Alperton

Staples Corner Brentfield Road

Wembley Church End

East Lane Colindale

Cricklewood

Honeypot Lane

Kingsbury

Neasden Lane

RC29: Paragraph 5.53: 2nd sentence: delete "and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites".

RC30: Paragraph 5.55: 1st sentence: delete "Employment Areas and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites". 2nd sentence: delete "or Borough Employment Areas" and insert "Industrial Locations or Locally Significant Industrial Sites". 3rd sentence: delete "or Borough Employment Areas" and insert "Industrial Locations or Locally Significant Industrial Sites".

RC31: Policy CP20: delete title and insert "Strategic Industrial Locations and Locally Significant Industrial Sites". 1st paragraph: 1st sentence: delete "Employment Areas" and insert "Industrial Locations": and delete "(SILs)". Delete 2nd sentence and insert: "The council will protect Locally Significant Industrial Sites for the same range of uses as SILs". 2nd paragraph: 1st sentence: delete "SEAs and BEAs" and insert "SIL and LSIS". 3rd paragraph: delete "and Borough Employment Areas" and insert "Industrial Locations and Locally Significant Industrial Sites".

RC32: Key Diagram (fig 4.1) and Wembley Growth Area Key Diagram (fig 4.2): amend legend to delete "Strategic Employment Area" and insert "Strategic Industrial Location."

RC33: Appendix C: Glossary: replace title of "Strategic Employment Area" with "Strategic Industrial Location". List of Abbreviations: delete "SEL: Strategic Employment Location" and insert "SIL: Strategic Industrial Location". Add new entry: "LSIS: Locally Significant Industrial Site".

RC34: Appendix E: delete "Borough Employment Areas" and insert "Locally Significant Industrial Sites". Consequent changes to legends of maps E.2, E.3 and E.5, including clarification that shaded areas represent deletions.

RC35: Paragraph 5.51: delete 2nd sentence.

RC36: Policy CP12: 2nd paragraph: delete comma and insert "and" before "First Central": delete "and parts of the Northfields Industrial Estate, in order to secure industrial and commercial regeneration."

RC37: Paragraph 5.62: Add new sentence after last bullet point: "The council will bring forward policy to protect these sites, and designate them on the Proposals Map, in its Development Management Policies DPD."

RC38: Paragraph 5.25: delete 1st and 2nd bullet points and insert new bullet point: "The UK Government has set a legally binding level of 34% reduction in greenhouse gas emissions below 1990 levels by 2020 and 80% by 2050."

RC39: Paragraph 5.26: 1st sentence: delete "20%" and insert "15%".

RC40: Paragraph 5.27: delete last sentence and insert: "To assist in the achievement of these targets Brent will seek to mitigate the effect of climate change by reducing carbon dioxide emissions from its own buildings and operations by 12% by 2016 and 43% by 2025 from a 2008/9 baseline⁷⁰."

RC41: Paragraph 5.29: delete 1st sentence and insert: "The council has produced a Climate Change Strategy which contains mitigation and adaptation measures to reduce the impact of climate change on Brent." 4th sentence: delete "will take" and insert "takes".

RC42: Policy CP7: delete penultimate (15th) bullet point (as amended by the November 2009 Further Changes) and insert: "Combined Heat and Power plant, if financially viable".

RC43: Policy CP19: 4th paragraph: delete 2nd sentence (as amended by the November 2009 Further Changes) and insert: "Within the Wembley growth area, proposals will be expected (relative to their scale) to connect to, provide or contribute towards a Combined Heat and Power plant, unless it can be demonstrated that such provision is not financially feasible."

RC44: Delete paragraph 4.100.

RC45: Paragraph 5.32: delete 2nd, 3rd and 4th sentences.

RC46: Policy CP19: 4th paragraph: delete 1st sentence and insert: "Within the growth areas, major proposals are required to achieve a minimum rating of Code for Sustainable Homes level 4, subject to scheme feasibility."

RC47: Appendix E: delete points (3) and (4). Consequent changes to map E.1 and key diagram (fig 4.1).

RC48: Paragraph 5.33: delete last two sentences (and bullet points) and insert: "The council will bring forward sites considered suitable for low/zero carbon development in the Site Specific Allocations DPD".

RC49: Paragraph 6.3: delete 2nd sentence and insert: "It is intended to provide more detail about the development of individual sites, notably in growth areas, in the forthcoming Site Specific Allocations DPD. Area Action Plans may also be prepared, as appropriate."

RC50: Fig 4.2: delete title and insert "Wembley Growth Area Key Diagram (illustrative only)". Fig 4.3: add "(illustrative only)" after title. Figs 4.4, 4.5 and 4.6: add "Key Diagram (illustrative only)".

RC51: Delete diagram and legend of fig 4.2 and replace with revised version (see Annex 2). [Note further change to legend set out in RC32].

RC52: Amend fig 4.3 as shown in Annex 3. Policy CP8: last paragraph: delete "31" and insert "20.6".

RC53: Policy CP5: 1st sentence: delete "development schemes" and insert "proposals in the growth areas (policies CP7 to CP11) and regeneration areas (policies CP12 and CP13)"

RC54: Policy CP6: delete 3rd sentence and insert: "In growth areas (policies CP7 to CP11) and regeneration areas (policies CP12 and CP13) the following

factors will be taken into account in determining density and requiring good design.”

RC55: Paragraph 4.30: add the following to end of paragraph: “Locations considered suitable for tall buildings have been identified in Supplementary Planning Documents for the Wembley and South Kilburn growth areas.

Policy CP12 states that tall buildings are suitable at two sites in Park Royal. The council will more clearly define locations for tall buildings in forthcoming LDDs.”

RC56: Policy CP6: delete 7th bullet point and insert: “Tall buildings are acceptable in the Wembley and South Kilburn growth areas, as identified in adopted SPDs, and at Park Royal as set out in policy CP12. Additional areas suitable for tall buildings, notably in the Burnt Oak/Colindale and Alperton growth areas, will be identified in forthcoming LDDs.”

RC57: Delete paragraph 4.42 and insert: “In addition to the Core Strategy, planning policy for the Wembley growth area comprises relevant saved UDP policies, supported by the Wembley Masterplan SPD (adopted in June 2009). The council is progressing a Site Specific Allocations DPD which, on adoption, will include planning policy for specific sites within this growth area. It is also the council’s intention to review and consolidate detailed policy and guidance for the Wembley area into an Area Action Plan. This London Borough of Brent Core Strategy Inspector’s Report 2010 - 25 - will provide an opportunity to undertake a review of infrastructure requirements for this growth area.”

RC58: Policy CP12: last paragraph: delete 1st sentence and insert “Development proposals should have regard to the Park Royal Opportunity Area Planning Framework.”

RC59: Policy CP15: 2nd paragraph: 1st sentence: delete ‘large scale development’ and insert ‘major proposals’.

RC60: Policy CP15: 3rd paragraph: add the following to the end of the paragraph: “In order to ensure adequate flexibility in the Core Strategy’s delivery, the council will undertake regular reviews of infrastructure requirements against housing and population changes arising from new development, funding availability and assessments of the viability of infrastructure provision.”

RC61: Insert new paragraph 4.100 as follows: “In addition to the requirements of policy CP15, the council will apply relevant policies of the UDP 2004,

supported by its S106 Planning Obligations SPD, when securing appropriate developer contributions.”

RC62: Policy CP7: 1st paragraph: last sentence: delete “This will include:” and insert “Anticipated infrastructure will include:”. Policies CP8, CP9, CP10 and CP11: 1st paragraph: last sentence: delete “Infrastructure Investment Framework, including:” and insert “Infrastructure Investment Framework. Anticipated infrastructure will include:”

RC63: Policy CP7: 1st paragraph: 2nd sentence: add “the new Brent civic centre,” after “offices,”. Delete 10th bullet point (“A new civic centre”). 14th bullet point: delete “17 GPs and 13 new dentists” and insert “14 GPs and 11 new dentists”.

RC64: Paragraph 4.39: delete 2nd and 3rd sentences and insert: “The creation of this new shopping street will help facilitate the redevelopment of the eastern end of the High Road, creating a continuous retail link. Together with the delivery of the housing, commercial, retail, leisure and community facilities proposed in the Core Strategy, the new shopping street will be the driver for change in this part of Wembley.”

RC65: Paragraph 5.24: add to end of paragraph: “The council considers that a 6-lane community pool will best serve the needs of the borough. Contributions from development will be sought proportional to the level of demand arising from population expansion.”

RC66: Policy CP18: 2nd para: delete last sentence and insert “The council will also seek a site for a fourth pool.”

RC67: Paragraph 4.86: add the following to the end of the paragraph: “With regard to Park Royal (First Central) the council wishes to secure a new interchange between the Piccadilly Line station at Park Royal and a new station on the Central Line, with connections to bus services outside London Borough of Brent Core Strategy Inspector’s Report 2010 - 26 - the station. If it is either demonstrated that the station is not supported by Transport for London or that it cannot be provided viably given the level of residential and other development that is proposed, then the council will wish to secure significant improvements to Park Royal station’s connections with First Central and the bus services that serve the site. Significant public transport improvements are required to encourage the development of class B1 offices and to promote sustainable modes of travel.”

RC68: Policy CP14: delete 1st paragraph and insert: "The key interchanges of Wembley Central, Wembley Stadium, Queen's Park and Park Royal (First Central) will be improved."

RC69: Paragraph 4.71: last sentence: delete full stop and insert ", and the council intends to bring forward proposals for this area in a subsequent local development document."

RC70: Delete monitoring schedule for strategic objectives 1 to 12 inclusive and insert revised schedule set out in Annex 4.

RC71: Strategic Objective 8 (p19): 3rd bullet point: delete "from 37% to 24%" and insert "from 37% towards 25%".

RC72: Paragraph 5.34: delete 6th sentence ("The council ... SFRA") and insert: "The Development Management Policies DPD will include policy criteria for development proposals in areas of flood risk, consistent with national policy in PPS 25, supported by the findings of the SFRA."

RC73: Paragraph 4.97: 1st sentence: after "facilities" insert ", including places of worship".

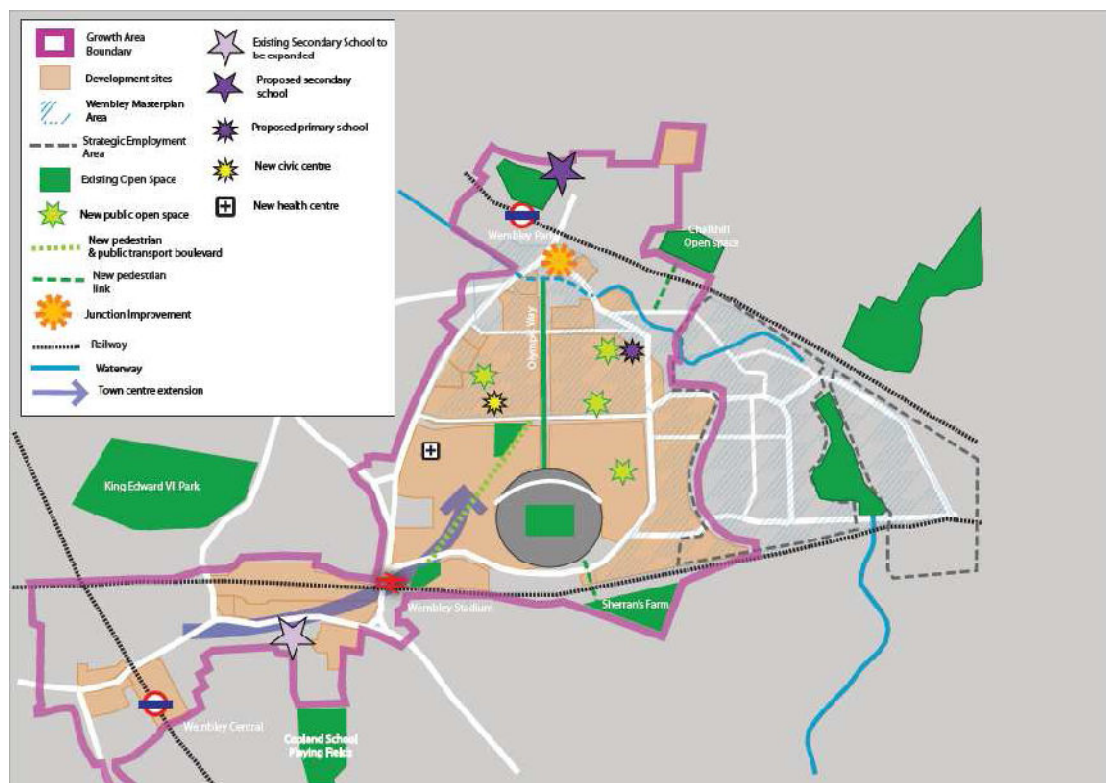
RC74: Paragraph 5.95: add new sentence after 1st sentence: "In particular, the diversity of the borough's population means that there is additional pressure for new places of worship to meet demand from different faiths."

