



## Resources and Public Realm Scrutiny Committee

**Tuesday 9 January 2018 at 7.00 pm**

Boardrooms 4-6 - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

### Membership:

#### Members

Councillors:

Kelcher (Chair)

Davidson (Vice-Chair)

Aden

Colacicco

Crane

Ezeajughi

Mashari

Stopp

#### Substitute Members

Councillors:

S Choudhary, Daly, Harrison, Hylton, Kabir, Long and  
Naheerathan

Councillors:

Maurice and Warren

**For further information contact:** Bryony Gibbs, Governance Officer  
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**The press and public are welcome to attend this meeting.**

## Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest\*\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

### \*Disclosable Pecuniary Interests:

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

### \*\*Personal Interests:

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

# Agenda

Introductions, if appropriate.

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<b>4 Minutes of the previous meeting</b>	80 - 87
To approve the minutes of the previous meeting of the Committee held on 27 November 2017 as an accurate record.	

**Date of the next meeting:            Wednesday 21 February 2018**



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

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# Agenda Item 4



Brent

## MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE Monday 27 November 2017 at 7.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor and Councillors Aden, Colacicco, Ezeajughi, Stopp, Mashari and Maurice

Also Present: Councillors McLennan, Southwood and Tatler

Apologies were received from: Councillors Crane

### 1. **Apologies for absence and clarification of alternate members**

Councillors Crane and Davidson submitted apologies for absence. Councillor Maurice was attending as an alternate member in place of Councillor Davidson.

### 2. **Declarations of interests**

There were no declarations of interest.

### 3. **Minutes of the previous meeting**

RESOLVED: That the minutes of the meeting held on 5 September 2017 be agreed as an accurate record.

### 4. **Matters arising (if any)**

There were no matters arising.

### 5. **Complaints Annual Report 2016 -2017**

Irene Bremang (Head of Performance and Improvement) introduced the Complaints Annual Report 2016 – 2017, which had been presented to Cabinet on 23 October 2017. The report set out complaints performance in Brent Council and Brent Housing Partnership (BHP) for the period April 2016 to March 2017 and included high level data for the previous two years for comparison.

Summarising the key trends, Irene Bremang advised that the volume of first-stage complaints had fallen by 32 per cent and the level of first-stage statutory complaints had also decreased. The Council upheld 43 per cent of complaints at the first stage; however, fewer complaints were being upheld at the second-stage, confirming the robustness of the first-stage decisions. It was noted that there had been an increase in second-stage complaints and the number of complaints referred to the ombudsman was still high. The main cause of complaints was service delay and failure but other issues included staff attitude and communication. The level of compensation paid with regard to first-stage complaints had decreased significantly

but there had been a slight increase for second-stage complaints. Members' attention was drawn to the eight recommendations set out in the report, which had been included in the report presented to Cabinet and subsequently approved. The eight recommendations formed the basis of the complaints action plan detailed at Appendix E.

Members welcomed the report and commented that it would be improved by the addition of comparative data for other authorities and data on the level of service interactions against volume of complaints. The committee questioned the cost of complaints for the council, querying the size of the complaints team and the number of officer hours spent. Members queried the reasons for some complaints not being dealt with within timescales. Acknowledging the impact of central government's policy of austerity on local government services, the committee queried whether timescales for departmental responses had been adjusted to accommodate reduced resources and if so, whether this was communicated to Brent's residents. Officers were asked to comment on the impact of the Customer Access Strategy. The committee expressed concerns regarding the level of complaints due to staff attitude.

In response, Irene Bremang advised that the Complaints Team comprised three full time equivalent case workers. The team managed Stage two complaints on behalf of the Chief Executive and worked with departments to reduce and troubleshoot complaints. Although the team manage the final review complaints, they also focussed on preventing the number and escalation of complaints. Attempts had been made to obtain benchmarking data and this would be further pursued.

Addressing queries on timescales, Irene Bremang explained that the expectation was that an acknowledgement would be sent within 5 working days but cautioned that the detail of the complaint would determine the speed of the full response. Overall, timeliness in dealing with complaints was improving across the council and corporate timeframes for the complaints process had not changed with any staff reductions. Analysis of the causes of complaints did reveal some complaints about policies and processes, some of which had changed to reflect national policy developments. In such cases, it was important that frontline officers provide appropriate explanations. It was also necessary to acknowledge that some complaints reflected an inherent tension between the function of a service and those affected, for example children's social services. Good communication was key in addressing these types of complaints. The Committee also stressed that it believed that officers should be honest with the public at all times. If the Council was no longer able to provide a service, or had had to reduce the level of a service in response to government cuts, then it had to be clear about this and the reasons why.

