



Brent

MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE
Held in the Conference Hall, Brent Civic Centre on Wednesday 6 September
2023 at 6.00 pm

PRESENT: Councillor Conneely (Chair), Councillor Long (Vice-Chair) and Councillors Ahmadi Moghaddam, Akram, S Butt, Georgiou, Miller and J. Patel.

Also Present: Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture and Councillor Farah, Cabinet Member for Safer Communities & Public Protection.

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

Apologies for absence were received from Councillors Aden, Councillor Shah and Councillor Mitchell.

2. **Declarations of interests**

None.

3. **Deputations**

None.

4. **Minutes of the previous meeting**

It was **RESOLVED** that the minutes of the previous meeting held on Wednesday 19 July 2023 be approved as a correct record.

5. **Matters Arising (if any)**

None.

6. **Establishment of Budget Scrutiny Task Group**

Councillor Conneely presented a report from the Head of Strategy & Partnerships that outlined the arrangements of the establishment of a Budget Scrutiny Task Group to consider the Cabinet's budget proposals for 2024/25 and 2025/26. The Committee was advised that the task group would be made up of Members from both the Community & Wellbeing Scrutiny Committee and Resources & Public Realm Scrutiny Committee. The task group would undertake a series of meetings to examine the Council's budget proposals whilst considering key priority areas. Comments and draft recommendations from the Task Group were expected to be considered by the Resources & Public Realm Scrutiny Committee in January 2024, subsequently a report from the Committee would then be presented to Cabinet for consideration in February 2024; to coincide with the report from the Corporate Director of Finance and Resources on the final budget proposals.

The Committee agreed to note the recommendations as follows:

- (1) That a Budget Scrutiny Task Group be established with members to be confirmed at the Committee meeting on 6 September 2023.
- (2) The Terms of Reference for the group will be to:
 - (2.1) Consider the Cabinet's budget proposals for 2023/25 and 2025/26.
 - (2.2) Receive evidence from Cabinet Members, senior departmental officers and any other relevant stakeholders.
- (3) Agree a draft report to comment on the budget proposals for submission to the Resources & Public Realm Scrutiny Committee for ratification and submission to Cabinet.

7. Community Engagement Framework

Councillor Conneely welcomed Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture, to introduce a report from the Corporate Director of Communities and Regeneration that provided an update on the development of the Council's Community Engagement Framework (CEF). Zahur Khan, Corporate Director of Communities & Regeneration highlighted that the framework was in its infancy, however he was keen to use the meeting as an opportunity to seek the Committee's views to support the development of the CEF with the overall aim of creating a framework that would achieve a consistent approach, using best practice to maximise engagement with the community and all stakeholders.

In the ensuing discussion the Committee raised the following points:

- The Committee queried how co-production and co-design techniques were being incorporated to support the development of the CEF. In response the Committee was advised that in recognition of including the community on the journey of the development of the CEF it was paramount that the progression of the framework took an inclusive approach. The Council were working with independent advisors to support the co- design element to ensure a process that invited maximum engagement with community groups, officers, and residents. The element of co- production related to how the agreed plans would be taken forward to implementation. It was felt that prioritising community engagement in the initial stages of designing the CEF would see greater success at the implementation stages.
- The Committee acknowledged that the CEF was in its early stages of development, however required clarity from officers that they had a clear vision going forward of what needed to happen to enact effective community practice. Officers advised that once the framework was in place, they would be in a better position to create a detailed action plan and planned to bring together a network of community organisations and stakeholders to support driving the framework forwards.
- Following a Committee query in relation to how the new CEF would support a revised approach to Brent Connects meetings, the Committee was advised that officers recognised that at present Brent Connects meetings were not

achieving an optimum level of engagement and effectiveness, however it was hoped that the creation of a new CEF would provide an opportunity to make delivery improvements to Brent Connects meetings that could include a mix of face to face and online meetings. Additionally, it was hoped that increased officer presence that included a member of CMT being present at each meeting would add weight to the process and increase public engagement. As well as the proposed delivery changes to Brent Connects meetings, officers advised that there were plans to improve the tracking of the discussions and actions agreed at the meetings with the introduction of an action log being published online after meetings to support residents in seeing the value of the process.