Schedule of Minor Changes proposed by the Council

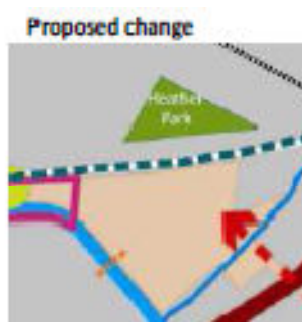
- MC1:** Paragraph 1.10: 4th bullet: after "jobs" insert "and improve their provision and numbers".
- MC2:** Key Diagram (p23): add references to Wembley Stadium station improvement and Colindale, Preston Road and Neasden District Centres. Amend "North Circular Road Improvement Area" to "North Circular Road Regeneration Area".
- MC3:** Policy CP3: 2nd paragraph: add "office" after "purpose built".
- MC4:** Paragraph 4.26: 1st sentence: delete "Public Transport Accessibility Levels (PTALs)" and insert "public transport".
- MC5:** Policy CP12: 5th bullet point: delete "transfer" and insert "transport".
- MC6:** Paragraph 4.70: 1st sentence: delete "GLA Road" and insert "TfL Road".
- MC7:** Paragraph 4.75: 2nd sentence: add the following to the end of the sentence: "(as provided for by policy CP15)".
- MC8:** Picture 4.2 (p48): delete caption and insert "No. 18 bus on Harrow Road".
- MC9:** Paragraph 4.89: last sentence: after "cycle parking" insert "will be reviewed in the Development Management Policies DPD and"
- MC10:** Table in paragraph 5.5: add asterisk to Kilburn.
- MC11:** Paragraph 5.6: 3rd sentence: delete "and for a further" and insert "increasing to".
- MC12:** Policy CP17: delete 2nd paragraph ("The council supports ... suburban areas") and add this text to end of paragraph 5.13.
- MC13:** Paragraph 5.22: 1st sentence: delete "Mayor's Biodiversity Strategy" and insert "Mayor's Biodiversity Action Plan".
- MC14:** Paragraph 5.24: 5th sentence: delete "Action" and insert "Active".
- MC15:** Policy CP18: 2nd paragraph: delete "Sports Facilities Improvement Strategy" and insert "Planning for Sports and Active Recreation Facilities Strategy".
- MC16:** Paragraph 5.33: Include new sentence after the first sentence: "These include the energy hierarchy which sets out the preferred approach to energy supply in new development."

- MC17:** Paragraph 5.34: last sentence: add the following at end of sentence (after "overflow"): "(in line with London Plan policy 4A.14)."
- MC18:** Paragraph 5.35: move paragraph to follow policy CP19: add heading of "Contaminated Land".
- MC19:** Paragraph 5.38: last sentence: delete "industrial waste⁷⁷ and the" and insert "industrial waste⁷⁷ and 442,000 tonnes by 2020. The"
- MC20:** Add new paragraph after paragraph 5.41 as follows: "Whilst the council is not aware of exploitable mineral deposits in the borough, policy to deal with any application to extract minerals will be set out in the Development Management Policies DPD".
- MC21:** Paragraph 5.66: delete "CP1" and insert "CP2".
- MC22:** Paragraph 5.89: add the following sentence to the end of the paragraph: "The local implications of applying this policy in Brent have been assessed in the council's Affordable Housing Viability Study 2009."
- MC23:** Appendix C: Glossary: amend definition of Major Proposal by adding "(or more)" after "1000 sq m".
- MC24:** Appendix D: Generally, update list of background papers.

Revised Wembley Growth Area Key Diagram (illustrative only) (see RC51)
 Note: the legend to this diagram requires further amendment to reflect the changed terminology of employment designations (as set out in RC32).



Amendment to Alperton Growth Area Key Diagram (see RC52)
 Existing version: Amended version:



Monitoring Schedule (see RC70)

New text is in *italics*; deleted text is in ~~strikethrough~~.

Economic Performance and Regeneration

STRATEGIC OBJECTIVE 1			
<i>Promoting Economic Performance & Regeneration - by creating five main growth areas of mixed use, mixed tenure development, the largest being Wembley which will be the main focus of new retail and town centre uses (expanding the town centre eastwards into the Stadium area).</i>			
Core Policies: CP1 – CP11, CP15 – 17, CP20			
Delivery Agencies: Developers, Brent Council			
Performance Measure	Target	Monitoring Point	<i>Specific Policies to be Monitored</i>
Local Indicators:			
Local employment change.	5,000 new jobs in Wembley to 2017 and 10,000 new jobs within Wembley to 2026.	Net increase of 500 jobs p.a. in Wembley area. When: Annually	<i>Policies CP1, CP3 and CP7</i>
New town centre facilities.	*Permission & Completion of 3 large scale hotels in the Wembley area before 2017 *1 large regional visitor attraction before 2017.	End of Plan period.	<i>Policies CP1 and CP7</i>
Amount of new retail floorspace developed by type in Wembley.	25% or 30,000 m ² increase (whatever is the greater) in the new retail floorspace in Wembley, on that currently existing or consented, by 2026.	Percentage and amount of completed gross retail floorspace by type in Wembley. When: Annually	<i>Policies CP1, CP7 and CP16</i>
Ensure mixed development in Wembley Area.	Ensure that only half of all consented and completed floorspace in Wembley growth area is residential between now and 2026.	No more than 50% of floorspace consents or completions is residential in use in Wembley area. When: Annually	<i>Policies CP1, CP5 and CP7</i>

STRATEGIC OBJECTIVE 2			
Meeting Employment Needs and Aiding the Regeneration of Industry and Business - by ensuring that sufficient sites and premises are available in the borough's main commercial areas such as Park Royal, and that industrial/ warehousing is renewed.			
Securing Training and access to jobs- by working with developers and end users to offer suitable training and job replacement opportunities			
Core Policies: CP1 – CP5, CP8, CP12, CP15, CP19, CP20			
Delivery Agencies: Developers, Brent Council, Greater London Authority (GLA), LDA, Park Royal Partnership			
Performance Measure	Target	Monitoring Point	<i>Specific Policies to be Monitored</i>
Core Output Indicators:			

Amount of floorspace land developed or redeveloped in Park Royal for employment purposes.	To secure net increase in jobs, 120,000m ² of floorspace is required. Development or redevelopment of 50 hectares of land for employment purposes	1200m ² annual net increase in gross internal floorspace (m ²) for B1 & other suitable employment uses in Park Royal area to 2017. When: Annually	CP3 and CP12
No net loss of floorspace in other SEA's/BEA's SIL and LSIS.	No net loss of floorspace in SEA's & BEA's SIL and LSIS outside of SSA's site specific allocations (Park Royal has separate target).	No net loss of gross internal floorspace (m ²) for use classes B1 and related uses 2007-2017 in SEA's/BEA's SIL and LSIS. When: Annually	CP1, CP3 and CP20
Local Output Indicators:			
Secure job placements from new development.	Secure 800 job placements p.a from 2007-17.	Number of placements made by Brentin2work each year. When: Annually	CP1
Brent Unemployment levels.	By 2021 unemployment below London Average and in line with National rates.	% of unemployment year on year. When: Annually	
Gross Income.	By 2021 less than 25% of Brent Households have an income below the London average.	Average yearly gross income for Brent Residents. When: Annually	

STRATEGIC OBJECTIVE 3			
Enhancing the vitality and viability of Town, District and Local Centres - by maintaining the position of town centres in the retail hierarchy, completing new retail developments in Willesden and Harlesden, and maintaining a range of local services.			
Core Policies: CP1, CP5, CP7, CP15, CP16, CP20			
Delivery Agencies: Developers, Brent Council, Greater London Authority (GLA), LDA			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Amount of completed retail, office and leisure development.	A net increase in retail, office and leisure floorspace in Brent's major and district town centres outside Wembley	The completed amount of gross floorspace (sqm) for use classes UCOs B1(a), A1, A2 and D2 should be greater than that lost through change of use/redevelopment. When: Annually	CP16
Local Output Indicators			
Town centre vacancy rates.	No increase of vacancy rates in primary shopping frontages from 2007 to 2026.	The amount of vacant shopfront within major and district centres primary shopping frontages. When: Annually	CP16
Health of Town Centres.	No reduction in inflation adjusted median rent levels in primary shopping area. No reduction in pedestrian footfall in	Annual Rental survey 2 yearly health check data. When: Annually	CP16

	town centres covered in 'health check'.		
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STRATEGIC OBJECTIVE 4			
Promoting the Arts and Creative Industries - by increasing the supply of modern subsidised workplace developments for creative industries in the growth areas and promote new public art to support regeneration in the borough.			
Core Policies: CP1, CP5, CP7, CP8, CP10, CP15.			
Delivery Agencies: Brent Council, Brent Arts Council, Brent Sports Service, Developers, Visit London, Brent Arts and Learning Service.			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Net increase of cultural / leisure facilities.	<i>Net increase in floorspace of leisure uses including completion of new cinema in Wembley.</i>	Completions survey. When: Annually	CP7 and CP10
Subsidised workspace for creative industries.	Creation of 5 facilities of at least 1000m2 each in growth areas by 2017.	Permission and completion of affordable creative workspace by 2017. When: Annually	
Local Output Indicators:			
Brent's Tourism economy: Local employment in the Tourism Industry.	Increase in Brent employment in Tourism Sector.	% of Brent Residents employed within Tourism industry. 4% Baseline 2004. When: Annually	CP1 and CP7
Provision of Public Art.	One major piece of public art either completed or secured through S106 agreement p.a.	At least one completed or secured through agreement each year to 2017. When: Annually	

STRATEGIC OBJECTIVE 5			
Meeting social infrastructure needs - by securing provision for needs arising from new housing development, especially the provision of new education, health and community facilities, constructing at least three new secondary and three new primary schools in the borough and providing community facilities to meet the needs of Brent's diverse community.			
Core Policies: CP1, CP4, CP5, CP7-CP13, CP15, CP17, CP18, CP23			
Delivery Agencies: Brent Council, Developers, PCT, DfES, Emergency Services, Utility Companies, other boroughs through joint working.			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Local Output Indicators:			
Provision of new or extended community facilities.	Provide new community facilities at a rate of 370m2 per 1000 new population created by new housing	New or extended floorspace that meets rate of population growth. When: Annually	CP7, CP8, CP9, CP10, CP11 and CP23

	development.		
Provide new schools places for increased population.	Approval for <i>and</i> construction of three new primary schools and three new secondary schools by 2017. <i>new and extended schools in Growth Areas and Park Royal as set out in policies CP7 to CP12 inclusive.</i>	<i>Number of new schools and extensions to schools with permission for redevelopment and completed or under construction by 2017.</i> When: Annually	<i>CP7, CP8, CP9, CP10, CP11 and CP12</i>
Annual S106 financial contributions secured for social infrastructure.	Provisions/ contributions are secured for S106 standard charge as a minimum on all developments to 2017.	Secured full S106 financial contributions via standard charge on all developments. When: Annually	
Health Facilities- facilities to meet GP service needs as set out in IIF.	To meet target for GP facilities related to population growth needs.	Secure floorspace for 1 GP per 1500 new population. When: Annually	<i>CP7, CP8, CP9 CP10, CP11 and CP12</i>

STRATEGIC OBJECTIVE 6

Promoting Sports and other Recreational Activities - by placing particular emphasis on the provision of new facilities to address existing deficiencies and to meet the needs of new population in the growth areas, creating at least one new swimming pool in the borough in the plan period and eight new multi-use games areas (MUGAs).

