



Resources and Public Realm Scrutiny Committee

Tuesday 6 September 2016 at 7.00 pm

Boardrooms 3-4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Kelcher (Chair)

Aden

S Choudhary

Davidson

Ezeajughi

Miller

M Patel

Tatler

Substitute Members

Councillors:

Chan, Harrison, McLeish and Naheerathan

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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
1 Declarations of interests	
Members are invited to declare at this stage of the meeting, any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda.	
2 Deputations (if any)	
3 Minutes of the previous meeting	1 - 6
4 Matters arising (if any)	
5 The Council's Planning Strategy	7 - 28
This is a report on the Council's Planning Strategy and includes a presentation on the Old Oak and Park Royal Development Corporation (OPDC) Local Plan.	
6 Brent Road Resurfacing Strategy	29 - 44
This report looks at the Council's Road Resurfacing Strategy.	
7 Update on the implementation of recommendations from the CCTV Scrutiny Task Group	45 - 56
This is a report to update on progress made against a number of recommendations for the Council Closed Circuit Television (CCTV) Service. These recommendations were set by the Scrutiny Committee CCTV Task Group in their report published November 2015.	
8 Progress report on the recommendations of the Scrutiny Fly-Tipping Task Group	57 - 76
This report provides an update on progress against the recommendations made by the Fly-Tipping Task Group.	

9 Proposed Scope for Scrutiny Task Group on The Devolution of Business Rates in Brent 77 - 90

This report sets out the proposed scope for the Scrutiny task group on the Devolution of Business Rates in Brent. The task group will look at both Brent and the government's current business rates policies and processes with a view to ensuring Brent council is in the best possible place to respond to the government's changes to the Devolution of Business rates policy.

10 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

11 Date of next meeting

The next scheduled meeting of the committee is on 8 November 2016.

Date of the next meeting: Tuesday 8 November 2016



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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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MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE **Tuesday 12 July 2016 at 7.00 pm**

PRESENT: Councillor Kelcher (Chair), Councillor and Councillors Aden, S Choudhary, Davidson, Ezeajughi, Miller, M Patel and Tatler

Also present: Councillors Daly, Farah and Mashari

1. Declarations of interests

None.

2. Introductions

At the start of the meeting, as this was the first meeting of the Resources and Public Realm Scrutiny Committee, the Chair invited members to introduce themselves and give a reason for their interest in the work of the committee.

3. Deputations

None.

4. Annual work programme 2016-17

The Chair drew attention to the work programme and reminded the committee of the process that had been introduced for deciding on the items for inclusion. The committee noted that the borough Commander would be invited to the meeting scheduled for 6 September 2016 and that Councillor Tatler would be chairing the task group CCTV task group.

5. Development Management Policies

Paul Lewin (Planning Policy and Projects Manager) introduced the report which reminded the committee that on 16 January 2016 Full Council approved submission of the draft Development Management Policies Development Plan Document to the Planning Inspectorate for examination. Subsequently, hearing sessions on the Plan were held on 3 May and 4 May 2016. Having taken account of all the representations, both in writing and at the Hearing, the Inspector advised the council to consult on proposed Main Modifications to the Plan for a six week period ending 8 August. The report from the Strategic Director, Regeneration and Environmental Services requested the committee to consider the proposed Main Modifications.

Paul Lewin reminded the committee that this was the Development Management Plan for the borough, replacing the Unitary Development Plan and that at an

advanced stage amendments had been requested and he outlined the areas concerned.

Members questioned ways of including in DMP 14 requirements for infrastructure provision at an early stage of housing development or at pre-planning stage, the definition of affordability in terms of housing and whether the levels were realistic, particularly for existing residents, and what were the mechanisms in place to reach the maximum target of 50% of housing in a major development to be affordable.

Paul Lewin clarified that DMP 14 was specifically concerned with potential uses of employment sites, many of which were small. The requirements for housing development were covered by wider policies plans and strategies, both borough and London wide however CIL funding could be spent on infrastructure. Regarding affordability, Paul Lewin referred to national planning guidance regarding social rent and the market. He acknowledged that the definition of affordable rented dwellings, as up to 80% market rent, was debateable as to providing an affordable product that met local needs however efforts were made to ensure that the rents were below Benefits Cap levels. The committee agreed that that affordability in Brent needed to be considered and Councillor Mashari (Lead Member, Regeneration and Growth, Employment and Skills) confirmed that it was under debate, including the need for housing development. Paul Lewin advised that the Strategic Housing Market Assessment testing revealed that 50% of the population could not afford to meet their housing needs on the open market in Brent. Efforts were made to cap rents to affordable levels but instead the definition of rents had extended and was increasing. Paul Lewin clarified that the 50% affordable policy was London wide and a viability assessment could be carried out to establish if the percentage of affordable housing in a development was a maximum level. Most sites would not be able to achieve more than 50% and he felt that to increase the percentage would not be feasible. Councillor Mashari added that discussions were taking place with the interim Head of Planning over the possibility of members having more involvement and influence at an earlier stage in the planning process.

Members raised the question of public houses under DMP 21 and Paul Lewin clarified that it was not uncommon for former public house premises to be treated as having community value. This policy allowed developers wishing to build housing on former public house sites on the basis of non-viability, to be challenged. Members welcomed the policy which helped protect public assets for communities and heard that the council had a joint position with CAMRA (Campaign for Real Ale) which was consistent with London wide approach and would also add weight to premises in conservation areas.

The question was raised on DMP 3 regarding non-retail use and limiting the number of betting shops adult gaming centre and pawn brokers to 3% and 4% and Councillor Mashari advised that this was also referred to in the financial inclusion strategy. Regarding restricting the number of takeaways within 400m of a secondary school entrance/exit, members heard that to draw the line wider than 400m had been assessed but was not considered appropriate as it led to almost total borough coverage and would be regarded as unduly restrictive, however it was still felt that the matter should be looked at.

Members welcomed the Old Oak and Park Royal Development Corporation (OPDC) Local Plan which it was felt was a good opportunity for the borough and sought assurances that Brent's interests would be uppermost. The Leader of the

Council, Councillor Butt, the council's representative on the OPDC assured that Brent's interests were put at the forefront of every meeting in particular housing and nomination rights, employment and transportation. He was working closely with other council leaders to achieve the best outcomes. The possibility of CIL funding being obtained in advance was raised and Paul Lewin clarified that the OPDC CIL is would come forward at the same time as the local plan. The committee noted that the Planning Strategy would be considered in September and agreed that OPDC should be added to the agenda.

Mr Faraz Baber (Sudbury resident) advised that the new Mayor of London had issued a two monthly review for representations on the project. The Leader of the Council, Councillor Butt, added that he was due to meet the Mayor of London and would take the opportunity to raise front loading funding and hoped to be able to report back. The Chair contributed that he would have discussions with the Head of Strategy and Partnerships on means of ensuring that members were well briefed given the importance of the issue.

RESOLVED:

- (i) that the report be noted;
- (ii) that the Old Oak and Park Royal Development Corporation (OPDC) Local Plan be added to the agenda for the September meeting.

6. Task Group on Community Infrastructure Levy (CIL) and Section 106

The report from the Director of Performance, Policy and Partnerships advised that the Scrutiny Committee had established a task group on Community Infrastructure Levy and Section 106 to ensure the council was achieving the best financial outcomes for the borough with its current agreements, to analyse and the current processes with a view to ensuring that communities and councillors were engaged in the making of funding decisions.

The task group chair, Councillor Farah, in introducing the task group report, advised that the review was concerned with the CIL and S106 policies, engagement both with communities and members, funding collection and allocation. The review focused on the future of planning in Brent and looked at the South Kilburn development and the aim was to get the best outcomes. Meetings had taken place with officers, the voluntary sector and with developers at South Kilburn and he hoped the recommendations would be taken forward.

Mr Faraz Baber (Sudbury resident and task group member) outlined the challenges faced by the task group in understanding how CIL receipts were collected and the process for distribution. There was difficulty in establishing accountability and assuring residents that they would gain. He felt there was a need for a clear plan and understanding how developers could help Brent develop positively particularly in coming years with decreased government grants. Mr Baber drew a connection between CIL and development management policies discussed earlier in the evening and felt there was a need for early discussions between developers and members over development proposals. Members noted that staff changes had caused some delay in getting information.

The committee heard that the task group members had discussed the difference between CIL and S106 funding and the view was put that S106 had a wide remit and clear and transparent information should be available to Planning Committees when they were making decisions. Regarding affordable housing, the 50% target was not being met and it was suggested that the council could decide to place greater emphasis on S106 to help achieve the target. Councillor Mashari (Lead Member, Regeneration and Growth, Employment and Skills) advised that efforts were being made to recruit staff to lead on CIL.

The committee commended the work and commitment of the Sudbury local residents, asked how lessons learned could be communicated to other areas through Brent CONNECTS and workshops and it was suggested that a route map be prepared and circulated. Members heard that a presentation and check list were already available and on the council's website and it was suggested that information be circulated to support ward discussions. The committee discussed the former ward working funding as an alternative vehicle and were reminded that CIL had the advantage of being for the entire ward instead of for successful community group bidders.

The committee discussed recommendation 26 in the task group report which suggested that consideration be given to creating independent review experts to advise the Planning Committee on some of the more complicated and difficult planning applications in particular, existing planning department expertise and the proposals for funding and the committee agreed that information be obtained on best practice on independent advisers for Planning Committees, replacing the need for this recommendation.

Regarding recommendation 23, it was proposed that council planning negotiators ensure that agreements are aligned with council priorities in order to take full advantage of future development/ regeneration opportunities, the committee suggested that Lead Members should have oversight. The committee also suggested an addition to Recommendation 8 concerning voluntary sector involvement, that all members be offered advice and training.

RESOLVED:

- (i) that the consider the contents of the Community Infrastructure Levy (CIL) and Section 106 task group's report be noted;
- (ii) that the recommendations made by the task group be approved and the development of an action plan across the council and partner organisations to take these forward be supported, subject to:

The addition to recommendation 8 that training and guidance to be up to standard; the addition to recommendation 23 that portfolio holders have oversight; and deletion of recommendation 26;

- (iii) that a progress report against the recommendations be submitted in six months' time.

7. Brent Council's financial position

Councillor McLennan (Deputy Leader of the Council) introduced Archa Campbell (Head of Finance), Althea Loderick (Strategic Director, Resources) and Minesh Patel (Head of Finance) and who gave a presentation on the current context of the council's financial position. The committee heard about local government sources of income, the likelihood of future reductions, Brent's financial position as at February 2016, budget savings previously agreed, further savings required, and the impact of Council Tax changes and also new legislation. Councillor McLennan drew attention to the budget timetable and reminded the committee that the budget had been set for two years to allow more flexibility and time for an overall strategy to be in place. The committee requested that the budget timetable be amended to include scrutiny by this committee in January 2017.

Members in discussion raised questions on the increasing Council Tax base and the impact on collection rates, the effect of business rate devolution on new services, the protection of existing services and how schools could protect special educational needs provision from forthcoming Dedicated Schools Grant restrictions proposed under the review of the national funding formula. Minesh Patel responded that council tax collection rates were currently at 98%, the council had new responsibilities and there would be gains and losses. Consultation was still taking place on the national funding formula and some aspects of SEN support would be protectable should schools not be able to provide. Councillor McLennan stressed that strategies needed to be in place to ensure that funding was spent appropriately. Minesh Patel confirmed that national minimum wage increases had been taken into account and agreed to confirm the minimum recommended level of reserves for a local authority. The committee supported the continuation of the two year budget cycle. Discussion took place on the possibility of a Council Tax rise and Councillor McLennan advised that work would take place on options.

The recent EU Referendum was raised and the potential impact of the decision for the UK to leave the European Union. Minesh Patel assured that that planning was taking place and that the council would have a greater understanding of the impact within a few weeks' time. The committee also questioned whether, in the light of NHS England's £22bn efficiency savings by 2020/2021 target, what was the likelihood of the NHS being able to fund the social care gap across NWL (approximately £145m). The committee heard that the request had been made to NWL and the council was committed to funding PREVENT and social care. Councillor McLennan added that Sustainability and Transformation Plan (STP) was a priority and that the Health and Wellbeing Board would be most involved. Following the decision to leave the EU, Councillor McLennan assured that communication with stakeholders would be maintained and members kept informed of the impact on the council's finances.

The committee discussed the possibility of increasing the council tax and questioned the reasoning behind the council's suggestion that if required to take on more responsibilities, transport would be the preference. Councillor McLennan put the view that Brent was often better placed to take decisions on transport matters and work with neighbouring boroughs. She reminded the committee that the council was already sharing services with other boroughs for IT and procurement and this work would continue.

RESOLVED: that the presentation be noted.

8. **Annual Scrutiny report**

The committee received the Annual Scrutiny report which summarised the work conducted by the Scrutiny function throughout the year, including task group work, questions and decisions made by the committee. The 2015-16 report also provided an outline of the programme of work and task groups planned for the upcoming scrutiny year 2016-17.

RESOLVED:

that the Annual Scrutiny report be noted.

9. **Any other urgent business**


None.

10. **Date of next meeting**

The next meeting was scheduled for 6 September 2016.

The meeting closed at 9.50 pm

M KELCHER
Chair

 Brent	Resources and Public Realm Scrutiny Committee 6 September 2016 Report from the Strategic Director for Regeneration and Environment
For Information	
Report for Scrutiny on The Council's Planning Strategy	

1.0 Summary

- 1.1 Brent's Planning Strategy was last fundamentally reviewed in the late noughties. This resulted in the Core Strategy adopted in 2010 and subsequent adoption of other Local Plan documents to deliver its vision. The strategy essentially focussed on regeneration of 5 growth areas; Alperton, Church End, Colindale and Burnt Oak, South Kilburn and Wembley. More recently the London Plan identified the Old Oak and Park Royal Opportunity Areas, a substantial part of which is in Brent, as an area of significant change (25,500 additional homes and 65,000 jobs). A Mayoral Development Corporation was set up and formally gained statutory planning powers, including adopting the plan strategy for this area in 2015.
- 1.2 Brent's role as a key area for growth in London is likely to be reinforced in the future in the review of the London Plan as London's role as a leading world city is consolidated. This together with regeneration of Old Oak/Park Royal will produce opportunities and challenges that will need to be positively addressed through a major review of Brent's planning strategy.

2.0 Recommendations

- 2.1 The report is for comment.

3.0 Detail

Background

- 3.1 Brent has been subject to significant physical, social and economic regeneration over the last decade. This has fundamentally changed the borough for the better in many areas and brought significant benefits to its residents. The Borough's

population increased by 18% between 2001 and 2011 and since then over 5000 additional dwellings have been built. The London Plan identifies it as one of London's higher growth Boroughs in relation to additional housing and employment. Brent currently has a target of a minimum of an additional 1525 dwellings per annum until 2026.

National and Strategic Policy

- 3.2 The planning strategy for the Borough is fundamentally shaped by national policy and also the higher level London Plan. Any new plan that the Borough takes forward must be in general conformity with these documents. Policies in existing adopted plans can essentially be given less weight in decision making if they are not consistent with higher level policy. The National Planning Policy Framework (NPPF) adopted by Government in April 2012 with its associated Planning Practice Guidance and the partial review of the London Plan adopted in March 2015 have had and will have substantial implications for Brent's planning strategy.

Brent's Current Planning Strategy

- 3.3 Brent's current planning strategy is fundamentally based on the Core Strategy adopted in 2010. This document sets out the Strategic Vision for Brent that the planning strategy will help to deliver. This is set out in Appendix 1 to this report. It has 12 over-arching strategic objectives, these are set out in Appendix 2 to this report. To deliver these it includes strategic policies such as CP 2 Population and Housing Growth which identifies the quantum of housing to be delivered and its location. The Core Strategy focuses such change in the Growth Areas: Alperton (1600 homes); Church End (800 homes); Colindale and Burnt Oak (2500 homes); South Kilburn (2400 homes); and Wembley (11,500 homes). This has subsequently been supplemented by the Site Allocations Plan adopted in 2011. This essentially identifies the specific sites that will deliver additional homes, jobs and other facilities to meet the Core Strategy strategic policies.
- 3.4 For Wembley, the largest of the growth areas the Wembley Area Action Plan was adopted in 2015 and forms part of the Local Plan. This sets out a vision for the Wembley Growth Area and gives more detail and clarity about how development should proceed to meet the Core Strategy objectives for this area. Currently the Development Management Policies Local Plan is going through the final stages of its adoption process. This provides more detailed policies on a variety of matters that support the determination of planning applications. For example it seeks to restrict the number of non-retail premises within primary shopping frontages of town centres. Once this Plan is adopted the Council's planning strategy will have fully replaced or removed all the policies that are within the Council's last single Local Plan that covered the whole borough; the Brent Unitary Development Plan adopted in 2004. In addition the Borough is covered by the West London Waste Local Plan adopted in July 2015. A neighbourhood plan for Sudbury was adopted in September 2015.
- 3.5 Currently for the non-planning professional, the number of Local Plan documents that cover the borough is undoubtedly confusing. It is a result of the 2004 Planning and Compulsory Purchase Act which promoted the Local Development Framework approach of separate plans, with the idea that dividing them up would make them

easier to review and update. The Government now appears to promote a single document Local Plan approach for Councils to follow (with the exception of waste and neighbourhood plans).

