



Cabinet
12 October 2020

Report from the Assistant Chief Executive

Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee 14 July 2020;- The Public Realm in Brent and The Brent Economy

Wards Affected:	All
Key or Non-Key Decision:	Non Key Decision
Open or Part/Fully Exempt:	Open
Appendices:	Two Appendix 1 Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020 on The Public Realm in Brent. Appendix 2 Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020 on the Brent Economy.
Background Papers:	None.
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1 Purpose of the Report

- 1.1 The purpose of this report is to present the recommendations from the Resources and Public Realm Scrutiny Committee on the Public Realm in Brent and the Brent Economy, made at its meeting on 14 July 2020, for an Executive Response. The proposed Executive Responses to the recommendations are attached at the Appendices.

2 Recommendation(s)

- 2.1 That the Executive Response to the scrutiny recommendations on the Public Realm in Brent and the Brent Economy, made by the Resources and Public Realm Scrutiny Committee at its meeting on 14 July 2020, be agreed.

3 Detail

- 3.1 In accordance with Part 4 of the Brent Council Constitution, (terms of reference for council committees and subcommittees), Brent Council scrutiny committees may make recommendations to full Council or the Cabinet with respect to any functions which are the responsibility of the executive or of any functions which are not the responsibility of the executive, or on matters which affect the borough or its inhabitants. The Community and Wellbeing Scrutiny Committee may also make recommendations to the relevant NHS bodies or relevant health service providers or Full Council.
- 3.2 Cabinet is being asked to consider its Executive Response to the recommendations and either agree, reject or agree as amended, the scrutiny recommendations made, as set out in the draft Executive Response attached at the Appendices to this report.
- 3.3 Scrutiny committees may not make executive decisions. Scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; usually Cabinet, but also full Council for policy and budgetary decisions and the NHS where it is the decision maker, in accordance with the terms of reference for scrutiny committees, set out in the Council Constitution.
- 3.4 The minutes of the meeting of the scrutiny committee provide the record of the scrutiny committee's consideration of the issue and the scrutiny recommendations made during the meeting.
- 3.5 Scrutiny recommendations may include those made in scrutiny reports agreed in committee (e.g. through Scrutiny Task Groups). These are usually dealt with through a separate report to the Cabinet following the same process, which requests an Executive Response to the scrutiny report and recommendations.
- 3.6 The scrutiny committee will be notified of the executive decisions made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising from the scrutiny recommendations, for example, service improvements, value for money savings and outcomes for residents.

4 Procedure for Reports and Recommendations from Scrutiny Committees

- 4.1 Where scrutiny committees submit reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an Executive Response and the issue will be published on the Council's Forward Plan. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response, the technical feasibility, financial implications, legal implications and equalities implications etc.
- 4.2 The Cabinet will receive notification of the committee's report or recommendations and agree the Executive Response, which may include an executive decision with respect to the scrutiny recommendations.

- 4.3 Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its Executive Response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's Response.
- 4.4 Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
- 4.5 Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

5 The Public Realm in Brent

- 5.1. At its meeting on 14 July 2020, the Resources and Public Realm Scrutiny Committee considered *The Public Realm in Brent* and received a report and oral evidence from Councillor Krupa Sheth, Lead Cabinet Member for Environment and Councillor Shama Tatler - Cabinet Member for Regeneration, Property & Planning and lead officers within the Environment Services, Regeneration and Environment department.
- 5.2. The minutes of that meeting are published here: <http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=551&MId=6134&Ver=4>
- 5.3. At the end of the consideration of the issue, the committee resolved to recommend to Cabinet:
- 1. That the new parking strategy ensure that it is always cheaper to park a bike than park a car in Brent, and ensure that the cheapest resident parking permit is more expensive than using a bike hangar.*
 - 2. That 20mph be adopted as the default speed on Brent roads, subject to an environmental audit, and that a timetable be drawn up for the introduction of a 20mph speed limit across the borough.*
 - 3. That unspent balances in the capital budget be reinvested in active travel.*
 - 4. That any future transport strategies and plans include clear measurements and modelling for active transport and the impact on air quality.*
 - 5. That low traffic streets be rebranded in a way that is clearer for the public, for example 'Healthy Streets' or 'Peaceful Streets'.*

6 The Brent Economy

- 6.1. At its meeting on 14 July 2020, the Resources and Public Ream Scrutiny Committee considered the Brent Economy and received a report and oral evidence from Councillor Shama Tatler - Cabinet Member for Regeneration,

Property & Planning and lead officers within the Regeneration and Environment department.