Core Policies: CP1, CP5, CP7, CP11, CP17, CP18, CP23

Delivery Agencies: Brent Council, Developers, RSLs, GLA, Sport England, National Sports Governing Bodies

Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Local Output Indicators:			
Secure new community swimming pools for the borough.	Complete and open one new community swimming pool in the borough by 2017.	Swimming pool completion. When: Annually	<i>CP7 and CP18</i>
Provision of new Multi-use games areas.	Complete 8 more MUGA's and 1 full-size floodlit synthetic turf pitch in or near to growth areas.	No. of MUGAs/ STP completed. When: Annually	
Increase level of Health & fitness facilities.	Complete the equivalent of 3, '80 station' Health & fitness centres by 2017.	Health & fitness centres completed. When: Annually	

Housing Needs

STRATEGIC OBJECTIVE 7

Achieving housing growth and meeting needs - by promoting development that is mixed in use and tenure, so that at least 11,200 additional homes are provided in the period to 2016/ -2017 and 85% of the borough's new housing growth is contained within 5 Growth Areas. To ensure that at least 25% of all new homes built in the borough are family sized (3 bed or more) and 50% (approx.) are affordable.

Core Policies: CP1, CP2, CP4 CP11,CP13 CP15, CP21, CP22			
Delivery Agencies: Brent Council, Developers, House-builders, Registered Social Landlords			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Total additional homes.	Minimum of 11,200 homes (9150 self contained) supplied 2007/8 -2016/17.	No. of homes completed in borough. When: Annually	CP2
No. of homes completed in defined growth areas.	Minimum of 85% completed are in growth areas 2007/8 – 2016/17.	No.of completed units. When: Annually	CP2
No. of affordable units.	Minimum of 4,575 or 50% completions; 2007/8 - 2016/17. 70% social rental: 30% intermediate	No. of completed units. When: Annually	CP2
Brownfield Land.	95%	Proportion of new homes completed on brownfield sites. When: Annually	
Ensure reasonable proportion of family homes.	That 25% of all self contained homes are 3 bed or larger.	No. of new family homes completed per annum. When: Annually	CP21
Local Output Indicators:			
Wheelchair adaptable.	10% of 10 units +	No. of completed new homes that are wheelchair adaptable. When: Annually	London Plan Policy 3A.5
Existing housing loss, including affordable.	No net loss	Housing units lost on completed new development. When: Annually	CP21
Lifetime homes.	100%	No. of completed new homes built to lifetime home standards. When: Annually	London Plan Policy 3A.5

Transport Infrastructure

STRATEGIC OBJECTIVE 8			
<p>Reducing the need to travel and improving transport choices – by completing first class retail and other facilities in Wembley that reduces the need to travel to other centres. Improving key transport interchanges of Wembley, Alperton, First Central and Queen’s Park. <i>Promoting</i> access by public transport, and by bicycle or on foot will be promoted and there will be reduced reducing car parking standards for growth areas because of their relative accessibility. <i>Reducing modal share of car trips to Wembley from 37% towards 25%. Completing at least 5 car free schemes per annum in the Plan period.</i></p>			
Overall Core Policies monitored under this objective: CP1-CP16, CP19			
Delivery Agencies: Brent Council, Greater London Authority (GLA), Highways Agency & Transport for London (TfL)			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			

Commercial uses complying with car parking standards.	All completions of non-residential developments (Use Classes A, B, and D) comply with the Council's car parking standards.	Number of developments (completions) within Use Classes A, B, and D which comply with car parking standards. When: Annually	
Local Output Indicators:			
Proportion of trips made by public transport.	Reducing proportion of car trips as a result of Wembley development below from a 37% baseline (currently estimated at 37%), by a minimum of 10% over the life of the development	MVA model <i>currently</i> calculates modal share if no intervention of 37% car use. Re-run model to calculate <i>change refine</i> estimates as land uses become more certain. Monitor targets through the travel plan process. When: every 3-5 years	CP7
Amount of contributions pooled within opportunity and growth areas to aid improving and/or developing transport infrastructure.	Ensure appropriate pooling of contributions which will mitigate the cumulative impacts of development within an area.	Number of pooling schemes within growth and opportunity areas plus implementation i.e. transport improvements / projects. When: Annually	
Secure contributions towards interchange improvements.	Secure major improvements (over £1m) in at Queen's Park, First Central, Wembley Stadium, Wembley Central and Alperton stations by 2017.	Record Planning Obligations and direct works that secure improvements. When: Annually	CP14 and CP15

Open Space and Environment

STRATEGIC OBJECTIVE 9			
Protecting and Enhancing Brent's Environment - by preserving the borough's open spaces for recreation and biodiversity and creating new and enhanced open spaces to address deficiencies where possible, but particularly to meet the needs of additional population commensurate with current levels of provision. To increase the amount of public open space in the borough (and at least 2.4ha within Wembley) and the amount of land with enhanced ecological value. Enhance the borough's green and blue infrastructure by tree planting, returning rivers to their more natural courses and mitigating the pollution effects of development. To protect the borough's built heritage.			
Core Policies: CP5, CP6, CP7, CP13, CP16, CP17, CP18, CP19			
Delivery Agencies: Brent Council, Greater London Authority (GLA), Environment Agency, Developers.			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Protection of all open space of value.	No net loss of open space to alternative uses.	Amount of open space lost to alternative uses. When: Annually	CP18

Protection of areas designated for intrinsic environmental value including sites of national or regional/sub-regional significance.	No net loss of areas of wildlife and nature conservation importance.	No net loss of land of nature conservation value on designated sites (SSSI, local nature reserves, Sites of more than local Importance for Nature Conservation). When: Annually	CP18
Local Output Indicators:			
Provision for new or extended Public Open Space.	To meet open space targets in growth areas Wembley - 2.4ha Alperton - 1.6ha S Kilburn - 0.8ha Burnt Oak - 0.6ha Church End - 2ha.	Measure new open spaces created and laid out as a result of development. When: Annually	CP7, CP8. CP9, CP11, CP12 and CP18
Improvement of existing Public Open Space.	To increase the number of parks maintained to Green Flag award standard from a baseline of two.	Measure number of parks awarded Green Flag status. When: Annually	CP18
Improvement of existing and provision for new areas of nature conservation.	Enhance and increase nature conservation areas. Reduce area of wildlife deficiency.	Monies negotiated through S106 agreements for application sites in areas of deficiency, where monies have been spent and extent of areas of wildlife deficiency. When: Annually	CP18
New Tree Planting for new neighbourhoods.	To meet tree planting targets in growth area set out in IIF, by 2017 Wembley 1000 Park Royal 4000 Alperton 500 Church End, Burnt Oak, S Kilburn 200.	Count of new trees planted in growth areas. When: Annually	CP7, CP8, CP9, CP10, CP11 and CP12
Provision for new or improved Children's Play Areas.	Meet standards on children's play as set out in Infrastructure & Investment Framework.	Measure number of compliant schemes. When: Annually	CP5, CP7, CP8, CP9, CP10, CP11 and CP18

STRATEGIC OBJECTIVE 10

Achieving sustainable development including mitigating and adapting to climate change - By promoting mixed use, mixed tenure development in growth areas integrating infrastructure and housing provision, reducing energy demand in the growth areas from current building regulation standards and by achieving exemplar low carbon schemes and CCHP plants.

Core Policies: CP1 – CP3, CP5, CP7 – CP13, CP15, CP18

Delivery Agencies: Brent Council, Greater London Authority (GLA), PCT

Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Percentage of applications approved contrary to Environment Agency advice on Flood risk.	0%	Applications approved contrary to EA advice. When: Annually	
Local Output Indicators (see also transport indicators):			
Installation of sustainable Urban drainage systems (SUDS) in new development.	All <i>Appropriate major developments proposals</i> should secure SUDS or apply water retention or harvesting measures.	Applications which include SUDS measures. When: Annually	London Plan Policy 4A.14
Development apply <i>Application of the GLA's energy hierarchy and in order to secure high levels of renewables energy generation</i> in Growth Areas.	All major <i>developments proposals</i> should submit energy and feasibility assessment and apply Mayor's energy hierarchy. Major <i>development proposals</i> to achieve 20% carbon reduction through renewable energy requirements, or secure carbon offset payment.	Number of applications that include energy and feasibility assessments. All large schemes over 100 units to secure onsite renewable energy generation - by type and energy generated (where available - as GLA hierarchy). When: ongoing (by 2010)	CP19, London Plan Policy 4A.7
Secure district wide CCHP in Wembley Area.	Complete one <i>CHP plant two district wide heating system</i> by 2017.	To meet GLA energy hierarchy on very large regeneration schemes. When: Annually	CP7
Ensure that new floorspace in Wembley is mixed in use.	That at least 50% of all new permitted floorspace is non-residential by 2017.	Record floorspace of approved applications in Wembley Growth Areas. When: Annually	
Low carbon housing developments.	At least two <i>exemplar low carbon housing schemes</i> by 2017.	Completion of low carbon housing development. When: by 2017	

STRATEGIC OBJECTIVE 11

Treating Waste as a Resource - by collaborating with the other West London waste authorities, ensuring that there is an appropriate network of facilities for integrated waste management and that existing, appropriately located, facilities are protected.

Core Policies: CP5, CP17, CP19			
Delivery Agencies: Developers, Brent Council, Greater London Authority (GLA), West Waste, other West London Boroughs			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Core Output Indicators:			
Production of secondary / recycled aggregates –	A minimum 10% of inputs for key standard components coming from recovered sources.	Number of schemes involving demolition and redevelopment which apply the ICE Demolition Protocol. When: Annually	<i>London Plan policy 4A.28</i>
Local Output Indicators:			
Safeguard existing waste facilities and secure land for new waste operations.	Net increase of waste facilities No net loss of existing waste facilities.	Planning approvals p.a. When: Annually	<i>London Plan policy 4A.22</i>
Waste stream: recycled or composted.	Over 30% of household waste by 2010 and over 33% by 2015. <i>35% of municipal waste recycled by 2010 and 45% by 2015 (in line with the London Plan)</i>	Amount of municipal waste recycled or composted. When: Annually	<i>London Plan policy 4A.21</i>

STRATEGIC OBJECTIVE 12			
Promoting healthy living and creating a safe and secure environment - by ensuring that there is sufficient space for Primary Health Care providers, particularly to meet the additional need in the growth areas. Ensuring development delivers transport solutions and opportunities for healthy lifestyles, embracing a design-led approach to reduce crime and the fear of crime by installing new CCTV systems and ensuring and ensuring that crime levels continue to be reduced.			
Core Policies: CP1 – CP15, CP17 CP19, CP23			
Delivery Agencies: Brent Council, PCT, Emergency Services, TfL, Sport England			
Performance Measure	Target	Monitoring Point	Specific Policies to be Monitored
Local Output Indicators:			
Amount of new space for health service provision.	Floorspace for 1 new GP for every 1500 additional population generated by new housing between 2007-2017.	New GP surgeries are completed to meet population need. When: Annually	<i>CP7, CP8, CP9, CP10, CP11 and CP12</i>
Secure by Design accreditation.	All large schemes over 100 units achieve Secure by Design accreditation between 2007 and 2017.	Accredited planning applications. When: Annually	

Provision of new or extended community facilities.	Community facilities provide at 370m ² per 1000 new population between 2007 and 2017.	Measure floorspace of new facilities in growth areas against new population (at 2.5 persons per dwelling) When: Annually	
Protection of existing community facilities.	No net loss of community facilities unless compensation provided.	Number of applications approved resulting in the net loss of a community facility for which no compensation made through planning obligation or other agreement. When: Annually	CP23



Executive
23 June 2010

**Report from the Director of
Environment and Culture**

Wards Affected:
ALL

**Enforcement of Moving Traffic and Parking Contraventions
by means of CCTV cameras**

1.0 SUMMARY

1.1 This report provides the Executive with an update following approval in principle on 16th March 2009 for officers to arrange the transfer of powers to the Council for the enforcement of moving traffic contraventions (MTCs), as listed in Appendix A.

