



MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE
Held in the Conference Hall, Brent Civic Centre on Tuesday 5 November 2024
at 6.00 pm

PRESENT: Councillor Conneely (Chair), Councillor Kennelly (Vice-Chair) and Councillors Ahmadi Moghaddam, Dixon, Long, Lorber, Maurice, Mitchell, and Molloy.

Also Present: Councillor Mili Patel (Deputy Leader and Cabinet Member for Finance & Resources)

1. Apologies for absence and clarification of alternate members

Councillor Conneely (as Chair) welcomed members of the Scrutiny Committee to the meeting.

Apologies for absence were received from Councillor S. Butt, Councillor Shah and Councillor Georgiou (with Councillor Lorber attending as a substitute).

In addition, the Chair advised that apologies for absence had been received from Councillor Tatler (as Cabinet Member for Regeneration, Planning & Growth) and Alice Lester (as Corporate Director Neighbourhoods and Regeneration) who had been invited to attend the meeting in relation to the Strategic Community Infrastructure Levy and Section 106 Overview (Agenda Item 7).

2. Declarations of interests

There were no declarations of interest.

3. Minutes of the previous meeting

It was **RESOLVED** that the minutes of the following previous meetings be approved as a correct record:

(a) Wednesday 04 September 2024; and

(b) Wednesday 02 October 2024 (Call-in - Barham Park Trust Property matters)

4. Matters arising (if any)

The Chair advised members that the membership of the Budget Scrutiny Task Group to consider the Council's budget proposals for 2025-26 had been confirmed as follows - 2 members nominated by Resources & Public Realm Scrutiny Committee (Councillors Conneely & Long); 2 members nominated by Community Wellbeing Scrutiny Committee (Councillors Afzal & Fraser) and 1 Opposition Group member nominated by the Conservative Group (Councillor Maurice). At this stage, it was noted that no members had been nominated by the Liberal Democrats Group.

As a result, it was **RESOLVED** to confirm membership of the Budget Scrutiny Task Group, as detailed above.

5. **Deputations (if any)**

No deputations were received at the meeting.

6. **Resources & Public Realm Scrutiny Committee Work Programme Report 2024-25**

The Committee received a report from the Deputy Director Democratic Services, which presented the 2024-25 work programme for the Resources & Public Realm Scrutiny Committee.

In considering the report, members were advised that the work programme had been developed to reflect a number of key changes, including the addition of a report on the 'Findings of the Local Government Ombudsman regarding a failure to attach a condition to a 2012 planning consent' due to be considered at the meeting along with an item on SCIL and Section 106, previously scheduled for April 2025. Additionally, members were advised the Workforce Strategy had been renamed the People Strategy and would be reviewed in January 2025 instead of November 2024 with the 'Employment and Skills' item having also been rescheduled from November 2024 to February 2025 and the Complaints Annual Report Review from January to April 2025.

The Chair noted that the work programme had also been developed to be flexible and responsive to needs.

Having reviewed the proposed work programme it was **RESOLVED** to agree the Resources & Public Realm Scrutiny Committee work programme (as updated) for the 2024-25 Municipal Year.

7. **Order of Business**

The Chair agreed to vary the order of business on the agenda to enable the Q2 Financial Forecast 2024-25 (Agenda Item 8) to be considered as the first main item of business on the agenda. The minutes therefore reflect the order in which the items were dealt with at the meeting.

8. **Quarter 2 Financial Forecast 2024-25**

Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) was invited to introduce a report providing an overview of the Quarter 2 Financial Forecast 2024-25, which had been presented to Cabinet in October 2024. In presenting the report, members were advised that the information provided a comprehensive picture of the current financial situation and the Council's projected direction. It was highlighted that, since 2010, the Council had lost at least £210 million from its core budget. Furthermore, since the Quarter 1 Financial Forecast presented in July 2024, the financial position had become more challenging. For the upcoming financial year, the Council needed to identify £16 million in cuts to achieve financial sustainability. The executive summary of the report outlined the financial forecast for the General Fund revenue budget, the Housing Revenue

Account, the Dedicated Schools Grant, and the Capital Programme, as at Quarter 2 2024/25.

Following Councillor Mili Patel's introduction, Minesh Patel (Corporate Director of Finance and Resources) continued by noting that the final details on the Chancellors Autumn Financial Statement were now awaited, with the initial announcement having been made the previous week. Whilst a member briefing would usually be provided on the Autumn Statement, the Committee was advised that as full details were currently awaited it had not yet been possible to fully assess the impact on Brent. The Government had advised a new policy document would be released in November 2024 to enhance understanding and provide further details on specific allocations following which a briefing would be prepared and circulated to members. There were significant challenges ahead, and some difficult decisions that would need to be made for the 2025/26 financial year and beyond. It was noted that the draft budget for 2025/26 had been published the previous day and would be considered by Cabinet in November 2024.

Having thanked Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) and Minesh Patel (Corporate Director of Finance and Resources) for introducing the report, the Chair then moved on to invite questions and comments from the Committee in relation to the Quarter 2 Financial Forecast 2024-25 report, with the following comments and issues discussed:

- As an initial query further details were sought around whether it would be effective to report on the Autumn Statement and the draft budget for 2025/26 at the Budget Scrutiny Task Group meetings, and whether the focus should be on the impact for the current year or if it would be more effective to consider the differences when the Quarter 3 report was presented for consideration early in 2025. In response, Minesh Patel (Corporate Director of Finance and Resources) explained that it was difficult to determine the impact as it largely depended on the details of the forthcoming policy document. The specific outcome would not be known until the settlement, which was typically announced in the second week of December. Even considering the most positive outcomes of the Autumn Statement and a favourable allocation, it might not meet Brent's specific needs. Regardless of the outcome, members recognised the pressures and challenging nature of the Council's ongoing financial position and difficult decisions that would be required as a result.
- In response to further questioning regarding the temporary accommodation issue, Minesh Patel explained that if the allocations from previous years' Homelessness Prevention Funding were used, and assuming the same formula was applied, the maximum amount that could be received from that allocation would be approximately £4 million. However, the pressures faced were closer to £20 million.
- Members referenced paragraph 7.3.4 in the Forecast report, which highlighted that Council Tax collection rates had not yet recovered to pre-pandemic levels, which had impacted on the basis of budget calculations. It was questioned whether any research had been conducted on current strategies to address the low collection rates. Rav Jassar (Deputy Director of Finance) responded that low council tax collection rates remained a concern.

