

 Brent	Resources and Public Realm Scrutiny Committee 10 November 2021
	Report from the Assistant Chief Executive
Progress Report	

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt:	Open
Appendices:	Six Appendix 1: Emergency Planning Response to COVID-19, report to full Council 13 July 2020. Appendix 2: Schedule of Service Changes decisions (June 2020) Appendix 3: List of Decisions taken under the Chief Executives delegated emergency decision making powers. Appendix 4: Decision taken under Chief Executives delegated Emergency Decision making powers. Appendix 5: Summary Cost Comparisons Appendix 6: Scrutiny Recommendation Tracker November 2021
Background Papers:	None
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1 Purpose of the Report

- 1.1 This report provides a brief summary update on issues previously considered at the Resources and Public Realm Scrutiny Committee, including responses to information requests made by the committee last the previous meeting, updates on resolutions made by the committee, including reports and recommendations to the executive and

the Executive Repose and executive decisions made in respect of scrutiny reports and recommendations.

2 Recommendation

- 2.1 That the progress report on scrutiny information requests, scrutiny reports and recommendations and other matters raised by the committee be noted.

3 Progress from the Previous Meeting

- 3.1. At the last meeting of the committee on 14 September 2021, the committee considered Regeneration and Housing Zones in Brent and Brent Council Legal Services, with evidence from the relevant Cabinet members and departmental officers.

Regeneration and Housing Zones in Brent

- 3.2. The Committee considered Regeneration and Housing Zones in Brent with questions to Councillor Tatler, as Lead Member for Regeneration, Property and Planning and Alan Lunt, Strategic Director of Regeneration and Environment, as well as a report on regeneration across the borough and progress with achieving the objectives for the Wembley Housing Zone (WHZ) and Alperton Housing Zone (AHZ).

- 3.3. The following areas for improvement were noted;

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.

- 3.4. The Regeneration and Environment directorate has responded that, in accordance with the Brent Borough Plan, the service is committed to working closely with local communities and to engage effectively to increase resident satisfaction and involvement by engaging in a variety of ways:– use of commonplace platform, exhibitions, drop-ins and meetings. Post consultation reports, including a summary of engagement undertaken and responses received and any changes made in light consultation, are typically published on the Brent Council website and detailed in any subsequent reports seeking authority for the next stage. A post consultation review of the effectiveness of the process will be undertaken.

- 3.5. For future engagements the service will explore whether, as part of consultation reporting, it can always include a visually orientated headline “You said, We did” snapshot and be disseminated more broadly through various communications channels, including *Your Brent* magazine articles, press releases, member bulletins, digital and social media channels. New communications channels to highlight actions taken and the results of public consultation will be explored as part of the Borough’s digital transformation agenda.

- 3.6. The Committee also made the following information request;

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

- 3.7. The Regeneration and Environment directorate has responded that, in accordance with the Brent Borough Plan, the service is committed to working closely with local communities and to engage effectively to increase resident satisfaction and involvement. For major regeneration projects, dedicated community engagement and consultation strategies and plans are drawn up in advance of implementation; these will include a variety of engagement measures. Strategies will require all feedback from public consultation be reviewed and reported on, including a response on any action consequently taken and why, or why not. A post consultation review of the effectiveness of the process will be undertaken.
- 3.8 The Council's website will continue to be used to publish the results of public consultation and is complemented by the use of *Your Brent* magazine articles, press releases, member bulletins, digital and social media channels. In July 2021 the Council launched the new Citizen Lab consultation platform. Citizen Lab allows local residents, businesses and communities to access all London Borough of Brent's public consultations and the records and the results of those consultations in one place. Moving forward, the service will explore new communications channels to highlight the results of public consultation, including as part of the Borough's digital transformation agenda.

Brent Council Legal Services

- 3.9 The Committee considered Brent Council Legal Services with questions to the Deputy Leader and Cabinet Member for Resources and the Director of Legal, HR, Audit and Investigations and considered 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.
- 3.10 The following areas for improvement were noted;
- (i). *To make a central database for 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.*
- 3.11 The Legal, HR, Audit and Investigations directorate has responded that Legal Services is compiling a list starting from the beginning of 2017 when the comprehensive review of the Constitution began. This will be held on the Intranet alongside the Constitution in due course.
- 3.12. An item has been included in a recent Member Bulletin reminding members of the membership and role of the Constitutional Working Group (CWG) and inviting them to put forward any suggestions for improvements they have via the group whips or the Monitoring Officer.
- 3.13. A review of the operation of the CWG is being undertaken and will be reported to the Audit and Standards Advisory Committee in line with the responsibilities of that committee.