2.0 RECOMMENDATIONS

2.1 That the Executive agree that a resolution is placed before Full Council seeking approval for the transfer of powers to the Council from the Metropolitan Police to enforce moving traffic contraventions, as is required by the London Local Authorities and Transport for London Act 2003. It is recommended that the Executive agree that 1 January 2011 is the date from which the Borough will take on these powers.

2.2 That the Executive delegates power to officers to carry out all necessary steps to enable the Borough Council to begin enforcement on 01 January 2011 in accordance with the Code of Practice for operation of CCTV enforcement cameras in the London Borough of Brent.

2.3 That the Executive agrees that the full set-up costs of introducing the CCTV enforcement of MTCs (£1,104,000) are funded through prudential borrowing (See 8.2), the costs of which will be met from income generated by the scheme.

2.4 That the Executive agrees that the scheme is monitored from the appointed start date and that a review is carried out following six and twelve months of operation.

2.5 That the Executive authorises the Head of Transportation to enter into such agreements or arrangements as he sees fit for the enforcement of MTCs referred to in Appendix A which occur on those parts of boundary roads which fall within the areas of neighbouring boroughs.

3.0 BACKGROUND

- 3.1 The London Local Authorities and Transport for London Act 2003 (LLA & TfL Act 2003) gives the power to a local authority to take on the civil enforcement of certain MTCs by decriminalising the offences. This in effect allows the transfer of the enforcement responsibility from the Police to the traffic authority for certain offences. These contraventions relate to traffic controls in the Highway Code which help reduce congestion and improve road safety.
- 3.2 On 6th February 2009 the Metropolitan Police told its officers that they should no longer take action against motorists following “minor errors of judgment”, although they could still intervene if the motorist’s driving was so poor that it put other road users at risk. This, in effect, means there is now little or no proactive enforcement in Brent for moving traffic contraventions by the Police, making it more important, on safety grounds, for the Council to adopt these powers.
- 3.3 A full list of the moving traffic contraventions that can be decriminalised is attached as Appendix A. Further detail regarding the design of yellow box junctions is attached as Appendix E.
- 3.4 During 2004/5 successful pilots of the powers were undertaken by seven London Authorities. On 21st July 2005 the ALG (London Councils) agreed that the pilots were completed and all the remaining London Authorities were now permitted to apply to London Councils Transport and Environment Committee for approval to take up the powers. Since that time, 22 London Authorities have had their applications to commence enforcement approved.
- 3.5 The Director of Environment and Culture presented a report detailing the plans to begin CCTV enforcement of MTCs and parking offences at the Executive meeting of 16th March 2009. At this meeting, the following items were resolved:
- (i) that agreement in principle be given for officers to arrange the transfer of the enforcement of moving traffic offences, as listed in Appendix A of the report from the Director of Environment and Culture, from the police to the Council;
 - (ii) that approval is given to the proposals for the enforcement of moving traffic and parking contraventions by the use of CCTV cameras;
 - (iii) that officers carry out the necessary surveys and reviews before an application can be made to London Councils for approval to take on enforcement powers;
 - (iv) that officers set up the procedures necessary to enforce moving traffic and parking contraventions in accordance with the Code of Practice set out in Appendix B of the Director’s report;
 - (v) that approval be given to the proposal to change the council’s CCTV enforcement from the current analogue video (which requires replacement), to digital technology;
 - (vi) that a report indicating the junctions recommended for monitoring be submitted to the Executive or the Highways Committee as appropriate, prior to its presentation to Full Council for approval.

4.0 PROGRESS UPDATE

4.1 In order to obtain approval from London Councils, officers have undertaken or are undertaking the following key steps:

- Liaison with the Police over the transfer of powers
- Production of full inventory of all locations in the Borough where contraventions could take place
- A review of the prohibitions and restrictions to ensure they are appropriate and necessary. This includes a detailed review by specialist consultants of all yellow box junctions which are to be enforced, to ensure they meet legal requirements and are fair to motorists. The results so far received from the consultants will lead to a reduction in size of the majority of yellow box junctions that are to be enforced.
- A review of signs and road markings to make sure they are in good condition and comply with the Traffic regulations and General Directions 2002
- Identification of an enforcement regime and capability, and the necessary steps to ensure it is in place in time for the recommended start date
- Determination of the Council's enforcement priorities. (Please see section 5.0 for further details)
- Officers have met with Camden and agreed in principle that Brent will be responsible for MTC enforcement along the A5 boundary, and that this Council will receive the income from penalty notices. Such agreements with other adjoining local authorities will be negotiated as and when necessary. Brent Council's Legal team is supporting the MTCs team to put formal agreements in place.
- Planning of a local publicity and awareness campaign, which will include advertisements in local newspapers, information on the Council website and communication with local schools.

4.2 Furthermore, officers have planned the digitalisation of the Council's CCTV system, as was approved by the Executive on 16th March 2009. We are also collaborating with Ealing Council to apply for funding from Capital Ambition to help support digitalisation. This is in the early stages but the CCTV team is hopeful that some funding could be secured, which would reduce set-up costs incurred by the Council.

5.0 INITIAL ENFORCEMENT LOCATIONS

- 5.1 In line with guidance from London Councils, officers have determined the Council's enforcement priorities, identifying a number of sites in the Borough as high priority.
- 5.2 Yellow box junctions on the Strategic Route Network, school keep clear markings, banned turns and prescribed routes locations have been identified as high priority sites through the study of accident trends, congestion levels and complaints received from local schools and/or residents.
- 5.3 A full list of initial sites to be enforced is attached as Appendix C.
- 5.4 The sites will be enforced by a combination of fixed (11) and deployable cameras (8), plus two fully fitted mobile enforcement vehicles.
- 5.5 Officers are undertaking a full review and upgrade of these sites to ensure that all relevant traffic orders, signs, road hatchings and lines meet legal requirements. The review and upgrades will be completed before enforcement is scheduled to begin.

6.0 BENEFITS

- 6.1 Once the Council has obtained the power to enforce MTCs, it can begin to issue fines to motorists who disobey traffic regulations and who therefore pose a threat to the safety of pedestrians, cyclists and other motorists. Illegal u-turns, banned left or right turns and driving in the wrong direction in a one-way street are all examples of dangerous, irresponsible driving. The penalisation of drivers who commit these types of offences, especially as they become familiar with fixed cameras sites and become aware that Brent Council is actively challenging irresponsible driving, will act as a deterrent and, as such, will lead to greater compliance. It has been the experience of other London Boroughs already enforcing MTCs that significant improvement in levels of compliance following enforcement.
- 6.2 Enforcing other types of contraventions, such as those taking place in yellow box junctions, have further benefits in that they are expected to improve the smooth flow of traffic and reduce congestion, which should also have the benefit of reducing pollution and improving air quality. This supports the Council's broader objectives of efficient road network management and reducing carbon emissions, as it works towards a greener Borough for residents and visitors to Brent.
- 6.3 By enforcing school keep clears, the Council will be able to actively respond to requests from schools for greater compliance (of which many have already been received). Fewer cases of illegal stopping or parking on school keep clears will improve visibility around school entrances and/or crossings. It is expected that enforcement, in conjunction with a number of other road safety initiatives throughout the Borough, will make a positive contribution to road safety for children around schools.
- 6.4 In short, it is expected that the enforcement of MTCs will improve safety and traffic flow across the Borough, which will help to improve the road environment for those who live, work and travel through Brent. Given the lack of police resource to enforce MTCs, Officers believe that the Council has a duty to its residents and visitors to take over the powers from the police and begin active enforcement. This has already happened in over 20 other London Boroughs.
- 6.5 A key benefit of using CCTV for enforcement of parking restrictions is that it will take any potential confrontation out of enforcing certain prohibitions. A static camera or camera

vehicle at such locations ensures greater compliance as a vehicle cannot just be driven away until the Civil Enforcement Officer (CEO) has passed on. As a result, more parking greater compliance is expected to be achieved. It has the advantage of being able to continuously monitor a particular location without the need for the physical presence of a CEO.

- 6.6 There are other potential benefits of investment in the CCTV network and mobile enforcement vehicles. For example, officers envisage that can be used by other teams within the Council (such as Community Safety), subject to internal agreements.

7.0 METHOD OF ENFORCEMENT

- 7.1 All enforcement will be undertaken in line with the Code of Practice for Operation of CCTV Enforcement Cameras as published by London Councils as detailed in Appendix B.

- 7.2 All staff undertaking enforcement of parking and traffic regulations using CCTV will have successfully completed a training course as required by London Councils and will have been briefed on the areas being enforced in the Borough, including any location-specific special considerations.

- 7.3 Officers are aware that enforcement could be viewed as unfair or unreasonable by motorists. Officers have planned a number of measures to ensure that this is not the case, and that enforcement practices are fair towards motorists. Officers will also ensure transparency of information available. Steps to be taken include the following:

- Relevant camera enforcement signs will be displayed in areas where the system operates to advising that CCTV camera enforcement is taking place in the area.
- Officers will conduct a publicity campaign prior to the commencement of enforcement, including advertisements in local newspapers and liaison with schools to be affected.
- Enforcement outside schools will only take place with the approval of the school and after confirmation that parents & carers have been informed.
- There will be detailed, clear information available on the Council's website on what constitutes a contravention, how to appeal and other areas deemed relevant
- Thanks to digitalisation, motorists will be able to clearly, quickly and easily view their contraventions online and so will clearly know when they have breached traffic regulations.
- Protocols will be written for officers carrying out enforcement. These protocols will take into account any special circumstances around particular sites which mean that PCNs should not be issued. Officers will also be trained not to issue PCNs for very minor transgressions (such as a small proportion of a wheel entering a yellow box). It is in the Council's interest only to issue PCNs when a clear, breach of the law has taken place and a definite contravention has occurred. Dealing with appeals is a costly waste of officer time and is to be avoided, to the benefit of both the Council and to motorists who have not actually acted irresponsibly.
- For the first two weeks of the scheme which is programmed to commence in January 2011, warning notices rather than penalty charges will be issued to give motorists some time to adjust to the changes.

8.0 FINANCIAL IMPLICATIONS

- 8.1 The report of March 16th 2009 gave details of the £1,104,000 initial set-up costs of the scheme. This budget included allocations for the following areas: CCTV cameras, equipment, vehicles, project support, signs, surveys, lines and road marking.