The reasons for the continued low collection rates post-pandemic were attributed to poverty in the Borough and high levels of unemployment, which made both in-year council tax payments and the collection of historical arrears challenging. This research was ongoing. Actions currently under review included the use of enforcement agents or bailiffs and increasing the resources of the Corporate Debt Recovery Team to improve collection rates.

- Following up, members inquired about the timeline for a decision on the Council Tax collection regime, specifically regarding the use of bailiffs, as there was a perception a soft approach was currently being taken. Further questions were raised about the collection rates by tenure and whether there was a breakdown available, given the high proportion of private rented sector housing in the Borough and the potential impact of tenant turnover on collection rates. In response, it was noted that there was no specific date for the implementation of the new Council Tax collection regime, but it was hoped that a clearer view would be available before the next financial year. The Council was effective in supporting individuals who 'can't pay,' but additional measures were needed to address those who 'won't pay.' It was important to find the right balance to ensure that those who 'can pay' were fulfilling their council tax obligations, potentially through a new regime. Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) added that the budget proposals would include further detail, particularly focusing on action in relation to the groups that 'won't pay' alongside proposals in relation to changes in the Council Tax Support Scheme, which it was noted had been identified as an area for review by the Budget Scrutiny Task Group.

Members noted that when considering the Q1 Forecast at the July 2024 Scrutiny meeting discussions had been focussed on the need to understand the figures concerning those who 'can't pay' and those who 'won't pay.' The latest response indicated that it was still uncertain what those numbers would look like and the predicted financial impact of greater enforcement on those who 'won't pay.' The Chair inquired whether any improvements had been made in this area and how the numbers of people in the 'won't pay' category could be assessed. In response, Minesh Patel advised that discussions were ongoing with the Debt Recovery Team to obtain a breakdown, which would encompass not only Council Tax but also the broader debt recovery process within the council on which figures were awaited.

- Regarding the Housing Revenue Account (HRA), members raised questions around whether the appropriate balance had been achieved between capital expenditure for new homes and funding for repairs, mould remediation, safety, and retrofitting. Questions were also raised around whether the right balance had been struck between existing tenants and new tenants. In response, Minesh Patel clarified that these would involve two distinct elements of capital financing. For new builds, this related to the self-financing model. The concept was that if funds were borrowed for capital works on new housing, a portion of the generated rents would be allocated to repaying the debt, another portion to management and maintenance, and the remaining portion to future major works. Conversely, the more challenging aspect of capital involved borrowing that needed to be covered by the overall rents collected for major works. In concluding his response, Minesh Patel reiterated that these two elements of capital were distinct; one pertained to a self-financing model for new housing,

while the other involved assessing what the HRA could sustain in terms of borrowing for future major works.

- Following the previous question, further details were sought regarding the impact of borrowing for new builds, specifically concerning the interest payments that could reduce funds available for other necessary works. In response, Minesh Patel explained that the Housing Revenue Account (HRA) should be viewed as a model where income collected from rents was divided into different expenditure categories. These categories included management and staffing, debt financing, and major works and repairs. He emphasised the importance of benchmarking to ensure the appropriate allocation of incoming funds. Additionally, issues were not anticipated regarding the services tenants should receive from their landlord and stressed the importance of being clear about these service elements and ensuring that adequate resources were available to meet these needs.
- Views were then sought regarding whether the benefits in seeking to address housing maintenance issues in the short term to maintain asset values and avoid public health challenges. The discussion raised a related issue about investing now to enable people to pay bills in the future and avoid owing money to the council. Members questioned if there was a strategy to address this, rather than allowing debts to escalate. In response, the issue of balance was highlighted with it noted that, for an asset management strategy, it was sensible to ensure that major works were carried out correctly, which would reduce repair costs over time. This was the approach taken by the housing department. Regarding retrofitting, it was explained that initial funding was necessary, and it was important to understand how this would be repaid over a longer period. In referring to an earlier point about Council Tax, Minesh Patel highlighted that use of the General Fund was not used as a funding source to subsidise housing works under the Housing Revenue Account (HRA) with housing rents also not used to subsidise General Fund services. There was a clear distinction between the two funds, with the landlord function being completely separate from the General Fund, which was funded by council tax.
- As a further issue highlighted regarding individuals who could not pay council tax due to high energy bills, the Chair noted that if their homes were appropriately retrofitted, their energy bills would be lower, thereby supporting efforts to address fuel poverty. The importance of a holistic approach was therefore emphasised in terms of budget considerations. In response, Minesh Patel advised members that the fundamental issue in terms of the Housing Revenue Account (HRA) and its balances, remained the cost of works and extent of limited resources available to address the priorities identified. Additional funding would be necessary to support the delivery of retrofitting and realise future benefits which needed to be balanced against the costs involved in servicing any borrowing requirement and potential benefits in terms of overall viability.
- Members then commented on the availability of capital funding borrowing streams and extent to which any wider opportunities were being explored. The Chair noted that while previous suggestions had been made regarding potential borrowing streams as part of the Council's Treasury Management

Strategy, there had been limited specific feedback on the assessment of their viability for Brent with members keen to receive a more detailed breakdown of various options and the reasons for those that had not been pursued. As a specific example, referenced was made to potential use of the Local Government Pension Fund as a potential source of investment to support programmes such as retrofitting. The Chair also expressed interest in receiving a report for the committee's consideration on the scoping work related to the council's strategy for identifying and developing options to encourage further income generation.

- As an additional issue, members inquired whether any discussions had occurred in collaboration with other local authorities, particularly in London, regarding the need to reduce costs and implement changes, citing Greenwich Council as a key example. Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) responded that this would be taken into consideration.
- The Committee then moved on to focus on the measures being taken to identify fraudulent landlords and highlighted concerns that some landlords were exploiting vulnerable residents and contributing significantly to anti-social behaviour in the borough. In response Minesh Patel, focussing on the issues raised relating to supported exempt accommodation, clarified that it was the Department for Work and Pensions (DWP) and not the council who were responsible for authorising the registration of a property as supported exempt accommodation. Consequently, a landlord could offer supported exempt accommodation and charge £400 per week in rent, allowing tenants receiving housing benefits to claim this amount from the Council. However, due to subsidy legislation, the Council could only reclaim the maximum Local Housing Allowance (LHA) from the DWP, necessitating the council to subsidise the difference. On a positive note, the tenancies agreed with residents were not full tenancies but 12-month licences, which could be reviewed periodically. Discussions were ongoing with colleagues to determine the necessary processes and resources to conduct additional and challenge certain tenancy agreements or the methods by which these processes were established with work also being undertaken on a cross borough basis to address the concerns highlighted on a London-wide basis.
- Following on from the previous comments, the Chair sought details on whether supported exempt accommodation was operating outside the Supporting People framework or if Supporting People was currently being used to inspect and ensure standards within such properties. The Chair also inquired whether lobbying could be undertaken to prevent providers from operating outside the Supporting People framework. This raised related questions from members regarding rent control, specifically how landlords could set rents at £400 per week for properties registered as supported exempt accommodation, how this rent amount was justified, and what checks were in place to ensure landlords were providing the services they claimed. In response, Minesh Patel informed members that the £400 p/w rent charge was intended to be linked to an element of additional care provision or support. Continuing on the issue of supported exempt accommodation, the Committee was informed that whilst provision had been made for a subsidy loss the position had become more challenging due to the emergence of this growing

