



SUMMONS ITEM **6**

**LONDON BOROUGH OF BRENT**  
**COUNCIL MEETING 12 JULY 2010**  
**MEMBERS' QUESTION TIME**

**1) QUESTION IN THE NAME OF CLLR CLUES, AS FOLLOWS:**

Given that Labour election leaflets indicated that £11 million was too much for income from motorists, can the Lead Member for Highways confirm what the income was last year, what this was spent on and how they propose to reduce the level of income generated in the coming years?

***Response from the Lead Member for Highways & Transportation***

The surplus generated from the Parking Account in 2009-10 was £4.776m. Total income was £14.674m, and total expenditure was £9.898m.

The £4.776m surplus was used for purposes governed by the Road Traffic Regulations Act 1984.

**2) QUESTION IN THE NAME OF CLLR BECK, AS FOLLOWS:**

As pledged in Labour election leaflets, can the Lead Member for Highways and Transportation confirm when the programme for spending the additional £1.5 million on potholes and roads will be published?

***Response from the Lead Member for Highways & Transportation***

Historically, Brent Council has utilised the surplus from the Parking Revenue account to fund responsive maintenance (routine repairs) of the public highway network.

The 2010/11 revenue budget for responsive highways maintenance works (the repair of potholes & footway defects using contractors) is £1.138m.

This is approximately £124k greater than the 2009/10 budget due to a "one-off" grant allocation made by Central Government to deal with additional repairs necessary as a result of the severe winter weather during the 09/10 winter.

The 2010/11 capital budget for planned highways maintenance (the resurfacing and renewal of roads and pavements) is £4m.

The capital budget for planned highways maintenance will reduce to £2.85m for 11/12 and 12/13 respectively – consistent with decisions made by the previous Liberal Democrats / Conservative Administration as part of the 2010/11 budget setting process.

The Executive Committee approved the planned highways works programme for 10/11 at its meeting on 15th March 2010. Works within the programme, which will see footways renewed in more than 15 roads and carriageways re-surfaced in more than 35 roads across the Borough have already commenced.

No decisions have been made with regard to increasing or reducing expenditure on highways maintenance since May 2010 when the new Council was formed, though we are committed to improving the situation we inherited.

Any future budgetary decisions in relation to highways maintenance will need to be informed by the Council's overall financial position, projections in relation to any surplus from the parking revenue account, the condition of the highways infrastructure and overall corporate priorities.

### **3) QUESTION IN THE NAME OF CLLR GREEN, AS FOLLOWS:**

With regard to the new CCTV enforcement policy, does the Lead Member for Highways and Transportation agree with the Lead Member for Finance that “everyone says this is going to be a money making scheme”?

#### ***Response from the Lead Member for Highways & Transportation***

It is assumed that Cllr Green is referring to the Executive decision of 23rd June 2010 to agree (i) that a resolution should be placed before full Council to approve the transfer of powers for the enforcement of moving traffic contraventions to the Council (from the Metropolitan Police) from 1st January 2011 and (ii) to undertake enforcement from that date. As he may know the decision to introduce the scheme was made by the previous Liberal Democrats / Conservative Administration in March 2009 and I would refer him to the Executive decision of that month and the report from the Director of Environment and Culture which was the basis of it.

Moving traffic contraventions comprise failing to comply with banned turns, one-way streets, box junction arrangements, weight and width restrictions and “school keep clear” arrangements.

Regrettably, a number of motorists fail to comply with the law in respect of moving traffic and parking contraventions which, in turn, presents a road safety risk and increases congestion in the Borough.

The use of powers to take enforcement action against these motorists using CCTV is driven by a focus on improving safety and reducing congestion on Brent's roads rather than by income generation.

In 2003, legislation gave local authorities the power to take on the civil enforcement of moving traffic contraventions by decriminalising the offences. Subsequently London Council's led on development of a Code of Practice and the evaluation of a number of pilot schemes in other Boroughs for the enforcement of moving traffic and parking offences using CCTV. Those pilots have been successful in improving driver awareness and behaviour with a consequent impact on road safety and congestion.

In 2009 the Metropolitan Police de-prioritised enforcement against motorists committing moving traffic offences which were described as "minor errors of judgement". This means that, in effect, there is currently little or no enforcement against moving traffic offences in Brent. This was persuasive with the previous Liberal Democrats /Conservative administration and is with us.

The adoption of the powers in Brent from January 2011 onwards will therefore improve road safety and reduce congestion in Brent by utilising powers that have been afforded the Council in an area which, with finite resources, is not a high priority for the Police.