- 8.2 In that report, it was stated that £964,000 of the total projected set-up costs were to be met by prudential borrowing and repaid over five years at £230k per annum to be met from additional revenue generated. The remaining £140,000 was due to come from the income generated by the scheme in the financial year 2009-10. However, due to a delay to the project, no income was generated in the year 2009-10. Therefore, officers now recommend that the full set-up costs (£1,104,000) are funded from prudential borrowing. The debt charges arising from this investment would be £255k per annum over 5 years which it is forecast can be met from revenue generated.
- 8.3 It was originally envisaged that there would be 12 fixed cameras, 8 deployable cameras and two mobile enforcement vehicles. In order to ensure that the set-up costs do not exceed the agreed budget, officers now recommend that one less fixed camera is purchased during the initial phase of the scheme. The final camera will be installed providing if contingency sums are not utilised and sufficient funding remains.
- 8.4 In the financial year 2009/10 capital scheme costs of around £70,000 arose associated with the initial set-up of the scheme. Debt charges arising on this amount would be limited to an interest liability only, of approximately £3,500, which will fall in this financial year (2010/11) and be met from income generated. Once operation commences in 2010/11, it is envisaged that the operational costs of the scheme will be paid for by the income generated by penalty charges.
- 8.5 Officers have recently conducted further research into the experience of other London Boroughs enforcing MTCs to consider the level of charges and the effect of the economic downturn. Eight Boroughs were contacted during the research period. Officers conducted detailed case studies of two London Boroughs. The main points of these are listed in Appendix D.
- 8.6 It is important to note the following points when interpreting the data:
- The data gathered from other Boroughs was not comprehensive and it would therefore be unwise to draw solid conclusions from it
 - Each Borough has its own reporting methods and criteria. It was therefore not possible to draw direct comparisons between them
 - The Boroughs detailed in the case studies have larger, more established CCTV networks and therefore Brent cannot expect to receive comparable levels of income in the near future. (N.B. Brent currently will have only 14 CCTV cameras being used for enforcement, and 4 CCTV monitoring staff)
- 8.7 However, from the data gathered it can be inferred that there is, unsurprisingly, a strong positive correlation between number of cameras in operation, number of CCTV staff and number of PCNs issued.
- 8.8 Officers have also commissioned case studies of some of the high priority yellow box junctions in Brent. The results of these surveys, which are due in the near future, will determine the level of contraventions.
- 8.9 Fixed cameras will only be installed where the case studies indicate current high levels of contravention and where there is a continual need for enforcement to reduce the risks of irresponsible or illegal driving. Other sites will be enforced using deployable cameras and mobile enforcement vehicles, allowing periodic enforcement to be carried out when high levels of contraventions are taking place.

- 8.10 Officers are of the opinion that the financial projections outlined in the previous report are achievable and the project costs will be recovered within the five year repayment period.
- 8.11 It is recommended that the scheme is monitored from the appointed start date and that a review is carried out following six and twelve months of operation. These reviews will then provide officers with detailed information about the levels of compliance achieved and the financial implications of the scheme.
- 8.12 Performance of the parking enforcement contractor APCOA will also be closely monitored to determine the outputs compared with benchmark information received from other Authorities and for adopting best practice. This will include a review of the level of the recovery of charges levied.
- 8.13 It is recommended that a proportion of any surplus is reinvested into the scheme so that operations can be expanded to enforce further sites, therefore extending the expected benefits to other areas of the Borough. Future sites will be identified through future surveys to determine the levels of contraventions and accident data and these will be prioritised through the preparation of site-specific business cases.
- 8.14 It is recommended that if income forecasts are exceeded, that a proportion is allocated to early repayment to reduce the liability in future years when levels of income are reduced.

9.0 STAFFING IMPLICATIONS

- 9.1 The introduction of the new enforcement approach will lead to an estimated one additional member of staff being employed within the Parking Enforcement section of StreetCare to process the CCTV enforced cases. The current Parking Enforcement Contractor will need to employ (or reallocate) an estimated four additional members of staff both in the CCTV control room and in specialist vehicles to monitor and detect contraventions.

10.0 DIVERSITY IMPLICATIONS

- 10.1 Officers have screened this report and do not believe that there are any diversity implications.

11.0 ENVIRONMENTAL IMPLICATIONS

- 11.1 It is expected that there will be a reduction of traffic congestion and consequently, emission levels, which should result in improved traffic flow and a cleaner and healthier environment. There will also be a safer and better managed public environment leading to reduced road casualties.
- 11.2 Improvements in road safety and the reduction of traffic congestion will also help promote the use of sustainable transport modes by improving bus journey times and increasing the road confidence of cyclists.
- 11.3 The expansion of the CCTV network and the use of mobile enforcement vehicles on community safety initiatives will benefit the community.

12.0 LEGAL IMPLICATIONS

- 12.1 The London Local Authorities and Transport for London Act 2003 introduced provisions for the civil enforcement of certain moving vehicle contraventions (set out in Appendix A) by decriminalising the offences, thereby transferring the enforcement responsibility from the

Police to the Council. The whole of the Metropolitan Police Area has been designated a civil enforcement area. The Police will no longer enforce the contraventions set out in Appendix A.

- 12.2 The London Councils Transport and Environment Committee is responsible for regulating the scheme in London and its approval is required to commence MTC enforcement. It also administers the Code of Practice, which sets out the operational procedures that must be adhered to by any Borough included in the scheme.
- 12.3 A formal resolution now needs to be taken to make legal the transfer of powers. The necessary preliminary work has now been carried out by officers, with a view to commencing on or shortly after 1 January 2011.
- 12.4 Once this formality and the other necessary steps have been carried out, an application can be made to London Councils for approval. In granting approval the Transport and Environment Committee will need to be satisfied that the London Borough of Brent has carried out all the required steps.
- 12.5 It is intended that Brent will carry out enforcement on boundary roads within neighbouring Boroughs. It will be necessary for neighbouring boroughs to formally resolve that the enforcement to the parts of the boundary roads which fall within their areas will be exercised by Brent. They have the power to make such arrangements under the local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000. The Executive is accordingly asked to authorise officers to enter into the necessary agreements/arrangements with neighbouring boroughs as necessary.

13.0 FURTHER INFORMATION

Details of Documents:

- Action plan






Any person wishing to inspect the above papers should contact Sandor Fazekas or Tim Jackson, Transportation Service Unit, Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ

Telephone: 020 8937 5113 / 5151



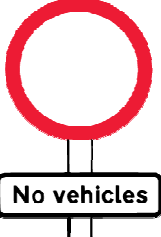



Richard Saunders
Director of Environment & Culture



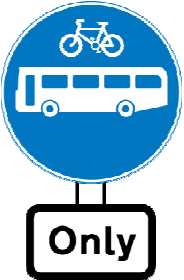
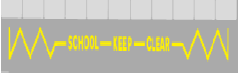
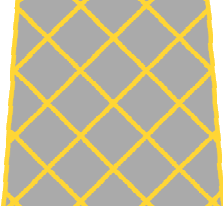
APPENDIX A

Schedule of Road Traffic Offences that are to be decriminalised as part of the London Local Authorities and Transport for London Act 2003

Description of traffic sign	Diagram number ¹	Sign
Vehicular traffic must proceed in the direction indicated by the arrow	606	
Vehicular traffic must turn ahead in the direction indicated by the arrow.	609	
Vehicular traffic must comply with the requirements prescribed in regulation 15.	610	
No right turn for vehicular traffic	612	
No left turn for vehicular traffic	613	(reverse of above)
No U turns for vehicular traffic	614	

¹ Diagram number for traffic sign in the Traffic Signs and General Directions 2002 (S.I. 2002 No. 3113)

Priority must be given to vehicles from the opposite direction	615, 615.1	
No entry for vehicular traffic N.B. There is a condition attached to this sign which effectively means that it can only be included in this schedule where there is a traffic order to support its use.	616	
All Vehicles prohibited except non – mechanically propelled vehicles being pushed by pedestrians	617	
Entry to pedestrian zone restricted (Alternative types)	618.2	
Entry to and waiting in pedestrian zone restricted (Alternative types)	618.3	
Entry to and waiting in pedestrian zone restricted (Variable message sign)	618.3	
Motor vehicles prohibited	619	
Motor vehicles except solo motorcycles prohibited	619.1	
Solo motorcycles prohibited	619.2	

Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited	622.1A	
One way traffic	652	
Route for use by buses and pedal cycles only	953	
Part of the Carriageway outside a school entrance where vehicles should not stop.	1027.1	
Marking Conveying the requirements prescribed in regulation 29(2) and Part II of Schedule 19 of the Traffic Signs Regulations and General Directions 2002	1043,1044	

APPENDIX B

Code of Practice for Operation of CCTV
Enforcement Cameras in the
[Enforcement Authority]

Version 3.3 – December 2009

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INTRODUCTION

1.1 Background

1.1.1 Since 1999 the London Boroughs and Transport for London have been using CCTV cameras to enforce traffic regulations. The introduction of enforcement of traffic regulations by CCTV cameras is one part of a wide-ranging programme of measures to improve the reliability and punctuality of public transport, reduce congestion and pollution. The aim of most traffic management measures, such as bus lanes and parking regulations is to give priority to certain groups of road users by excluding others during prescribed hours. The introduction of CCTV monitoring of traffic regulations is intended to reduce the level of contraventions and so reduce delays on the highway network.

1.1.2 An essential and integral part of any CCTV system is a Code of Practice, which sets out the objectives of the system and the rules by which it will be operated. This Code of Practice ensures that issues such as privacy, integrity and fairness are properly dealt with. It sets a minimum standard which must be adhered to by all those authorities in London enforcing traffic regulations using CCTV cameras to ensure public confidence in the scheme.

1.1.3 This Code of Practice is designed to operate within the framework of the relevant pieces of legislation and to complement the Statutory and Operational Guidance produced by the Department for Transport. If there are any contradictions between this document and the relevant legislation or guidance documents then those should take precedence.

1.2 Commitment and Responsibility

1.2.1 The London Councils Transport & Environment Committee supports this Code of Practice and the CCTV monitoring scheme, which it regulates. Permission to operate the scheme will be granted only to London local authorities, which commit to and take responsibility for its fair, legal and widespread implementation and its maintenance, review and improvement as appropriate within this Code of Practice.

1.2.2 Within this overall framework for London individual local authorities will operate separate monitoring schemes in conjunction with the local police and other partners. The addresses of the authorities responsible for operating these particular schemes are given in Appendix 1 paragraph 1.

1.2.3 All data shall be processed fairly and lawfully and the operators of the system will ensure that appropriate security measures shall be taken against unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

1.3 *Code of Practice*

Key Purpose of Code

1.3.1 This Code of Practice applies to the use of the CCTV systems for the purposes of enforcing parking and traffic regulations only.

- 1.3.2 This Code of Practice has been drawn up to ensure that the use of CCTV to monitor traffic is consistent throughout London and in accordance with current best practice. The Code ensures that issues such as privacy and integrity are properly respected. CCTV in public places must be operated with regard to the advice and guidelines issued by the Home Office, Police Scientific Development Branch, Local Government Association, Office of Data Protection Registrar, the Local Government Information Unit the CCTV User Group and London Councils Traffic Camera Enforcement Group.

Availability of the Code to the Public

- 1.3.3 Copies of this Code of Practice are publicly available in accordance with the Local Government (Access to Information) Act 1985. The Code can be inspected at many addresses throughout London – the most local are given at Appendix 1 paragraph 2.

Monitoring and Review of Code

- 1.3.4 The operation of this Code will be regularly reviewed by each of the London local authorities operating CCTV monitoring. Authorities are required to report on CCTV operations as part of the annual report produced under the Traffic Management Act 2004. These reports will be made available for public inspection at the address given in Appendix 1 paragraph 3.
- 1.3.5 The London Councils Transport & Environment Committee will also monitor the scheme in respect of its wider operation across London.

Changes to Code

- 1.3.6 It is intended that this Code will be amended as necessary to ensure that it continues to reflect current best practices. Changes to the Code will be classified as minor and major.
- 1.3.7 Minor changes are those that only affect the operation of the scheme locally and may only be made after the agreement of senior representatives of all parties concerned in the operation of the local scheme. Examples of minor changes are amending nominated officers or areas of application. Minor changes do not need to be reported to London Councils.
- 1.3.8 Major changes are those that affect more than one authority and usually involve a change in overall London policy. Major changes may only be made with the authority of the London Councils Environment & Transport Committee.

Detailed Objectives of Code

- 1.3.9 The Code of Practice has been designed to meet the following detailed objectives: -
- To satisfy the community that the camera enforcement system is being operated competently and honestly by its operators.
 - To reassure the community over the privacy of private areas and domestic buildings.
 - To ensure that operating staff are aware of and follow the correct procedures in the case of an 'incident'.
 - To use cameras as a deterrent and improve driver compliance with traffic regulations.
 - To facilitate the detection and prosecution of offenders in relation to non-compliance with existing regulations.
 - To assist with achieving the key objectives of other town centre CCTV schemes operated by the local authority.

Queries and Complaints about Code

- 1.3.10 Queries and complaints about this Code or its general operation should be sent to the address given in Appendix 1, Paragraph 4.
- 1.3.11 Queries or appeals against any specific Penalty Charge Notice (PCN) shall be made to the address shown on that PCN. Further details appear in paragraph 2.4.8.