- The Committee welcomed a revision in the way that Brent Connects meetings were delivered and queried if as part of the changes, consideration could be given to the different geographical areas that Brent Connects meetings were divided in to. Particular attention was drawn to the Wembley Brent Connects area that was felt to be too large, as so many wards were included. It was felt that given that a number of issues were unique to specific wards, that strong consideration should be given to re-examining the size and groupings of the Brent Connects areas. As well as this the Committee felt that residents needed to be better informed that meetings were taking place and that they could attend a Brent Connects meeting that may not be in their Ward, if there was a topic being discussed that was relevant to them; additionally, it was felt more consideration should be given to accessibility requirements to ensure no groups were excluded. In response the Committee was advised that there was no current plan to change the geographical Brent Connects areas, however, it was acknowledged that more should be done to promote Brent Connects meetings and that residents could attend meetings beyond their specific ward. Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture advised that accessibility and inclusivity remained a high priority, it was noted that there was information provided on leaflets produced that stated that if the information was required in a different format, this could be made available; however it was acknowledged that there was more that could be done to support improved accessibility and this was accepted as an action to take forward.
- Following a further Committee query into how Brent Connects meetings were promoted, and how community participation could be improved further, the Committee heard that Brent Connects meetings were currently promoted via flyers, social media, Ward Councillors and the Your Brent magazine. To enhance further meaningful public participation, it was suggested that Chairs and Vice Chairs of Brent Connects should actively seek feedback from residents to explore what they would like to see on the agenda.
- The Committee felt that the Your Brent magazine could be improved as an engagement tool, as concerns were raised that the magazine was not consistently distributed to every resident. Officers advised that this would be raised with the Comms team.
- The Committee sought clarity as to why Kingston's CEF had been chosen to share with the Committee as an example of best practice, in response the Committee was advised that Kingston's CEF had been chosen as one example of good practice that provided a good visual model to the Committee to demonstrate how Brent intended to move forwards in the development of the CEF. Officers clarified that further examples of good practice would be

sought from the LGA to gain as broad an understanding as possible into what should be included in an effective impactful CEF.

- The Committee required clarity in relation to the themes identified so far, following officers' engagement with residents and groups. The Committee was advised that the data gathered from recent engagement was not available yet, however once analysis had been completed, the findings would support shaping the principles of the CEF.
- The Committee raised concerns that the list of community organisations that were consulted within the report was limited and did not represent a diverse enough cross section of the community, additionally, it was questioned why the two neighbourhood forums had not been included as statutory consultees. In response to the concerns raised, officers advised that the Council held a much larger list of community organisation, the 10 groups identified in the report were included as a small representation of some of the groups that would be consulted with.
- The Committee felt strongly that relationships between key community organisations and thematic leads should be nurtured to maintain positive links between the Council and community to support the effective co-design and co-production of the CEF moving forward.
- The Committee required clarity in relation to whether officers felt that outsourcing some of the community engagement work to acquire information to support the development of the CEF offered good value for money and if the outsourced company had adequate knowledge of the borough to ensure that engagement was correctly targeted and maximised. Officers advised that it was felt to be an appropriate and efficient use of funds as good quality independent feedback would be delivered to support identifying the next steps in the development of the CEF.
- Following a Committee query in relation to how officers planned to engage with some of the traditionally harder to reach cohorts and new communities to Brent, the Committee was advised that officers were utilising the already established relationships between officers and specific groups, In addition to this it was hoped that Councillors would be able to support and promote within their wards and share any community links they had.
- The Committee highlighted how important they felt it was that existing links with mutual aid groups and community champions were utilised effectively throughout the CEF development process.
- In response to a Committee query regarding what officers hoped to achieve with the reformed CEF, the Committee heard that the Council wanted to gain a clearer governance structure outlining the expectations residents could expect, it was hoped that through greater consistency and communication an effective CEF would be produced that would support all future community work and affect positive outcomes within the community.
- The Committee requested that if there were specific areas of improvement identified by the independent consultant, it would be helpful if these could be shared at a future Members Session.
- The Committee enquired what plans were in place to monitor the impact of the CEF. Officers advised that once the framework was embedded in practice, a monitoring tool would be implemented to assess positive impact and respond appropriately to any areas that required improvement.

In closing the discussion, the Chair thanked officers and Committee Members for their contributions towards the scrutiny on the item before summarising the outcome of the discussions and additional actions, which were **AGREED** as follows:

Suggestions for Improvement

- (1) Revisit the current format of Brent Connects meetings; this should include a review of how agendas can be co-designed and driven by residents. Additionally, how the Council can address the gaps in engagement caused by the current geographical boundaries of Brent Connects areas. For instance, residents being assigned to areas which do not necessarily reflect what they consider their neighbourhoods.
- (2) The following groups should be included in the Community Engagement Framework consultation and engagement activities –
 - Carers, including young carers
 - Young people
 - Brazilian communities
 - Goan communities
 - Any other emerging communities identified
 - Neighbourhood Forums
 - Trade Unions (in line with HR compliance)
 - Businesses
- (3) Undertake a member survey to engage Councillors on the development of the Framework, including stakeholders the Council should be engaging as part of the work.
- (4) Pending the results of the survey, explore delivering a workshop to engage Councillors on the development of the Framework, including stakeholders the Council should be engaging as part of this work.
- (5) Work with departments to make improvements to Brent's online consultation platform and to the general approach to consultations –
 - Where residents are clearly informed of the timescales related to the initiatives/policies/strategies they are being consulted on and;
 - Where consultation feedback/results are made readily available to residents/partners in one central place.
- (6) Liaise with the Local Government Association (LGA) and other relevant external bodies to identify good practice to inform the upcoming Community Engagement Framework.
- (7) As far as possible, review Council documents (including the new Community Engagement Framework) for jargon and update accordingly.