Old Oak and Park Royal Development Corporation

- 3.6 The London Plan identifies a number of Opportunity Areas across London. Two of these are Old Oak and the Park Royal Opportunity Areas. This combined area is extensive containing parts of London Boroughs of Brent, Hammersmith and Fulham and Ealing. The area will benefit in the future from improved rail accessibility provided through new HS2 and Crossrail stations. The Old Oak area in particular has a high level of public sector land ownership. The London Plan identified the potential for an additional 25,500 homes and 65,000 jobs. In recognition of the strategic importance of the development of this area to London a Mayoral Development Corporation (MDC) was announced for the area in 2014. This formally took over town planning powers in relation to determining planning applications and plan making for the two areas in April 2015. As a Development Corporation it has a number of other statutory powers that it can use to deliver the regeneration of the area, e.g. compulsory purchase. It also has greater accessibility to GLA funding and the associated political influence of the Mayor's ability to negotiate directly with the Government and Whitehall to allow a more holistic public sector approach to achieving regeneration of the area.
- 3.7 The work of the MDC is overseen by a board comprising of 13 members from a variety of organisations including the GLA, London Boroughs, the rail infrastructure providers and private sector representatives. As would be expected Brent Council takes a keen interest in the work of the MDC is undertaking to ensure that the Old Oak Park Royal regeneration works to the best advantage for Brent and its businesses and residents. Brent Council is represented on the Board by the Leader Cllr Butt. A Planning Committee also determines the more important planning applications. Brent Council is represented on the Committee by the Cllr Marquis, Chair of the Planning Committee. Council officers are in continual dialogue with MDC officers in both ad-hoc and regular meetings at a variety of levels and on a variety of matters, e.g. planning policy, transportation planning, economic development and skills and training.
- 3.8 Since it took over planning powers for the area, the MDC has consulted upon and subsequently adopted an Opportunity Area Planning Framework in November 2015. This is supplementary planning guidance to the London Plan. The document identified within Brent the potential for the redevelopment of Willesden Junction station and its surrounding hinterland with an improved station and primarily residential development, with an element of supporting commercial. For Park Royal, the emphasis is on improving its long term prospects as a business location through providing an additional 10,000 jobs, with up to 1,500 dwellings in a small number of locations.
- 3.9 The MDC is looking to provide more certainty for the long term future of the area by taking forward a single Local Plan for the area. Consultation on a first draft of the Plan took place for 8 weeks up to 31st March 2016. It was anticipated that consultation on a second draft would be likely to take place in Autumn 16, although

this is more likely to slip to early 2017. This would be followed by an Examination in Public and subsequently adoption in early 2018. The draft unsurprisingly was relatively close in terms of thoughts about scale, type and location of development to that which was in the adopted Opportunity Area Planning Framework.

- 3.10 Brent Council in its response to the consultation on both the Planning Framework and the Local Plan and in the continual dialogue with OPDC is seeking to ensure that the benefits for Brent residents and businesses are maximised, both within the OPDC area that falls within Brent, but also that it has the ability to assist with regeneration in adjacent areas, such as Harlesden. This will be through trying to integrate the development successfully into the Borough by for example providing high quality routes between the development and adjacent areas; seeking to maximise affordable housing outputs to help meet Brent's needs including associated nomination rights; and providing opportunities through improved skills training in existing businesses and through the construction opportunities that will come forward.

Opportunities and Challenges in taking forward Brent's Planning Strategy

Meeting Housing Needs

- 3.11 As indicated, Brent's Core Strategy was adopted in 2010. The Strategy was fundamentally based on seeking to plan for the amount of housing that was set out in the London Plan at that time. In 2015 the London Plan was subject to further alterations; increasing Brent's housing target from 1065 dwellings per year to 1525 dwellings per year. In the short term, (next 5 years) subject to no significant impacts on investment decisions related to Brexit, it is anticipated that Brent can meet its housing target. This will be achieved through acceleration of development at Wembley in particular and continued delivery within the growth areas and the wider Borough from windfall sites. Nevertheless, a review of the London Plan is now likely to commence.
- 3.12 Given the anticipated continued population growth of London seen in official population projections due to its continued expansion as a world city it is likely London's and consequently Brent's housing targets will be increased. Brent will have to positively plan to meet these new targets. It is unlikely to be allowed to adopt a Plan that does not evidence how targets can be met. If it falls behind in delivering targets Government has indicated through the Housing and Planning Act 2016 that it will intervene and take over plan making powers from local authorities, essentially commissioning someone to write a Local Plan for them. Notwithstanding this, in any case National Planning Policy has the potential to override local policy which is deemed to have become out of date where housing targets are not being met and allow development of sites that otherwise might not be allowed for housing development.
- 3.13 Brent's Strategic Housing Market Assessment 2016 (SHMA) commissioned to support the adoption of the Development Management Policies Plan identified a housing need of 1826 dwellings per year. To achieve these targets and even to get towards the current London Plan target of 1525 dwellings per annum is likely to require some radical solutions on the part of Brent. This is likely to have to be

through a mixture of updating the Local Plan for the Borough by identifying additional sites for housing and seeking to maximise outputs on sites but also through a more active role as a facilitator or developer. The Local Plan process will be supported by a Strategic Housing Land Availability Assessment (SHLAA) currently being undertaken by the GLA in association with the London Boroughs. The duty to co-operate requires Brent to show it works closely with the GLA with the aim of maximising housing delivery and the housing target for Brent. In addition to this Brent will have to undertake its own 'call for sites', which allows third parties to submit what they consider to be sites that are acceptable for housing to be allocated in any Plan.

3.14 The opportunities for additional sites for housing are likely to be found from a variety of sources for example:

- within existing growth areas, through for example increasing densities on already identified sites and identifying new sites;
- extending where appropriate existing growth areas into adjacent areas;
- more supportive policies for redevelopment/conversion of existing residential into additional dwellings;
- having a more pro-active approach to identifying sites within town centres;
- the identification of further extensive growth areas
- on a potentially more contentious note redevelopment of extensive areas of low density suburban housing where there are high public transport accessibility levels (PTAL); and
- a more flexible approach to existing non-residential allocations, the most obvious due to their scale and existing developed nature being employment sites.

3.15 Whilst the private sector is likely to be the main delivery vehicle for any additional housing, it is clear that at a national level this will not meet needs and that greater delivery from the public sector will be required. The opportunities identified above are likely to move towards smaller sites needing to be assembled to deliver more comprehensive schemes that will maximise outputs. This achieve more in terms of outputs that could be attained through a piecemeal approach.

3.16 It has become evident through work on the Housing Zones of Wembley and Alperton that where there are multiple land ownerships that delivery can be compromised, either through the process becoming protracted or sub-optimal solutions e.g. individual sites coming forward, rather than as part of a larger one which would create more housing and provide greater opportunity for meeting local infrastructure needs. It will aid the Council's planning strategy as well as its wider corporate priorities if the Council takes greater responsibility for the direct delivery of sites, through both a process of acquiring and assembling sites for either development

itself, e.g. the South Kilburn or Brent Housing Partnership model, or acquiring sites for a third party to deliver.

Family Housing

- 3.17 The SHMA identified that approximately 66% of the additional homes required to meet needs were to be 3 or more bedroom properties. Brent's current target for such properties is 25% of new dwellings as set out in Policy CP2 'Population and Housing Growth' and Policy CP20 'A Balanced Housing Stock' of the Core Strategy. In the financial year 14/15 (the latest currently available) 20% of new homes were 3 bed or more, with the majority being 1 and 2 bed apartments. This is what developers are identifying as being the products that are most in demand and brings the highest returns (an important consideration as S.106 affordable housing provision is subject to viability testing).
- 3.18 National planning policy identifies that Councils should plan to meet local housing needs. It allows Councils to be more prescriptive about the extent to which they can influence the mix of affordable housing both in terms of tenure and sizes. However, it stops short of Councils being able to prescribe the mix of housing that the private sector should deliver. Attempts to change National Planning Policy to allow this in the early 2000s were met with stiff opposition from house builders, they contended that 'the market knows best'. As such whilst policies in the Local Plan can influence mix to some extent, given current market delivery any future strategy based on the Local Plan seeking to be prescriptive or significantly increasing the target of market housing of 3+ bed or more is realistically likely to meet with significant objection from developers. Given National Policy a more prescriptive approach is unlikely to be found sound at Examination.
- 3.19 If the Council were to take a more pro-active approach to delivering sites through acquisition/developing existing assets it is likely that it would be able to control dwelling size as a condition of sale rather than through planning policy. Nevertheless, as identified given current market sentiment, this might well affect the offer of developers and impact on viability/funds available to cross-subsidise other Council priorities such as 50% affordable housing at rents that can be considered truly affordable.

Social Infrastructure

- 3.20 Policies within the current Local Plan and London Plan seek to support appropriate physical and social infrastructure in association with new development. They are also supportive of the provision of additional and the protection of existing social infrastructure. Examples include Core Strategy CP 23: 'Protection of Existing and the Provision of New Community and Cultural Facilities'. The requirement for additional housing, the associated higher values of housing compared to other uses, plus a range of new permitted development rights issued by Government (for example a more permissive approach to allowing pubs to be turned into homes without the need for planning permission) has and will increase the pressure on generally lower financial value land uses such as social infrastructure.

- 3.21 Members have highlighted a particular concern with regards to the loss of public houses. Scrutiny Committee of the 12th July 2016 was presented with the proposed modifications to the Development Management Plan policies including DMP21 Public Houses (see appendix 3 to this report for the amended wording of the policy as associated supporting text.) This wording was developed in association with and agreed with CAMRA prior to the Examination Hearings, so is considered to be as robust as is necessary to deal with potential applications which would potentially result in the loss of a public house. The Council is awaiting the Inspector's report on this matter, but officers are confident that the proposed policy will be regarded as sound.

Taking Forward the Review of the Local Plan

- 3.22 A Local Government Association/Planning Advisory Service review of Brent's Planning service was undertaken in March 2016. Whilst generally very positive about the service the report identified the need for additional capacity within Planning Policy to support a review of the Local Plan. It considered that a review was necessary for the Council to not fall foul of Government policy and more importantly to provide clarity on a future vision for the Borough in positively planning to meet growth needs, rather than react to proposals put to it.
- 3.23 In response to this the Interim Head of Planning is taking forward a proposed restructure that includes provision for additional planning policy officers. The timing of the commencement of the Local Plan review and its scope is to a large extent reliant on the results of this and the availability of financial support for the related evidence base to justify the reviewed Plan's policies. Other factors to consider are the timing of the London Plan review and of particular importance will be the housing target that this sets for the Borough. Brent's Local Plan is unlikely to be able to progress to adoption if it is not in general conformity with the emerging/adopted London Plan's housing targets, so to reduce uncertainty in the adoption process will be reliant on an early understanding of the likely new target.
- 3.24 Whilst the adoption process will require approval from Cabinet and Full Council sign off at various stages, plus consideration by Scrutiny it is imperative that Councillors are involved in the early stages of the scoping of the Plan and throughout its adoption outside mechanisms identified in the constitution. As such it is likely that a Local Plan Working Party comprised of a representative mix of Councillors across the Borough will be set up to act as a sounding board/critical friend to assist officers in the development of the Plan.

Conclusion

- 3.25 With the adoption of the Development Management Policies later in the year following receipt of the forthcoming Inspector's report, the Brent Unitary Development Plan 2004 will be replaced in its entirety. The objectives of the Core Strategy and its Local Plan documents are currently for the most part well aligned with the strategic priorities of the Council as identified in the Borough Plan and the 2020 Vision. Nevertheless, the existing Plan for the longer term does not sufficiently take account of the revised housing target set in the London Plan March 2015 and the likely direction of travel of its replacement. It also does not sufficiently address

the opportunities and challenges provided by the regeneration of Old Oak and Park Royal to be clarified in that Local Plan currently being taken forward by the MDC.

- 3.26 To plan proactively for its future and guide development in the form and location where the Council and the local community feels it is most appropriate, the Council will need to start a review of the Local Plan. Whilst it provides the opportunity to refresh the Council's approach to support current corporate priorities, it is likely to involve some potentially difficult decisions in prioritising housing delivery against other considerations, e.g. balancing affordable/family housing requirements against facilitating what will be high levels of housing delivery; the extent to which low density housing in areas with high public transport accessibility are considered sustainable in the long term; and safeguarding and providing existing infrastructure and non-residential uses against the need to meet housing targets. To meet housing needs and support timely regeneration/development, the Council is also likely to have to take a greater pro-active approach to site assembly/direct delivery than might have been the case in the past.
- 3.27 To ensure a wider elected democratic mandate a representative group of councillors will be involved in and facilitate the content and direction of the Local Plan as it makes its way through the adoption process. It is proposed that this will be through a Local Plan Working Party, for example dealing with vision and objectives and how themes, such as housing and employment can best contribute to these. The extent and timing of the review will become cleared once a restructure of Planning has been undertaken and the Development Management Policies Plan has been adopted.

4.0 Financial Implications

- 4.1 A high level project plan has been produced to assist the Interim Head of Planning in developing the restructure of the Planning Service and identifying the financial resource required to support the review of the Local Plan. Funding will have to be found within the financial parameters currently set and through opportunities surrounding additional income streams generated by the activities of the Planning Service. Where a Local Plan is not up to date, Government has indicated its intention to intervene and potentially appoint a responsible party to write a Local Plan for the Local Planning Authority and to claim back the associated expenses. Brent is not considered to be at significant risk currently due to its ability to show it can meet a five year housing target. However, it does need to take forward a review of the Local Plan soon to continue to limit this risk.

5.0 Legal Implications

- 5.1 Planning applications are to be determined in accordance with Development Plan unless there are significant material considerations that indicate otherwise. The provisions of the Development Plan are likely to hold the most weight where the Local Plan is up to date and consistent with National and London Plan policy. The Housing and Planning Act 2016 and associated regulations will be setting out what the Government considers to be an up to date Local Plan and mechanisms that will allow it to intervene to ensure that an up to date Local Plan is in place where required.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Full statutory public consultation will be carried out in the process of preparing and adopting the Local Plan. An Equalities Impact Assessment will also be undertaken at each stage of the Plan adoption process.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 As set out, a restructure of Planning is being undertaken by the Interim Head of Planning to provide more capacity and resilience in relation to Planning Policy to support the development of the Local Plan.

Background Papers

[Brent Core Strategy 2010](#)

[Brent Site Specific Allocations DPD 2011](#)

[Wembley Area Action Plan 2015](#)

[Brent Development Management Policies Plan Publication Version 2015](#)

[Brent Development Management Policies Proposed Modifications June 2016](#)

[Old Oak and Park Royal Opportunity Area Planning Framework 2015](#)

[Draft Old Oak and Park Royal Local Plan February 2016](#)

[London Plan \(incorporating Further and Minor Alterations\) 2016](#)

Contact Officers

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Appendix 1

Brent Core Strategy Spatial Vision

By 2026, Brent will:

Be a dynamic London Borough, with a new and iconic Wembley at its core providing new jobs, homes, retail and major leisure attractions

Retain and upgrade its industrial and manufacturing sectors by providing modern and upgraded premises in a quality environment

Be a Borough of opportunity, maximising the potential of its youthful population through new and improved educational and training facilities

Provide a range of homes that are affordable and meet the needs of its diverse communities

Be a healthy and safe place to live, benefitting from high quality urban design, attractive open spaces, first class sporting facilities and green and safe walking and cycling routes

Host inclusive community and cultural facilities which enable full participation of its diverse communities

Retain its smaller centres which provide important local services to their immediate area

Be fully integrated into the city with excellent public transport interchanges and connections to other strategic centres in London

Use energy and resources in an efficient and sustainable manner, playing its role in addressing the global challenge of climate change

Appendix 2

Brent Core Strategy Strategic Objectives.

- Objective 1: To promote economic performance & regeneration
- Objective 2: To meet employment needs and aid the regeneration of industry and business
- Objective 3: To enhance the vitality and viability of town centres
- Objective 4: To promote the arts and creative industries
- Objective 5: To meet social infrastructure needs
- Objective 6: To promote sports and other recreational activities
- Objective 7: To achieve housing growth and meet housing needs
- Objective 8: To reduce the need to travel and improve transport choices
- Objective 9: To protect and enhance Brent's environment
- Objective 10: To achieve sustainable development, mitigate & adapt to climate change
- Objective 11: To treat waste as a resource
- Objective 12: To promote healthy living and create a safe and secure environment

Appendix 3

Brent DMP 21 Public Houses

- 11.8 In recent times Brent has seen an increase in conversion of public houses to other uses. This is of concern to the Council as public houses can make a valuable contribution to the community by adding character to the area and providing employment and a place for social interaction. Many public houses provide space for evening classes, clubs, meetings or performances. As such, and in keeping with the NPPF, public houses are classed as social infrastructure and proposals which would result in their loss will be subject to this policy.

DMP 21 Public Houses

The Council will support the loss of public houses only where:

- a) its continued use as a pub or as an alternative community facility within the D1 use class is not economically viable as demonstrated by meeting the marketing requirements in paragraph 11.9;
- b) the proposed alternative use will not detrimentally affect the character and vitality of the area and will retain as much of the building's defining external fabric and appearance as a pub as possible;
- c) the proposal does not constitute the loss of a service of particular value to the local community; and
- d) if registered as an Asset of Community Value the premises can be shown to have been offered for sale to local community groups and no credible offer has been received from such a group at a price that is reflective of the condition of the building and its future use as a public house. The Council will treat registration as an Asset of Community Value as a material planning consideration.

