



LONDON BOROUGH OF BRENT

MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE Tuesday, 23 March 2010 at 7.30 pm

PRESENT: Councillor Jones (Chair), Councillor Castle (Vice Chair) and Councillors Clues, John (alternate for Councillor Thomas) and Mistry.

Also Present: Councillors Malik

Apologies were received from: Councillors HB Patel and Thomas

1. **Declarations of Personal and Prejudicial Interests**

None declared.

2. **Minutes of the Previous Meeting of the Overview and Scrutiny Committee held on 9 February 2010**

RESOLVED:-

that the minutes of the meeting held on 9 February 2010 be received and approved as an accurate record.

3. **Matters Arising**

Neighbourhood Working

A briefing note on budget spending for Neighbourhood Working was circulated to Members for information.

Willesden Junction Station Councillor Call for Action Request

Andrew Davies (Policy and Performance Officer, Policy and Regeneration) advised that the London Borough of Hammersmith and Fulham had responded with interest in working with the Council to consider measures to improve the environment around Willesden Junction Station and further discussions with them on this matter would take place after the Local Elections in May.

4. **Appointments to Sub-Committees (if any)**

None.

5. **Update Report on Day Opportunities for People Attending In-House Learning Disabilities Day Centres in Brent**

Lance Douglas (Assistant Director – Quality and Support, Housing and Community Care) provided an update since the last report to the Committee in October 2009. The report included details of assessments of users, which had involved self directed assessments of some 300 users and 96 carers, as requested by Members. Lance Douglas advised that the process of servicing user's support plans would be formalised and commence in March 2010 following feedback from both service users and carers to address earlier concerns. A personal budget for users would be provided and support would be offered through brokerage and advocacy to users and carers. Lance Douglas highlighted the input made by Members through working with users, carers and officers and visiting day centres and he felt this was a good example of partnership working.

By April 2010, Lance Douglas advised that all users and their carers would be informed of the amount of money allocated to them for their personal budgets and they would have a choice on how this budget was spent. He added that the personalisation arrangements would help improve the customer experience. With regard to day centres, Lance Douglas advised that a joint planning application with the Gujarati Arya Association concerning the proposed John Billam Resource Centre would be considered at the Planning Committee meeting on 14 April 2010. Nancie Alleyne (Special Projects Manager, Housing and Community Care) added that there had been positive feedback from local residents in respect of proposals for the John Billam Resource Centre.

Ms Anjna Manek, a carer, was invited to address the Committee. She suggested that the support plans, though long on narrative, did not provide realistic financial support. Members heard that carers had approached five private sector providers concerning costs, and Ms Manek estimated that the Council only provided approximately two-thirds of the money required to purchase their services. Ms Manek stressed the large variation in each user's needs, such as the level of capability and intellect and this would impact upon their ability to answer the questions in the assessments used to develop individual support plans. She suggested that many support plans would not work for those users with less capability and she queried why users and carers were required to sign contracts. Ms Manek felt that more transparency and empathy was required and she was mistrustful of the proposals, including some support plans that in her view included unrealistic objectives, such as users obtaining employment. Members heard that it was a legal obligation of the Council to undertake both user and carer assessments simultaneously. Ms Manek claimed that there was always a discrepancy in the numbers reported by officers and at this moment 30 users still had not been assessed, whilst only 96 of over 200 family carers had currently been assessed. She felt that the existing support structure should be retained, whilst day centres should also continue to offer the option of support to carers and choice to users who clearly valued their centres. Ms Manek stressed that in principle, carers did not have issues with trying new options, including employment, provided there was a safety net option of re-instating Day Centre support if the new option was not a success. In addition, Ms Manek suggested that an independent body be created to monitor on-going developments in respect of the John Billam site and the Strathcona and Stonebridge Day Centres and to provide assurance that those users who were unsuccessful in employment as set out in their support plan would still have access to the day centres.

One carer added that it was not clear from the support plan for his brother what was being provided. He doubted that his brother would be able to obtain employment, as had been included in the support plan because of communication limitations. Concerns were also expressed about the budget provided and whether alternative day activities would be in place in time for April 2010. Another carer added that she felt her brother had been coerced into opting for employment when her family knew that the thought would not have ordinarily occurred to him; in any case his prospects were limited because of his capabilities. This has led to issues of trust in the assessment process for her.

Councillor John was invited to address the Committee. She highlighted concerns about the accuracy of assessments for users at Melrose House, adding that this issue had also been discussed at a meeting of the Forward Plan Select Committee which had passed recommendations to the Executive. Although some assessments had been changed as a result of a review, concerns remained, including whether changes in service based assessments were secure. Councillor John queried the use of the term 'contract' and suggested that an 'understanding' would be a more appropriate term. She also sought details concerning the processes that would be put into place where carers had expressed dissatisfaction with assessments.