3.14. The Committee also made an information request:

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

The Use of Emergency “Urgent Decision-Making” Powers

3.15. The Legal, HR, Audit and Investigations directorate has responded that the use of the emergency “urgent decision-making” process under Part 3 Paragraph 9.3.2 of the Constitution in relation to the pandemic up to July 2020 was reported to Full Council and has provided these reports, here attached as:

- *Appendix 1: Emergency Planning Response to COVID-19, report to full Council 13 July 2020.*
- *Appendix 2: Schedule of Service Changes/decisions (June 2020)*
- *Appendix 3: List of Decisions taken under the Chief Executives delegated emergency decision making powers.*

3.16. Further decisions in exercise of this power have been taken since this date are attached here as Appendix 4: *Decision taken under Chief Executives delegated Emergency Decision making powers.*

3.17. The additional delegated powers given to the Chief Executive following the ending of the power to hold virtual meetings to make decisions have been used as follows:

- NHS staff transfer passport to allow NHS staff joining the council to retain their NHS continuity of employment for specific purposes (following consultation with the deputy Leader).
- Covid related testing etc. for Social Workers recruited overseas coming to work in Brent to be funded by the council (following consultation with the deputy Leader).

Savings from Insourcing Legal Services

3.18. The Legal, HR, Audit and Investigations directorate has responded that, as explained at the Scrutiny meeting, it is difficult to give a full picture of the savings achieved through insourcing of work or to determine the percentage of our current work which would in the past have been placed externally.

3.19. The service has identified a number of example cases which fall into this category and the table provided at Appendix 5- *Summary Cost Comparisons* sets out, the cost internally for hours spent over a period on these cases/projects compared with the likely cost of those hours with the external firms previously utilised. The internal costs include not only direct staffing costs, but also an amount in respect of indirect costs, such as notional accommodation and corporate support costs so it's a fair comparison with what is charged by private firms. This represents only part of the work insourced, but gives an idea of the difference that dealing with matters in-house can make.

3.20. The projects include, for example:

- Key workers housing - Atlantic Crescent

- Most of the South Kilburn Programme work, which used to be almost fully externalised
- Integrated Environmental Services Project
- Chippenham Gardens development
- Kilburn Square
- Watling Gardens
- The Grand Union Development.

3.21. In terms of the percentage of staff dealing with type of work, many staff will do this as part of their role, but there are 12 FTE posts where all or most of their time is spent on this type of work. This includes 2 FTE undertaking advocacy. In terms of advocacy, it is anticipated that there are potential savings of over £50,000 per advocate per year.

3.22. As indicated in the report to the committee on 14 September 2021, the number of staff in service varies, depending on demand and includes four support posts not undertaking legal work. Based on 73 legal posts, this is approximately 16%.

Scrutiny Recommendations and Executive Response

3.23. The Scrutiny Recommendation Tracker table attached at Appendix 6 provides a summary of scrutiny recommendations made to the Cabinet during the municipal year, so that the scrutiny committee can track the progress of the recommendations made.

3.24. The Scrutiny Recommendation Tracker enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and ask about any outcomes arising from the scrutiny recommendations, for example, service improvements, value for money savings and outcomes for residents.

3.25. If the relevant respective executive decisions and actions have been implemented, they will not be referred over to the scrutiny recommendation tracker report for the next municipal year, but that any that have not been implemented may be referred to the scrutiny recommendation tracker for the next committee cycle.

Procedure for Recommendations from Scrutiny Committees

3.26. Where scrutiny committees make 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.

3.27. 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.

3.28. Where scrutiny committees have powers under their terms of reference to make reports or recommendations 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.

EURO 2020 Final at Wembley Stadium

- 3.29. On Tuesday 13 July 2021, the Resources and Public Realm Scrutiny Committee recommended to Cabinet *to hold a public review into the Council's actions taken before, during and after the Euro 2020 Final to establish the lessons learnt.*
- 3.30. On 13 September 2021 Cabinet agreed:
That Brent Council will:
- i). Undertake an assessment of Council activities relating to its responsibilities around safety, licensing and enforcement at Wembley Stadium as part of the Euro 2020 Finals in order to support the overarching Review led by Baroness Casey;*
 - ii). Fully support the Baroness Casey Review throughout;*
 - iii). Consider fully any recommendations relevant to the Council's duties that arise from the Review and;*
 - iv). Oversee and implement any actions and priorities for change.*
- 3.31. Baroness Casey has yet to publish a report on this issue and a review of progress on this issue is marked for July 2022.