market. Officers in Adult Social Care and the Benefits Teams were being consulted to enhance understanding in this area. Further questions were raised about transitioning residents to Universal Credit and managing this income area, which it was noted the relevant service area would be best positioned to address. This subsequently led to a suggested recommendation being made for the service area teams responsible for Adult Social Care and Benefits to attend the Committee meeting at which the Q3 report was considered.

- Details were also sought on the position in relation to neighbouring authorities with Minesh Patel advising that the issue of supported exempted accommodation was increasingly being identified as a risk, although Brent had been one of the first to flag as a significant issue with discussions ongoing to understand how this could be addressed on a cross borough basis.
- Regarding the central budget overspend, reference was made to the detail provided within paragraph 1.5 of the Forecast report, which outlined an overspend of £5 million in central budgets, with members querying the composition of this overspend. In response, Minesh Patel clarified that amount related to the supported exempt accommodation and explained that the subsidy loss was recorded under a Housing Benefit line rather than a service area line within the central budget.
- The Committee then turned their attention to paragraph 3.2.14 of the Forecast Report and sought further details on the risk identified associated with the lack of fully agreed cost-sharing for children's care packages at an Integrated Care Board level for Children & Young People (CYP) placements and children with disabilities. Members inquired whether there was an arbitration system for resolving disputes concerning funding responsibilities. In response, Minesh Patel highlighted the challenges in the process for funding care packages between relevant providers and lack of clarity in terms of the mechanisms for resolving such disputes.
- As a separate issue, with reference to paragraph 3.2.16 of the Forecast report, members raised questions regarding the Shared House model aimed at alleviating housing issues faced by young people, and particularly inquired about the risks associated with this model and whether planning permission was required. In explaining how the Shared House model worked, members were advised this was designed to assist young people under the council's responsibility by allowing them to share a house with two or three other young people, similar to arrangements for those not in care or under council responsibility. It was reiterated that any risks associated with this model were best addressed through the Children and Young People (CYP).
- Referring to paragraph 3.2.2.1 of the Forecast report, members also inquired about the potential savings implications on safeguarding and the impact of previous savings on safeguarding in the children and young people, and adult social care departments. Members also questioned how cuts to safeguarding were mitigated. Whilst recognising the issues highlighted, members were advised that it was crucial for the directorates and service areas to understand

the decisions made regarding budgetary pressures while ensuring that they continued to meet their statutory duties.

- The Chair noted that the comparison between the overspend in CYP and that forecast in terms of Adult Social Care, which was more substantial and questioned whether the council was bearing costs that should be shared with other partners, including the health service and other partner organisations funded through different streams and government departments. It was queried whether the council was disproportionately shouldering its share of the costs in children and young people and adult social care, and what could be done to address this. Minesh Patel acknowledged that this was an ongoing challenge within each service area and explained that the council was not funded to address all issues across public services. This message was communicated clearly to each directorate to ensure they had processes in place or were challenging these decisions. Following on from the previous response, the Chair sought details on the evidence of feedback indicating that directorates were successfully managing their part of the budget. Minesh Patel (Corporate Director of Finance and Resources) responded that each year, the council decided how much growth was allocated to each department. Part of this process involved challenging the average contributions from the health service. It was further highlighted that the process included challenging other parts of the sector.
- Following on, further details were sought from the Cabinet Member for Finance & Resources regarding the process followed in seeking to ensure that individual Directorates were operating within their allocated budgets and to challenge and address any pressures identified as a result. In response, Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) confirmed that despite continuous efforts from the finance team, challenges sometimes persisted with external stakeholders, such as the health service. Minesh Patel added each service area had a delegated budget, with each Corporate Director responsible for managing delivery of their budget. Ultimately, each Corporate Director was required to make appropriate decisions to ensure their budget was balanced or to achieve an underspend to offset financial pressures.
- As a further query, the Chair sought confirmation that the position regarding Adult Social Care's ability to remain within the budget framework had been subject to challenge which it was confirmed had been the case. It was noted that the main pressures arose from the demand led nature of the services provided and increasing costs of more complex care packages leading to issues of complexity and demand. Discussions that had taken place around demand management were also highlighted. It was acknowledged that there were currently insufficient resources to meet the demand across multiple areas of council provision, including adult social care, children's services, and homelessness. Departments had therefore been requested to identify additional in-year savings and consider alternative approaches, while understanding the associated risks, to ensure that statutory duties were provided in a sustainable manner for the council.
- As a further issue highlighted, members noted the issues identified within the External Audit Annual Report regarding use of Council reserves to address

Departmental funding pressures and need to focus on building up reserves, with members therefore seeking clarification on how reserves could be increased to a level that satisfied the auditors, and whether rebuilding reserves was feasible given the demand on services. In response, Minesh Patel explained that reserves were used in emergency situations, such as challenges with temporary accommodation. It was highlighted that difficult decisions needed to be made by the council when setting future budgets particularly regarding the nature of services and potential reductions alongside additional funding being secured and balance of reserves which had already been identified as issues to be addressed within the 2025-26 draft budget proposals.