In addition it enables the Council to take pro-active action to improve road safety by improving driver behaviour at certain locations without the need to introduce physical measures. Until now resource constraints have meant that the Council has had to prioritise the introduction of physical interventions using recorded personal injury accidents. The use of these powers will enable the Council to be more responsive to resident's concerns over road safety (for example around vehicles ignoring banned turns) than is currently the case.

As we confirmed to the Forward Plan Select Committee on July 8<sup>th</sup> 2010, in using the powers the Council will comply fully with the London Council's Code of Practice which in turn complies fully with the legislation and offers protection to motorists. Arrangements for challenging and appealing against penalty notices issued for moving traffic contraventions are well established and consistent with those in place for parking and bus lane contraventions.

The new enforcement arrangements will be accompanied by a comprehensive communications strategy designed to ensure that motorists in Brent are fully aware of the enforcement arrangements so as to afford them the opportunity to change their behaviour and avoid penalties.

Components of the communications strategy include: (i) signage at every location being enforced by CCTV, (ii) the issue of warning (rather than penalty) notices for a period at every new enforcement location (iii) articles in the media (iv) liaising with schools to ensure enforcement of "school keep clear" markings is prefaced by communications to parents and carers.

The cost of introducing the scheme is estimated to be £1.04m, but this would be funded from prudential borrowing.

Even with the extensive communications strategy and improved compliance over time, the evidence (from other Boroughs who are already using the powers) is that the level of non-compliance with moving traffic offences within Brent is such that the

cost of introducing the scheme will be met from the revenue generated within 5 years of commencement.

Any surplus generated by enforcement, after repayment of set up costs will form part of the Parking Revenue account which is ring-fenced to “transport-related activity” from which the Council currently funds responsive road maintenance and road safety arrangements.

Nevertheless the enforcement of moving traffic offences is driven by a desire to improve road safety and reduce congestion in the Borough rather than by income generation.

#### **4) QUESTION IN THE NAME OF CLLR COLWILL, AS FOLLOWS:**

Has there been any change to the funding that was announced in April for the South Kilburn Estate?

#### ***Response from the Lead Member for Regeneration & Economic Development***

No. The grant funding for the first phase of the housing regeneration for South Kilburn has been secured from the Homes & Communities Agency and there has been no reduction to this. The capital receipt for the sale of the Albert Road site has now been received from London & Quadrant Housing Association, and the receipt for the Carlton Vale Roundabout site will be forthcoming once all conditions precedent within the sale agreement have been met.

#### **5) QUESTION IN THE NAME OF HB PATEL, AS FOLLOWS:**

Please can the Executive confirm whether it is planning to alter planning procedures to ensure that serial contraveners are penalised for doing so?

#### ***Response from the Lead Member for Environment, Planning & Culture***

As far as I know the policy is unchanged from the previous administration. The planning procedures followed to tackle unauthorised development are statutory. The Council’s approach to planning enforcement, including the prioritisation of cases, is contained within the Council’s agreed Planning Enforcement Policy. The Council has a very good track record in tackling unauthorised development under the Planning Act, and is one of the country’s top performing authorities in terms of actions taken. The work is staff intensive however and the workload needs to be managed to ensure that on cases where the Council takes action, this is followed through to a point where the breach is properly remedied. This work can take several years and often involves direct action being taken by the Council. Currently, only 25% of notices served are complied with voluntarily. The remainder require some form of follow up action. The only way to increase enforcement activity at the present time is to find additional resources, and this is very unlikely in the current climate. A review of the Planning Enforcement Policy will take place later this year

however, and that will allow the Executive to review the way that the Council approaches and prioritises its work.

**6) QUESTION IN THE NAME OF CLLR HECTOR, AS FOLLOWS:**

In the light of the Civic Centre development, what are the plans for the current Town Hall and have those plans been affected by the current economic climate?

***Response from the Leader of the Council***

It is envisaged staff currently occupying the Town Hall will be decanted into the Civic Centre as part of a wider relocation of staff from various buildings around the Borough. Consequently officers are currently working to a plan that the Town Hall will be vacated during 2013 and the entire site will then be available for disposal. An estimate of anticipated capital receipt from the site has been built into the budget for the cost of the Civic Centre. From the outset the receipt was risk-adjusted and even taking into account the change in the economic climate since the original estimate was provided, having regard to the risk adjusted figure it is still considered to be an achievable target.