- 6.2. These proceedings are also recorded in the minutes of that meeting.
- 6.3. At the end of the consideration of the issue, the committee resolved to recommend to Cabinet:

That the Cabinet Member for Regeneration work with the West London Prosperity Board to set up a jobs summit with large local employers (regardless of sector) to look at ways the public and private sectors can work together to support local employment.

7 Social Welfare in Brent

- 7.1. At its meeting on 14 July 2020, the Resources and Public Realm Scrutiny Committee also considered Social Welfare in Brent and received a report and oral evidence from Councillor Southwood, Cabinet Member for Housing and Welfare Reform, the Strategic Director Customer and Digital Services and the Head of Customer Access

- 7.2. These proceedings are also recorded in the minutes of that meeting.

- 7.3. At the end of the consideration of the issue, and with particular regard to its consideration of the COVID-19 Support Fund, the committee resolved to recommend to Cabinet:

1. *That the COVID-19 Interest Free Loans Eligibility Criteria to include debt as part of the criteria.*
2. *That the department organise a member development session to brief elected members of the Council on the new support funds and when it may be appropriate to refer people to them.*
3. *That the department use the information it has available on vulnerable local people to proactively contact them to advise of the support on offer, and accompany this with a media campaign through social media and traditional media.*
4. *That the department conduct a review of its debt collection processes in the light of the COVID-19 crisis, to ensure that the circumstances of vulnerable people adversely affected by the epidemic will be taken into account.*

- 7.4. These scrutiny recommendations were considered at Cabinet on 20 July 2020, as part of Cabinet's consideration of the COVID-19 Support Fund. The Cabinet resolved to support and approve the following recommendations made by the Resources and Public Realm Scrutiny Committee being taken forward as part of the development and implementation of the new support funds:

- (a) That the Covid-19 Interest Free Loans eligibility criteria be extended to include debt;
- (b) A member development session be arranged on the new support funds and their referral process;
- (c) The Strategic Director, Customer & Digital Services be requested to consider how best to proactively use data already available to offer advice and support for vulnerable local people; and

- (d) The Strategic Director, Customer & Digital Services be requested to undertake a review of debt collection processes in light of Covid-19 to ensure that the circumstances of vulnerable people adversely affected by the pandemic were fully taken into account.

7.5. The minutes of the Cabinet meeting are published here: <http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=455&Mid=6032&Ver=4>

8 The Executive Response

8.1 The proposed Executive Responses to the scrutiny recommendations made, as explained in paragraphs 5 and 6 above, are attached at the Appendices to this report. This includes proposed executive decisions for each of the scrutiny recommendations.

9 Financial Implications

9.1 The majority of the actions are activities that can be contained within existing budgets. Where actions are unable to be contained within existing resources, the financial implications will need to be developed and considered as detailed implementation plans are developed.

10 Legal Implications

10.1 Section 9F, Part 2 of the Local Government Act 2000, *overview and scrutiny committees: functions*, requires that Executive Arrangements by a local authority must ensure that its overview and scrutiny committees have the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are or are not the responsibility of the executive, or on matters which affect the authority's area or the inhabitants of that area.

10.2 Section 9Fe, *duty of authority or executive to respond to overview and scrutiny committee*, requires that the authority or executive:

(a) consider the report or recommendations,

(b) respond to the overview and scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,

(c) if the overview and scrutiny committee has published the report or recommendations, publish the response, within two months beginning with the date on which the authority or executive received the report or recommendations.

10.3. Statutory guidance in relation to Scrutiny Committees has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

10.4. The guidance provides that local authorities and combined authorities must have regard to it when exercising their functions. The phrase "must have regard", when used in this context, does not mean that the sections of statutory

guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

- 10.5. Detailed legal advice and assistance will be provided where further consideration is to be given in relation to the Scrutiny recommendation.

11 Equality Implications

11.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need to:

- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- b) advance equality of opportunity; and
- c) foster good relations between those who share a "protected characteristic" and those who do not.

11.2 This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

11.3 There are no specific equality implications arising from this report.

12 Consultation with Ward Members and Stakeholders

12.1 The relevant Cabinet members and Council directorates have been consulted in drawing up this report.

Related Documents: Minutes of the Resources and Public Realm Scrutiny Committee 14 July 2020.

Report sign off:

SHAZIA HUSSAIN
Assistant Chief Executive