- Referring to paragraph 1.3 of the Q3 report presented to the Committee, members sought details on how spending controls were utilised to mitigate the financial crisis and cited the risk to the council's financial resilience. It was also questioned whether it was felt the council could be more creative in implementing these spending controls. Members also noted with interest the proactive measures in Adult Social Care, where teams would review the Better Care Fund, and the securing of £1 million in SEND funding from the Delivering Better Value programme to explore financial opportunities elsewhere. In response, Minesh Patel outlined the rigorous nature of the spending controls which had been established, which included specific challenge on the need to incur expenditure in certain areas, level required and whether this could be allocated differently. He emphasised the importance of having as many different funding sources as possible, noting that grants were being applied for to help subsidise relevant in-year costs. It was acknowledged that while the spending controls in place were effective, they did not go far enough in achieving the necessary savings or cost avoidance to balance the budget. Therefore, in-year spending saving plans were implemented to prompt questions about what spending could be halted for the current year and what could be done differently. In concluding his response, Minesh Patel summarised that spending controls were effective for addressing in-year or short-term problems, but these would need to be supplemented by larger reductions within the 2025/26 budget, in order to maintain a balanced budget position.
- The Chair observed that councils were now utilising section 114 at unprecedented levels and questioned where Brent Council stood in comparison to other local authorities regarding this risk. In response, it was clarified that in cases where there was a risk of section 114, councils would need to seek the government's assistance to obtain an exceptional financial support loan. Compared to other London councils, members heard that Brent was positioned relatively mid-table. There had been an increase in the number of London Councils seeking exceptional financial support loans, with approximately 19 in this situation. It was noted, however, that the ability to maintain a financially sustainable position in Brent would require difficult decisions to be made as part of the 2025/26 budget to avoid any risk of the need to seek exceptional financial support over further years.
- In response to further questioning regarding the meaning of exceptional financial support, members were informed that if a council was unable to set a balanced budget or its spending commitments exceeded available resources,

a section 114 notice would be issued. This notice would indicate that actions were required to balance the budget. In such cases, the government would advise borrowing money from the Public Works Loan Board (PWLb) to balance the budget. Previously, there was an interest charge in addition to a premium on the loan. However, the government had now advised that the premium no longer applied in such cases, so the loan would be taken out at the prevailing rates set by the PWLB. In continuing the response, Minesh Patel advised that for the majority of public services funded by the government, any overspend would be absorbed into central government debt. Local government, however, was one of the few parts of the public sector that was required to produce a balanced budget and to fund any overspends. Discussions remained ongoing regarding the need for reform of the Local Government Finance system, including the need for longer term funding settlements on which further lobbying continued, and it was hoped proposals would be included as part of the next phase in the Government's funding review.

- Members enquired about the level of funding that could be regarded as a usable reserve to address the budget deficit. The response confirmed that the Council had approximately £20m in General Reserves, alongside a number of earmarked reserves, where funds were set aside for future projects and programmes. As part of the 2025/26 budget, an assessment would be conducted to establish what was considered financially sustainable in terms of maintaining the balance of reserves in order to address the recommendation made by the External Auditors in their Annual Report regarding the Council's financial sustainability and the decisions that needed to be made going forward.
- Concerns were expressed at the impact on local government as a whole in the sector having become the government's emergency provider of last resort requiring the Council to deliver more services than ever before and picking up the challenges and costs in relation to areas such as children and adult social care and the housing crisis and involving the financial burden in relation to Council Tax having been shifted to cover many of these pressures rather than being adequately funded through central government to provide the necessary services. As such, Members were keen to ensure the burden being placed on local authorities without the corresponding financial support were raised on a regional level with London Councils in order to adopt a collective stance and approach. In response, Minesh Patel highlighted the challenges in distinguishing between the needs associated with statutory and non-statutory services, which often were intrinsically linked. The Council had statutory duties to provide certain services with more discretion over other services with London Councils already lobbying central government regarding the need for financial reform. A clearer picture regarding reform was expected in the spring, which could involve changes to the expectations of local government although without significant additional funding being provided it was felt the expectations of what a council was there to do would need to be changed.
- Members inquired of the officers about National Insurance (NI) within the council, addressing not only direct employment but also contractual arrangements, and the impact of stamp duty on two companies involved in property acquisition for letting. The committee was informed that guidance

from central government on the NI issue was still pending. Reference was made to a central government document released in connection with the Autumn budget, which included a statement with limited detail indicating £4.7 billion allocated to compensate the public sector for the employer NI increase. It was challenging to determine whether £4.7 billion would suffice for the entire public sector and what the implications would be. In the private sector, with a 2% NI increase, it was anticipated that either wage bills would be reduced, or prices would rise. The council recognised the importance of being prepared for discussions with the private sector about potential fee increases in the coming year due to possible implications. Regarding the stamp duty issue, it was unclear whether the analysis had been completed, as certain rules could allow local authorities to offset some stamp duty liabilities. The current status of the assessment concerning stamp duty remained unknown.

- Members then queried the position regarding the impact of the additional Employer National Insurance (NI) contribution requirements recently announced by the Government including on the Council's commissioning arrangements with service providers and also in relation to stamp duty and the impact on the Council's housing subsidiary companies. The Committee was advised that guidance was awaited from central government regarding the NI matter. Referring to a document released by central government in support of the Autumn budget statement, this had included reference to £4.7 billion to compensate public sector for the employer increase but, at this stage no further details had been provided. The concerns raised regarding the possible impact on organisations commissioned to provide services on behalf of the Council were recognised in terms of possible cost increases or the need for service reductions/availability needing to be passed on as a result to compensate, which the Council was already working to assess and address. In terms of the issue raised in relation to stamp duty, members were advised that further clarification would need to be sought on this issue outside of the meeting given the technical nature of the requirements in relation to the offsetting of these fees.
- Members expressed concerns that the Education Funding System (EFS) appeared to exacerbate an already unsustainable situation in terms of management of the deficit in relation to the Dedicated Schools Grant. It was noted that the statutory override established by the Government to manage the deficit position had now been extended to 2025/26 but members advised that concerns remained more generally in relation to the level of borrowing and overall approach towards the funding of local government. In response, Minesh Patel advised members of the current fiscal rules with borrowing now mainly reserved for capital infrastructure projects and the Council expected to generate additional savings or income to fund growth in other services and continue meeting their financial obligations. The significance of reform was also emphasised.
- With reference to previous committee recommendations, the Chair noted that Cabinet members had lobbied the Local Government Association (LGA) regarding the need for local government financial reform. It was questioned whether there were any indications of a commitment to deliver the Local Government Financial Reform and the associated timescales for its implementation. In response, Minesh Patel confirmed that the funding

announced for local government in the Chancellor's recent Autumn Statement had marked the beginning of the process, with the next phase, including the Fair Funding Review, scheduled for Spring 2025. The concept of core spending power in the context of the Autumn budget was referenced and it was noted that a recent announcement of a 3.2% increase in core spending power for local government included an assumption of a 5% increase in council tax. Projections for 2026-27 and 2027-28 had indicated a potential 1.5% increase in real terms which, although welcomed, would still require difficult decisions regarding the priorities for funding and shift in the way services were provided.