Information Requests

- (1) Provide further detail on where 'Your Brent' magazine fits in to the Community Engagement Framework, and what specific reviews of the magazine will take place as part of the development of the new framework.
- (2) Provide detailed information on the emerging communities in Brent; to include, who are they, how are they currently being engaged with and what challenges there are in engaging these communities.

8. Planning Enforcement

Councillor Farah, Cabinet Member for Safer Communities and Public Protection introduced a report from the Corporate Director of Communities and Regeneration that outlined the planning enforcement process as carried out in Brent and detailed how this area of work was resourced. The Committee heard that Brent's Planning Enforcement performance was consistently good and rated within the top 3 nationally, despite this the Planning Enforcement Team continued to seek ways to continue to improve the service.

Following the information heard the Committee raised the following points for discussion:

- Committee Member's shared that they were often contacted from constituents who had raised Planning Enforcement issues and subsequently felt they had not been listened to as they did not receive adequate communication from the Council, therefore the Committee required clarity on the number complaints received, specifically, in relation to the lack of communication following an initial planning enforcement complaint. In response the Committee was advised that very few complaints of this nature were received, where they were received, they were resolved promptly by the Head of Planning and Development Services.
- The Committee felt it was important to manage residents' expectations when they raised a possible planning enforcement issue and queried with officers how clear the process was to residents from the point that a complaint was reported. In response the Committee was advised that once a complaint was received a letter of acknowledgement would be sent out within 7 days to the complainant acknowledging receipt of the complaint with an explanation on the back of the letter that advised of what would happen next. The Committee heard that it was difficult to provide complainants with an exact timescale as there was several factors that could affect the speed and escalation of a complaint, namely the quality of the evidence provided at the point of making the complaint. If good quality evidence was provided and officers felt that there was a breach, officers would aim to complete a visit within 2 weeks. Once a site visit has been completed officers would notify the complainant to update them as to whether the Council were able to take action.
- The Committee noted that not all complaints received progressed to action being taken, as some complaints did not constitute a breach and where there were breaches identified, due to limited resources within the team, only the highest priority cases were likely to be progressed.

- Officers recognised the reputational risk that could be expected if residents felt their reports were not being acknowledged and in turn appreciated the need for improved communication to support residents understanding and expectations of planning enforcement in Brent; with improved guidelines and threshold information available to support residents in managing their expectations of the service.
- The Committee required clarity on the communication Ward Councillors could expect if a breach was identified in their wards. Officers advised that due to GDPR considerations it was not always possible to include Councillor's in emails that updated the progress of a case, unless they were included in correspondence at the initial stages, or the report had been submitted via the Member Enquiry System. Officers recommended that if residents were concerned about lack of communication, they could contact their specific case officer and if no response was received, they could contact the Head of Planning Enforcement to request an update.
- The Committee queried if the initial acknowledgement letter sent to complainants who had reported a suspected breach clearly communicated the next stages of the process, as it was felt that this information would support residents in managing their expectations of the service. Officers advised that there was clear guidance provided on the acknowledgement letter, however the document was due for review and in line with the revised general information for residents in relation to the work of the Planning Enforcement service. It would be updated to provide more detail and clarity for residents, including approximate timescales so that residents would know if and when it was appropriate to escalate their concerns.
- The Committee queried how the Cabinet Member for Safer Communities & Public Protection was kept updated with enforcement issues, in response the Committee was advised that Tim Rolt, Enforcement Team Manager regularly met with Councillor Farah in his capacity as Cabinet Member for Safer Communities & Public Protection to update him on cases where direct action had been taken as well as providing him with a data update. The Committee queried if it was possible to receive a breakdown of how many enforcement complaints and notices were issued per ward, including information on types of breaches. It was felt this information could assist more targeted comms campaigns specific to areas where certain breaches were more prevalent. In response officers advised that a new database was currently being procured, once this was in place it would be easier to extract the data requested to support both Ward Councillors in understanding the issues in their wards and to provide targeted comms.
- In terms of prevention, the Committee felt that it may be useful to feature successful prosecutions and direct actions in the Your Brent magazine and Brent Council website to act as both a deterrent and to reassure residents that the Council would take action where proven breaches had been identified.
- The Committee recognised that the cumulative cuts made from central government to Council budgets had undoubtedly had an operational impact on the Planning Enforcement service, despite this the Committee felt the team were managing well with the limited resources available, however queried if a reduction in the backlog of work could be supported by the introduction of an apprenticeship scheme within the service or job sharing opportunities to assist in covering sickness and leave. In response the Committee was advised that it was possible to re-deploy staff if necessary, however this was not an option

that had been fully explored yet, additionally, the Planning Development Team were able to support in signing off cases when needed. An apprenticeship would be welcomed by the department; however, it was acknowledged that funding would need to be sought to provide this.

