



MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE

Tuesday 14 September 2021 at 6.00 pm

PRESENT: Councillor Kansagra (Chair), and Councillors S Choudhary, Johnson, Kabir, Hassan, Long, Miller, Shah, Conneely and Hylton.

Also Present: Councillor Mashari (in remote attendance) and Councillors McLennan (Deputy Leader and Lead Member for Resources) and Tatler (Lead Member for Regeneration, Property and Planning)

1. Apologies for absence and clarification of alternate members

It was noted that whilst also present, Councillor Mashari would not be able to formally participate in any decisions taken during the meeting given she was in remote attendance.

As a result, members were advised that Councillor Kansagra (as Vice-Chair) would chair the meeting.

2. Declarations of interests

None.

3. Deputations (if any)

None.

4. Minutes of the previous meeting

It was **RESOLVED** that the minutes of the previous meeting held on 13 July 2021 be approved as a correct record.

5. Matters arising (if any)

Regarding the topical item discussion on the safety concerns at Wembley Stadium in light of the scenes at the EURO 2020 Final, it was noted that the Chief Executive had invited the Scrutiny Chairs to discuss the scope of the Casey Review and the findings of any internal reviews prior to the submission of evidence. It was also noted that the contents of the Casey Review would be presented to Committee once published.

It was noted that the Budget Scrutiny Task Group had been paused due to issues around its scoping activity. The Task Group would meet in the near future to resolve the issues and restart its work.

6. Regeneration and Housing Zones in Brent

Councillor Tatler, as Lead Member for Regeneration, Property and Planning, and Alan Lunt, Strategic Director of Regeneration and Environment, introduced a report on regeneration across the borough and progress with achieving the objectives for the Wembley Housing Zone (WHZ) and Alperton Housing Zone (AHZ).

The Committee was then invited to raise questions on the update provided, which focussed on a number of key areas, as highlighted below:

- Regarding the funding of Housing Zones, it was noted that funding agreements were in place with the Greater London Authority (GLA) for both the AHZ and WHZ. However, it was at a developers' discretion as to whether they utilised the funding. The predominant reason for a developer not accepting GLA funding was that the funding would come with various conditions and some developers considered funding homes privately more viable.
- In response to a question regarding the impact of developers' not utilising GLA funding, it was noted that developers were still building homes regardless of the funding. The Council needed to ensure that the affordable housing offer of such developments remained at the level needed to support the borough's housing needs.
- It was noted that the Government definition of affordable housing was considered anything up to 80% of the current market rent. Where possible, the Council aimed to develop housing at around 50-65% of the current market rate. There were a wide range of different rent levels associated with affordable housing, such as social rent, London Affordable Rent and London Living Rent.
- Regarding the vacancy rate of affordable homes, it was noted that there was huge demand and thus low vacancy levels. Vacancy rates were especially low in homes that were rented within the 'Local Housing Allowance' level and thus eligible for full Housing Benefit cover.
- It was noted that a significant amount of Community Infrastructure Levy (CIL) funding had been made available in recognition of the infrastructure needs in both the AHZ and WHZ. For example, funding had been secured to contribute towards three new medical centres across both Housing Zones.
- It was noted that of the affordable housing consented in the two Housing Zones, around 20% of homes were of three or more bedrooms with an even higher share in homes rented at social rent or London Affordable Rent. It was noted, however, that the Council's policy recommended that this should be at least 25%.
- Regarding local employment in both Housing Zones, it was advised that local employment, such as apprenticeships, was usually secured through S106 agreements. It was noted also that the Council's Procurement Strategy stipulated that, when working with anchor employers, the minimum expectation was that wages would be offered at London Living Wage.
- Regarding amenity space, it was noted that both Housing Zones would include community spaces and affordable work spaces. For example, the AHZ would include a community centre which would be managed by a group of local residents. Whilst engagement with local residents varied from developer to developer, the Council encouraged all developers to ensure communities be involved in every step of the planning process. The design of new buildings

- in the Housing Zones also sought to ensure there was adequate internal and external amenity space for use by residents.
- In response to a question regarding public transport, it was accepted that transport infrastructure in both Housing Zones needed to be improved. For example, work was underway to improve active travel routes such as the upgrade of cycle and walking lanes on Carlton Lane Boulevard in Kilburn.
 - In response to a question regarding the lifetime costs of newly built homes to residents, it was noted that the general rule was for properties to be constructed on the basis of a 30-year standard – that is, that major maintenance and refurbishment would be required every 30 years to effectively maintain dwellings, with ongoing reactive repair also essential. It was noted that while developers/landlords would ‘factor in’ maintenance requirements within service charge levels, the Council did not have any control on this. Service charges were generally capable of being covered by Housing Benefit. It was noted that the recent Aluminium Composite Material cladding issue had led to significant unexpected costs on landlords/managing agents and being passed on to Leaseholders which was a key issue for those affected.
 - Regarding Council control over land used for housing, it was noted that the Council retained the freehold on housing schemes offered in partnership with developers and that, going forward, there would be more emphasis on Council-led housing schemes. For example, S106 funding was being used to buy developments such as the key worker block in Wembley Park.
 - It was noted that the GLA’s Concordat scheme was in place to give priority to local homebuyers and stop homes being advertised to overseas buyers before they were offered for sale in London, however the scheme was voluntary and thus was limited. It was advised that overseas buyers bought 10% of all new homes in London between 2014-16.
 - In response to a question regarding the allocation of S106 funding and strategic CIL, it was advised that both means of funding were secured and spent accordingly to ensure necessary planning obligations and local infrastructure. For example, over £50 million in strategic CIL funding had been spent on local infrastructure. Such funding had stipulations on what it could be spent on, and as such the Council sought to ensure the money was used effectively.
 - Regarding public consultation, it was noted that the Regeneration and Housing Zone Teams utilised a range of consultation methods such as in-person engagement, online consultation and leafleting to reach out to local communities. Members were assured that both teams were committed to ensuring local people had a say in new developments in their local area. It was accepted that consultation had not always been as successful as planned, and it was noted that a new Community Engagement Framework was being delivered to develop the ways in which consultation was carried out across the Council.
 - In response to a question regarding tall buildings, it was noted that the Local Plan set out Tall Building Zones within Growth Areas and this would be where most tall buildings would be built. It was explained that the Council had stringent housing targets and housing needs that needed to be met.
 - Regarding the standard of newly built homes, it was explained that the minimum requirements was for new buildings to meet the current Building Control standards. It was noted that developers had the opportunity to utilise