- 11.9 Where applications for a change of use or redevelopment of a public house are received, to make an assessment against criteria in policy DMP 21, the Council will require evidence that:

- a) the public house has been marketed for 24 months as a public house and for an alternative local community facility, at a price agreed with the Council following an independent professional valuation (paid for by the developer) and there has been no interest in either the free-or lease-hold either as a public house or as a community facility falling within 'D1' use class;
- b) the public house has been offered for sale locally, and in the region, in appropriate publications and through specialised licensed trade agents;

- c) all reasonable efforts have been made to preserve the facility, including all diversification options explored – and evidence supplied to illustrate this;
- d) the CAMRA Public House Viability Test, or a similar objective evaluation method, has been employed to assess the viability of the business and the outcomes demonstrate that the public house is no longer economically viable;
- e) there has been public consultation to ascertain the value of the public house to with the local community;
- f) an assessment has been made of there are alternative licensed premises within easy walking distance of the public house; and
- g) any whether such alternative premises offer similar facilities and a similar community environment to the public house which is the subject of the application.

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OPDC Local Plan

Progress to date

OPDC
OLD OAK AND
PARK ROYAL
DEVELOPMENT
CORPORATION

- OAPF published by Mayor
November 2015

Page 22

**First draft Local Plan
consultation completed
(4th Feb-31st March)**

- A huge amount of
supporting evidence
gathered



MAYOR OF LONDON



Stonebridge Park

LB Brent

Harlesden

Willesden Junction

Kensal Green

Hanger Lane

Page 23

Park Royal

RBKC

North Acton

LB Ealing

East Acton

LB H&F

Activities:

Dedicated consultation website & Facebook page, 55,000 leaflets delivered, 20 adverts in local newspapers, Emails to OPDC and TfL contact databases, 11 workshops, 6 drop-in sessions, 2 live Twitter sessions, Attendance at stakeholder events, Provision of printed material in local area

Responses:

2,640 email and letter responses, 1,200 workshop comments, 200 comments on website, 80 tweets

MAYOR OF LONDON

Emerging key issues:

1. Recognising existing communities (connections, social infrastructure and open spaces)
2. Planning for the construction period
3. Requirements for affordable housing
4. Density and tall buildings
5. Delivering social infrastructure to meet needs
6. Releasing more industrial land for mixed use development
7. Managing impacts and capturing benefits for Harlesden
8. Being an environmental exemplar

MAYOR OF LONDON

Next steps



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Activity	Date
Presentation of key consultation issues to OPDC Planning Cttee and Board	September 16
Update meetings with local community groups	October-December 16
Finalise supporting studies and statement of consultation	December 16
Consultation of Regulation 19 Local Plan	March 17

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Resources & Public Realm Scrutiny Committee

6 September 2016

Report from the Strategic Director for Regeneration and Environment

For Information

Wards affected: ALL

Road Resurfacing Strategy

1.0 SUMMARY

1.1 This report looks at how we resurface our roads. It commences by discussing Brent's Highway asset (all the roads, pavements, drainage gullies etc.) Our highways infrastructure is the asset most used by the public and the most visible, and is currently valued at £3.89bn.

1.2 This report then goes on to discuss the following

- How are we choosing where to surface?
- How the new software tool we are about to acquire will make a difference.
- How are we communicating these decisions, do the public have confidence that we are choosing the right roads?
- Is resurfacing the priority or should we be looking at potholes instead?
- How we ensure the quality of road resurfacing

2.0 Brent's Highway Asset

2.1 Our highways infrastructure (including roads and pavements) is the asset most used by the public and the most visible. The latest estimate for the value of this asset is just over £3.89bn, and Brent's highways assets include:

- 505 km (315 miles) of roads;
- 847 km (529 miles) of pavements;
- 53 bridges and structures;
- 24,500 road gullies;
- 10,000 street trees; and
- 22,848 street lights and other illuminated street furniture.

- 2.2 In common with other Highway Authorities, Brent has an increasing maintenance requirement which cannot be met through a standstill budget. Currently estimated in Brent at £100m, more defects are appearing year on year. Against this, public expectations are rising with more customer reports of highways defects every year asking for these to be repaired.
- 2.3 This is not a problem specific to Brent as all local authorities across London, and indeed England, are experiencing a backlog of highway maintenance repairs. With cuts to local authority funding across London, increasingly there are insufficient resources to deal with road and pavement repairs. However, in Brent we are looking to address the imbalance and put investment and programmes in place to improve the overall condition of our footways and roads.
- 2.4 Towards the end of the last financial year £200k was identified through savings and invested to bring forward carriageway patching and repairs to approximately 1200 potholes that had been identified over the previous 6 months. This work will be substantially completed by the end of July and has been running in parallel to scheduled and reactive inspections and repairs.
- 2.5 This year 2016/17 we are investing a further £2m in our planned maintenance programme to move to a more proactive approach; prevention is better than cure. It includes an area patching programme to address locations considered too big for reactive repairs but requiring early intervention to prevent the road deteriorating further. Through this work we can pick up locations with multiple potholes, cracking, rutting etc. Officers are currently working with the contractor to identify locations and priority and welcome nominations from members that can be considered as part of the process.

3.0 How are we choosing where to surface?

- 3.1 To improve the way we maintain our highways, the council adopted the Highway Asset Management Plan (HAMP) in February 2014. The HAMP sets out a strategy based on the need to repair our assets on a regular basis, before they fail, so as to extend their lifespans and reduce higher long term repair costs, and provide the best value for money to local people
- 3.2 The strategy initially involves introducing a programme of major resurfacing works along with preventative maintenance, which will take the form of regular thin surface repairs to water seal roads and improve their anti-skid properties. Thin surfacing is cheaper than the cost of major resurfacing works but can extend the life of a road considerably by approximately 7-10 years, meaning that you can treat more road than for the price of major resurfacing
- 3.3 Each year we assess the network to determine the current condition. This is done using independent surveyors carrying out condition surveys to nationally agreed standards. We have full survey coverage of the borough's roads and pavements so we can assess the priority for resurfacing right across the borough. These surveys give us a "Condition Index" for all the sections of road and pavement; the "Condition Index" is in the form of a number. It is a measure of the number and severity of the defects one section of road or pavement has, and allows us to compare the condition of one section to another.
- 3.4 We then taken account of a range of factors to define relative priorities for maintenance. We use a scoring system to identify roads and pavements suitable for major resurfacing, preventative maintenance or upgrades that assess the following:
- Network Condition - condition-based on outcomes of annual condition surveys and inspection programmes;
 - Network hierarchy and traffic usage, including proximity of local schools / colleges;
 - Risk - Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history; and

- Value for Money - The cost effectiveness of preserving roads that have not yet fully deteriorated and fixing those which have.

- 3.5 We continue to take account of councillor nominations for road maintenance and, where a number of schemes attract the same or similar scores, we prioritise councillor nominated schemes earlier in our proposed maintenance programmes. We may also deviate from priority order where, for instance, a section of road in relatively good condition may be resurfaced if it is on a street where the rest of the road needs maintenance and it would be illogical, or impractical, not to resurface the whole street.
- 3.6 This year 2016/17, as a result of member feedback from business, we are prioritising our High Streets to assist regeneration by improving the look and feel of the environment
- 3.7 Also new this year 16/17 pavement upgrades include slabs being replaced with asphalt, which will help to make pavements more resilient and durable, and fit for purpose for the demands of today. Asphalt is more flexible than slabs and is less likely to crack and create trip hazards in the long term. Dropped crossings and street corners will be surfaced using concrete block paving, to ensure long term resilience. By using asphalt, we are able to make our limited resources stretch further, meaning more pavements can be repaired, making the borough a safer, more accessible place to live.



Newly upgraded footways; note that the road is programmed for resurfacing on completion of the pavements

4.0 The Asset Management Tool

- 4.1 We are investing in an asset management tool as part of our drive towards an intelligent evidenced based approach to asset management. The tool will enable officers to identify the most appropriate time for planned intervention of specific roads and optimise the benefit to be achieved from varying levels of funding. This approach will, over time, enable us to move away from reliance on reactive repair to maintenance and provide long term planning and visibility of programmes.
- 4.2 The goal for the service to satisfy Brent asset management aspirations could include
- Brent condition data hosted and displayed spatially on a web based “Brent Information Gateway”.
 - Options analysis and deterioration modelling enabling the Brent officers to explore longer term network performance outcomes of different budget scenarios.
 - Programme development functionality enabling Brent engineers to form a programme of work over a number of years from a model run to deliver network performance outcomes in accordance with the Brent asset management strategy and action plan;
 - Network Performance reporting from the model.
 - Programme development would enable schemes to be modified to reflect local priorities and practical considerations by editing their extent, treatment type and year of programme in which they are carried out.
 - Network Performance reporting to reflect any changes to the modelled scenario included in the proposed programme of works.

Network R.A.G.



Network RAG after 5 Years Deterioration



The asset management tool will predict network condition under different funding scenarios

various factors are impossible to disaggregate. However, the trend in road condition is illustrated below

Year	% of roads where maintenance should be considered		
	A class roads	B and C class roads	Unclassified roads
2008/2009	8%	9%	23%
2009/2010	11%	9%	23%
2010/2011	9%	7%	27%
2011/2012	9%	6%	26%
2012/2013	8%	9%	20%
2013/2014	13%	11%	21%
2014/2015	16%	16%	21%

5.7 It can be seen that whilst the condition of the unclassified roads has been fairly stable over recent years, the condition of classified roads (A, B and C roads) is deteriorating.

5.8 We do know that whichever streets we resurface, there are many streets in a similar condition which we would also like to resurface but funds are limited. The £2m additional funding in 2016/17 is a start to address the highway maintenance backlog and the change of emphasis to do more pavements will help address resident concerns in this area.

6.0 Is resurfacing the priority or should we be looking at potholes instead?

6.1 There needs to be a balance between reactive repairs (e.g. repairing potholes) which are required to keep the highway safe, and planned works which are needed to preserve and extend the life of the road or pavement. Reactive maintenance is inherently inefficient and more expensive than planned maintenance and so, whilst there will always be a need for it, ideally the amount carried out should be minimised.

6.2 In April 2011 the then Parliamentary Under-Secretary for Transport announced an initiative to review the pothole problem under the umbrella of the Department for Transport sponsored Highways Maintenance Efficiency Programme (HMEP). A Project Board was appointed involving a range of key stakeholders from the public and private sectors,

6.3 The review considered how local highway authorities in England currently deal with potholes, as well as wider stakeholder views and implications. The review identified good practice through consultation, in order to demonstrate how potholes and other related aspects of highway maintenance may be dealt with more efficiently and effectively.

6.4 The review was published in a report "Prevention and a Better Cure – Potholes Review" in April 2012

6.5 The review noted that there are three types of maintenance activities:

- **"Routine (cyclic and reactive) maintenance** – *This is work that is planned and performed on a routine basis to maintain the condition of the highway or to respond to specific conditions and events. Routine maintenance activities restore the highway asset to a safe state but do not increase its structural capacity.*

- **Preventative maintenance** – *This is a planned strategy of cost-effective treatments to an existing highway in order to preserve it, prevent water ingress, reduce the rate of future deterioration and increase service life, without increasing its structural capacity. Preventative*

maintenance is typically applied to highways with some remaining service life and comprises road surface treatments that include crack sealing, surface dressing, slurry or micro-surfacing and thin and hot-mix asphalt overlay.

• **Structural maintenance** – *This consists of structural enhancements that extend the service life of existing highways either by restoring structural capacity through the elimination of age-related surface cracking, or by strengthening existing highways to accommodate existing or projected traffic.*

- 6.6 One of the key recommendations of the review was that “ **Local highway authorities should adopt the principle that ‘prevention is better than cure’ in determining the balance between structural, preventative and reactive maintenance activities in order to improve the resilience of the highway network and minimise the occurrence of potholes in the future**”
- 6.7 The review does not detail how this should be done. However, in February 2014 a report went to Cabinet detailing a new Highway Asset Management Planning (HAMP) approach for Brent, which provides a systematic long term methodology for maintaining the borough’s highways. At that time Brent adopted a “worst-first” approach to highways asset management. We identified the worst condition roads and developed a one year programme of road resurfacing and reconstruction.
- 6.8 The HAMP approach involved introducing a programme of major resurfacing works along with preventative maintenance, which takes the form of regular thin surface repairs to water seal roads and improve their anti-skid properties. Thin surfacing cheaper than the cost of major resurfacing works but can extend the life of a road considerably. Since then, two year’s programmes (2014/15 and 2015/16) of preventative maintenance have been implemented.
- 6.9 It should be noted that the requirement for permanent repairs are built into the London Highway Alliance contract. If, in an emergency, a temporary repair is required initially, then the specification requires that a permanent repair follows within 28 days. No temporary reinstatements are allowed for and 7- and 28- day repairs. This not only means a neat job but also a longer lasting repair.
- 6.10 For normal highway defects, e.g. potholes, on inspection any defects are categorised as High, Medium or Low priority. All high and medium priority defects are marked with white paint by our contractor. We have finance in place to repair high priority defects but limited funding to address those categorised as medium priority. Medium priority defects will be subject to assessment by an officer to determine if immediate repair is required. Low priority defects are noted, for record purposes only.

7.0 The quality of road resurfacing

- 7.1 In December 2012, the Cabinet took the decision to adopt Transport for London’s London Highways Alliance Contract as the Council’s method of delivery for highways maintenance services from 1 April 2013, and approved the award of a call-off contract with Conway AECOM for core highways maintenance services and improvement schemes
- 7.2 TfL’s procurement strategy was designed to encourage competition and provide opportunity for a wide range of bidders to be involved e.g. by forming consortia or joint ventures. Borough representatives were included in the design of the Strategy and the evaluation of tenders. The Strategy included a rigorous pre-qualification process would assess the generic capability of bidders to deliver the requirements TfL led the tender evaluation process with assistance from officers from the participating boroughs. Checks were carried out by the evaluation panel to ensure that bidders had put in prices and quality commitments that were

sustainable i.e. the tendered levels of service must in overall terms be deliverable for the tendered sums. The Contract must provide excellent value for money for Brent's residents and be a viable business concern for the provider.

- 7.3 FM Conway is the contracting arm of ConwayAecom, which has more than 50 years' experience in the design and delivery of successful highways maintenance programmes for both public and private sector clients. Our services encompass all of the essential activities needed to keep the UK's roads in optimum condition. They carry out rapid response pothole repair programming through to complete road resurfacing and civil construction projects.
- 7.4 FM Conway has Sector 16 accreditation from the Highways Agency (now "highways England") for the laying of all bituminous products. They specialise in the design, project management and delivery of machine-lay surfacing and road resurfacing projects. Their self-delivery teams operate an extensive and technologically advanced fleet to ensure that all surfacing projects are completed to a good standard. They invest heavily in the production of their own asphalt, aggregate and concrete products. The asphalt production process is housed at their asphalt plants in Erith Heathrow. The plants combine a high production output with energy saving technology
- 7.5 The ConwayAecom joint venture use FM Conway's surfacing division for all aspects of Road Pavement construction. Local in house teams provide core services which include:
- Supply of bituminous materials from their Heathrow manufacturing facility
 - Carriageway planing and resurfacing
 - Roadmarking and ironwork adjustments
 - High friction surfacing
 - Rhinopatch (infra-red patching)
 - Traffic Management accredited to National Highways Sector Schemes
 - Materials Guidance, specification and innovation for use in busy urban environments
- 7.6 The Contractor is required to carry out works to Road Pavements (including minor repairs and resurfacing) to the contract specification. Highways England produces standards and documentation relating to the design, construction and maintenance of highways; these documents are referenced in the contract specification.
- 7.7 Brent Officers also check the quality of resurfacing firstly by surveying the sites concerned to evaluate their condition and determine a suitable specification. The site survey addresses the following
- Surface water drainage
 - Kerb alignment
 - Existing adjacent levels in relation to proposed new carriageway levels
 - The stabilisation and regulating of the road profile
 - Site Safety and any precautions required including any special Traffic Management Measures
 - Make note of existing road markings with exact location
 - Proposed replacement of Anti-Skid Road Surfacing
- 7.8 Officers check the estimate provided by the contractor resurfacing based on the rates included in the LoHAC Contract.
- 7.9 Officers visit site throughout the duration of the work to ensure that traffic management measures conform to Chapter 8 of the Road Traffic Sign Manual and check work in progress. They check all works are carried out in a safe manner with due regard for vehicle

visibility sight lines, pedestrian safety, and is in accordance with all specifications and conditions outlined within the contract

7.10 During the removal of the old road surface ("planing off"), officers make sure:

- A sweeper is on site at all times, and the road is swept at regular intervals
- Work is carried out in a safe manner and joints/manholes/boxes/gullies are ramped before the road is open to traffic
- Surfaces which could not be taken out by machine, e.g. around boxes, manholes etc. are broken out
- Depths are checked in various locations to confirm they are within acceptable limits
- Temporary signing is appropriately positioned on site before the road is opened to traffic:- "Temporary Road Surface", "No Road marking", "Loose Chippings", "Ramp", etc.

7.11 At the carriageway resurfacing stage officers can:

- Ensure the surface is thoroughly swept and a tack coat applied prior to surfacing
- Check that all joints are sealed with hot bitumen
- Check the temperature of the material during surfacing

7.12 The following are to be checked during surfacing:

- Joints are properly cut and trimmed
- Chippings are spread uniformly
- There is an adequate fall in the surface for rain water to run to the nearest gully
- Compaction is carried out correctly and no roller marks are left on the surface
- Depths in various locations to confirm they are within acceptable limits
- All metal covers are cleaned and free from tack coat and asphalt
- Ironwork where necessary is adjusted to new levels

7.13 The Engineer must ensure that all road markings are replaced as soon as possible.

7.14 On completion of the work officers measure the total resurfacing area at each individual site jointly with the Contractor's Agent, as the programme proceeds, and agree final costs.