Commenting on complaints linked to staff attitude, Irene Bremang noted that there were 90 such complaints made in 2016/2017. These complaints needed to be explored with the service as sometimes staff attitude was conflated with council policy. This issue was addressed in the action plan and each action represented a significant amount of work with departments. Councillor McLennan (Deputy Leader) advised that significant changes had been made in the organisation in recent years to set a corporate expectation regarding customer service and that such changes took time to embed. This work would be furthered by the introduction of new ways of working and the council's Digital Strategy. The Customer Access Strategy had

been subsumed by the Digital Strategy and Customer Engagement Strategy. Work to support these strategies was currently being undertaken regarding engaging vulnerable and hard to reach residents and communities. Councillor McLennan emphasised that the Cabinet regularly monitored complaints for each portfolio area.

During the discussion, officers confirmed that further information on the reasons for complaints not being dealt with within timescales would be compiled provided to the committee following the meeting.

RESOLVED:

- i) That future complaints reports include benchmarking data for other authorities;
- ii) That a report on complaints for Brent Housing Partnership be provided to the relevant scrutiny committee in six months' time.

**6. Report for Scrutiny on Call In Report on South Kilburn Regeneration Programme - Carlton & Granville Centres Site - Development Options**

Councillor Tatler (Lead Member for Regeneration, Growth, Employment and Skills) presented an update report to the Committee on the South Kilburn Regeneration Programme, Carlton & Granville Centres Site, detailing the consultation undertaken and progress made. The committee had requested the update at its meeting on 30 November 2016, when it had considered the project in response to a call-in of Cabinet decisions taken on 15 November 2016. Councillor Tatler advised that a lot of progress had been made as a result of recommendations implemented by the previous Lead Member, Councillor Mashari. In addition to the update in the report, the committee heard that Phase 1 works had started and were due to be completed in March 2018. The South Kilburn Trust were now in the building and the Carlton & Granville Centres Site had been incorporated into the South Kilburn Masterplan

The committee was pleased to note that stakeholders had been involved in the drafting and finalising of the brief for appointment of design teams and endorsed the approach for similar projects. Councillor Mashari added that she was particularly pleased about the consistent level of consultation throughout. Members subsequently questioned whether the public turnout for the consultation events was considered good and suggested that any public events be held both on a weekday and at the weekend to maximise opportunities for attendance. The committee queried what lessons had been learned from this approach to consultation, particularly regarding controversial developments and further queried how the perception of a Wembley-centric council could be addressed.

Emma Sweeney (Senior Project Manager) confirmed that the turnout to the public events had been reasonable. Councillor Tatler added that extensive consultation activities had been undertaken with regard to the South Kilburn Masterplan during this period and praised the work of officers in delivering the project. Discussing lessons learnt, Councillor Tatler emphasised the value of enabling stakeholders to have a voice in the development and confirmed that communication between Lead Members and senior officers was essential to ensure success of cross-portfolio projects. Addressing the question of a Wembley-centric perception, Councillor Tatler advised that it was important to take decision making out to the areas

affected and ensure that there was good communication with ward councillors and residents.

RESOLVED:

- i) That the Lead Member for Regeneration, Growth, Employment and Skills, in conjunction with officers, ensure that lessons learnt from the collaborative approach undertaken for the South Kilburn Regeneration Programme, Carlton & Granville Centres Site are applied to similar projects.
- ii) That the Lead Member for Regeneration, Growth, Employment and Skills, in conjunction with officers, consider the committee's suggestion that all public consultation events undertaken regarding regeneration projects in Brent, include both a weekday evening event and weekend daytime event to ensure maximum opportunities are provided for members of the public to attend.