the Local Authority Building Control (LABC) service or those of an Approved inspector (AI). The Council encouraged developers to use the Council for these assessments to ensure high standard and uptake in this had increased recently. It was noted that a number of mechanisms were in place to ensure developers were adhering to planning stipulations. Enforcement officers regularly visited sites to ensure compliance and, while they sought to talk to developers in the first instance, proportionate enforcement action could be taken if deemed necessary.

- In response to a question regarding the retail offer in and around areas of regeneration, it was noted that there was a requirement to replace industrial space with some element of commercial space. There was also an affordable workspace planning requirement for larger developments and a number of meanwhile use projects in town centres.

It was **RESOLVED**:

(1) That the following area for improvement be noted:

- (i). To consider an easier way to communicate with the public when regeneration or housing zone action is taken as a result of consultation with the public.

(2) The Committee made the following information requests;

- (i). To provide details on the progress of communicating the results of consultations with the public for regeneration and housing zones.

7. Brent Council Legal Services

Councillor McLennan, Deputy Leader and Lead Member for Resources and Debra Norman, Director of Legal, HR, Audit and Investigations introduced a report providing an introduction to the Council's legal service, giving an overview of its work and operation and its role in the Council's governance.

The Committee was then invited to raise questions on the update provided, which focussed on a number of key areas as highlighted below:

- In response to a question regarding the overall time spent on legal work, it was noted that much of the work related to the Regeneration and Environment department was linked to prosecutions, property leases, leasehold acquisition and contracts. For work related to the Children and Young People department, most of the work related to care proceedings which had seen an increase in demand during the pandemic.
- Regarding outsourcing, it was noted that the Council was focused on building its in-house advocacy skills. However some work, such as specialist cases, were best suited to external services. It was noted that the Council provided legal services to i4B Holdings Ltd and was paid for these services.
- It was noted that any insourcing that occurred had a positive impact on the budgets of other departments, as those departments would make savings by not having to use external services. This had an overall positive impact on the corporate position. Client satisfaction was regularly monitored and such feedback had been largely positive.

- It was noted that the Constitutional Working Group (CWG) was an informal, cross-party member/officer group which met to discuss any changes to the Constitution, whether that be in response to legislation or organisational need, before being presented to Council. Whilst the CWG comprised of a select few members/officers as agreed by the Leader of the Council and the Chief Executive, other members were afforded the opportunity to comment on any potential changes at Full Council.
- In response to a question regarding the emergency powers brought in during the pandemic, it was noted that the Constitution gave the Chief Executive the power to make decisions in the case of an emergency, which was utilised, logged and reported to the Audit & Standards Advisory Committee, Scrutiny Committees and Full Council. Additional temporary delegated powers were also given to the Chief Executive during the pandemic to ensure online committee meetings could be held, as agreed by Full Council.
- It was noted that debt defended related to the legal work undertaken to recover monies owed to the Council. Staffing levels for this area were matched to demand and, as such, some vacancies were maintained during the pandemic. These vacancies would not be filled unless there was sufficient demand and, if there was additional need on a temporary basis only, staff would be recruited on an agency basis.

It was **RESOLVED**:

(1) That the following areas for improvement be noted:

- (i). To make a central database to record all constitutional changes made in recent years available to the public.
- (ii). To increase democratic overview and transparency within the Constitutional Working Group, ensuring member involvement in decision-making.

(2) The Committee made the following information requests:

- (i). To provide details of decisions taken under emergency powers and temporary delegated powers agreed during the pandemic.
- (ii). To provide details on the savings incurred across the Council by insourcing legal services.

8. Progress Report

The Scrutiny Progress report, which outlines the issues previously considered at the Resources & Public Realm Scrutiny Committee, was tabled at the meeting and noted.

9. Forward Plan of Key Decisions

The Forward Plan of Key Decisions was noted.

10. Any other urgent business

None.

The meeting closed at 8.00 pm

COUNCILLOR S KANSAGRA
Vice-Chair