7.15 Regarding the quality of defect repairs, the contractor is required to submit "before and after" pictures of the repair. This requirement must be fulfilled before payment is made. Likewise payment will not be made until officers are happy with the quality of the repair, including the reinstatement of any line markings.



Newly resurfaced Road

8.0 FINANCIAL IMPLICATIONS

- 8.1 In 2016/17 there are two highway maintenance programmes in progress. The one-off investment of £2m for 2016/17 referred to in this report are allocated as set out below and the annual highway maintenance programme of approx. £3.5m is detailed in section 8.6.
- 8.2 Of the one-off investment of £2m, £1.7m or 85% is to be spent directly on additional investment in roads and pavements. Of the existing backlog about 86% relates to pavements and the backlog for roads is below the London average. As a result, the advice from highways officers is that the historical split of funding, which was 50/50 should be more heavily weighted towards the pavements, with an allocation of 65/35. This makes the investment in pavements about £1.1m and the investment in roads about £0.6m.
- 8.3 For the maintenance of the various structures – principally bridges – in the borough an immediate allocation of £0.1m is proposed for remedial works. Additionally, a further £0.1m is proposed to improve the inspection regime in order to base future decisions on better information.
- 8.4 The balance of £0.1m is proposed to be spent on improving the management information on which to base future investment decisions, including investment in structural and financial modelling tools. The Strategic Director for Regeneration and Environment and the Chief Finance Officer will determine the balance of this between external and in house expertise, subject to the total of the £0.1m allocated to this heading not being exceeded.
- 8.5 The proposed programme of an additional one-off £2m investment will not fix all of Brent's roads and pavements in a single year. As part of the budget setting round for 2017/18 and future years proposals will be brought forward for a new investment programme, taking

account of all of the available sources of funding (from the council, TfL and other sources) and the affordability of this against other council priorities.

- 8.6 The table below summarises the proposed allocation of Brent capital funding for highways maintenance during 2016-17:

Schemes	% of Capital Budget	Amount (£ 000's)
BRENT CAPITAL – Footways		
Major footway upgrade	42.54%	1,510
Footway upgrades – short sections	4.23%	150
Improvements to the public realm	3.52%	125
Sub-total	50.28%	1,785
BRENT CAPITAL – Carriageways		
Major resurfacing unclassified roads	27.18%	965
Preventative maintenance unclassified roads*	11.27%	400
Major resurfacing of B&C roads	5.63%	200
Road resurfacing – short sections	4.23%	150
Renewal of Road Markings	1.41%	50
Sub-total	49.72%	1765
Sub Total Brent Capital		3550
TfL Funding for Principal Roads**		901
TOTAL HIGHWAY MAINTENANCE PROGRAMME		4451

*around 30% of value of £1.365m unclassified carriageway resurfacing programme

**value could increase if TfL agree to deliver reserve schemes.

- 8.7 The provisional allocation for 2016/17 assumes the same division of funding.
- 8.8 Up to £5k of carriageway maintenance allocation and £25k of footway allocation will be used to undertake condition surveys during 2016/17. These surveys will assist preparation of a long term asset management programme.
- 8.9 The approach to major road resurfacing and preventative maintenance assumes an approximate percentage split of funding of 70% and 30% respectively.

9.0 LEGAL IMPLICATIONS

- 9.1 The Highways Act 1980 places a duty on the council to maintain the public highway under section 41. Breach of this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it. There is also a general power under section 62 to improve highways.

10.0 DIVERSITY IMPLICATIONS

- 10.1 The £3.55m Highways Capital Scheme 2016-17 Programme (which are the same in nature to the £2m Highway Investment Programme) have been subject to screening there are

considered to be no diversity implications that require full assessment. The works proposed do not have different outcomes for people in terms of race, gender, age, sexuality or belief.

- 10.2 In addition, the design criteria used in all highway work does take note of the special requirements of various disabilities. These will take the form of levels and grades associated with wheelchair users, for example road crossing points, and for partially sighted / blind persons at crossing facilities. The highway standards employed are nationally recognised by such bodies as the Department for Transport. This programme of works continues the upgrade of disabled crossing facilities at junctions which were not constructed to modern day standards. All new junctions are designed to be compliant at the time of construction.
- 10.3 Strengthened areas of footway are far less susceptible to damage and will therefore aid the movement of pedestrians that may find it difficult to walk on uneven pavements.
- 10.4 We make sure accessibility ramps are provided to aid wheelchair users and those with prams. We make sure high visibility barriers and tapping rails are provided to allow those with visual impairments to negotiate the works as they are in progress
- 10.5 We make sure of the visibility of the required signage, also where temporary work is being carried out.
- 10.6 We monitor of the quality of the work to ensure that the finished surface is to specification and does not form a mobility hindrance; and that signage and road markings are correctly provided as aid to movement.

BACKGROUND PAPERS

None

CONTACT OFFICERS

Jonathan Westell, Highways Contracts & Delivery Manager
Tony Kennedy, Head of Service, Transportation

Chris Whyte
Environment


and

Employment

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Asset Management System		Planned				2016										
Task name	Responsibility	Start date	Finish date	Duration	Progress	01/08	08/08	15/08	22/08	29/08	05/09	12/09	19/09	26/09	03/10	10/10
A Project Initiation																
Identify business case/need for project		23-May-16	23-May-16	1	✓											
Identify budget(s) and possible funding streams		23-May-16	23-May-16	1	✓											
Sign off from HoS/AD/Director to initiate project		23-May-16	23-May-16	1	✓											
Identify scope of project		01-Jul-16	12-Aug-16	31	✓											
Plan project timescales		15-Aug-16	16-Aug-16	2	✓											
B Documentation																
Draft Specification	Kelly Wilson	15-Aug-16	19-Aug-16	5	✓											
Finalise input from IT	Kelly Wilson	22-Aug-16	26-Aug-16	5	✓											
Finalise specification	All	22-Aug-16	28-Aug-16	5	✓											
Receive first draft T+Cs from Legal	Philipa Dieobi	29-Aug-16	02-Sep-16	5	✓											
Finalise T+Cs	Philipa Dieobi	05-Sep-16	10-Sep-16	5	✓											
Send all final paperwork to Procurement	Kelly Wilson	05-Sep-16	10-Sep-16	5	✓											
C Procurement																
Finalise Specification and confirm scope		05-Sep-16	11-Sep-16	5	✓											
Contact possible bidders to determine interest in market		12-Sep-16	18-Sep-16	5	✓											
ITQ period		19-Sep-16	02-Oct-16	10	✓											
Evaluate ITQ bids		03-Oct-16	09-Oct-16	5	✓											
Appoint successful bidder and raise order		03-Oct-16	09-Oct-16	5	✓											
Contract initiation meeting		10-Oct-16	16-Oct-16	5	✓											

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 Brent	Resources & Public Realm Scrutiny Committee 6 September 2016 Report from Strategic Director Regeneration & Environment
For Information	Wards affected: ALL
Scrutiny Update - CCTV Scrutiny Recommendations	

1.0 Summary

- 1.1 This is a report to update on progress made against a number of recommendations for the Council Closed Circuit Television (CCTV) Service. These recommendations were set by the Scrutiny Committee CCTV Task Group in their report published November 2015.
- 1.2 The Task Group made over twenty individual recommendations. Each of these recommendations fall into one of five overarching themes which the Task Group believes should form the basis of Brent Council's future CCTV strategies.
- 1.3 The CCTV Service have progressed with the recommendations made, to ensure all recommendations were considered, and actions implemented where required as well as changes incorporated where necessary.

2.0 Recommendations

- 2.1 That the committee regard the actions and changes made to the CCTV service in response to the scrutiny committee task group recommendations, made November 2015. Actions can be seen against each recommendation in Appendix 1. Further developments regarding progress for the service have continued, which is further detailed within this report in section 4.0.

3.0 Detail

- 3.1 At the start of the review, a number of key aims were set, in terms of focused outcomes deriving from the task group investigations. The review considered questions in the following four key areas to lead their investigations.
- Public Perception of CCTV
 - The Effectiveness of CCTV
 - The Current Systems in Brent
 - Working innovatively, involving the community and securing alternative funding sources
- 3.2 The task group decided to hold four themed discussion groups, which reflected the key areas of the review. Local residents groups were invited to attend along with council officers and multi-agency partners. The key recommendations then derived from such discussion groups and consultations.
- 3.3 Conclusive aims for setting the overarching recommendations detailed that it has never been more important for Councils to become beacons of best practice and set an example to all local partners on how CCTV should be used. The recommendations proposed therefore set out some key mechanisms by which this aim could try to be achieved.
- 3.4 Key findings from the review included:
- 1) Providing examples of some leading best practices which Brent could seek to adopt, but also provided evidence of local needs unique to Brent.
 - 2) Providing examples of how the performance of the Council's CCTV systems could be benchmarked and measured.
 - 3) Identified the vital role that public education can play in building confidence in the CCTV system. Increasing public awareness of the facts around CCTV.
 - 4) Shown how additional revenue can potentially be raised through the Council's CCTV.
 - 5) Highlighted the benefits of switching to a more deployable system of cameras and of involving and educating the community about such redeployments.
 - 6) Emphasised the importance of a supportive environment for the Council's CCTV staff and recognised the great work they do.
- 3.5 In response to the twenty one individual recommendations set out in the report, the CCTV service has worked hard to ensure all recommendations were considered, actions put in place where required and changes/additions to processes and practices instilled where necessary.
- 3.6 Updates and comments relating to each recommendation can be seen via a RAG rated table in Appendix 1.
- 3.7 All recommendations received attention. With only three recommendations reaching AMBER status, as detailed in Appendix 1, with the remaining eighteen recommendations fulfilling a GREEN status of action; highlighting the high level of attention the service have fed into the review recommendations.

3.8 The main feedback from the service regarding these recommendations were that a small number of recommendations are still ongoing in terms of developments, and that although some of the recommendations would be ideal, current staffing needs have restricted some developments with one or two other recommendations. Overall, the recommendations set the scene for further developments in reviewing the service, to enhance the service operations and ensure a Safer Brent.

4.0 CCTV Service Developments

4.1 Since the CCTV Scrutiny in 2015, the CCTV service have made some changes in line with the recommendations set by the task group, however have also started to make new developments in considering and addressing options for the aging infrastructure, income generation and future expansions.

4.2 The operating budget for CCTV is tightening while operating costs, notably transmission and maintenance costs, are rapidly increasing. Brent's present CCTV infrastructure is long past its due date with some cameras over 20 years old, with life spans of some equipment only 15 years. In the most basic terms, costs are increasing while revenues and funding are decreasing. Some of these issues can be traced to the way that cost efficiency measures have been implemented, but without a business transformation.

4.3 If we were to make key changes now, investing capital at this stage, we would make key savings for the future, as well as generating opportunity for income generation as well as partner opportunities with neighbouring boroughs to minimise any maintenance and management costs etc. At present, our technology and infrastructure would not allow us to do this without investment.

4.4 CCTV research and reviews have shown that we need to update our analogue CCTV systems towards a digital 'IP enabled' system. Benefits include:

- **Enhanced recording capabilities** - better intelligence and increased enforcement (increased income).
- **More flexible** to move cameras at no/minimal cost - increasing deterrence and intelligence.
- **Sharing services** - reducing transmission costs to become cost neutral, i.e. sharing control rooms with other boroughs
- **Increased income** - monitoring Registered Social Landlord CCTV.
- **Reduced maintenance costs** - new infrastructure requiring less maintenance.
- **Increased community safety**, increased environmental cleanliness.

4.5 Our CCTV cameras primarily make Brent Safer, and instil community reassurance but are also used for traffic and parking enforcement, housing estate monitoring, environmental ASB, fly tip monitoring and gathering public protection intelligence etc; therefore the need and operational reliance is colossal.

4.6 Further information regarding CCTV opportunities are currently being consulted on and will progress through the Capital Investment Board as appropriate

5.0 Financial Implications

- 5.1 Upgrading all Brent cameras to digital IP enabled technology will have financial implications. The total cost to upgrade our CCTV infrastructure across Brent, will cost around £1.8 million. An area based approach could provide the option of upgrading our systems on an area needs basis, however this would overall cost more in the long term, and there would be an issue in deciding which are would require the upgrade over other areas.
- 5.2 A business case will be developed to address the requirements of CCTV across the borough and this will be progressed through the capital investment governance processes.

6.0 Legal Implications

- 6.1 None at present, potentially some legal implications if options regarding a collocated service progress with other boroughs.

7.0 Diversity Implications

- 7.1 None

8.0 Staffing/Accommodation Implications

- 8.1 Potential staffing and/or accommodation implications related to options for upgrading our infrastructure, and relating colocation options moving forward. This may include potential positive impacts.

Contact Officers

Karina Wane
Head of Community Protection
Brent Council
x5067

Appendix 1: CCTV Scrutiny Recommendations

	Recommendation	Feedback	RAG
1	Brent Council should develop a concise summary of its CCTV policy to contain information on: the effectiveness of, and alternatives to, CCTV; the constraints imposed by national legislation on CCTV; the cost of CCTV relative to the public purse. Most importantly, this document should set out clearly the criteria by which areas would become eligible for a deployable camera. This summary can be distributed to any resident or group who seeks a new camera – as well as all elected members – to increase public awareness of Brent's policy towards CCTV. The language in the summary should be tested with local groups to ensure it can be understood by the target audience. A draft should also be presented to Scrutiny Committee for review.	This is all included within the CCTV Strategy, which is held on our website. The eligibility criteria for a deployable camera is available on the CCTV pages of the Brent website.	Green
2	Brent Council should give a public commitment that it will continue to maintain a public network of CCTV cameras in the borough to aid the goals of public reassurance and confidence and to demonstrate that the Council understands the public's concerns and is listening to them.	This is clear in the CCTV strategy, which is a public document on our website.	Green
3	Brent Council's policy towards CCTV should always pay account to the priorities of the borough's residents, for example on fly-tipping. These views should be gathered and confirmed by means of a survey or other public study.	The resident's survey is triennial and views espoused therein will be captured. We do not have resources to commission additional surveys. However, we do now demand that residents are consulted about the potential deployment of mobile cameras before decisions are progressed. This is being insisted upon at LJAG referrals so we can gauge resident's acceptance for this form of monitoring.	Green

4	Brent Council should never use dummy cameras as part of its CCTV strategy.	We agree with this and would never use dummy cameras.	Green
5	Brent Council should involve local community groups in “designing out” crime in their area, and provide them with a quick and easy way to report physical problems which may interfere with the effectiveness of local CCTV cameras.	Not all areas have local community groups, but we will always seek to work with them and other council services/departments, as well as other partner organisations when problem-solving crime issues are required. Reports can be made to our generic e-mail address mps.cctv@brent.gov.uk or using the online forms of the Brent internet site.	Green
6	<p>Brent Council should develop new and measurable benchmarking criteria to monitor the internal performance of its CCTV team on a quarterly basis, to identify trends, improvements and regressions. These should be focussed on what the team exists to achieve. In terms of criminal acts, Operator Initiated Arrests (to be known as OIAs) should be measured to understand if the monitoring of our network is helping the police to apprehend offenders.</p> <p>In terms of fly-tipping, which as has been noted is extremely important to Brent residents, a system to measure the number of environmental issues resolved with the aid of CCTV should be developed. The percentage downtime of cameras should also be recorded to ensure that Brent’s contractors are providing a strong and standard service and that the areas identified as needing cover receive what they were promised. The Cabinet Member responsible for community safety should report these findings to Cabinet on an annual basis and the figures should also be made available to the Scrutiny Committee.</p>	<p>We have rearranged our performance management indicators along these lines for OIAs and downtime. Currently this is a piece of work with the Community Safety analyst. We have altered the details on our Geographical Information System records to incorporate details of CCTV viewed as evidence and those incidents reported to CCTV CR operators as suggested. We have a whole years’ worth from April 2016 - April 2016.</p> <p>Fly tipping is logged with waste enforcement via iModus systems. CR Operatives are starting log fly tips separately on the GIS System for our own records, however Waste Enforcement collate all respective logs and relative outcomes.</p> <p>We have revamped the CCTV webpages as a result of this scrutiny report and seek to discuss</p>	Green

		CCTV's effectiveness (or otherwise) and suitability in public forums.	
7	Brent Council should work with other local authorities to establish CCTV benchmarking network. Potential early partners would be the CCTV User Group or neighbouring boroughs.	<p>We liaise with the CCTV User Group, Alvin Wakeman the Control Room manager is an active member and of London CCTV managers group LCMG (33 London Boroughs plus Police and TFL).</p> <p>Work is going forward with the standards authority at the Home Office and will report back to LCMG but we do not have control over the performance management decisions of other boroughs, nor if they choose to share them. Different boroughs have widely varying set ups and usages of their systems therefore also not always relative to Brent.</p>	Amber
8	Brent Council should work to actively publicise successes which derive from the CCTV network.	<p>We do this already where we are aware of it. Before a case comes to trial we cannot mount any publicity as it is sub Judice; after resolution we are not necessarily fed back on our role in the prosecution from the Courts Service. This is an issue the Courts Service has around communicating back; it is not specific to Brent. However, we will work with our Communications team to actively highlight any high-profile successes.</p> <p>Recently at an MPS police awards three CCTV Control Room officers commended for their CCTV work with a specific judicial disposal result.</p>	Green