- As a final question, the Chair noted that the Community & Wellbeing Scrutiny Committee would be reviewing the pressures in relation to homelessness and temporary accommodation at its next meeting and was therefore keen to ensure the outcome of the that process and information provided in support was made available to the Scrutiny Budget Task Group as an area of significant risk, which it was confirmed would be highlighted as part of the pre scrutiny planning process in order for the necessary details to be provided.

Given the time remaining and in seeking to bring consideration of the item to a close, the Chair thanked officers and members for their contributions towards scrutiny of the Quarter 2 Financial Forecast 2024-25. As a result of the outcome of the discussion, the recommendations, requests for additional information and suggestions for improvement identified were **AGREED** as follows:

Suggestions for Improvement

- (1) Explore additional funding options with partners for retrofitting and energy efficiency across council properties as part of the authority's wider income generation strategy and climate action efforts, and report back on findings and future plans to the committee.

Information Requests

- (1) Provide an updated briefing to the committee on the impact of the Chancellor's Autumn Statement on the council.
- (2) Provide a detailed breakdown and allocation of the council's useable reserves, including their intended purpose and planned usage.
- (3) Submit a progress report in six months on the efforts of the 'Supported Exempt Accommodation' Working Group, highlighting ongoing and completed projects, as well as the associated impacts, including cost benefits to the council.
- (4) Provide an update in six months on the implementation of the Supported Housing (Regulatory Oversight) Act 2023, highlighting its impact in enhancing quality standards and achieving cost savings in Supported Exempt Accommodation.
- (5) Provide a progress update in six months on the debt recovery improvement initiatives and strategies in place to enhance collection rates across all debt

types. This update should include a detailed overview of Council Tax collection, and an assessment of the Council Tax Support Scheme reduction, including an evaluation of the effectiveness of measures to mitigate the impact on affected residents.

(6) Provide data on Council Tax collection rates by tenure for the last three years.

9. **Findings of the Local Government Ombudsman regarding a failure to attach a condition to a 2012 planning consent**

Gerry Ansell (Director Inclusive Regeneration and Employment) introduced a report detailing the findings from a Local Government Ombudsman regarding a complaint in regarding the way in which the Council had dealt with a planning application in 2012 for the change on use of a site. As a result of their investigation the Ombudsman had found fault in the way the Council had dealt with the matter involving the failure to include a condition which had been agreed within the original planning consent leading to a number of recommended actions to ensure that this was less likely to happen again in the future. As part of this process the Ombudsman had recommended that the outcome and actions in response were reported to the relevant Scrutiny Committee.

The Committee was advised that the actions taken as a result of the Ombudsman findings in respect of the case had included a) an apology to the complainant for the disappointment and frustration caused by the fault and b) a review of the council's practices and procedures which members were advised had been completed. Details on the review of process and procedures along with the changes and improvements made as a result had been set out within the report which it was noted had been designed to minimise the risk of future error or oversight, such as through validation, consultation, and the issuance of decisions to establish further quality control measures.

In presenting the report to the Committee members noted that details of the action taken had also been circulated for review and comment in advance of the meeting.

Having thanked Gerry Ansell (Director Inclusive Regeneration and Employment) for introducing the report, the Chair then moved on to invite questions and comments from the Committee in relation to the e Local Government Ombudsman findings and action taken in response, with the following comments and issues discussed:

- As an initial query, the Chair sought details regarding whether the failure to attach a condition to the original planning consent had been an isolated incident or indicative of a broader issue affecting other planning applications. In order to monitor the position and impact of the changes agreed in process and procedures as a result the Chair (as a request arising from the review) recommended an 18-month update to report on the full integration of any changes and to determine if similar issues had reoccurred or if all possible measures had been taken. In response, Gerry Ansell (Director of Inclusive Regeneration and Employment) expressed confidence that the processes had been implemented and were being kept under review. Members were informed that the Planning and Development Service regularly reviewed performance with any complaints received used to assist in assessing quality

control measures and updated workflow processes as detailed in Appendix 1 of the committee report. Officers were keen to act swiftly to identify issues and improve processes with members also assured would be supported through the implementation of a new software system to enhance quality control measures.

- In relation to the specific case which had been subject to the complaint, Members observed that planning permission had been granted in 2012, but the complaint was made in 2023 and sought further details about the discussions that had taken place between the planning department and the complainant, and whether the complaint could have been submitted and resolved earlier, given the length of time taken for the complaint to reach this stage. In response, Gerry Ansell explained that the 2012 planning application pertained to an estate with a shared access road, where there were issues with businesses co-existing. It was confirmed that ongoing dialogue had occurred regarding issues on the estate and efforts to resolve them. Frequent discussions had taken place with the complainant, with some issues being resolved over time. This specific issue had arisen at a later stage but was the result of ongoing concerns about the shared use of the estate road with efforts made to resolve the issues which had been raised in the complaint. Following up, members questioned whether the complaint process could have been initiated earlier to which the response confirmed that a complaint could only be acted upon once received. Once submitted, the specific complaint had been addressed through the planning process and in accordance with the relevant timescales.
- In response to further questioning, members were advised that the Ombudsman could have awarded compensation to the complainant if harm was found to have occurred. In this case, however, the Ombudsman had not determined that any financial payment to the complainant was unnecessary and instead recommended that the actions outlined in the committee report be carried out.

As a result of the review, it was **RESOLVED** to note:

- (1) To note the findings of the Ombudsman; and
- (2) That all actions recommended by the Ombudsman had been carried out and there were no further specific recommendations requiring consideration or review.

10. **Strategic Community Infrastructure Levy and Section 106 Overview**

Gerry Ansell (Director Inclusive Regeneration and Employment) was invited to introduce a report providing an update on the collection, allocation, and spend of Strategic Community Infrastructure Levy (SCIL) and Section 106 Agreement contributions made pursuant to the of the Town and Country Planning Act 1990 (S106) over the last 10 years which had been broken down by theme and by ward, including information on any unallocated funds and spending priorities.