2. THE OPERATION OF CCTV ENFORCEMENT CAMERAS

2.1 CCTV Camera Surveillance

- 2.1.1 Closed Circuit Television (CCTV) cameras operated by local authorities in public places are used for a wide variety of purposes including the prevention and detection of crime, protection of public and private property, town centre management, traffic monitoring and the enforcement of traffic regulations. A single CCTV camera may be used for a number of these purposes at different times of the day.
- 2.1.2 The CCTV cameras operated by a local authority may be owned or leased by that authority or by Transport for London. The police may also have access to some of the CCTV cameras owned and/or operated by the local authority and Transport for London. Each authority may use the cameras for any of the purposes specified in paragraph 2.1.1.
- 2.1.3 The cameras used for the enforcement of traffic regulations may be used for more general street surveillance when traffic restrictions are not in operation by the Police, TfL or by CCTV systems operated by other Departments of the local authority.
- 2.1.4 This Code of Practice specifically relates to the use of CCTV cameras when they are being used to enforce traffic regulations. It is supplemented by a procedural manual containing specific instructions on the use of the camera and recording equipment and control room procedures. Separate Codes of Practice exist covering the other purposes for which CCTV cameras are used.
- 2.1.5 Mobile, transportable and handheld cameras may be used within an area for the purposes of the enforcement of traffic regulations. The use of such cameras will be governed by this Code of Practice and any procedures ancillary to it.

2.2 The Legal Framework

Legislation governing the operation of CCTV systems

- 2.2.1 The operation of CCTV systems must be undertaken with due regard to the following legislation:
- The Data Protection Act 1998
 - The Human Rights Act 1998
 - The Regulation of Investigatory Powers Act 2000
 - The Freedom of Information Act 2000

Legislation governing the enforcement of traffic regulations using CCTV cameras

- 2.2.2 The enforcement of traffic regulations by CCTV cameras is regulated under the following legislation:
- Road Traffic Regulation Act 1984
 - Road Traffic Offenders Act 1988
 - Road Traffic Act 1991
 - London Local Authorities Act 1996
 - The Road Traffic Offenders (Additional Offences and Prescribed Devices) Order 1997
 - London Local Authorities Act 2000
 - The Transport for London (Bus Lanes) Order 2001
 - London Local Authorities and Transport for London Act 2003

- Traffic Management Act 2004
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
- The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
- The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007

2.2.3 Together these Acts allow a London Local Authority to install structures and equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders and to use the information provided by them, to serve a Penalty Charge Notice (PCN) on the registered keeper of a vehicle which contravenes the Traffic Regulations.

2.2.4 Relevant Traffic Regulation Orders must be made available on request.

2.2.5 Records of the keepers of vehicles that contravene traffic regulations will be obtained in accordance with the Driver and Vehicle Licensing Agency enquiry procedures.

2.3 Enforcement of Traffic Regulations by CCTV

2.3.1 The primary objective of any CCTV camera enforcement system ('the system') is to ensure the safe and efficient operation of the road network by deterring motorists from breaking road traffic restrictions and detecting those that do. To do this, the system needs to be well publicised and indicated with lawful traffic signs.

2.3.2 In order to encourage compliance with traffic regulations the system enables fully trained staff:–

- to monitor traffic activity in accordance with relevant legislation and guidance, including this Code of Practice;
- to identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations;
- to support the serving of Penalty Charge Notices (PCNs) to the registered keeper of vehicles identified contravening the regulations;
- to record evidence of each contravention to ensure that representations and appeals can be fully answered;
- to enable timed and dated pictorial evidence of such unauthorised driving or stopping to be produced for adjudication or as information to the owner of such vehicles;
- to enable the despatch of a Civil Enforcement Officers and / or a secondary enforcement team for targeted enforcement of vehicles contravening traffic regulations.

2.3.3 The system is intended to view activity on public carriageways and footways. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land.

Extensions and changes to the area surveyed

2.3.4 The operating London local authority can extend or change the areas covered by the CCTV system subject to normal internal procedures.

Signs

2.3.5 Relevant camera enforcement signs should be displayed in areas where the system operates. The signs will not define the field of view of the cameras but will advise that CCTV camera enforcement is taking place in the area.

Systems, Equipment and Enforcement

- 2.3.6 This section gives a general description of systems and their uses. It is not exhaustive in nature, nor does it supersede or replace any legislative requirements.
- 2.3.7 CCTV enforcement systems fall into two generic types:
- Attended Systems
 - Unattended Systems
- 2.3.8 These are currently used across three enforcement streams although not all system types can necessarily be used against all work streams.
- Parking
 - Bus Lanes
 - Moving Traffic

Attended System

- 2.3.9 Attended systems are operated in real time by a camera operator who views the images from roadside equipment. The operator may be located in a central control room or locally, such as a vehicle-based control room. Contraventions are observed by the operator and PCNs are issued primarily on the basis of the operator's observations and supported by the image recordings.

Unattended System

- 2.3.10 Unattended systems are automated CCTV systems which operate without operator intervention. They record contraventions from which PCNs are issued on the basis of the recorded images. The recorded images must be reviewed by an operator before a PCN is issued.

Parking Enforcement

- 2.3.11 Equipment that can be used for the enforcement of parking contraventions via CCTV is regulated by the Traffic Management Act 2004 and the associated legislation. The 2004 Act provides a system approval scheme for CCTV systems used for parking enforcement known as "Approved Device Certification". From 31 March 2009 all systems used for the enforcement of parking contraventions must be certified by the Department for Transport (or its appointed agents) under this scheme. The scheme specifies how changes in the system must be carried out and recorded.

Bus Lanes

- 2.3.12 Unlike Parking Enforcement, there is no requirement for an approved device under London Local Authorities Act 1996. The 1996 Act requires that the equipment be a prescribed device, described in the Road Traffic Offenders Act 1988 (as amended) as:

"a camera designed or adapted to record the presence of a vehicle on an area of road which is a bus lane or route for use by buses only."

It is therefore the responsibility of each enforcing authority to ensure that the equipment they use fits within the description of the 1988 Act.

- 2.3.13 If bus lane enforcement is being performed under the Transport Act 2000 then an approved device is required. Approval is similar to that for parking enforcement except that the system must additionally comply with the Bus Lanes (Approved Devices) (England) Order 2005.
- 2.3.14 Authorities should also be mindful of the possibility for harmonisation of legislation under the Traffic Management Act when specifying camera systems for bus lanes.

Moving Traffic

- 2.3.15 There is currently no specific legislation governing CCTV equipment that can be used for the enforcement of moving traffic contraventions.
- 2.3.16 Authorities should be mindful of the requirements of systems used for parking enforcement when carrying out moving traffic enforcement and should consider their features as an indication of the requirements of systems that would be considered fit for purpose. That is not to say however that a system used for moving traffic enforcement under the London Local Authorities and Transport for London Act 2003 must conform to or be approved by the Department for Transport.
- 2.3.17 Authorities should also be mindful of the possibility for harmonisation of legislation under the Traffic Management Act when specifying camera systems for moving traffic enforcement.

2.4 Operation of the System

Monitoring of Traffic

- 2.4.1 Only properly trained and qualified operators (see section 2.9 – Operating Personnel) will operate the system.
- 2.4.2 A contravention of traffic regulations will be identified depending on whether the system is attended or unattended.
- 2.4.3 Contraventions will be identified from attended systems by monitoring the screen and operating the cameras in real time. The operator must obtain the most effective images of a vehicle and its surrounding circumstances at the time when any contravention may be occurring. Contraventions must be identified at the time when they are committed. Pre-recorded video images will not be studied to identify contraventions committed at some earlier time.
- 2.4.4 Unattended systems identify contraventions automatically and store them for later processing. Such images must be verified by operators prior to notices being issued.
- 2.4.5 When a non traffic 'incident' is caught on camera, operators will follow procedures agreed locally with the police and other scheme partners. All such incidents are to be recorded on a Control Room Log Sheet. An example of this document, which can also be used to record equipment faults, is included in Appendix 2.
- 2.4.6 When a contravention is observed using an attended system and sufficient evidence has been recorded, the operator will record the time and sufficient vehicle identifier information in an electronic or handwritten logbook or by utilising approved audio equipment (see 2.3.13). The operator will then continue monitoring. An example of the layout for a Camera Enforcement logbook is included in Appendix 3.

Issue of Penalty Charge Notices (PCNs)

- 2.4.7 The Secretary of State recommends that all PCNs should be issued within 14 days of the contravention. A PCN should be sent by first class post and must not be sent by second class post. Any notice served by first class post is deemed to have been served on the second working day after posting unless the contrary is proved.
- 2.4.8 Reasons for not serving the PCN within 14 days should be restricted to those that are outside of the control of the authority, for example where details from the DVLA have not been received in time.
- 2.4.9 In any case, PCNs must be served within 28 days of the date of contravention unless keeper details have not been received from DVLA.

Representations

- 2.4.10 With regard to bus lane contraventions, formal representations specifically concerned with the issue of any Penalty Charge Notice (PCNs) from this system can only be made once the Enforcement Notice has been issued to the keeper of the vehicle. An Enforcement Notice will seek details of any Police Notice of Intention to Prosecute (NIP), which may have been issued in relation to the same alleged infringement. With regard to moving traffic contraventions formal representations can be made once the Penalty Charge Notice has been issued to the keeper of the vehicle.
- 2.4.11 In all cases, the enforcing authority must consider the representations and, if it does not accept them, issue a Notice of Rejection. If the keeper is not satisfied by this outcome, there is a right of further appeal to the independent adjudicators at the Parking and Traffic Appeals Service (see section 2.6 – Guidelines for Appeals).

2.5 Retention and Use of Evidence

Ownership, copying and release of recordings

- 2.5.1 All recordings are the property of the Authority operating the scheme and may not be copied or released from the Control Room or from secure storage without the formal written agreement of the Senior Officer nominated in Appendix 1 paragraph 5. A copy of the section of footage, relevant to a particular contravention, will only be released:–
- to the appellant in whatever means the authority deems appropriate
 - to the Parking and Traffic Appeals Service (and copied to the appellant)
 - to the Police
 - to Lawyers acting for appellants in Traffic Appeals
 - to Lawyers acting for defendants/victims in connection with criminal proceedings
 - to a third party prosecuting authority, such as Customs & Excise or the Health & Safety Executive.
 - by court order, in connection with civil proceedings
 - in the case of VHS video and DVD's, to be magnetically erased and properly disposed of after twelve cycles of use. Authorities and any of their agents undertaking the disposal should ensure safe destruction. They should also keep recordings for an adequate amount of time in line with the policy of the authority.
- 2.5.2 Recordings (or copies of a section of a recording) will only be released over signature to representatives of the above organisations after proof of identity. Recordings (and copies of recordings), which are released, remain the property of the Local Authority. Any recording

released to the Police will be dealt with by the Police as an exhibit and shall not be used for anything other than the purpose specified and identified when released to the Police. A detailed record must be kept of the recording (or section of it) that has been released and the reason for its release.

- 2.5.3 The Local Authority will provide the Police with a statement confirming the integrity of the recording, if required for evidential purposes.
- 2.5.4 Under no circumstances will recordings be released to members of the public except as per section 2.5.15 below, or to media or other commercial organisations except where such recordings are to be used for educational or training purposes or where release is required under relevant legislation.
- 2.5.5 Recorded material will only be used for the purposes defined in this Code of Practice and will only be accessed as defined in this Code of Practice. In no circumstances will recorded material (or any copies or still prints generated from it) be sold or lent for any purpose other than those set out above. Copyright of all recorded material and stills printed from such material remain totally with the operating authority.