## **7. Tree Management Policy**

Councillor Southwood (Lead Member for Environment) introduced the report setting out a revised Tree Management Policy for the borough. The policy was being presented to the committee for pre-scrutiny, prior to consideration by Cabinet at its meeting scheduled for 11 December 2017. The revised policy had been developed to consider the benefits and importance of maintaining the borough's trees, aiming to raise the profile, value and appreciation of trees in Brent. In doing so, the policy aimed to improve understanding of tree issues, manage expectations and meet the challenge of adapting to climate change in the coming decades. The revised policy was a comprehensive document which drew together all the relevant services covering the management of trees including Street Trees, Parks & Cemeteries, Planning, Highways and Infrastructure and Housing Management. The policy also set out a risk management based approach to mitigate against insurance claims arising from damage to property and/or personal injury cases caused by trees. Gavin Moore (Head of Parking and Lighting) and Anthony Vartanian (Policy Manager) were present to address the committee's queries.

During the discussion, members questioned whether the council targeted the planting of new trees to areas most affected by poor air quality and suggested that an aspirational target for the planting of trees in the borough be set. Queries were raised regarding sources of funding, including the use of Community Infrastructure Levy and the Mayor of London's Tree Fund. Reflecting on the success of other boroughs in engaging community support to deliver tree planting schemes, members queried whether the council had explored these approaches for use in Brent. Questions were raised regarding the maintenance of trees on land in Brent owned by other public authorities, and members asked officers to ensure that the Woodland Trust was consulted on the policy. The committee further requested that, following the meeting, officers provide information detailing the overall budget allocated for the maintenance of the borough's trees, and data on the number of fines awarded for poorly maintained trees on private land.

In response, Gavin Moore cautioned that there were no resources available to Environmental Services to undertake the planting of trees on any significant scale. Resources were currently focussed on maintaining the borough's existing trees and

replacing, through external funding or resident sponsorship, any trees removed. There had been some success achieved via the planning process regarding the planting of trees in new developments across the borough. In the past, Section 106 funding for new trees had not included any contribution to keeping the trees alive for the first few years so had required match funding from the authority. The Mayor's Tree fund now focussed on trees in green spaces, rather than street trees. Councillor Southwood emphasised that the team took every opportunity to apply for external funding. She would discuss the value of a planting target with officers but expressed concern that this could create unrealistic expectations. Councillor Southwood further confirmed that she would support consulting the Woodland Trust on the Policy. With regard to the role of the Planning Department in supporting tree planting, Councillor Tatler (Lead Member for Regeneration, Growth, Employment and Skills) agreed to discuss issues of air quality and public health with the Planning Policy Team to ensure that these issues were emphasised through the Local Plan.

Addressing the strategies used by other boroughs, Gavin Moore advised that the Brent representative on the London Tree Officers Association would be asked to explore this issue with colleagues from other boroughs. Councillor Southwood added that the team did consult with other boroughs and noted the revival of the resident sponsorship scheme as an example of this dialogue.

Councillor Southwood confirmed that trees on private land were the responsibility of the landowner. The council did have powers to take action where trees represented a danger to the public and could then recharge the landowner for the cost of the works. This was an issue in Brent with regard to land held by other public authorities and a meeting would be held with the Strategic Director of Regeneration and Environment to agree how to respond.

#### RESOLVED:

- i) That officers note the following amendments to the Tree Management Policy recommended by the committee:
  - A section to be included on Air Quality, to emphasise the importance of street trees in mitigating the impact of air pollution and to include reference to matching tree planting against pollution hot-spots in the borough.
  - The contribution from the Planning Department to be made more explicit to emphasise an authority-wide commitment to maintaining and planting trees.
  - A section be included to explicitly outline why street trees are good for the borough.
  - A section be added emphasising the opportunities to obtain funding for trees through the Community Infrastructure Levy.
  - The dependence on external funding be acknowledged and a section added on the external funding opportunities available to the council.
  - The reference to the notice regarding tree removals be clarified to state that this would be provided in all circumstances where it is possible to provide such notice.

- Reference to be included to an expectation that the council would encourage other public bodies who maintain trees in the borough to ensure their trees are appropriately maintained.
- ii) That officers ensure that the notice regarding tree removals to be placed on a tree at least 10 working days in advance of the felling date, is sufficiently striking to ensure it stands out amongst other notices that may be placed on trees.

## 8. Community Access and Vulnerable People

David Oates (Head of Service, Benefits & Customer Services) introduced the report on Welfare, Benefits and Customer Service provision for vulnerable residents. The report detailed the key factors used to determine if a resident was considered vulnerable within the welfare and benefit functions and provided an update on the former Community Access Strategy.