9	<p>Brent Council should develop a comprehensive list of all community and residents groups in the borough and the areas in which they operate – elected members would ideally be placed to help create this.</p> <p>When there is a change in camera coverage, possibly as a result of the regular mobile redeployments, the specific local group in the area affected should then also be informed on the same basis as elected members. The goal of this is to increase education and improve community relations by proactively informing residents about the Council's community safety work. Likewise, all Neighbourhood Watch schemes should be notified of changes in camera coverage.</p>	<p>Developing a list of community and resident groups would be best tackled by the Community Engagement team, however through the Community Protection service we do have a number of diverse resident groups to engage with where needed.</p> <p>We inform Brent Neighbourhood Watch Association of all changes in the deployment of cameras. We do not have contact details of each watch scheme and rely on BNHWA to do this on our behalf. Any changes to locations of cameras are now updated to our website for all to see, as well as local councillors being informed.</p>	Amber
10	<p>Brent Council should join up and improve communications between the CCTV control room and the departments which use their footage.</p>	<p>We have worked on this since the Scrutiny report and as a result there is much closer working between the control room and enforcement teams. With joint Summer working across Environment and Regeneration departments as well as Children and Young People to build gangs intelligence to help reduce gang related incidents, and regular CCTV training for waste enforcement officers. The Control room have also been noting any young females linked to gang members to help build intelligence on potential CSE cases, whereby footage is then shared with children's services colleagues, and Police.</p>	Green
11	<p>Brent Council should maintain the excellent local knowledge of its CCTV operators, if necessary through site visits to hotspots.</p>	<p>This would be ideal and when fully staffed something to try to develop, but given that many shifts are single-staffed this could leave the</p>	Amber

		<p>control room unoccupied while the operator is on a site visit.</p> <p>The operatives have however started some 1:1 training related to Safer Brent Partnership priorities including Gangs, CSE and VAWG. This will help focus their attention to locations/individuals of interest to help build intel and needs assessment.</p> <p>Future examples being considered include linking in with training and what we can and cannot do with Wembley radio users and Kilburn Radio users both Business watch areas. And a joint walk around and share of ideas.</p>	
12	Brent Council should continue with its new emphasis on deployable units, but ensure all changes, and the reasons for these, are communicated clearly and effectively to all stakeholders.	<p>We have a process in place which communicates all changes to deployable cameras to stakeholders including Ward Councillors and Police SNT. This is also detailed on our website. A bid to local LJAG's for a deployable camera is considered by deployment committee, if the chair of the LJAG concerned recommends. This includes full partnership approach with local Community police inspector. It is consent of local population and regular survey of area before deployment determined.</p>	Green
13	Brent Council should seek to improve members' reports, with a particular focus on getting wards right and more information about the evidence base used when a decision about deployment is made.	<p>We hope members have seen this improvement through the communication around deployment of cameras. We always require an evidence base through the LJAG process and deployment committee process.</p>	Green

14	Brent Council should use changes in CCTV as part of a wider communication strategy about combatting crime and anti-social behaviour.	This is already part of the community safety communications strategy and the Safer Brent Partnership strategy.	Green
15	Brent Council should draft new planning guidelines which make clear that in all ordinary circumstances property developers should provide funds through S106/CIL for the Council to install CCTV to mitigate the impact of their development. To ensure revenue costs are not unduly encumbered by this process, additional S106 and CIL funds should be taken relative to the repair and upkeep required over the lifetime of the camera. The CCTV function should be part of all future planning consideration, to ensure new developments do not impinge upon the current network.	The council manager in charge of the S106 process feedback stating: 'That although this fund could be used sometimes for CCTV projects, it could not be used all of the time, dependant of what the council's priorities might be at that time. Especially social projects or the use of funds to develop new or improved schooling or social care issues, repairs and alterations to and maintenance of the road network or changes being considered.' Discussions regarding the use of CIL are ongoing.	Green
16	Brent Council should require the Community Safety Team to prepare a report on how the Council's CCTV strategy might be used for income generation, to be presented to Scrutiny Committee in early 2016.	We completed this in 2015 however found that there was no opportunity for income generation through the CCTV network. However, we have invested in significant hardware over the years to support our services, whether that is in lampposts and other street furniture, underground ducting or IT networks. Successes in gaining a commercial return from this investment and the skills and expertise we have started to build up, including contracts with Lewisham Council and the Local Government Association. We are currently negotiating further arrangements with Registered Social Landlords	Green

		and addressing options with other boroughs, although we can't yet unveil those as the discussions are still at a commercially sensitive stage. We will seek to again put a business case together this year to gain capital to increase out income generation options. This is a piece of work currently being addressed with our strategic director.	
17	Brent Council should commit that all money raised through the income maximisation strategy should be retained by the CCTV department to be reinvested to improve the CCTV service.	We have agreed contracts with a number of housing providers to monitor their CCTV; albeit they are currently small contracts. Income from this is invested into the CCTV service. Further and increased income is being addressed via the above project to gain capital investment to allow this.	Green
18	Brent Council should conduct a wide-ranging review of alternative funding sources which can be tapped into to provide CCTV, beginning with MOPAC.	MOPAC are highly unlikely to fund any borough's CCTV unless they fund every borough's CCTV. There is currently no additional MOPAC money allocated for borough CCTV provision. We have already looked into alternative funding sources and been unsuccessful. Income generation however is our next step to address options – as above. An option centrally is being considered for a joint or regional style CCTV agreement, as the Police are aware of pressures on Local Authorities in relation to funding which has been traditionally borne by individual authorities.	Green

19	Brent Council should develop a clear “can do” attitude about any innovative “Citizens CCTV” schemes and seek to increase the range of CCTV provision in the Borough by such means.	We will provide advice and signposting to any citizen or group of citizens who seek to undertake this.	Green
20	Brent Council should develop a briefing document for citizens and resident’s groups offering clear signposts on further reading they must do, and places they must go for advice if they wish to develop a local, private CCTV network.	This information is now available on our website.	Green
21	Brent Council should evaluate the possibilities of sharing its CCTV services with other Boroughs to save costs. Any savings should be re-invested in to improve the service.	We have met with another council to explore a shared service but this was not deemed to be practical at this stage. Any shared service would require a significant capital investment. Further enquires are being made now and there are a number of interested Local Authorities including Waltham Forest, Hackney, Ealing and Harrow. This is at early stages of consultation and we are evaluating our options.	Green



Resources & Public Realm Scrutiny Committee

6 September 2016

Report from Strategic Director of Regeneration & Environment

For Information

Progress Report on Recommendations of Scrutiny Fly- Tipping Task Group

1.0 Summary

- 1.1 The Fly-Tipping Task Group was formed in 2015 by the Scrutiny Committee in response to communicated concerns from Brent residents regarding increased fly-tipping levels in the borough. The purpose of the task group was to analyse and consider the borough's knowledge, behaviour and understanding of fly-tipping, to review local fly-tipping policies and processes, and to put forward recommendations to bring about improvements to the service.
- 1.2 The review was reported to Scrutiny Committee on 5th November 2015, and made 26 specific recommendations, principally concerned with reducing the levels of fly-tipping in Brent and ensuring clean and safe environments for Brent residents; and as a result, a reduction in clean-up and enforcement costs.
- 1.3 This report provides an update on progress against these recommendations since that time.

2.0 Recommendations

- 2.1 That Members of the Resources & Public Realm Scrutiny Committee note the contents of this progress report.

3.0 Detail

- 3.1 As part of the 2015/16 Committee Work Programme, Members of the Scrutiny Committee requested a time-limited task group be formed to undertake a focused piece of work on potential actions to change behaviours through education and reduce fly tipping in Brent.
- 3.2 The task group looked at the scale of the problem in the borough, how Brent compares with other authorities, why people fly-tip and what can be done about it. The review focused on a top-to-bottom analysis of the Council's internal and external processes for dealing with fly-tipping; involving a range of stakeholders, local resident groups, officers and partners; along with a range of visits and meetings, consultation with other local authorities and government departments, and an analysis of data and research relating to fly-tipping.
- 3.3 The report was considered by the Scrutiny Committee at its meeting on 5th November, at which the committee resolved:

- (i) that the recommendations of the scrutiny task group on fly tipping be approved and the development of an action plan across the council and partner organisations to take them forward be supported, and;
- (ii) that a progress report against the recommendations be submitted to the Scrutiny Committee in 6 months' time.

3.4 Fly-tipping Task Group Recommendations

- 3.5 The 26 recommendations of the group were divided under five overarching subjects of knowledge, education, enforcement, impact and publicity, as follows.

Knowledge

1. The task group recommends that the term "Fly-tipping" should be changed to "Illegal Rubbish Dumping" (IRD) in communications with residents. Residents rarely refer to dumped rubbish as fly-tipping and there is apparently confusion among some residents about what "fly-tipping" actually means. This is not a good basis on which to communicate with residents about the issue, therefore the task group recommends changing the language we use.
2. A named officer/s within the Waste Management service should be responsible for continuous monitoring of new methods to tackle IRD, keeping the council abreast of the latest developments and leading improvement practices; not just from other London boroughs and the UK, but from Europe and the rest of the world. The task group supports the behavioural studies that the council is currently participating in as part of the West London Alliance (WLA) and recommends that it should continue to build on this area of work.
3. Brent Waste Management service should review its internal benchmarking, looking internally at how we monitor our own performance and should report performance quarterly in public. It is recommended that this is communicated to residents and other councillors via the council's website and Brent Magazine.
4. Brent Waste Management should liaise with neighbouring London boroughs to develop a benchmarking network. The West London Alliance (WLA) would be a good place to start as there are links already established. There should also be additional cross-border networking, feeding into intelligence with the aim of bringing forward more prosecutions for trade waste dumping.

Education

5. Constitutionally empower "Community Guardians" by appointing, through an agreed selection process, figureheads like the chair of Keep Wembley Tidy. Councillors can support this by identifying suitable candidates. These guardians are to be given a profile on the council's web page, support and resources from the council and Veolia; to tackle illegal rubbish dumping in their appointed locations.
- 5.1 It was identified in the task group's research that residents often identify with different place names than the wards in which they live. The task group is recommending that the community guardians' structure in Brent is mapped in the following village localities and guardians are allocated to these areas:

Wembley	Dudden Hill	Kensal rise
Kenton	Neasden	Stonebridge
Queens Park	Sudbury	Kilburn
Harlesden	Alperton	Willesden

- This approach should be integrated with the voluntary Community Action Groups.
- 5.2 Guidance and a code of practice for the community guardians and village areas should be drawn up and agreed by officers and residents. This should include action days and identifying and evidencing illegal rubbish dumping hot spots. Village websites should also be linked to the council's waste management web pages.
 - 5.3 It will be a priority of the community guardians, councillors, officers and Veolia to devise and produce a 'Brent Against Rubbish Dumping Charter', which Businesses, HMO Landlords and Estate/Letting Agents will be encouraged to sign up to and display publicly.
 - 5.4 It will be a priority of the community guardians, councillors, officers and Veolia to engage with places of worship, youth clubs and sports clubs to engage and promote the Brent Against Rubbish Dumping Charter.
 6. The process of reporting IRD should be clear and straightforward, so that both residents and officers know what is to be expected and how and when there will be communication between parties. This should be documented on the council's IRD web page.
 7. Brent waste management and Veolia should liaise with Brent education and Brent schools partnership to ensure that there is a strategic anti-illegal rubbish dumping programme going into schools, aimed at both primary school and secondary school level. The programme should be continuous and target 100% of schools on an annual basis, encouraging schools to sign up to the Brent Against Rubbish Dumping Charter. Progress should be reported on the council waste management web page on a quarterly basis.
 8. Business liaison should be part of an officer's role; this should include an evaluation of any non-monetary incentives that can be offered. Brent should encourage businesses to sponsor a bin or bins, as a result of which businesses will become certified and will be allowed to display a Brent Council sign stating that they are opposed to IRD.
 9. Additional resources should be invested in to the Special Collection Service, so that items are collected sooner and the number of bulky items illegally dumped is reduced. Other alternative options for waste disposal and recycling should be promoted with direct links on the council's web page and offered on the phone when residents call to request Special Collection Services such as Freecycle and Freegle.

Enforcement

10. The task group recommends the formation of a strategic approach between Waste Management Enforcement services and the CCTV service to ensure more use of the current CCTV provision to monitor IRD hotspots. It is understood that this will require collecting evidence and providing a supported case for each camera.
11. Waste management services, specifically trade and Environmental health services, must work together more strategically; sharing information and working on joint visits where there is clear intelligence that there are crosscutting priorities.
12. A strategic approach between Housing Enforcement and Waste Management Enforcement services via Veolia should be formed to ensure that HMO landlords are educated as to their responsibilities regarding waste disposal for themselves and their tenants.
13. Enlist the support of night workers such as black cab drivers and night bus drivers to use the cleaner Brent app and report any perpetrators of IRD. This could be achieved by contacting taxi firms and Transport for London to explain our case and by asking them to cascade our request down to workers. The council would in turn be able to release positive press stories about these organisations.
14. We will look to pre-capitalise on new fly-tipping legislation, to be brought forward next year, by following a similar model to Ealing Council, as follows: *'The council has*

teamed up with Kingdom Security to provide dedicated teams of uniformed officers in the borough. Kingdom Security will work with the council's environmental enforcement officers, providing a high-profile deterrent and issuing £80 fines. Operating initially on a one-year trial basis, Kingdom Security is working at no cost to the council. Instead they will take a share of the fines they issue'.

15. The Council should work with other local authorities and the National Fly-tipping Prevention Group to lobby the Government for more effective enforcement powers.
16. The selective Landlord licensing scheme should be reviewed annually and reported on publicly with statistics on how effective the scheme has been, where it has been effective, areas where the council can strengthen its enforcement and any lessons learnt.
17. The landlord licensing guidance should have more detail in the wording regarding waste & refuse, so that it is harder for landlords to avoid discharging their responsibilities effectively.
18. Leaflets about Brent's waste disposal policies should be inserted into the guidance so that landlords can give them to tenants. The leaflet/insert scheme should also be rolled out to estate & letting agents.

Impact

19. Further investigation is required into the impact of the garden waste collection charges. Cabinet should review its effectiveness from a cost and efficiency perspective, annually until 2018.
20. Owing to the lack of quantitative data to evidence the effects of the garden waste charge at this stage, officers should review and report the effects of its first year in operation. Officers should devise logical metrics against which it can compare its performance annually until 2018.
21. The number of Brent residents that have signed up, and continue to sign up, to the Garden waste collection service should be more widely publicised. The Brent website and Brent magazine should be the media for this.

Publicity

22. Future publicity about IRD should be continuous, mainly word-of-mouth and not confined to one-off PR campaigns. The last major PR campaign in 2013 involved large, difficult-to read signs under which rubbish was dumped. It also saw photo opportunities to show the lead member was determined to deal with the issue, but officers confirm that it had little tangible impact on levels of IRD.
23. Officers, councillors and community guardians need to visit relevant local meeting places – whether they be religious meeting places, youth clubs or sports clubs – to pass on the council's messages about IRD and how communities can work with Brent to tackle it.
24. Leafleting campaigns led by the council and voluntary groups should be in multiple languages, appropriate to the socio-dynamics of the local area.
25. Any future communications should also be easy-to-read with no conflicting messages. This should be backed up with targeted local advertising. Brent London Underground and National rail stations are prime locations for such advertising.
26. The Cleaner Brent App requires further publicity, and probably a re-launch, as not enough people are aware it exists. There should be further publicity on the web and in the Brent magazine.

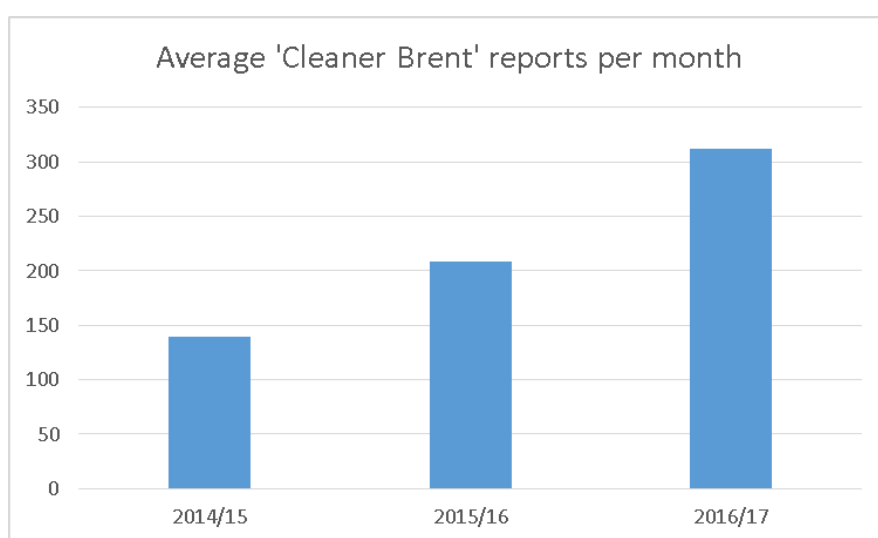
- 3.6 The table at Appendix 1 sets out a summary of the progress made to date against each of these recommendations.