Viewing of recording media

- 2.5.6 A person who has received a PCN or the keeper of the vehicle is entitled to view that section of the media recording showing the contravention for which the PCN was issued. Viewing of videotapes, DVD's or other recording medium, will only be arranged following formal agreement of the Senior Officer nominated in Appendix 1 paragraph 5. Viewing of the media evidence should be arranged as soon as possible after a request has been made by the person in receipt of the PCN. The viewing area should not only be secure, but it should be designed and laid out so that only those in the viewing room can see the images. A still image may be supplied at no charge, as an alternative, in a situation where it is not possible to arrange a viewing of media evidence. Authorities may agree to send the media recording to the keeper of the vehicle upon request, which may incur a small cost. Recordings may also be viewed on-line if the authority has this facility. The PCN number and VRM would need to be entered to activate this service.
- 2.5.7 Viewing of recordings will only be permitted in the following circumstances:–
- to support the issue of a PCN
 - as an alternative to releasing a recording to one of the parties nominated in paragraph 2.5.1 above
 - as part of internal audit, review or disciplinary procedures
 - as part of the training process for control room staff
 - for education and road safety training.
- 2.5.8 Viewing of recordings will only take place in a secure area except where the recipient of the Penalty Charge Notice or his nominated agent has specifically signed a waiver stating otherwise. This waiver will only be valid for viewings by the recipient or his agent. Whether in a secure area or not, the viewing will be supervised by properly authorised staff. Only the 'working media' recording will be viewed. 'Evidence media' recordings will not be viewed.
- 2.5.9 The person supervising the viewing must enter full details of the event in the Control Room Records including:–
- time, date and location of viewing
 - the serial numbers of all tapes or discs viewed, the sections of those tapes or discs which were viewed (using the start and finish frame numbers) if applicable
 - the reasons for viewing each tape or disc

- details of the people present at the viewing.
- 2.5.10 In the case of digital storage media it is sufficient for the system to log, with the video image:
- time, date and location of viewing
 - the reasons for viewing
 - details of the people present at the viewing.
- 2.5.11 These records should be subject to regular audit, at least once a year, by officers specified in Appendix 1, paragraph 7.

Still Images

- 2.5.12 Still images must be provided in accordance with the relevant legislation. Notwithstanding this, authorities should include such still images on the PCN to show sufficient grounds for the PCN being issued. Still images should be sent upon request. No charge is to be made for the provision of such images. The image then becomes the property of the person who received the PCN. All other still images will remain the property of the operating Authority.
- 2.5.13 A still image is a print onto paper of the picture held on a single field or frame of the video recording. The equipment will be used to generate these still images and each image produced will contain its unique frame number and the time (HH MM SS) and date (DD MM YY – or similar format) of the occurrence.
- 2.5.14 Still images will only be generated at the discretion of the Senior Officer indicated in Appendix 1 paragraph 5 and only for the following purposes:–
- to support the issue of a PCN
 - as evidence for an Appeal
 - if the Police or other organisation with appropriate authority request such an image with detailed written reasons for their request.
- 2.5.15 Each still image will be given a unique serial number and will be logged and accounted for at all times. Still images will only leave the Control Room when requested by the recipient of the relevant PCN or signed out as evidence in the possession of the Police or other relevant organisation.
- 2.5.16 Still images produced outside the normal progression of a case must only be made by properly authorised staff, and must be logged and auditable.
- 2.5.17 Still images, which are no longer required, are to be destroyed in the Control Room and the destruction of each image will be recorded in the Control Room records.
- 2.5.18 The procedure for production, release and destruction of still images will be subject to regular audit.

2.6 Guidelines for Appeals

The Appeal Form

- 2.6.1 The relevant appeal form, as produced and supplied by the Parking and Traffic Appeals Service, must be enclosed with every Notice of Rejection of Representations issued by an enforcing authority.

- 2.6.2 The official use box must be completed by an authorised official of the enforcing authority. This must state the PCN number, the Vehicle Registration Number, the name of the keeper to whom the Notice of Rejection was sent and the date the Notice of Rejection was sent. This information must be completed for an appeal to be registered and enables the appeal service to check that the right person is lodging an appeal and that it has been submitted in time.
- 2.6.3 Evidence should be submitted to PATAS at least seven days before the hearing date and must also be sent to the appellant.
- 2.6.4 The following items will be required as mandatory evidence by the Traffic Adjudicators:
- a) Authorised Officer Witness Statement – a declaration that at the time the contravention was observed, the monitoring and recording equipment used was of a type approved by the Secretary of State and was in full working order. Examples of Authorised Officer Witness Statements that should be used for parking contraventions and bus lane contraventions are included in Appendices 5 and 6 respectively. The Authorised Officer Statement also includes details of the evidence that is being produced (e.g. stills from video recording) and confirmation that these were produced in accordance with the Code of Practice. In order for the Authorised Officer to sign the declaration reference should be made to the Control Room Log Sheet to determine the status of the equipment at the time at which the contravention was witnessed. An example of a Control Room Log Sheet is included in Appendix 2.
 - b) Copy of the Penalty Charge Notice
 - c) A case summary - This should include the relevant part of the regulation allegedly contravened and deal with any exemption claimed by the appellant.
 - d) Copy of the Enforcement Notice (where applicable)
 - e) Copies of any representations made and all correspondence
 - f) Copy of the Notice of Rejection
 - g) Colour Images of the Contravention – the images must show the context of the contravention and the identification of the target vehicle. All pictures must display the location, date and time of the contravention. The Adjudicators do not expect footage except in particular cases where there is a strong conflict of evidence. If the Council produces video evidence to the Adjudicators, they must also supply the appellant with a copy. The footage for the Adjudicators must be of a type approved by PATAS however the footage for the appellant must be in a format agreed with the appellant. Even if the appellant has already viewed the Council's recorded evidence of the contravention, the Adjudicator would expect to see images in evidence. A copy of the images would therefore have to be served on the appellant. A digital photograph would be acceptable, providing that the accompanying statement explains that it is a digital photograph, taken by an approved device, a true copy, not enhanced etc.
 - h) Certificate of Service – the evidence submitted to the Adjudicator must be accompanied by a certificate confirming that the appellant has been sent copies of the evidence submitted to the Adjudicator not less than 7 days before the hearing. This requirement is in line with Article 6 of the Human Rights Act 1998. The evidence copied to the appellant must be in the same format as that submitted to the Adjudicator.
- 2.6.5 The list above is not exhaustive. As with any case, the Adjudicator may ask for other forms of evidence not mentioned above. The Councils will be given at least 21 days notice to submit evidence for Appeals.

Witness Attendance at an Appeal Hearing (Bus Lane Appeals)

2.6.6 Paragraph 7 (6) of Schedule 1 of the London Local Authorities Act 1996 relating to bus lane contraventions, states that documentary evidence as described above will not be admissible if the appellant, not less than 3 days before the hearing (or such other time specified by the Adjudicator) serves a notice on the Council requiring attendance at the hearing of the person who signed the document. The Adjudicators have taken this to mean that if the appellant does not accept such evidence as provided in written or photographic format by the Council, and if the Council wishes to proceed with the appeal, the person who provided the evidence may have to attend the hearing. The Council must inform the appellant that he/she can require the attendance at the hearing of the person who signed the Authorised Officer Witness Statement. The Adjudicator may also direct the attendance of a witness at a hearing if he considers it necessary. A copy of the suggested wording, which should be used to inform the appellant that they have the opportunity to request the attendance of the person signing the Authorised Officer Witness Statement, is included in Appendix 6. This paragraph should be included in the Notice of Rejection sent to the Appellant. This requirement only applies to bus lane appeals and does not apply to appeals for parking or moving traffic contraventions.

2.7 Security of Operations

2.7.1 The CCTV traffic monitoring, recording and storage operations will be carried out in a secure environment.

2.7.2 Visitors may only access the Control Room when authorised by the Senior Officer indicated in Appendix 1 paragraph 6.

2.7.3 A log detailing all events and visits should be maintained in the Control Room.

2.7.4 If the Control Room is left unattended for any amount of time, no matter how short, the monitoring, storage and control room equipment must be securely locked and inaccessible to any unauthorised person. Any alternative secure storage room must be subject to the same conditions of attendance.

2.7.5 Technical, maintenance and repair work will only be carried out with the authorisation of a responsible officer or agent of the authority.

2.8 Procedures Manual

2.8.1 A Control Room Procedures Manual listing duties, responsibilities and procedures to be followed will be available in the Control Room at all times. Access to that manual shall be restricted to officers who have responsibility for operating the system. The manual will be regularly updated to reflect current agreed practice.

2.9 Operating Personnel

Responsibilities

2.9.1 Management responsibility for the operation of the system and observance of this Code of Practice and Control Room Procedures Manual resides with the Officers listed in Appendix 1 Paragraph 7.

2.9.2 All staff operating the system will be responsible for working in full accord with this Code of Practice and the Control Room Procedures Manual. They will be subject to their employer's

normal disciplinary procedures and will sign an acknowledgement that they have been trained in and understand the Code of Practice and the Procedures Manual. Breaches of this Code of Practice or of the Procedures will result in disciplinary action.

Selection and Training

- 2.9.3 All personnel permitted to operate the System will be selected in accordance with the Employer's Standard Recruitment Procedures for personnel who are obliged to work to rules of confidentiality.
- 2.9.4 They will be fully instructed in their responsibilities and role in operating CCTV.
- 2.9.5 All staff undertaking enforcement of parking and traffic regulations using CCTV cameras must have successfully completed an approved training course. A list of the courses that have been approved for this purpose is contained in Appendix 9.
- 2.9.6 Training will include: -
- all aspects of this Code of Practice
 - all aspects of Control Room Procedures
 - all aspects of equipment operation
 - system audit procedures
 - issue of PCNs
 - knowledge of the areas of application in the Borough
 - the necessary underpinning knowledge of Traffic Law
 - Health & Safety
- 2.9.7 Full records of training and of assessments of competence will be kept according to the Employer's Standard procedures.

Operators will only be permitted to operate the system unsupervised when they have proved their competence according to the Employer's Standard Procedures.

APPENDIX C

Phase One of Moving Traffic Contravention Locations

Yellow Box Junctions		
Road	Junction with	Type
Anson Road	Chichele Road	A
Blackbird Hill	Birchen Grove	A
Bridgewater Road	Station Approach	B
Chamberlayne Road	Chevening Road	A
Chamberlayne Road	Station Terrace	A
Chamberlayne Road	Harvis Road	A
Chamberlayne Road	Banister Road	A
Dudden Hill Lane	Tanfield Avenue	A
Dudden Hill Lane	Dollis Hill Lane	A
Ealing Road	Alperton Lane	B
East Lane	Llanover Road	C
East Lane	Sudbury Avenue	A
East Lane	Harrowdene Road	A
Forty Avenue	Barn Hill	B
Forty Avenue	Bridge Road	B
Forty Avenue	The Paddocks	A
High Road	Brondesbury Park	C
High Road (A414 SRN) 3Boxes	Wembley Hill Road	A C
High Road (A414 SRN)	Ealing Road	A
Kilburn High Road (A5 SRN)	Christchurch Avenue	A
Kilburn High Road (A5 SRN)	Cavendish Road	A
Kilburn High Road (A5 SRN)	Cambridge Avenue	C
Kilburn High Road (A5 SRN)	Brondesbury Road	C

Kilburn High Road (A5 SRN)	Victoria Road	A
Kilburn High Road (A5 SRN)	Willesden Lane	B
Salisbury Road	Hartland Road	B
Shoot-up Hill	Mapesbury Road	C
Sidmouth Road	Brondesbury Park	A

Width Restrictions	
Tubbs Road	passing on the wrong side of sign (through the emergency vehicle access area)
Banned Right Turns	
High Road, Wembley	into St. John's Road.
St. John's Road.	into High Road Wembley
Harrow Road	into Maybank Avenue
Barn Hill	into Forty Avenue
Harrow Road	into Elms Lane
Kenton Road	into Draycott Avenue
Forty Lane	into Kings Drive
Kenton Road	into Draycott Avenue
Kenton Road	into Kenton Lane
Kings Drive	into Forty Lane
Kingsbury Road	into Slough Lane
High Road, Wembley	into Lancelot Road
Banned Left Turns	
Ealing Road	into High Road, Wembley.
Woodcock Hill	into Kenton Road.