In presenting the report, members were advised Brent used two key mechanisms to secure funding for infrastructure improvements and community benefits from new

developments; S106 and CIL with both mechanisms essential in providing local infrastructure in response to the demands created by new development. While both S106 and CIL were designed to ensure that developments contribute to infrastructure and community services, there were key differences in how they function in terms of:

- S106 being negotiated on a case-by-case basis and focussing more on addressing specific impacts of individual developments, such as affordable housing.
- CIL being a fixed charge that applied to most developments and was more broadly used to fund infrastructure improvements that support growth across the borough.

The Committee was advised of the strategy and governance arrangements established to manage the collection, allocation of SCIL and s106 funds based on the Council's Infrastructure Delivery Plan (IDP) and Local and Borough Plan with both often used in a complementary manner. For example, on larger developments S106 would be sought to address specific local impacts (e.g., affordable housing and site-specific infrastructure) and CIL contributing to broader borough-wide needs.

Having thanked Gerry Ansell (Director Inclusive Regeneration and Employment) for introducing the report, the Chair then moved on to invite questions and comments from the Committee in relation to the overview provided , with the following comments and issues discussed:

- As an initial query, further details were sought regarding the overarching strategy for the Strategic Community Infrastructure Levy (SCIL), with a particular focus on how needs were identified and how spending was mapped to those needs, considering that some wards in the Borough collected significant amounts of SCIL but did not see commensurate spending. In response, Gerry Ansell outlined in more detail the role of the Local Plan and Infrastructure Delivery Plan (IDF) in identifying and prioritising the range of infrastructure requirements across the Borough which included housing, employment and supporting facilities. This constituted the overall strategy for SCIL. Reference was also made to the objectives and priorities within the Borough Plan and growth areas identified within the Local Plan across the borough. Members were advised that SCIL had been allocated to 26 projects, as referenced in the committee report. It was noted that infrastructure projects often involved substantial capital investments that took time to plan and implement. It was further noted that there was a time lag, as SCIL collection was triggered when development commenced. In terms of the schemes listed in the report, Reference was made to the Morland Gardens scheme included in the list of SCIL allocated projects, which confirmation provided that this had not been progressed due to viability issues with the SCIL allocation subsequently not having been utilised. Members noted the details of SCIL collection, allocation, and spending divided by ward within the report with the delivery of projects often designed to support the delivery of infrastructure and provide local community benefit across a wider area than the initial ward(s) identified, for example, through the provision of health facilities that would serve a much wider catchment area.

- Following up from the previous question, reference was made to paragraph 3.3.10 of the committee report, which indicated that Dudden Hill ward had approximately £4 million in SCIL collected but £0 allocated, and Fryent ward had nearly £4 million in SCIL collected but £0 allocated. Members therefore questioned why SCIL funds were collected in certain areas intended to support communities undergoing regeneration, yet no allocations had been made in those areas with the Committee keen to ensure that funds were effectively allocated to meet needs identified across the Borough.
- With reference to paragraphs 3.3.7 to 3.3.9 of the committee report, members then moved on to seek further detail on the SCIL governance arrangements and role of the Infrastructure Officer Working Group, Capital Programme Board and Cabinet (in cases where more than £250,000 was being sought) to ensure that the process addressed existing need. In response, Gerry Ansell explained that while an Infrastructure Delivery Plan was in place and discussions were held with partners and boards through governance arrangement processes, it remained a reactive process with potential projects identified through a number of sources. Members were advised that SCIL could only be spent on physical infrastructure that supported development and could not be spent on revenue or feasibility reports or used to repair existing failing infrastructure which is not related to development i.e. potholes, pavement repairs or existing infrastructure deficiencies. As such the assessment and governance process was focussed on the relevant criteria permitting use of SCIL with the processes felt to function well and subject to regular review. Members learned that an Infrastructure Funding Statement was published annually, as referenced in the committee report, outlining the spending, collections, and allocations for public transparency.
- In outlining the different categories of spend, members noted that SCIL could be utilised to fund a wide range of physical infrastructure and inquired whether there was an opportunity to work in partnership with the Climate Action Team to communicate that SCIL funding could be allocated to different categories and to collaboratively identify needs and ensure the effective use of SCIL funding. In response, Gerry Ansell confirmed that discussions had taken place with the Climate Action Team with reference also made to the details on the Carbon Offset Fund, as detailed in paragraph 8.4 of the committee report and other significant funding sources available in this respect. The importance of spending SCIL funds prudently and linking them with other funding regimes was also stressed.
- In terms of overall responsibility for the allocation of SCIL funding members were advised this fell within the remit of Cabinet with the Committee keen to ensure that a proactive strategy was developed working collaboratively across the Council to identify needs and translate them into actionable project plans with effective monitoring to drive implementation.
- The Chair sought clarity on the flexibility available in terms of how SCIL and Section 106 funding could be more creatively used and aligned to support the Council's budget process and pressures identified in order to address wider areas of need. In response, Councillor Mili Patel (Deputy Leader & Cabinet

Member for Finance & Resources) highlighted the restrictions faced in terms of use of SCIL. Recognising the issues highlighted, members were advised, however, that the Leader of the Council had already written to the relevant Minister lobbying for a relaxation of SCIL regulation to provide scope for greater flexibility in spending, with the rationale provided that the council had a better understanding of its needs and the Borough, and this was something that could be pursued to effect change.

- The Chair sought further clarification on the primary reasons for the under allocation of SCIL and the greatest barrier to delivering more projects. Whilst officer capacity was highlighted as one issue it was noted that there were often a range of factors involved including the identified of relevant and deliverable schemes. Whilst effective monitoring arrangements were in place it was acknowledged that enhanced reporting on a thematic basis would also help better identify resource needs.
- The Chair expressed concerns voiced from residents about the impact of developments on school places and GP appointments and sought officers' views on assessing the Borough's largest infrastructure needs. In response, Gerry Ansell confirmed that significant SCIL funds had been allocated for the provision of health services. It was highlighted that highways and transport infrastructure remained the most substantial and challenging for the Borough with ongoing discussions between the GLA, TfL and West London Alliance cited as crucial for supporting growth including delivery of the West London Orbital rail scheme. It was noted that tree planting could offer significant long-term benefits without being a major expense. The importance of identifying infrastructure projects with the greatest impact, both in terms of cost and benefit, was emphasised. The Borough Plan and Local Plan were considered good metrics for this assessment. David Glover (Head of Planning and Development Services) further added that while the available funds appeared substantial, the costs of some projects were equally significant. The ambition to provide step-free access at stations across the borough and the limited funds from TfL were also highlighted alongside the allocation of SCIL and Section 106 funds towards educational infrastructure including projects involving the United College Group and College of Northwest London,. The importance of exploring funding sources, pressures, and the optimal methods for funding and delivering projects moving forward was emphasised.
- In highlighting issues regarding the provision of SCIL funding for certain schemes (including Moreland Gardens and the provision of the pedway providing access to Wembley Stadium) a need was identified to contrast this against what were felt to be other more immediate strategic priorities such as highway infrastructure and improvements given their daily impact on local residents. Whilst noting the current restrictions on its use, concerns were also raised about the perceived lack of creativity by the local authority in identifying potential uses for SCIL funds with specific concerns related to the provision of health facilities highlighted including (as an example) reference to Alperton, which had experienced substantial development and was in urgent need of expanded health facilities. Members observed that the ward allocation for SCIL required updating, as some wards listed in the committee report no longer existed. It was suggested that SCIL funds could be reallocated to the appropriate areas.