3.7 Impact

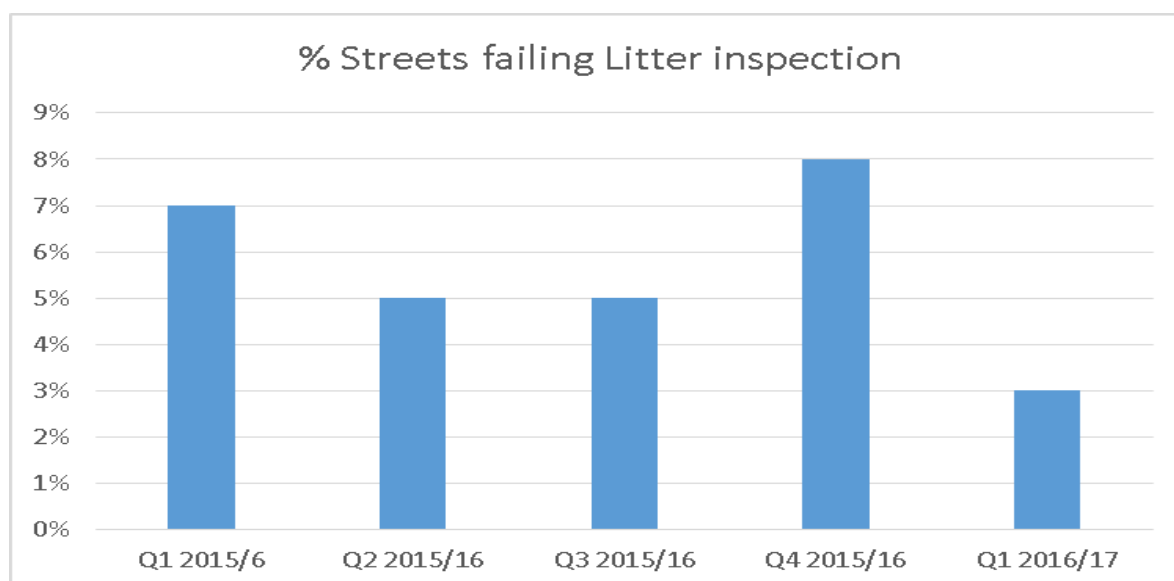
3.8 As well as reviewing the activity carried out over the past 12 months in response to the Task Group's recommendations, it is also important to review the impact of the work carried out over that time.

3.9 The Environmental Improvement Team has a range of Performance Indicators it uses to assess and monitor the impact of its activities, and the work of Veolia, across the borough. Below is a summary of relevant performance data across 2014/15 and 2015/16.

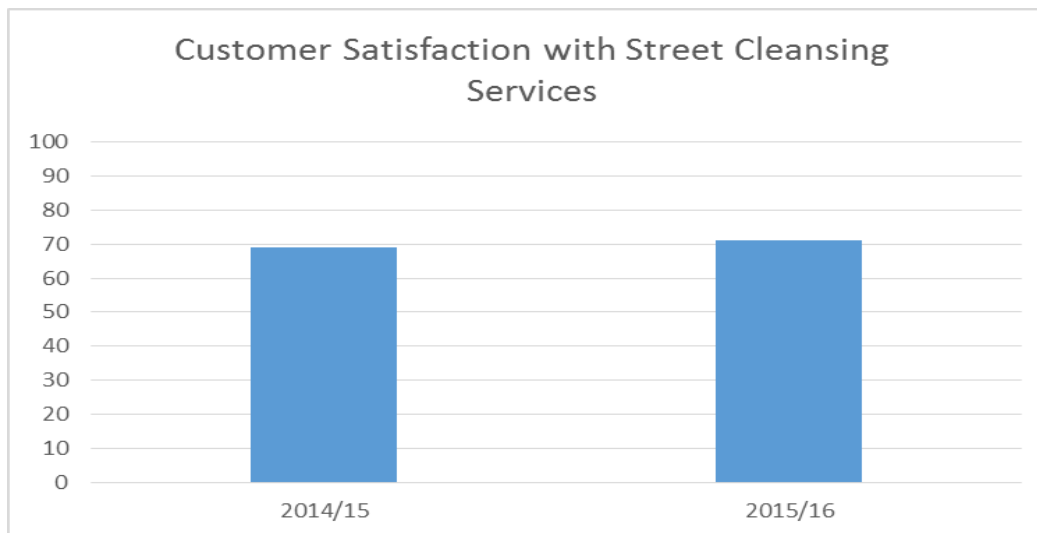
3.10 The graph below shows the average number of reports made per week via the Cleaner Brent App since its introduction in 2014. This shows that use of the app has more than doubled since its introduction, and has grown by over 50% (from 209 to 312 per week) in the past year.



3.11 The percentage of streets falling below a 'pass rate' upon inspection for litter is another helpful measure when assessing the impact of the work undertaken over the past 12 months to address Illegal Rubbish Dumping. Below are the statistics for the past 5 Quarters- up to July 2016:



- 3.12 An independent organisation is commissioned to carry out an annual customer satisfaction survey, with specific questions on different aspects of the Public Realm Contract. The outcome of the street cleansing survey in 2015/16 compared with 2014/ 15 is shown in the graph below.



- 3.13 Residents were asked to advise whether they are “very dissatisfied, dissatisfied, neither satisfied or dissatisfied, satisfied or very satisfied” with the overall Street Cleaning Services. As can be seen above, with 71% responding that they were either satisfied or very satisfied in the 2016 survey, compared with 69% in 2015, residents were marginally more satisfied with street cleaning in 2015/16 than they were in 2014/15.

4.0 Financial Implications

4.1 None

5.0 Legal Implications

5.1 None

6.0 Diversity Implications

6.1 None

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None

Contact Officers

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CHRIS WHYTE
Operational Director Environment Services

Recommendation		Action to date	Status
KNOWLEDGE			
1	<p>The task group recommends that the term “Fly-tipping” should be changed to “Illegal Rubbish Dumping” (IRD) in communications with residents. Residents rarely refer to dumped rubbish as fly-tipping and there is apparently confusion among some residents about what “fly-tipping” actually means.</p>	<p>The term ‘Illegal Rubbish Dumping’ is now being used alongside the term ‘fly tipping’ in all communications and correspondence from the Council.</p> <p>A new service leaflet has recently been designed which incorporates IRD terminology plus the Love Where You Live branding. The Environmental Improvement Team are in the process of trialling the effectiveness of this leaflet in a pilot area of 10 particular hotspots.</p> <p>In addition the webpages have been updated to ensure that all fly-tipping terminology has been replaced by the term IRD. This page is under constant review to seek improvements where required.</p> <p>Also, in partnership with the communications team, a video on IRD has been developed to offer guidance to residents on the process for reporting IRD using the Cleaner Brent App. This video will be released on the Council’s website and through the “Your Brent” e-newsletter later this year.</p>	G
2	<p>A named officer/s within the Public Realm service should be responsible for continuous monitoring of new methods to tackle IRD, keeping the council abreast of the latest developments and leading improvement practices; not just from other London boroughs and the UK, but from Europe and the rest of the world. The task group supports the</p>	<p>The Envirocrime Manager and Head of Environmental Improvement fulfil this role. The service already subscribes to (and benefits from membership of) Keep Britain Tidy.</p> <p>The WLA Behaviour change work reported in March. The findings from this work were mixed- but where positive outcomes were achieved, they will be used to inform future interventions. The main outcomes from the Brent initiatives undertaken were that posters in bin areas were shown to have some effect in getting residents to change their behaviour by using all available bins and</p>	G

	<p>behavioural studies that the council is currently participating in as part of the West London Alliance (WLA) and we recommend that it should continue to build on this area of work.</p>	<p>not dumping waste on the floor. In addition the murals which were painted on two bin sheds had the effect of not only bringing the community closer together but also greatly reducing the amount of waste dumped at those sites.</p> <p>All future communications with residents will consider the use of behaviour change initiatives and methodologies and demand management processes.</p>	
3	<p>Brent Public Realm service should review its internal benchmarking, looking internally at how we monitor our own performance and should report performance quarterly in public. This reporting should be communicated to residents and other councillors and it is recommended that the council's website and Brent Magazine are the media for this.</p>	<p>Key performance measures (such as street cleanliness, number of fly-tips reported, clear-up times, etc.) are already reported publicly on a quarterly basis.</p> <p>In addition, the Public Realm Contract has a suite of 'Key Outcome targets' which measure contract performance across all aspects of the service. These are reviewed and monitored by Officers on a monthly basis.</p> <p>Work is underway with the Business Intelligence Unit to produce 'heat maps' of problem hot spots; and to develop a 'performance dashboard' of headline indicators that can be shared on a routine basis with the Lead Member and- once finalised- Ward Members, residents, etc.</p>	G
4	<p>Brent Public Realm Service should liaise with neighbouring London boroughs to develop a benchmarking network. The West London Alliance (WLA) would be a good place to start as there are links already established. There should also be additional cross-border networking, feeding into intelligence with the aim of bringing forward more prosecutions</p>	<p>London Environmental Directors' Network (LEDNET) has commissioned a series of pan-London workshops specifically focused on Rubbish Dumping. These workshops are intended to identify practical ways to reduce London's fly-tipping problem and the final output is likely to include a number of recommendations to be taken forward.</p>	G

	for trade waste dumping.		
EDUCATION			
5	<p>Constitutionally empower “Community Champions” by appointing, through an agreed selection process, figure heads like the chair of Keep Wembley Tidy. Councillors can support this by identifying suitable candidates. These champions are to be given a profile on the council’s web page, support and resources from the council and Veolia; to tackle illegal rubbish dumping in their appointed locations.</p>	<p>One outcome of the recent demand management project- and the Community Action group pilot was the identification of the issue that a heavily formalised process can deter residents from getting involved in partnerships and activities with the council.</p> <p>It is felt that the development and growth of the Love Where You Live Campaign, launched on the 14th February 2016, has however taken up this role successfully without the need to formalise any process.</p> <p>There are already over 800 formally constituted groups in Brent, and many Residents’ Associations are already getting increasingly more involved with the council in showing how they Love Where They Live, by reporting instances of IRD, organising community clean up days and generally offering a support mechanism for others to have a voice about their local community. The council is supporting these residents groups by promoting their events and successes on social media channels such as Twitter and Facebook, and Veolia are fully supporting groups by providing bags and litter picks and collecting waste gathered on clean up days.</p> <p>This approach can be further supported by the Partnerships Team and their links with the voluntary and community sector, including the ‘volunteering Brent’ contract.</p>	A
5.1	<p>It was identified in the task group’s research that residents often identify with different places names than the wards in which they live. The task group is recommending that the community champions’ structure in</p>	<p>The Partnerships Team are looking at this issue on a corporate level as part of the Community Action Group pilot project, and are due to report their findings and recommendations later this year.</p>	A

	Brent is mapped in village localities and champions are allocated to these areas. This approach should be integrated with the voluntary Community Action Groups.		
5.2	Guidance and a code of practice for the community champions and village areas should be drawn up and agreed by officers and residents. This should include action days and identifying and evidencing illegal rubbish dumping hot spots. Village websites should also be linked to the council's waste management web pages.	<p>The Love Where You Live campaign has taken this action forward, and action days are being run and requested regularly by local residents groups all across the borough, without the need for a code of practice.</p> <p>The Council, with Veolia, have supported and facilitated the work of these groups, and will continue to do so. However, as explained in 5.0, there appears to be little appetite among the groups for further formalisation and/ or bureaucracy.</p> <p>Since April Veolia have been involved in and supported 11 community clear up days arranged across Brent.</p>	G
5.3	It will be a priority of the community champions, councillors, officers and Veolia to devise and produce a 'Brent Against Rubbish Dumping Charter', which it will encourage Businesses, HMO Landlords and Estate/Letting Agents to sign up to and display publicly.	An all-Member session is intended to inform the content of this Charter. Officers will work with the Lead Member to inform the content and timing of this session,	R
5.4	It will be a priority of the community champions, councillors, officers and Veolia to engage with places of worship, youth clubs and sports clubs to engage and promote the Brent Against Rubbish Dumping Charter.	This activity cannot be undertaken without the development of the Charter mentioned above. However Veolia are engaging with the local community to give talks on effective waste management.	A
6	The process of reporting IRD should	The Council's IRD Webpage has been updated, and provides clear	G

	<p>be clear and straightforward, so that both residents and officers know what is to be expected and how and when there will be communication between parties. This should be documented on the council's IRD web page.</p>	<p>and straightforward instructions on how to report an issue: https://www.brent.gov.uk/services-for-residents/transport-and-streets/keeping-the-streets-clear-and-clean/illegal-rubbish-dumping/</p> <p>The graph in paragraph 3.7 of this report shows the increased usage of the Cleaner Brent since the launch of the Love Where You Live Campaign. This shows that residents are finding it easier to report incidents of IRD.</p> <p>We are using Twitter to advise residents of the availability of the app and residents are also taking to Twitter to advise others about using it.</p>	
7	<p>Brent Public Realm Service and Veolia should liaise with Brent education and Brent schools partnership to ensure that there is a strategic anti-Illegal Rubbish Dumping programme going into schools, aimed at both primary school and secondary school entry children. The programme should be continuous and target 100% of schools on an annual basis, encouraging schools to sign up to the Brent Against Rubbish Dumping Charter. Progress should be reported on the council waste management web page on a quarterly basis.</p>	<p>Veolia's Communication and Education team are already actively managing a schools engagement programme called Waste Transformers, which includes sections on littering. Going forward, this will reflect the key themes of the Love Where You Live campaign (the main emphasis of which is Illegal Rubbish Dumping).</p> <p>An anti-litter competition was run with primary schools earlier this year. Primary schools were invited to design a poster about littering. The winning poster is displayed in the main notice boards of the main parks in Brent.</p> <p>To date, 35% of Brent's primary schools have been engaged with this year, and every secondary school has been contacted by letter and email to advise them of the availability of our theatre performance on recycling.</p>	G
8	<p>Business liaison should be part of an officer's role; this should include an evaluation of any non-monetary</p>	<p>This approach is currently being explored in the work that the High Streets and Town Centres Team is leading on. A main priority for the High Streets team is to help enable business come together and</p>	G

	<p>incentives that can be offered. Brent should encourage businesses to sponsor a bin or bins, as a result of which businesses will become certified and will be allowed to display a Brent Council sign stating that they are opposed to IRD.</p>	<p>form a “one voice” business community for the local centre. There is a growing need for some of Brent’s priority town centres to establish a “sense of place” and this can be achieved through “definitively characterised” wayfinding and linkage interventions. As part of this element of high street regeneration, the high streets team will be working with business groups to explore the possibility of (for example) sponsoring litterbins in the area.</p> <p>Ealing Road Traders Association (ERTA) is one of the first recently formed business groups who are keen to explore such an opportunity as part of their short term action plan for the high road.</p> <p>Cleanliness is one of the main challenges that ERTA are addressing in the area and they are currently leading on an intensive Clean Up awareness campaign, which will be followed by a council-led commissioned decluttering programme aimed at rationalise the street furniture in the area.</p>	
9	<p>Additional resources should be invested in to the Special Collection Service, so that items are collected sooner and the number of bulky items illegally dumped is reduced. Other alternative options for waste disposal and recycling should be promoted with direct links on the council’s web page and offered on the phone when residents call to request Special Collection Services such as Freecycle and Freegle.</p>	<p>Additional resources have been deployed onto the Bulky Waste Service on a number of occasions to bring waiting times down, but this is not sustainable longer-term.</p> <p>Further options for the sustainable management of this service into the future are currently being actively developed, and are to be considered as part of the recently commissioned Service Review.</p> <p>Alternative options such as Freegle, Freecycle, and the HRRC are promoted on the Council’s ‘Special Collection’ webpage.</p> <p>We are also looking to further focus on waste reduction activities this year, with a planned re-use project to be undertaken with schools from September.</p>	A

ENFORCEMENT			
10	<p>The task group recommends the formation of a strategic approach between Waste Public Realm Enforcement services and the CCTV service to ensure more use of the current CCTV provision to monitor IRD hotspots. It is understood that this will require collecting evidence and providing a supported case for each camera. (The task group endorses all of the recommendations on IRD made by the concurrent CCTV task group).</p>	<p>The Waste Enforcement team has established a closer working relationship with the CCTV team. Reflecting the recommendations of the CCTV Task Group, work is currently underway to review the current use of CCTV (including the Smart Cars) and the team has now acquired and is utilising a number of deployable cameras to monitor known problem areas.</p> <p>In addition, members of the team are now routinely manning cameras in the control room out-of-hours to target known hotspots, with very positive results.</p> <p>The team is also working more closely with the wider Community Protection Team (and other safer Brent partners), through regular attendance at LJAG meetings; and- following the recent formation of a corporate Enforcement Practitioners Group, there is now a more joined-up approach across all aspects of environmental enforcement, with a focus on working together to tackle specific problem hot-spots.</p>	G
11	<p>Waste management services, specifically trade and Environmental health services, must work together in a more strategic method; sharing information and working on joint visits where there is clear intelligence that there are crosscutting priorities.</p>	<p>The High Streets team has formed a High Streets Reference group which aims to meet on a quarterly basis to address many of the challenges that town centres across Brent face. The group also aims to ensure that there is streamlined coordination across all services and that any current or imminent action of the ground is or can be readily communicated back to the local business community.</p> <p>In addition, the new corporate Enforcement Practitioners Group has resulted in a more joined-up approach across all aspects of enforcement, with a focus on working together to tackle specific problem areas.</p>	G