Banned U Turns	
Watford Road	at either end of the median strip which lies opposite the access road to Northwick Park Golf Centre, Watford Road.
Harrow Road, Wembley	either end of the island site adjacent to its junction with Elms Lane & Maybank Avenue
Compulsory Left Hand Turn	
Brondesbury Park	into High Road, Willesden Green
Oakington Manor Drive	Harrow road, Wembley
London Road	High Road, Wembley
Compulsory Straight Ahead	
Slough Lane	in a northerly direction along Roe Green
Forty Lane	into Forty avenue
No Entry	
Donaldson Road	into Lonsdale Road
Harrow Road	into Maybank Avenue
Watford road	into southern access way which provide access to and from Northwick Park Hospital
One Way Working	
Carey Way	the northern arm; (west to east)
Carey Way	the north-western arm; (south-west to north east)
St John's Road	One Way Traffic
No Entry Except Buses	
Watford Road	into the southern access way which provide vehicular access from Watford road to and from Northwick Park Hospital

Bus Route at Any-Time	
Bodium Way	(north-westward and south-eastward).
THE UNNAMED ROAD LINKING BIRSE CRESCENT AND NEASDEN LANE UNDERPASS	(south-eastward).

School Keep Clear		
Bridge Road, Stonebridge	East Lane	Slough Lane
Christchurch Avenue, NW6	Longstone Avenue	The Avenue, Willesden
College Road, Kensal Green	Mount Pleasant	The Mall
Coniston Gardens NW10	Mount Stewart Avenue	Uffingham Road
Crest Road	Northview Crescent	Wembley Park Drive
Curzon Crescent	Oakington Manor Drive	Woodcock Hill
Dollis Hill Lane	Park Avenue	
Doyle Gardens	Park Lane	
Ealing Road	Salisbury Road	

Weight restrictions 7.5 Tonnes	Extent
Bridge Road	The bridge over the canal feeder
Brondesbury Area	Algernon Road, Brondesbury Road, Brondesbury Villas, Cherteris Road, Donaldson Road, Esmond Road, Glengall Road, Hartland Road, Hazelmere Road, Honiton Road, Lynton Road, Tennyson Road (between its junction with Donaldson Road and the south-eastern kerb-line of Priory Park Road), Victoria mews, Victoria Road and Woodville Road.
Highfield Avenue	
Roe Green	
Stag Lane	
Thurlow Gardens	
Valley Drive Lorry Ban	Inc, Crundale Avenue, Mersham Drive, Valley Drive, Waltham Avenue, Wyndale Avenue

APPENDIX D

Case studies:

Borough A

- There are 51 cameras in use in Borough A and 8 FTE CCTV monitoring officers. Of these 51 cameras, only 23 are being used to enforce MTCs due to location/view. Borough A is not currently using any mobile enforcement vehicles.
- In 2009ⁱ, Borough A issued an average of 2696 PCNs through CCTV per month (including parking, bus lane and moving traffic contraventions).
- It can therefore be estimated that an average of 53 PCNs was issued per camera per month in 2009.
- In 2009, MTCs accounted for 52% of all PCNs issued by CCTV monitoring staff. (Bus lane contraventions accounted for 10% and parking contraventions accounted for the remaining 38%).
- Exact financial revenue was not available from Borough A, but using an estimated overall recovery rate of 60% and assuming that the PCNs issued were recovered at the £60 rate, monthly income in 2009 for MTCs in Borough A can be estimated as £50,472.00.
- In 2009, each CCTV monitoring officer issued an average of 337 PCNs per month, of which, an average of 176 were for MTCs.
- The average number of PCNs issued by Borough A increased by 3% between 2008 and 2009.

Borough B

- Borough B is comparable to Brent in terms of geography and economy.
- There are 43 cameras in use in Borough B and 12 FTE CCTV monitoring officers. Borough B has two mobile enforcement vehicles.
- In 2009ⁱⁱ, Borough B issued an average of 5737 PCNs through CCTV per month (including parking, bus lane and moving traffic contraventions).
- It can therefore be estimate that an average of 127 PCNs was issued per camera (including those in vehicles) per month in 2009.
- Borough B has a recovery rate of around 86%.
- Exact financial revenue was not available from Borough B, but assuming that 86% of the total monthly PCNs issued were recovered at the £60 rate, monthly income in 2009 for all contravention types in the Borough can be estimated as £296,039.20.
- In 2009, each CCTV monitoring officer issued an average of 478 PCNs per month (for all contravention types).
- In 2009, an average of 727 PCNs per month was generated through the two mobile enforcement vehicles combined.
- The average number of PCNs issued by Borough B decreased by 5.6% between 2008 and 2009.

ⁱ Figures based on January – September 2009

ⁱⁱ Figures based on April 2009 – January 2010

Appendix E

Different Designs of Yellow Box Junctions

A box junction is a traffic measure that is used to keep busy road junctions flowing freely. Box Junction can be used according to the DfT to mark an area of carriageway that cannot be blocked unless the vehicle is turning right and then it must stop in the box until the traffic has passed and the road is clear to cross.



TYPE A

The picture above is one of the most common designs of Yellow Box Junction which can be seen within London Borough of Brent. It is located at a busy four arm traffic light junction on the Edgware Road that forms part of the Strategic Route Network.



TYPE B

At staggered junctions it would be inappropriate to have one very large box junction. The photograph to the right shows two half boxes that have been staggered to protect the junction mouths from obstruction by stationary traffic.



TYPE C

The picture above shows a half box junction located at a junction. Yellow Box markings can also be found outside police, fire ambulance stations or hospitals but only where there is an access road forming a junction with the main road.

All signs and lines must comply with the Traffic Regulations and General Directions 2002. However, in some situations variations maybe agreed by the Department for Transport.

Type for Special Approval

The Traffic Signs Regulation General Directions (TSRGD) does not cater for yellow box junctions at complex or non-standard junctions, so the majority of yellow box junction designs need to be submitted to the Department for Transport (DfT) to receive special signs authorisation to ensure they are legal and enforceable. This submission process can take up to 6 months.

Figure 1 below shows the current layout of the yellow box marking at Forty Lane junction with The Paddocks. The size of the yellow box is too large, making it difficult for motorists to see whether the exit is clear. Figure 2 shows a revised drawing with the yellow box reduced in size. The drawing in Fig.2 has been submitted to the DfT to seek type approval.

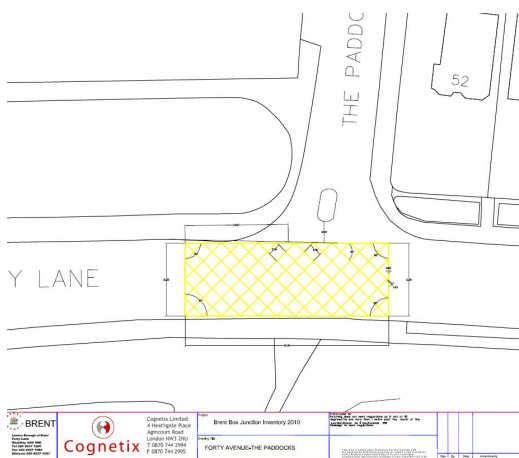


Fig 1

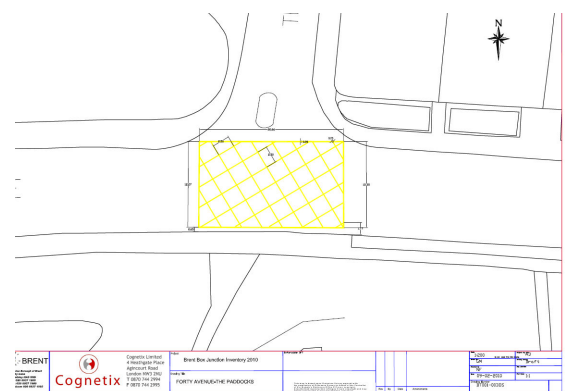


Fig 2

Figure 3 below show the current size and configuration of the yellow box located in East Lane junction with Harrowdene Road. Figure 4 shows the proposed layout with the size of the box reduced.

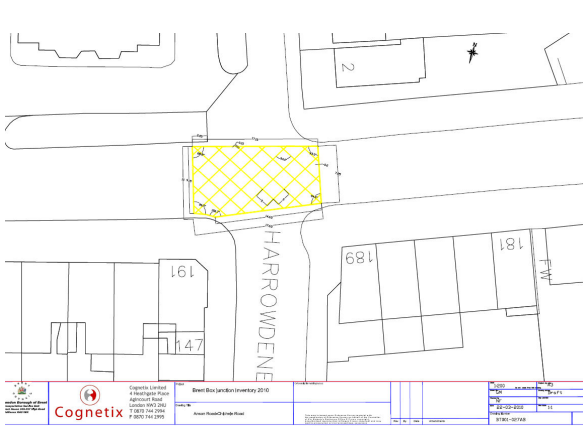


Fig 3

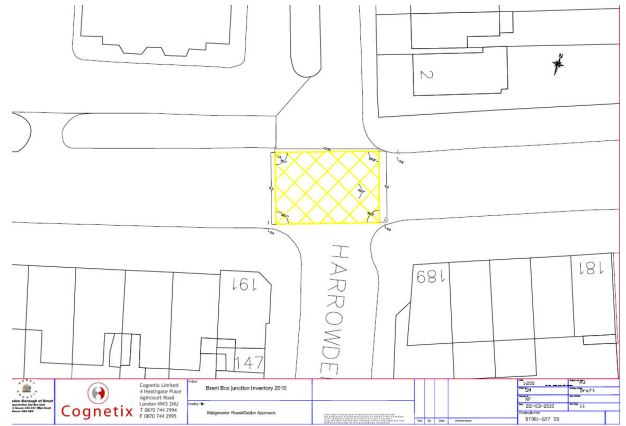


Fig 4

Figure 5 below shows the current yellow box layout in Chamberlayne Road junction with Banister Road. The revised layout as shown in figure 6 shows a reduction in size from a full box (Type A) to a half box (Type C).

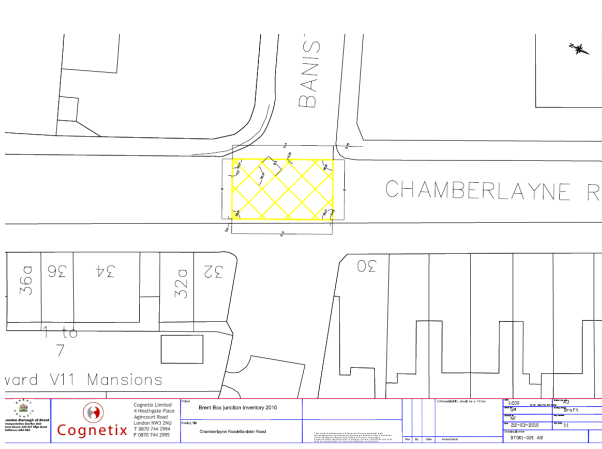


Fig 5

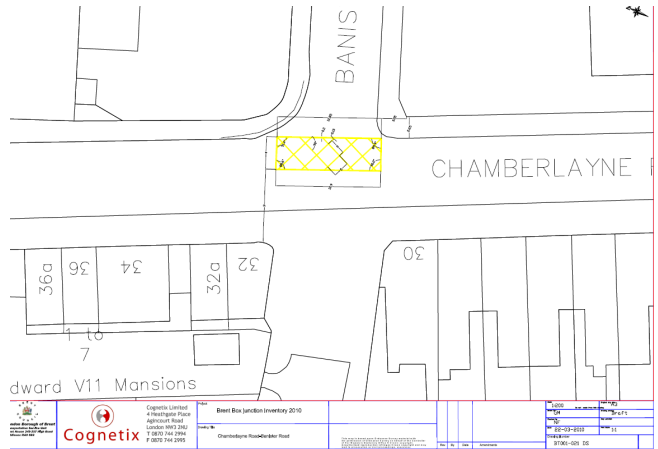


Fig 6