The committee heard that the Council was responsible for the administration and delivery of both national welfare benefit schemes and a number of local schemes designed by the Council. There was no universal definition of vulnerability applicable across these schemes; instead each scheme contained a variety of allowances and exceptions for certain claimant groups, which could broadly be interpreted as indicators of assistance available for “vulnerable” residents. Housing Benefit (HB) was the main national benefit administered by the Local Authority and whilst there was an extensive ability to recognise individual circumstances within this, welfare reforms such as the Overall Benefit Cap and Bedroom Tax cut across this provision and offered far fewer protections for claimants. The Council theoretically had wide discretion in the provisions it made for local schemes such as Council Tax Support (CTS), Discretionary Housing Payments (DHP) and Local Welfare Assistance (LWA). However, each of these schemes were subject to financial pressures and increased demand in future use.

David Oates further explained that the Community Access Strategy agreed by Cabinet in October 2014 was no longer in delivery, as it had been superseded by the Brent 2020 programme and the new Digital Strategy agreed by Cabinet in June 2017. The key aims of the Community Access Strategy, however, had been retained in Brent 2020 and the Digital Strategy, in particular the aim to ensure that residents are able to easily access services through digital channels and supported to use these wherever they could be expected to do so. The Council’s most personalised support and help would be targeted to those who were most vulnerable, through face to face and telephone channels. Staff had been trained to identify vulnerability via key indicators such as age, literacy and disability. Staff were not provided with a prescriptive list of such indicators as it was recognised that there were many circumstances which could result in vulnerability and instead, staff were given the flexibility to assess the support a resident may require to access services. This model of targeting support had been piloted between June and November 2017 and had worked well; it was now due to be rolled out more broadly via the Digital Strategy.

The committee subsequently acknowledged that vulnerability could appear in many forms but emphasised the importance of ensuring that the council was able measure its performance in supporting its most vulnerable residents. Members suggested a working group or task group be established to determine a way to define this cohort, drawing on outside expertise such as that provided by the Joseph Rowntree Foundation.

Councillor McLennan (Deputy Leader) responded that the council provided support to vulnerable residents in varied ways and noted that with regard to the impact of welfare reform, the council could, for example, refer to the numbers supported through the Council Tax Support scheme. A new Council Tax Protocol had also recently been agreed with the Citizens Advice Bureau and enforcement officers to ensure that Bailiff action was not taken against vulnerable residents. Councillor McLennan emphasised that certain groups of vulnerable people were largely ‘hidden’ to the council, such as those with no recourse to public funds and suggested that this would be a valuable area for further exploration by Scrutiny.

Althea Loderick (Strategic Director, Resources) highlighted that how the council defined and supported vulnerable residents and subsequently measured its performance in doing so, was an issue that cut across all council services and could not be limited to Benefits and Customer Services.

RESOLVED: that the Chair of the committee in conjunction with scrutiny officers consider the establishment of a member-led group to include outside expertise such as that provided by the Joseph Rowntree Foundation, to explore how to define vulnerable residents.

## 9. **Food Banks and Poverty Task Group Report**

Councillor Mashari (Chair of the Food Banks and Poverty Task Group) introduced the report detailing the findings of the task group. The task group had been established due to the significant rise in foodbank usage nationally and the lack of a detailed picture of foodbank usage across Brent. The task group had focused on vulnerable residents, the reasons for needing to use foodbanks, and how to tackle associated stigma. Councillor Mashari highlighted a number of the task group’s 36 recommendations and emphasised the opportunity for the council to be progressive in creating policy regarding this issue.

Councillor Mashari concluded by noting that the task group had undertaken an extensive piece of research and expressed hope that the data obtained would be used appropriately across the council. Additionally, a video had been made of the task group’s work, including interviews undertaken with foodbank staff and volunteers and this would be shared with the committee once finalised.

Councillor McLennan (Deputy Leader) welcomed the report and advised that she would work with the Partnership Team regarding the recommendations.

RESOLVED:

- i) That the 36 recommendations set out in the report from the Foodbanks and Poverty Task Group be endorsed and referred to Cabinet for consideration;
- ii) That all outside organisations from which action is requested via the recommendations be informed of the committee’s endorsement and asked to provide a response.

## 10. **Any other urgent business**

None.

The meeting closed at 9.15 pm

M KELCHER  
Chair