- The Committee required clarity on cases where after a period of time any breach of use of land or buildings that had not been challenged by enforcement action could be granted as established use. The Committee was advised that once an enforcement notice was issued, the land/building could not be recognised as established use regardless of the time taken to enforce any remedial action, therefore even if cases were caught in a backlog, once the notice had been issued it would remain until the breach had been remedied and established use could not be claimed.
- The Committee were concerned that there was no scope to carry out visits to address complaints in relation to construction issues, it was felt this was a key concern for many residents, particularly in wards identified for large scale regeneration as these issues could continue over years. In response the Committee was advised that throughout the planning process conditions were often added via a Construction Management Plan in order to mitigate concerns identified in the planning phase. If there were felt to be breaches in relation to the Construction Management Plan, concerns should be reported to better placed Council departments such as the Highways Enforcement Team and the Noise Team who could provide a more effective response to the concerns raised.
- The Committee recognised that construction related issues were better placed with the Highways Enforcement Team and the Noise Team, however felt that this information should be clearly communicated to residents and Councillors as they were unlikely to be aware of the different reporting mechanisms available to them across the Council.
- The Committee queried how other enforcement agencies within the Council could also help to alleviate the pressure from Planning Enforcement where appropriate. The Committee was advised that Planning Enforcement liaised closely with housing colleagues, the ASB team and Noise team to support successful resolutions and share resources effectively. The Committee were further advised that a strategy would be proposed to Cabinet in relation to using the digital strategy more effectively within the Council to support enhanced information sharing between departments, whilst being mindful of data protections in place.
- The Committee required clarity in relation to Planning Enforcement's consideration of conservation areas in the context of the climate crisis, in response officers acknowledged the close connection between climate change and conservation and advised that work was being actively undertaken to explore how to integrate energy saving measures within conservation areas.

At this stage in proceedings, the Committee agreed to apply the guillotine procedure under Standing Order 62(c) in order to extend the meeting for a period of 15 minutes and enable the remaining business on the agenda to be completed.

As the Committee had no further questions for officers, the Chair thanked the Planning Enforcement team for attending the Committee and for the effective work that had taken place within Brent, before moving on to summarise the outcome of

the discussion and the additional actions identified, which were **AGREED** as follows:

Suggestions for Improvement

- (1) Where possible, include benchmarking data to accompany figures/statistics provided in all future scrutiny committee reports. In the absence of benchmarking data, provide context behind figures/data provided in reports e.g., percentages.
- (2) To avoid unnecessary back and forth dialogue between officers and residents, improve communications around the standard of evidence required to proceed with planning breach complaints. This should include public education, and improvements to the planning enforcement webpage including the reporting mechanism.
- (3) Review the effectiveness of the Planning Enforcement Investigation Guide to better manage residents' expectations of the planning enforcement process (e.g., providing clarity on planning enforcement timescales).
- (4) Undertake an audit to determine the wards with the highest amount of planning breach complaints, and the wards with the highest amount of enforcement activity. This intelligence should be used to develop a targeted strategy to prevent planning breaches e.g., targeted planning education and/or communications campaigns etc. The Audit should also categorise the types of breaches receiving enforcement notices.
- (5) Explore additional ways to increase staffing capacity in the Planning Enforcement team to address backlogs.

Information Requests

- (1) Provide a copy of the Planning Enforcement Investigation Guide.
- (2) Provide a breakdown of –
 - Planning breach complaints by ward.
 - Enforcement activity by ward.
 - Types of breaches that have received enforcement notices by ward.
- (3) Provide planning enforcement timescales.
- (4) Provide information on the training provided to planning enforcement staff in Brent.

9. Scrutiny Progress Update – Recommendations Tracker

The Committee was invited to consider the progress and updates provided in relation to the Resources & Public Realm Scrutiny recommendation and information request tracker. The Committee noted that there were a number of outstanding items that were due to be responded to by the November 2023 meeting and looked forward to receiving those responses.

10. **Scrutiny Work Programme**

The Committee noted there were no changes to the work plan since the last Committee meeting. The Committee noted that it was a live document and in addition to the agreed items, additional items may be added as and when necessary, when brought to the Committee's attention.

11. **Any Other Urgent Business**

None.

Date of the next meeting: Wednesday 7 November 2023

The meeting closed at 9.11pm

COUNCILLOR RITA CONNEELY
Chair