During Members' discussion, Councillor Castle sought clarification as to why contracts needed to be signed with regard to support plans and views as to whether the financial support provided was sufficient to acquire the relevant services from the private sector and why costings had been provided. He also questioned the accuracy of the assessments, stating that the carers and medical professionals would be best placed to offer the most meaningful and objective opinions. Councillor Castle suggested that a working group be set up to scrutinise the processes of the assessments and the implementation of the support plans. Councillor Mistry also enquired why costings details had been provided and commented that if funds were limited, then this would prevent users from having the choices that personalisation intended. Councillor Clues suggested that the implementation of the support plans and their budgets should be simultaneous and enquired what about the implications if users and carers did not sign contracts.

The Chair commented that there was a lack of trust amongst users and carers concerning the support plans, whilst some assessments were lacking in accuracy. She also expressed concern about the support arrangements for carers and stated that users and carers should be provided with more information on how to make a complaint.

In reply to the issues raised, Lance Douglas acknowledged that the term 'contract' was not the most appropriate in agreeing the support plans, stating that the intention was to seek an agreement in principle between the user and the Council and for it to be overseen by the carer. He advised the Committee that the Council was providing a contract for services it was statutorily obliged to provide and he did not feel that this entailed any legal obligation on the service user or carer. However, he acknowledged that the term 'agreement' was more appropriate and this would replace the term 'contract'. Members heard that by allowing users to choose how they spent the money provided to them, that this offered users greater choice of services. Lance Douglas continued that this may mean users choosing services from the private sector, although he acknowledged that there may be a

lack of incentive in some cases for such organisations because of the costs involved. However, by providing users with choices, it enabled them to consider services that may not be provided by the Council, although Lance Douglas added that the market for personalisation services was underdeveloped, but it was anticipated that it would expand. Furthermore, the personalisation programme had only just begun and there would be changes to the programme over time, whilst a resource allocation system was being developed to simplify the process for users and their carers. Members noted that guidance from the Government's Department of Health required local authorities to identify budgets for the personalisation programme.

Lance Douglas advised that there would be follow-ups to assessments on individual users, including undertaking quality checks and discussions with users and carers, whilst surgeries would also be given to provide advice on assessments. He encouraged users and carers to approach the assessors if there were any concerns about the accuracy of assessments and if there was still dissatisfaction, to contact Andy Lane who was responsible for the overall quality of the assessments. Should there still be dissatisfaction, Lance Douglas advised that the Council's formal complaints process could be activated. Members heard that emphasis was placed on ensuring quality through thorough assessments and sound support plans. In addition, the Council was working closely with the Care Quality Commission to produce an outline performance framework which would include processes to allow for regular feedback from users and carers. Lance Douglas confirmed that support plans and personal budgets would all be determined by the end of March 2010 and that in order for these to be implemented, an agreement would need to be made between the user, carer and the Council.

Members then agreed to the Chair's request that this item be put on the Overview and Scrutiny Work Programme for 2010/11.

RESOLVED:-

- (i) that the Update Report on Day Opportunities for People Attending In-House Learning Disabilities Day Centres in Brent be noted; and
- (ii) that Day Opportunities for People Attending In-House Learning Disabilities Day Centres in Brent be included in the Overview and Scrutiny Work Programme for 2010/11.

6. Crime and Disorder Follow Up - Community Payback and Section 60 Authorisations in Brent Borough

Genny Renard (Head of Community Safety Partnership Unit, Policy and Regeneration) began by updating Members on 'Operation Diamond', a scheme offering community support to offenders who had served less than two years in prison. Brent was one of the five London boroughs chosen to run the project and involved offenders receiving support from the police, probation staff and Council officers. Genny Renard advised that there had been a notable reduction in offending since the scheme had started six months ago and Members would receive a further update at a meeting of the Committee in the summer of 2010. Genny Renard then advised of another scheme involving working with six high

level offenders to see the impact their crimes have had on their victims. The exercise was designed to build confidence for both the victim and the offender and is concluded by a certificate awarding ceremony. Members noted that the Council had made a bid for Government funding to continue this scheme for a further two years with the existing group and an additional group of six offenders.