In response to the comments raised, Councillor Mili Patel (Deputy Leader & Cabinet Member for Finance & Resources) reiterated the position regarding the funding allocation initially allocated to the Morland Gardens Scheme with additional clarification provided on the restricted use of SCIL relating to the scheme and educational provision which had initially been proposed. Regarding health provision in Alperton, David Glover (Head of Planning and Development Services) further noted that St Georges were building space for a health centre (utilising funding allocated in partnership with the health service) which was in the phase of development and were in discussions with the Integrated Care Board (ICB) regarding its use for GP provision. In terms of follow up comments and suggestions regarding the provision of district heat networks, funds had been allocated to a project in South Kilburn, which was currently out for tender. Due to the costs associated with pipe works, district heat networks were most effective in areas with high densities of development. South Kilburn was identified as a suitable area due to its high density of homes and significant number of social housing units, providing an excellent opportunity for integration with new developments. It was noted that older areas posed more challenges, as buildings would need to be equipped with heat exchanges and networks to distribute the heat, and these areas were less likely to have the necessary development densities to make the project financially viable. The opportunity was also taken to highlight that Carbon Offset funding had also been utilised for retrofitting projects, which was considered a beneficial approach subject to the restrictions although identified in terms of its permitted use. In terms of the pedway providing access to Wembley Stadium advised that this had involved an approach designed to improve the wider environment and public realm as well as releasing opportunities for additional development in the surrounding area which would also generate additional SCIL. In explaining the ward SCIL allocations contained within the committee report, it was clarified that the report intentionally referenced both previous and current wards, with the SCIL collected, allocated, and spent accordingly.

- In response to further clarification sought, Minesh Patel (Corporate Director of Finance and Resources) outlined the role of the Council's Treasury Management activity in terms of managing investment and borrowing activity and how this related to the management of SCIL funding in order to ensure its most effective use.
- Further inquiries were made around the amount of SCIL spent in relation to libraries. In relation to Harlesden library Martin Paglione Holley (Infrastructure Planning Team Leader) advised that this had involved match funding and had been designed to deliver an improvement to the library and infrastructure in the area. This was also the case for Preston Library which involved a new library and an improvement to existing facilities. In concluding members' views, the Chair reiterated the necessity of mapping SCIL expenditure to the needs within the Borough and examining how this aligned with identified budget pressures, securing the financial future of the Council, and creating improvements for benefit of residents.
- Upon the collection of SCIL, members observed that the process of SCIL allocation and expenditure appeared to be slow and inquired whether the

process was governed by deadlines. In response, Gerry Ansell (Director of Inclusive Regeneration and Employment) highlighted that larger projects took longer to deliver and were subject to the aforementioned governance process. Although the process seemed lengthy, it was as expected. One of the shortcomings identified by the government in the past regarding forward funding was that SCIL was triggered by the commencement of development, which in turn triggered the payment. However, this was considered to be not early enough. It was further noted that the process of SCIL was governed by legal stipulations.

- With reference to the committee report, members observed the varying allocations for trees and then moved on to question the £10 million allocation, (noting that £213,000 had been spent) on the Northwick Park Spine Road project. In response, Martin Paglione Holley (Infrastructure Planning Team Leader) clarified that there had been two allocations made for the Northwick Park Spine Road project. The first allocation of £10 million was an underwriting from the Highways Infrastructure Fund (HIF). The allocation enabled officers to advance the project earlier, addressing potential timing issues with HIF payments and allowed officers to proceed with the project, with the HIF funding ultimately covering the expenditure and the remaining £213,000 would be returned to the SCIL pot.

The second allocation of £3 million was spent directly on the Northwick Park Spine Road to help complete the project. This was cited as a good example of using SCIL to expedite infrastructure development, thereby mitigating significant financial risks. David Glover (Head of Planning and Development Services) added that if the infrastructure had been advanced without timely funding, officers would have needed to find alternative funding sources. The Committee also heard that SCIL was utilised as it was designated for infrastructure projects.

- Members observed that a significant amount of student accommodation was planned for the Borough but noted a lack of diversity and expansion in health services, including GP clinics, mental health services, Talking Therapies, and others. Details were sought on how SCIL could be utilised to plan for the needs of a new, younger community moving into Brent. In recognising the issues highlighted, Gerry Ansell noted the need to ensure they were considered as part of a strategic approach in terms of the way these needs were addressed. The Committee heard that regular discussions were held with health partners to consider the needs identified to ensure these were also reflected within development of the Infrastructure Delivery Plan in support of the Local Plan. The necessity of regularly reviewing this area was acknowledged. The review of the Borough Plan was considered a solid foundation for establishing a framework to address the diverse health needs of the Borough. The importance of short, medium, and long-term planning for future expenditure was highlighted, as well as the need for an overview of how funds were spent. In response, Gerry Ansell highlighted that, despite planning for a certain profile of households, the actual development and occupation patterns, particularly in Wembley Park, had varied based on the different type of development which had come forward. While officers planned for household and population growth, the detailed profile did not always align with expectations, emphasising the importance of constant monitoring of the area.