		<p>The Envirocrime team is also now working more closely with Veolia's Trade Waste service, sharing intelligence and ensuring that businesses are supported to become compliant with waste management legislation.</p> <p>The 'starting a business' page has recently been updated on the council's website with a section for waste management to enable a new start up business to easily find the information they need on waste management. We have also provided links to a new scheme specifically aimed at SME's called 'Right waste right place'.</p>	
12	A strategic approach between Housing Enforcement and Public Realm Enforcement services via Veolia should be formed to ensure that HMO landlords are educated as to their responsibilities regarding waste disposal for themselves and their tenants.	<p>The Environmental Improvement Team has engaged with Private Sector Housing colleagues to look at the current licencing regime and consider options for more engagement. Proposals are in place to use the Private Sector Housing Newsletter to convey some IRD/LWYL messages. The newly developed Landlords Pledge on waste management was a recent example of such information being included in the newsletter.</p> <p>Trials currently underway of the voluntary 'Landlords Pledge' in May have shown three landlords with a total of 6 properties who have signed up to the pledge. We will continue to publicise this throughout the year.</p> <p>A piece of work commissioned by LEDNet, and being carried out by the consultants, Eunomia is currently being taken forward to look at the specific problems associated with waste management in the rented sector. This is due to report in October.</p>	G
13	Enlist the support of night workers such as black cab drivers and night bus drivers to use the cleaner Brent app and report any perpetrators of	Contact has been made with Transport for London to make them aware of the work of the Task Group, to provide them with information regarding the Cleaner Brent App, and to seek their support with this objective.	A

	<p>IRD. This could be achieved by contacting taxi firms and Transport for London to explain our case and by asking them to cascade our request down to workers. The council would in turn be able to release positive press stories about these organisations.</p>	<p>The same request has been made to the taxi companies supporting Brent's Transport Service.</p>	
14	<p>We will look to pre-capitalise on new fly-tipping legislation, to be brought forward next year, by following a similar model to Ealing Council, as below: 'The council has teamed up with Kingdom Security to provide dedicated teams of uniformed officers in the borough. Kingdom Security will work with the council's environmental enforcement officers, providing a high-profile deterrent and issuing £80 fines. Operating initially on a one-year trial basis, Kingdom Security is working at no cost to the council. Instead they will take a share of the fines they issue'</p>	<p>Kingdom Security have been engaged on a 12-month trial basis from mid June 2016. The impact of this scheme is currently being actively monitored; with a report on the performance and impact of the first 6 months to be considered by Cabinet in January 2017</p>	G
15	<p>The Council should work with other local authorities and the National Fly-tipping Prevention Group to lobby the Government for more and effective enforcement powers.</p>	<p>LBB is actively participating in the new LEDNet 'Rubbish Dumping' group; sharing best practice and looking to lobby regional and national government as required.</p> <p>The new Fly tipping FPN came into force in May allows Councils to issue fines of up to £400 for 'small' fly tips. The default fine levels for this new FPN are £200- or £120 for early payment. Proposals to set</p>	G

		local fines at the maximum level of £400 are to be considered shortly.	
16	The selective Landlord licensing scheme should be reviewed annually and reported on publicly with statistics on how effective the scheme has been, where it has been effective, areas where the council can strengthen its enforcement and any lessons learnt.	<p>Private Housing have confirmed that since the launch of the licensing scheme which previously saw 180 properties in Brent with an HMO licence, there are now around 6,000 licenced properties.</p> <p>In addition over 30 landlords have been prosecuted since Christmas and have received collective fines totalling around £200,000, One landlord has been sent to prison for four months. The licensing scheme is proving to be effective.</p> <p>There have been no prosecutions to date for breaches of the waste management section of the licence agreement, and a project is being set up to strengthen the mechanism for Environmental Improvement and Veolia staff to be able to tackle landlords when breaches of the licensing agreement with regards to effective waste management are identified.</p>	G
17	The landlord licensing guidance should have more detail in the wording regarding waste & refuse, so that it is harder for landlords to avoid discharging their responsibilities effectively.	The Environmental Improvement Team has engaged with Private Sector Housing colleagues to look at the current licencing regime and consider options for re-wording regarding waste management. This process is currently underway and is being supported by the changes to processes mentioned in the previous action.	G
18	Leaflets on Brent's waste disposal policies should be inserted into the guidance so that landlords can give to tenants. The leaflet/insert scheme should also be rolled out to estate & letting agents.	<p>Veolia are currently working with Daniels Estate Agents with a view to distributing fly-tipping leaflets to circa 40,000 homes.</p> <p>All tenants living in street level properties receive full information with pictorial guidance on waste management directly once a year.</p> <p>We are also considering providing service information with the council tax bill and looking at placing messages onto the opening page of the Single Sign on Portal for online service users.</p>	G

IMPACT			
19	Further investigation is required into the impact of the garden waste collection charges. Cabinet should review its effectiveness from a cost and efficiency perspective, annually until 2018.	<p>A review of the first 6 months of the garden waste subscription service was considered by Scrutiny Committee in January 2016.</p> <p>This confirmed no apparent impact on IRD as a result of the introduction of the chargeable subscription service.</p> <p>A further review is to be put in the forward plan for Jan 2017; and annually thereafter.</p>	G
20	Owing to the lack of quantitative data to evidence the effects of the garden waste charge at this stage, officers should review and report the effects of its first year in operation. Officers should devise logical metrics against which it can compare its performance annually until 2018.	<p>As above, Scrutiny Committee reviewed the financial impact, take-up of subscription service, impact on waste/ recycling tonnage and impact on fly tipping in January 2016.</p> <p>A further review is to be put in the forward plan for Jan 2017; and annually thereafter</p>	G
21	The number of Brent residents that have signed up, and continue to sign up, to the Garden waste collection service should be more widely publicised. The Brent website and Brent magazine should be the media for this.	<p>Garden waste subscription figures as of the end of July are just under 18,500, of which 16,000 are renewals and 2,500 are new subscribers.</p> <p>As part of a further promotion to encourage residents to sign up to the service for the remainder of the summer a direct mailing was sent out in August to those residents who have not yet renewed. A further article on the benefits of the garden waste service will be written for inclusion into the September issue of the Brent Magazine.</p> <p>We are also looking to publicise renewal of the garden waste service with the council tax bill.</p>	G
PUBLICITY			
22	Future publicity about IRD should be	Love Where You Live is initially a 12-month campaign- and the	G

	continuous, mainly word-of-mouth and not confined to one-off PR campaigns. The last major PR campaign in 2013 involved large, difficult-to-read signs under which rubbish was dumped. It also saw photo opportunities to show the lead member was determined to deal with the issue, but officers confirm that it had little tangible impact on levels of IRD.	<p>LWYL messaging and branding will be integrated into everything the Council (and Veolia) do.</p> <p>The campaign has SMART targets attached to it, which will be closely monitored.</p> <p>There is a video on the use of the Cleaner Brent App which shows residents how easy it is to reporting IRD. This will be launched in September and promoted in the Brent Magazine and through Your Brent and all social media channels. We have also improved our communications through the use of social media to allow for a much more sustained and interactive campaign on IRD.</p>	
23	Officers, councillors and community champions need to visit relevant local meeting places – whether they be religious meeting places, youth clubs or sports clubs – to pass on the council's messages about IDR and how communities can work with Brent to tackle it.	<p>Veolia are actively involved in Community Group engagement – and have attended 8 events between April and July 2016.</p> <p>All uniformed groups have been emailed and advised of the availability of the education team to provide a session on IRD and recycling.</p>	A
24	Leafleting campaigns led by the council and voluntary groups should be in multiple languages, appropriate to the socio-dynamics of the local area.	<p>The Brent website now offers an automatic translation of all webpages into numerous community languages. Therefore all recycling pages and information is available through the 'translate' button.</p> <p>Officers are working with Veolia to consider how practically to provide translations of our service leaflets into various community languages as required.</p>	A
25	Any future communications should also be easy-to-read with no conflicting messages. This should be backed up with targeted local	All communications material, both electronically based on the web and through hard copy service guides is written with plain English guidelines in mind, and uses as much pictorial imagery as possible to explain our services.	G

	advertising. Brent London Underground and National rail stations are prime locations for such advertising.	Alongside web-based and press activity, the Love Where You Live Campaign saw a poster campaign using JC Decaux boards across the borough, as well as a refresh of the advertising boards on all the refuse vehicles.	
26	The Cleaner Brent Cleaner App requires further publicity, and probably a re-launch, as not enough people are aware it exists. There should be further publicity on the web and in the Brent magazine.	<p>The app is being widely promoted through the new Love Where You Live campaign. We are currently receiving around 500 reports a week on the app. The app was promoted in the June edition of the Brent Magazine. However we will also provide information on the app in the next issue of the Brent Magazine in September and also link this in with the video which shows residents how easy it is to use the app.</p> <p>Work has been undertaken to bring the management of the app in-house, and broaden its remit to cover other environmental issues (such as highways defects, potholes and trees).</p>	G



**Resources & Public Realm
Scrutiny Committee**
6 September 2016

**Report from Director of Performance,
Policy and Partnerships**

For Information

**Proposed Scope for Scrutiny Task Group on The Devolution
of Business Rates in Brent**

1.0 Summary

- 1.1 This report sets out the proposed scope for the Scrutiny task group on the Devolution of Business Rates in Brent. This task group has been requested by the Scrutiny members to ensure Brent council has good understanding of the policy and is clear on the choices and decision it may need to make.
- 1.2 The task group will look at both Brent and the government's current business rates policies and processes with a view to ensuring Brent council is in the best possible place to respond to the government's changes to the Devolution of Business rates policy.
- 1.3 The purpose of the task group will be to analyse four key areas:

Central Government Policy

- What is the current status? What has been proposed to date?
- What will the pilot schemes look like?
- How can the council engage in the current work?

Financial Risk

- What is the biggest risk to the councils planned finances
- What Safety net mechanism are in place
- Will we still want to be part of a Business Rates Pool?

Possible impact to Brent

- What will be in impact on current arrangements?
- Will Brent be better or worse off?
- How do we prepare for the devolution of business rates?

Growth in Business rate income

- How do we grow our business rates locally?
- How do we encouraging local economic growth?
- How do we improving collection rates?

1.4 The task group will review the local arrangements of the council which include Capita, national policy and guidelines and the views and opinions from local residents and businesses. The task group will also consult with experts in this field and other London boroughs which have been identified as leaders in this area.

1.5 The task group will review the four key areas; which it will seek to examine in the context of Brent, these are:

- There is transparency and understanding of the local and national policies and processes regarding the devolution of business rates.
- Clarity on how that policy is going to be implemented in Brent and make recommendation to support the best possible implementation outcome for the council and its residents.
- Through the recommendations of the review the council is able to further stabilise its financial position and has clear strategic direction.
- There is a link between council expenditure and business growth.
- The council develops links for engaging with local businesses that generates discussion on how to grow our local business rates and economy.
- The council is in an informed position to make good financial choices.

1.6 There is clear alignment with the priorities of the council as set out within the Borough Plan and the Brent 2020 Vision; with specific focus on:

- Business growth
- Business development
- Improving the Business offer
- Attracting new business in to Brent

2.0 Recommendations

2.1 Members of the Resources & Public Realm Scrutiny Committee are asked to agree the scope, terms of reference and time scale for the task group on the Devolution of Business Rates in Brent, attached as Appendices A and B.

3.0 Detail

3.1 With member consensus on ensuring that the council is informed and can respond effectively to the government policy changes, members of the Resources & Public Realm Scrutiny Committee requested a time-limited task group undertake a focused piece of work to improve understanding and to prepare the council for the government's business rate policy change. The proposed scope and terms of reference for this work are attached as Appendices A and B.

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Appendix A

Devolution of Business Rates Proposed scope for Scrutiny Task Group September 2016

Task Group Chair: Cllr Joel Davidson

Task Group Members: Cllr Helen Carr, Cllr Bernard Collier, Cllr John Duffy, Cllr Michael Maurice, Cllr Tom Miller, Cllr Neil Nerva

Time frame: To be presented to the Scrutiny Committee on Tuesday 8 November 2016

1. What are we looking at?

Devolution of Business Rates (DBR)

On the 5th October 2015 the then chancellor George Osborne set out plans for local government to gain new powers and retain local taxes. The chancellor set out major plans to devolve new powers from Whitehall to local areas to promote growth and prosperity. The Chancellor announced that local government as a whole would be able to keep 100 per cent of business rates by 2020.

Using Office for Budget Responsibility (OBR) forecasts, the Government has estimated that the additional business rates kept by councils could be as much as £13 billion in 2020/21. The Government feel that changing the current system of financing local government will be a huge boost to local growth, help attract business and create jobs.

The Government's aim is to phase out revenue support grant and potentially some other specific grants, and transfer new responsibilities to local government at the same time as it receives additional income from business rates. This is so that the reform does not result in previously unplanned spending by the public sector as a whole and local government does not benefit financially at the point of transfer.

An example is the consideration of whether other grants, such as the public health grant, should in the future be funded from retained business rates.

As in previous years, individual councils would not keep the full amount of business rates collected in their area. There will continue to be a system of redistribution across the whole of local government to make sure that councils which have higher needs or have less capacity to raise business rates do not suffer. However, individual councils will be able to keep subsequent growth in their business rates income.

Whilst we don't currently know exactly what the system will look like, the LGA is working with government and engaging with local authorities to consider how this could work.

Those areas which choose to have city-wide elected mayors will get even greater flexibilities, also being given the power to increase rates for spending on local infrastructure projects, as long as they win the support of local business.

The reform will mean local government retaining all revenue from business rates for the first time since 1990. These new powers will come with new responsibilities, as well as phasing out the main grant from Whitehall, to ensure the reforms are fiscally neutral. Local government will of course also need to contribute to fiscal consolidation over this Parliament, and the government is due to set out further details in the Spending Review.

2. Why are we looking at this area?

Impact on local government finances

Local government is currently financed by a combination of centrally-administered funding (Revenue Support Grant (RSG)) and locally-administered charges and taxes.

Since 1990, local business rates have been set by central government at a uniform national rate. Rates are collected locally, but then transferred to central government to be distributed back to local areas in the form of grant. Since 2013, local councils have been enabled to retain 50 per cent of the proceeds of rates, to ensure that when local areas take steps to boost business growth in their area, they should see the benefit.

The reforms go much further, moving to 100 per cent retention of the full stock of business rates by 2020. It will mean that all income from local taxes will go on funding local services. Local authorities will be able to cut business rates as much as they like. Directly elected mayors – once they have support of local business leaders through a majority vote of the business members of the Local Enterprise Partnership – will be able to add a premium to business rates to pay for new infrastructure. This power will be limited by a cap, likely to be set at 2p on the rate.

Impact on current systems

Currently business rates are paid by occupiers and owners of commercial and industrial property to the local authority, but at a rate set by central Government. The Government sets the rate in order to prevent wide disparities in charges stemming from widely differing rate bases between local authorities.

The multiplier - also known as the Uniform Business Rate (UBR) - is then used by the local authority to calculate what percentage of the rateable value of a property has to be paid as business rates. The multiplier is set annually by the Government.

A small business rate relief scheme has been in operation in England since April 2005 and there are other reductions available, for example if the premises are empty.

The impact on the current system will be significant and the Government is expected to publish further details as to how the new devolved system will operate in broad terms following the Comprehensive Spending Review on 25 November. Negotiations will presumably then start in earnest with local government to develop the local and national frameworks for the system within the funding envelopes set in the CSR. The new system is likely to require primary legislation and the changes are unlikely to be introduced in full before 2018-19 at the earliest.

Local Context – Brent

There are currently, four (principal) sources of local government (revenue) finance, plus two others:

1. Revenue support grant
 - Based on central government assessment of need
 - In 2014/15 provided 30% of funding
 - Will be 10% by 2018/19 and falling to nil after 2020
2. Council tax
 - Locally determined with significant restrictions

- Six year freeze strongly encouraged by central government
 - Now can increase by 4% each year
 - Of this, half ring-fenced for adult social care
 - For planning purposes, 1% raises approximately £1m
 - Current technical financial model doesn't assume any increases
3. Business rates
- Retain 30% of business rates paid in Brent
 - 20% paid to GLA and 50% paid to Treasury
 - Rate (multiplier) and exemptions set centrally
 - Amount raised capable of being influenced locally
4. Top up grant
- Required to make any system fair (Westminster effect)
 - Amount set on transition to new system (2011/12)
 - Then inflated annually at CPI
5. Fees and charges
- Discretion varies significantly
 - E.g. Parking, PCNs set regionally, P&D set locally
 - Usually some restrictions on ability to create surpluses
 - Can be for services to residents or businesses
 - Traditional (swimming pool); creative (filming)
 - Can link to policy goals; civic enterprise in more detail
6. Specific grants
- Government makes specific grants to achieve policy goals
 - Nice to have, but can't choose what to spend on

Table 1 shows that in 2014/15 RSG still provided nearly 30% of our funding; more than council tax (26%) and more than business rates (24%).