The existing Town Hall site has been identified by the Council as a Site Specific Proposal as part of the Council's emerging Local Development Framework (LDF). The LDF will contain the Council's planning policies and agreed approach to development in Brent over the next 15 years. The Site specific Proposal for the site recognises that the Town Hall is a statutory listed building. There would therefore be an assumption that the existing building would substantially remain although it is recognised that there is scope to extend the building and develop on land to the rear. The Council has agreed a range of uses (or a combination) that would be appropriate including community uses, residential, smaller scale retail, a hotel, and offices. A more detailed planning brief will be prepared prior to the marketing and disposal of the site.

**7) QUESTION IN THE NAME OF CLLR GLADBAUM, AS FOLLOWS:**

What efforts have been made to lobby local Members of Parliament on BSF funding?

***Response from the Lead Member for Children & Families***

The Council did not restrict its lobbying efforts to local Members of Parliament as our officers also briefed senior officials at the Department of Children, Schools and Families. In respect of the three Members of Parliament representing Brent the Council supplied them with a detailed briefing with an invitation to a briefing meeting. I am happy to report that the Members of Parliament for Brent North and Hampstead & Kilburn have been very supportive on this issue and I wish I could say the same for the Member of Parliament for Brent Central.

**8) QUESTION IN THE NAME OF CLLR HARRISON, AS FOLLOWS:**

Does the Lead Member for Children & Families agree with Sarah Teather, MP that the Tories' "free schools" plan is a "shambles"?

***Response from the Lead Member for Children & Families***

Yes, I do agree with Sarah Teather's description of the Tories' "free schools" plan as a "shambles" but I note that she is now an education minister in a government that is promoting this shambles as a policy initiative. I assume that her change of heart is much like that of her Lib Dem colleagues over taxation, denouncing the Tories' plans to increase VAT as a "bombshell" before the election and enthusiastically voting for it after the election.

**9) QUESTION IN THE NAME OF CLLR S CHOUDHARY, AS FOLLOWS:**

According to recent press reports, the Council is to slash services as a result of cuts imposed by the Conservative and Liberal Democrats government. Can the Leader please inform the Council whether this is just press speculation or whether any decisions have already been taken, without reference to back bench councillors?"

***Response from the Leader of the Council***

I can categorically state that the press report to which you refer was based on a mixture of inaccurate information and pure speculation. I can confirm that decisions on the cuts to be imposed on Brent and other local authorities by the government as part of the Lib Dem inspired 'savage cuts' agenda will be taken with the maximum possible member involvement".

**10) QUESTION IN THE NAME OF CLLR NAHEERATHAN, AS FOLLOWS:**

The Liberal Democrats imposed the Kingsbury Road traffic scheme on local residents against the will of a majority of councillors and local residents. The scheme has caused many problems in my ward.

Will the administration now review the scheme?

***Response from the Lead Member for Highways & Transportation***

Yes. The Kingsbury Road scheme was introduced in March 2009 after extensive local and statutory consultation and scrutiny.

It is accepted that the scheme attracted a degree of opposition, particularly from motorists living outside the immediate area consulted. So, when reviewing the scheme in spring 2011, we will consult all those residents directly affected as to their experience of the operation of the scheme.

In the 3 years prior to introduction of the Scheme there had been 18 personal injury accidents along Kingsbury Road between Roe Green and Valley Drive.

The scheme was introduced in order to reduce vehicle speeds, regularise parking arrangements and improve pedestrian crossing facilities in order to reduce the number and severity of personal injury accidents.

When approving implementation of the scheme the Highways Committee requested a report on the scheme after its' implementation. That report was presented to Highways Committee in November 2009 (7 months after scheme completion).

The report identified that:

- Average speeds along Kingsbury Road had reduced by 18-20% following introduction of the Scheme,
- There had been no reported personal injury accidents since the scheme had been completed,
- There had been no noticeable impact on the volume or movement of traffic along Kingsbury Road since the scheme had been completed,

Since the November 2009 report to Highways Committee no further speed or volume surveys have been undertaken.

However the latest accident data illustrates that there have been 2 personal injury accidents in the year since the scheme was completed. This is equivalent to an average annual reduction of 67% in recorded accidents along Kingsbury Road since the scheme was introduced.

The Council's Traffic Scheme programme is effectively funded by Transport for London (TfL) through the annual Local Implementation Plan (LIP) allocation. The 2010/11 work programme is fully committed and does not contain a scheme to review the Kingsbury Road scheme.

We will however review the scheme in spring 2011. However the programme for that year is necessarily prioritised towards using roads and areas with high recorded accident records.

Nevertheless officers will continue to monitor the performance of the scheme and to consult all residents directly affected and should the situation change we will reconsider the effectiveness of the scheme.