- Looking ahead, the Committee advised they would be keen to explore the opportunities available to further engage local ward councillors in the process of optimising SCIL usage as proactively as possible to meet the diverse needs of the Borough and to identify issues earlier.
- Further details were sought on the consultation process in relation to Section 106 agreements. In response, Gerry Ansell noted that officers would consult an area around the site on each application and followed the guidance in the Statement of Community Involvement thoroughly to ensure that consultation was proportionate and carried out in the correct way. David Glover (Head of Planning and Development Services) added that when SCIL came in, the role of Section 106 changed particularly around mitigating specific impacts of development with the agreements often relating to specific works. Regarding wider mitigations, the efforts to address net zero did not just relate to the specific site or property or ward but in terms of those Section 106 contributions, these would be secured for the borough as a whole, allowing officers to focus and target their use in the most effective way.
- Further clarification was also sought on the delivery of new community centres in Willesden Green with details sought about the potential utilisation of Section 106 to broaden public and community access. In addition, clarification was sought on the measures in place to ensure the Section 106 conditions would be upheld post-agreement. In response, Gerry Ansell clarified that while the planning system could allocate community space within developments, it did not manage these spaces, as they were not council-run facilities. Consequently, the operation of these facilities required the involvement of groups within the new communities. As an example, Members heard that the Grand Union site included a community facility managed by a trust established to oversee and review its operations. Although the initial management of the facility was suboptimal, the existence of the trusteeship allowed for review and subsequent improvement in management. It was emphasised that while the council facilitated the provision of space, it necessitated community collaboration, with ward councillors and officers playing a key role in facilitating discussions between communities and developers.
- The Chair further inquired about the role of the council in ensuring that Section 106 conditions were upheld in both the short and long term. In response, David Glover advised that compliance with obligations within Section 106 agreements was monitored and explained that a Section 106 agreement was a legally binding bilateral agreement between the council and the property owners, with obligations passed on to any subsequent owners, thereby binding successors in title.

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 10 minutes to enable conclusion of the item and remaining business on the agenda.

- In continuing, the Chair sought further clarity on instances where the council had taken legal action against organisations that had not complied with Section 106 agreements. Members referenced the committee report and

noted that only 20% of SCIL funds had been spent, which was a minimal proportion, and were keen to understand the reasons for this. Other members queried whether the SCIL charging schedule was up-to-date and effective, and if it was indexed once the charges were agreed.

In response to the first query regarding enforcement action on Section 106 agreements, officers advised that they would need to seek the necessary details in order to respond outside of the meeting. Regarding the second query, Martin Paglione Holley (Infrastructure Planning Team Leader) explained that, in the last two years, a significant portion of SCIL funds had been allocated, although it often took time for projects to commence. It was noted that £7 million had been allocated for 2023-24 and £14 million for 2024-25, emphasising that it sometimes required time for schemes to start utilising the SCIL funds. In response to the final query, Martin Paglione Holley noted that a review of the SCIL charging schedule was ongoing to determine whether the rates per square metre for different uses should be updated. It was highlighted that there was currently a good balance, as the viability of the scheme was considered when SCIL was charged. Members heard that the borough was delivering a substantial portion of affordable housing, and increasing SCIL charges could potentially reduce this. Referring to the committee report, Martin Paglione Holley detailed the indexation from the original rates, noting that the original £200 per square metre for residential use had increased to £340. It was further explained that comparisons with other boroughs were not feasible due to differing values, uses, and scheme viabilities. David Glover added that the council was among the highest in the country in terms of total SCIL collected each year. Martin Paglione Holley further noted that the planning team worked effectively with various service areas, particularly the Debt Recovery and Legal teams, to ensure that when SCIL payments were received, officers pursued all extensions to recover the funds and associated legal costs.

- In response to further query about why only 20% of SCIL money had been spent, members received context that this still equated to nearly £40 million which compared very positively to other boroughs. Gerry Ansell, whilst recognising the concerns raised, noted that larger projects required more time come forward and deliver with this process under review. In his view, projects did require some time to progress but the timescales for projects would be reviewed. The significance of timely delivery of projects was emphasised and that infrastructure funds were used as effectively as possible. It was confirmed that the borough's spend was higher than most other boroughs.
- As a final point, the Chair sought the views on what was felt to be an acceptable level of spend and performance in terms of delivery. Gerry Ansell responded that within the overall fund, there was a forward planning process. It was noted that it was difficult to specify desired figures without conducting benchmarking. The importance of maintaining a reserve fund for larger projects was further emphasised. The Chair expressed a keen interest in further examining SCIL expenditure in the future and, as further context, felt it would be helpful for officers to provide further detail to ensure confidence in the small percentage (20%) of SCIL funds being spent. If the plan was to retain a certain amount of SCIL reserves to fund significant infrastructure projects in the future, the Chair stressed the need for transparency and clarity

regarding those figures. The importance of identifying which SCIL funds could not be allocated immediately because they would be required in later years, and determining what was and was not feasible within the remit of SCIL, was highlighted.

Given the remaining time available the Chair brought the discussion to a close and in thanking officers and members for their contributions it was **AGREED** as a result of the outcome of the discussion to make the following suggestions for improvements and information requests:

Suggestions for improvements

- (1) Review the strategy for allocating and spending SCIL that ensures better alignment with local needs, a more balanced distribution of funds across borough plan priorities, and that facilitates creative investment into budgetary high-priority areas (e.g. key departmental budgetary pressure/ risk areas). This review should also consider how resident and councillor feedback can be more effectively incorporated into the SCIL spending strategy and how updates on SCIL-funded projects can be more clearly communicated to residents and councillors.

Information Requests

- (1) Provide a comparative analysis of SCIL allocation and spend over the last 10 years, using data from relevant local authorities.
- (2) Provide further details on the process developers must follow to vary a S106 agreement complete 5 or more years ago, including the individuals or teams at the Council responsible for reviewing and deciding such requests.
- (3) Provide further details on the process for enforcing s106 agreements, including all options available, along with any accompanying examples of where the Council have had to follow this process.

11. Scrutiny Progress Update - Recommendations Tracker

The Committee noted the Scrutiny Recommendations Tracker report and update on key actions and information requests identified.

12. Any other urgent business

The opportunity was taken to advised members of the work being undertaken with Continental Landscape (as the Council's Grounds Maintenance contractor) to seek Green Flag status for two parks in the borough. In response to queries raised by Members in relation to the rationale behind selection of the parks and future plans to seek the same status for other parks linked to other priorities and needs identified within the Borough Plan it was agreed that this inquiry would be addressed at a subsequent meeting, with Chris Whyte (Director of Public Realm) present to respond.

No items of urgent business were identified.

The meeting closed at 9:05pm

COUNCILLOR RITA CONNEELY
Chair