Table 1

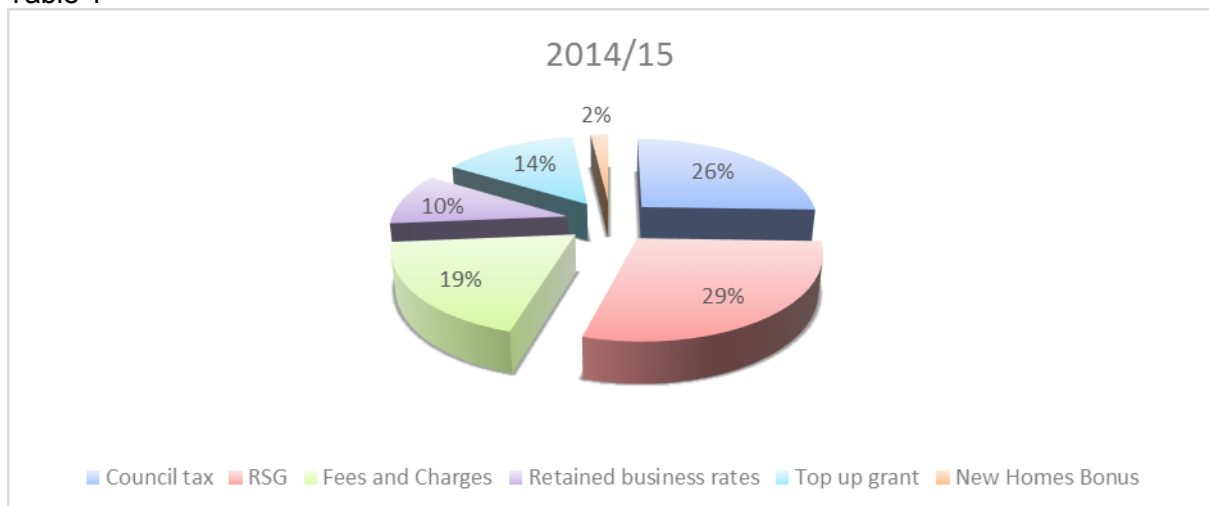
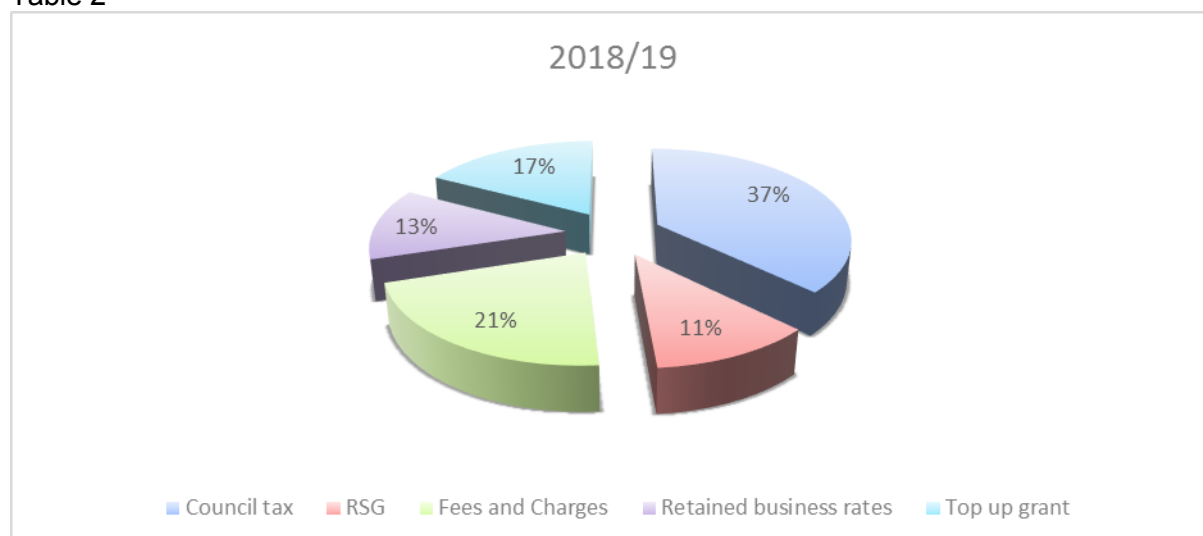


Table 2 shows that by 2018/19 RSG will barely provide 10% of our funding, less than half the amount we raise through fees and charges and a fraction of the amounts from local taxes.

Table 2



3. Legislation and Government Policy

Business rates were introduced in 1990, along with the community charge or 'poll tax' (now Council Tax) as a replacement for the old system of domestic and non-domestic rates. The Valuation Office Agency, an executive agency of HM Revenue & Customs, has a statutory duty to prepare local rating lists containing rateable values for all non-domestic properties in England and Wales every five years.

On 1 April 2013 a new system of business rates retention began in England. Before April 2013 all business rate income collected by councils formed a single, national pot, which was then distributed by government in the form of formula grant. Through the Local Government Finance Act 2012, and regulations that followed, the Government gave local authorities the power to keep up to half of business rate growth in their area by splitting business rate revenue into the 'local share' and the 'central share'. The central share is redistributed to councils in the form of revenue support grant in the same way as formula grant. Local share taxbase growth is retained within local government.

However, this was done in a way that was consistent with the Government's deficit reduction plans. The change gave financial incentives to councils to grow their local economies. At the same time, it has resulted in more risk and uncertainty. By far and away the primary challenge was the level of financial risk that councils face due to appeals and business rate avoidance.

Councils keep up to 50 per cent of growth in their business rate receipts arising from taxbase growth, which may arise from new or expanding businesses. Local authorities which were deemed to have a 'disproportionate potential to grow' by the Government (for example most councils in Central London) pay a growth levy of up to half of this retained growth. This is then used to partly fund the 'safety net' system to protect those councils which see their year-on-year business rate income fall by more than 7.5 per cent.

The introduction of business rate retention meant that from April 2013 a significant part of a council's budget became dependent on the amount of business rates collected from its area. This required new, previously uncollected information and new methodology to ensure that financial planning and forecasting procedures remained as robust as before.

The business rate retention reform created a need for councils to receive new, previously uncollected, information to enable sufficiently robust financial planning, such as data about upcoming appeal decisions, the value of business rate income at stake and the impact of business rate avoidance. Most of this information had previously been collected by the Valuation Office Agency (VOA) and provided to central government, as councils had no direct stake in business rate collection.

Business rate retention resulted in the need for a major cultural change at the VOA as its importance as information provider has increased. This transition is still ongoing. The VOA has been working hard to provide information, for instance on the appeals and proposals sent to billing authorities in autumn 2013. However, 61 per cent of all respondent councils are not satisfied with the level and quality of data provided by the VOA to help financial planning.

Overall, respondents tend to agree that the retention scheme created a strong incentive to grow the business rate tax base. More than two thirds agreed, and 58 per cent said that this was the single best outcome of the reform. In last year's survey, 29 per cent of respondents said the reform provided sufficient incentives.

The LGA has been working with the councils and the Department for Communities and Local Government (DCLG) to ensure that local government is vocal in shaping the way that this new system will work. A technical steering group and a number of sub-groups have been established to provide information and expert advice to support the LGA and DCLG in advising Ministers on the setting up and implementation of this new system. The Steering Group will meet regularly and papers are available on the LGA website.

4. What are the main issues?

New responsibilities

The Government intends the reform of business rates to be 'cost neutral'. This means that the level of public spending after the reform should remain the same as planned before the reform through phasing out revenue support grant, other specific grants and transferring new responsibilities to match the remainder of additional business rates.

The Government has stated that it wants to consult with the sector on what specific funding and responsibilities will be funded from the retention of business rates. So far, the only confirmed decisions are the phasing out of revenue support grant and the additional Transport for London capital grant. This leaves a significant sum yet to be decided upon.

Equalisation

When introducing the system of 50 per cent business rate retention, the Government put in place a system that ensures councils with relatively higher needs but with relatively lower income from business rates receive a 'top-up'. Equally a council whose relative income from business rates was deemed to be greater than relative need pays a 'tariff' to government.

These top-ups and tariffs balance each other out nationally and rise in line with inflation between revaluations. In 2016, the Secretary of State for Communities and Local Government announced a full review of needs and redistribution. This will be used as the starting point for the new system when it comes into force.

Reducing and increasing the multiplier

The Government announced that all councils will have the flexibility to reduce the business rates multiplier in their area and combined authorities with directly elected mayors will also have the power to increase the multiplier by up to two pence in the pound. Such an increase

must be agreed by the Local Enterprise Partnership (LEP) and if used, must be spent on infrastructure.

Appeals

If a business disagrees with the VOA's assessment of a property's rateable value, they can propose changes to the VOA. They can also appeal the valuation which will be considered by an independent Valuation Tribunal. There are currently 300,000 outstanding appeals. The number and scale of appeals are a concern for many councils.

The uncertainty created by appeals means that instead of spending money on local services, they have to hold it back to ensure they can pay half of the costs of successful challenges in the future or backdated appeals.

The Government is implementing a new system for appeals from 2017 which will require business ratepayers to state their case at an earlier stage and they could be fined for incorrect or misleading information.

Reliefs

Some properties are eligible to apply for a discount on their business rates. In addition to smaller scale reliefs, the following types of businesses are eligible:

- small businesses – in the 2016 Budget the Government announced that businesses with a rateable value up to £51,000 would pay lower business rates and that those below £12,000 would get 100 per cent relief
- businesses in rural areas
- charities – which are eligible for 80 per cent mandatory relief
- Businesses in enterprise zones – designated areas across England that provide tax breaks and government support to help an area in need of growth or regeneration.

5. What should the Review cover?

There are three key areas that the review will focus on:

Central Government Policy

What is the current status? What has been proposed to date?
What will the pilot schemes look like?
How can the council engage in the current work?

Financial Risk

What is the biggest risk to the councils planned finances
What Safety net mechanism are in place
Will we still want to be part of a Business Rates Pool?

Possible impact to Brent

What will be in impact on current arrangements?
Will Brent be better or worse off?
How do we prepare for the devolution of business rates?

Growth in Business rate income

How do we grow our business rates locally?
How do we encouraging local economic growth?
How do we improving collection rates?

6. How do we engage with the community and our internal and external partners?

As part of this review the task group will invite relevant partners to get involved; through workshops, public group discussions and one-to-one interviews.

Partners: Group 1

- Relevant Council Departments:
 - Finance Team
 - Planning and Development Team
 - Business Development Board
 - Customer Services
 - The Revenue Client Team
 - Capita
- Brent partners:
 - Local Business Groups
 - North West London Chamber of Commerce
 - West London Business Group

Partners: Group 2

- House of Commons (HoC)
- Local Government Association (LGA)
- Department for Communities and Local Government (DCLG)
- Best Practice Local Authorities:
 - LB Westminster

7. What could the review achieve?

The review will strive to ensure that:

- There is transparency and understanding of the local and national policies and processes regarding the devolution of business rates.
- Clarity on how that policy is going to be implemented in Brent and make recommendation to support the best possible implementation outcome for the council and its residents.
- Through the recommendations of the review the council is able to further stabilise its financial position and has clear strategic direction.
- There is a link between council expenditure and business growth.
- The council develops links for engaging with local businesses that generates discussion on how to grow our local business rates and economy.
- The council is in an informed position to make good financial choices.

Appendix B

Section 106 (s106) and Community Infrastructure Levy (CIL) MEMBERS TASK GROUP TERMS OF REFERENCE

A CONTEXT

Devolution of Business Rates (DBR)

On the 5th October 2015 the then chancellor George Osborne set out plans for local government to gain new powers and retain local taxes. The chancellor set out major plans to devolve new powers from Whitehall to local areas to promote growth and prosperity. The Chancellor announced that local government as a whole would be able to keep 100 per cent of business rates by 2020.

Using Office for Budget Responsibility (OBR) forecasts, the Government has estimated that the additional business rates kept by councils could be as much as £13 billion in 2020/21. The Government feel that changing the current system of financing local government will be a huge boost to local growth, help attract business and create jobs.

The Government's aim is to phase out revenue support grant and potentially some other specific grants, and transfer new responsibilities to local government at the same time as it receives additional income from business rates. This is so that the reform does not result in previously unplanned spending by the public sector as a whole and local government does not benefit financially at the point of transfer.

An example is the consideration of whether other grants, such as the public health grant, should in the future be funded from retained business rates.

As in previous years, individual councils would not keep the full amount of business rates collected in their area. There will continue to be a system of redistribution across the whole of local government to make sure that councils which have higher needs or have less capacity to raise business rates do not suffer. However, individual councils will be able to keep subsequent growth in their business rates income.

Whilst we don't currently know exactly what the system will look like, the LGA is working with government and engaging with local authorities to consider how this could work.

Those areas which choose to have city-wide elected mayors will get even greater flexibilities, also being given the power to increase rates for spending on local infrastructure projects, as long as they win the support of local business.

The reform will mean local government retaining all revenue from business rates for the first time since 1990. These new powers will come with new responsibilities, as well as phasing out the main grant from Whitehall, to ensure the reforms are fiscally neutral. Local government will of course also need to contribute to fiscal consolidation over this Parliament, and the government is due to set out further details in the Spending Review.

B. PURPOSE OF GROUP

A Council Members' task group chaired by an elected member and coordinated by a council Scrutiny officer was set up in September 2016. Sponsored by the Resources & Public

Realm Scrutiny Committee, the aim of task group is to collate, review and evaluate evidence gathered from various sources; which include Brent's Finance, Customer Services and Planning & Regeneration Teams; and Brent partners such as Capita. The task group will also engage with local Business groups and central government organisations which include visit to Parliament and the House of Commons, Local Government Association (LGA) the Department for Communities and Local Government (DCLG).

It will also be vital for the task group to consult with other local authorities, specifically the London boroughs of Westminster, who have been singled out for their good work.

The objectives at the time were:

1. Liaise with stakeholders to gather evidence.
2. Use reviewed evidence to inform findings and recommendations for better understanding of the government policy and prepare the council to respond.

C. AIM & OBJECTIVES

Aim of the task group is gain a better understanding of both Brent and the government's current business rates policies and processes with a view to ensuring Brent council is in the best possible place to respond to the government's changes to the Devolution of Business rates policy.

AIMS

The aims of the task group form four main themes

Central Government Policy

- What is the current status? What has been proposed to date?
- What will the pilot schemes look like?
- How can the council engage in the current work?

Financial Risk

- What is the biggest risk to the councils planned finances
- What Safety net mechanism are in place
- Will we still want to be part of a Business Rates Pool?

Possible impact to Brent

- What will be in impact on current arrangements?
- Will Brent be better or worse off?
- How do we prepare for the devolution of business rates?

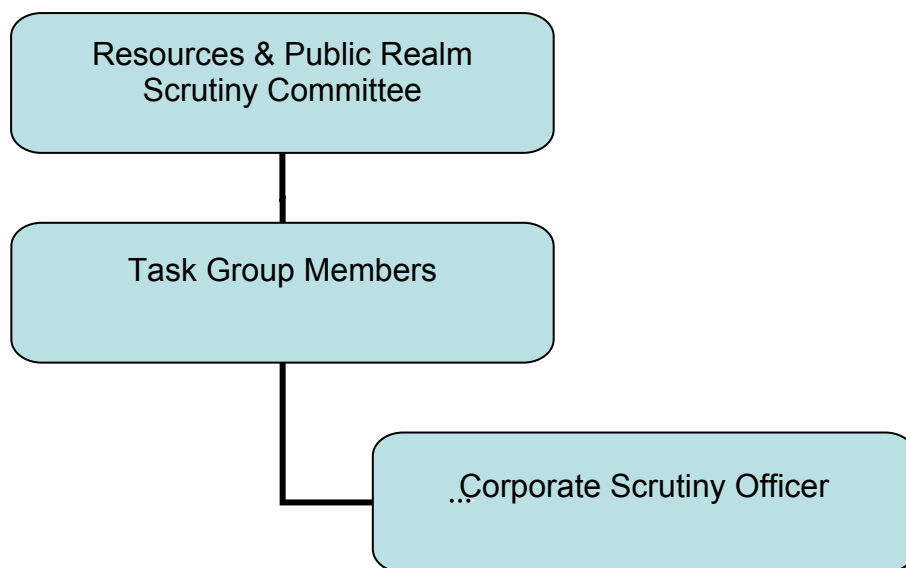
Growth in Business rate income

- How do we grow our business rates locally?
- How do we encouraging local economic growth?
- How do we improving collection rates?

OBJECTIVES

- There is transparency and understanding of the local and national policies and processes regarding the devolution of business rates.
- Clarity on how that policy is going to be implemented in Brent and make recommendation to support the best possible implementation outcome for the council and its residents.
- Through the recommendations of the review the council is able to further stabilise its financial position and has clear strategic direction.
- There is a link between council expenditure and business growth.
- The council develops links for engaging with local businesses that generates discussion on how to grow our local business rates and economy.
- The council is in an informed position to make good financial choices.

D. GOVERNANCE & ACCOUNTABILITY



E. MEMBERSHIP

1. Cllr Joel Davidson (Chair)
2. Cllr Cllr Helen Carr
3. Cllr Cllr Bernard Collier
4. Cllr Cllr John Duffy
5. Cllr Michael Maurice
6. Cllr Tom Miller
7. Cllr Neil Nerva

Kisi Smith-Charlemagne – Scrutiny Officer

Other key stakeholders would be invited as appropriate.

F. QUORUM & FREQUENCY OF MEETINGS

There should be at least 2 members present at each meeting. A minimum would be the Chair, and another member of the task group. The task group will meet twice per month or approximately every two weeks with sub meetings held between the chair and the Scrutiny Officer as required.

G. DATE OF REVIEW

Start: September 2016

End: Scheduled for presentation to the Scrutiny Committee on 8 November 2016.