Violence Against Women Scrutiny Report

- 3.32. On 1 October 2020 the Committee approved a report on Violence Against Women Scrutiny report, with ten scrutiny recommendations to the Cabinet and on 7 December 2020 Cabinet approved a detailed Executive Response, which provides the actions the Council will take on this issue in response to the scrutiny report and recommendations. The Violence Against Women Scrutiny report can be accessed here: <https://democracy.brent.gov.uk/documents/s105501/6b.%20Appendix%202%20-%20VAWG%20Scrutiny%20Task%20Group%20Report.pdf> The Cabinet's Executive Response can be accessed here: <https://democracy.brent.gov.uk/documents/s105500/6a.%20Appendix%201%20-%20VAWG%20Executive%20Response%20to%20the%20Recommendations.pdf>
- 3.33. The scrutiny report and the Cabinet's Executive Response was also considered by the Safer Brent Partnership on the 26 January 2021. A report on the progress of the implementation of the agreed scrutiny recommendations should be considered by the committee in January 2022.

The Public Realm in Brent

- 3.34. On 14 July 2020 the Committee considered The Public Realm and made three recommendations to Cabinet. On 12 October 2020 the Cabinet agreed an Executive Response and decisions in respect of those recommendations.
- 3.35. The Cabinet's Executive Response can be accessed here: <https://democracy.brent.gov.uk/documents/s103474/6a.%20Appendix%201%20-%20Executive%20Response%20-%20Public%20Realm.pdf>

3.36. The Scrutiny Recommendations Tracker at Appendix 6 provides details on progress to date, although the implementation of this has been delayed due to the pandemic and public health restrictions and this is now marked for review by the Committee in July 2022.

Brent Parks Strategy

3.37. On 12 March 2020 the Committee considered the Brent Parks Strategy and made three recommendations to Cabinet. These are:

- 1. That a new Brent Parks Strategy encompass the green and open spaces as a whole and include measurable targets, including bespoke targets for Brent, to facilitate the use of parks and open spaces by a diversity of different people in the community and to encourage sporting activities.*
- 2. To improve the data on people using the park, which could be used to inform the strategy.*
- 3. That provision be made within the strategy and management of parks to allow for barbeques in designated areas, perhaps with the requirement of a permit and perhaps after a trial period to test out how this might work.*

3.38. On 17 August 2020 Cabinet agreed an Executive Response, including a decision to agree the scrutiny recommendations.

3.39. The Cabinet's Executive Response can be accessed here: <https://democracy.brent.gov.uk/documents/s100811/6a.%20Appendix%201%20-%20Executive%20Response%20to%20the%20Recommendations%20of%20the%200Resources%20and%20Public%20Realm%20Scrutin.pdf>

3.40. The Regeneration and Environment directorate has provided the following update:

Brent Parks Strategy and Data (scrutiny recommendations 1 and 2)

3.41. The service has been focusing on the development of the Green Infrastructure Vision and action plan, which seeks to link the work of numerous services across the council in their approach to environmental improvements. Whilst the stand alone Parks Strategy is still in development, the service is working with colleagues in education to understand how to ensure fair access to Brent parks and playgrounds for those with disabilities and to be able to provide information about these facilities to those who seek to use these spaces more.

3.42. The challenge being faced at the moment is developing a baseline of park use from which to develop meaningful targets to demonstrate improved use. A recent consultation exercise has obtained the views of park users in Alperton with an aim to work with regeneration to understand how local people wish to use their open spaces and what they would like to see in them. The service continues to work with Parks for London on how best to develop meaningful measures which develop a baseline of existing park use. The service will develop a baseline measure in two Brent Parks by Spring 2022 to understand who is currently using Brent parks and their reasons for doing so. This should enable identification of where any gaps are.

Barbeques in designated areas (scrutiny recommendation 3)

3.43. The service has been in discussion with colleagues in Barnet and Islington on their approach to BBQ's in their parks. Unfortunately there were not many opportunities for BBQ's this summer and so feedback from colleagues regarding authorised areas has not been as beneficial as was hoped. There is no feedback at the moment as to whether any authorised location would reduce illegal BBQ's, but the service continues to seek information and data to consider a trial location for the coming year. The service will develop a baseline measure in two Brent Parks by Spring 2022.

Knife Crime Scrutiny Task Group Report

3.44. On 12 September 2019 the Committee approved a scrutiny report and recommendations on Knife Crime, which can be accessed here:

<https://democracy.brent.gov.uk/documents/s89826/6.2a.%20Knife%20Crime%20Scrutiny%20Task%20Group%20Final%20Report.pdf>

3.45. On 14 October 2019 Cabinet agreed the recommendations set out in the scrutiny report. On Monday 10 May 2021 the scrutiny committee considered a report on the progress of the implementation of the agreed scrutiny recommendations and requested a further update in six months' time, which is programmed for Wednesday 10 November 2021.

4 Financial Implications

4.1 There are no financial implications arising from this report.

5 Legal Implications

5.1 There are no legal implications arising from this report.

6 Equality Implications

6.1 There are no equality implications.

7 Consultation with Ward Members and Stakeholders

7.1 None.

Report sign off:

Shazia Hussain
Assistant Chief Executive