Turning to Section 60 authorisations, Genny Renard advised that Section 60 is a search power provided by the Criminal Justice and Public Order Act 1994 that allows senior police officers to authorise constables to stop and search people in a specific area, either because a serious public order problem is expected to arise in the area or because of concerns of offensive weapons or dangerous instruments carrying. Members heard that complaints in respect of how this power is used had gone down by 48 per cent this year and this could be attributed to improvements in the way the police approached and spoke to the public. The police would seek to speak to community leaders prior to issuing a Section 60 authorisation and Superintendent Simon Corkhill would provide key community representatives with a short explanation as to why the authorisation was given. Members heard that 96 authorisations had been issued in the last 12 months in Brent, much lower than Newham, Southwark and Hackney boroughs, which like Brent were trident boroughs, but higher than the non-trident neighbouring boroughs of Ealing, Camden and Harrow. A total of 4,431 people had been stopped through Section 60 during 2009 in Brent, of which 130 resulted in arrests and 63 of these resulted in cannabis warnings, with no further police action taking place with the remainder. Some 4,355 of those stopped were male, with 2,210 of Afro-Caribbean appearance, 1,925 aged between 18 and 25 years and 1,607 between the ages of 10 to 17 years.

Members noted the information in the report in respect of the Brent Community Payback scheme.

During discussion, Councillor Mistry, in noting that a significant number of those stopped under Section 60 authorisations were of Afro-Caribbean appearance, asked if such figures were widely publicised in view of the implications this may have. She also commented on the success of the Community Payback scheme in Queensbury ward. Councillor John commented that some newly graduated police officers had started work in Harlesden and stated that they had come from a variety of backgrounds, with many having good communication skills which would help improve relations with the community.

The Chair requested information on the number of people stopped under Section 60 authorisations in other London boroughs and an area breakdown of those who were stopped in Brent. With regard to bidding for funding for working with high level offenders, the Chair sought comments concerning the time taken up by police and Council officers on the scheme in view of their busy workload.

In reply to the issues raised, Genny Renard agreed to provide the additional information on Section 60 authorisations requested by the Chair. She stated that it was important to be open about the ethnic origin and age group of those stopped under Section 60 authorisations in order to help address the issue more effectively and in a more targeted way, adding police officers were doing a lot of work in improving communication skills. Members noted that those working with high offenders had specialist knowledge and were supported by the voluntary sector.

Genny Renard commented that a good proportion of police officers were on their second career and this helped broaden the experience of the police.

The Chair thanked Genny Renard for her presentation and expressed satisfaction in the effectiveness of the Brent Community Payback scheme.

RESOLVED:-

that the ongoing and future actions for the Community Payback Scheme and information on Section 60 authorisations in Brent be noted.

7. Gating of Alleyways

Stephen Moore (Deputy Head of Service, Environmental Health) introduced the report, stating that gating had initially been introduced as an experimental response to reduce the need for the Council to intervene with rubbish that had been dumped on publically accessible, but privately owned, land. Funding was first introduced for gating in April 2003, however the success of gating schemes had resulted in demand outstripping the funding available. Environmental Health now supported the gating programme by undertaking additional gating work funded by Neighbourhood Working. Members heard that gating was one of a number of measures used to improve an area and make it less accessible for anti-social behaviour, such as rubbish tipping, graffiti and dog fouling. Other measures included installing barriers, fencing off areas, resurfacing roads or passages and 'makeovers' which could involve planting flowers in gated alleyways.

Stephen Moore commented that prioritisation of gating schemes was dependent upon the practicalities of gating, the likelihood of it being effective, value for money and the incidences of environmental crime and anti-social behaviour at the location. Moreover, residents' willingness to effectively manage the land after gates had been installed was of high importance. Stephen Moore stated that the criteria had been broadened from environmental crime to include other forms of anti-social behaviour in the last year and could include relevant crimes such as burglary where access had been gained from the alleyways.

Stephen Moore then described the process once a gating scheme had been identified as the appropriate solution. A public meeting would be held where local residents, ward councillors and officers would be invited to discuss proposals and for the scheme to progress. A Residents' Gating Committee needed to be formed and a scheme required the support of 95 per cent of residents in the area for a formal agreement to be drawn up and signed by the Residents' Gating Committee and Environmental Health. Upon installation of the gates, a clean-up day is organised where residents are supported in clearing rubbish and overgrown bushes and brambles and may involve partners from the Community Payback scheme. Members noted that Streetcare, the local Safer Neighbourhood Scheme, the Neighbourhood Working Team and external partners such as British Waterways may also be involved in gating schemes and provided a good example of effective partnership working. Stephen Moore advised that a residents' survey was undertaken three months after the scheme had been introduced and Members noted that the overall approximately 88 per cent of residents felt that gating schemes had been effective in reducing environmental crime and anti-social behaviour.

During discussion, Councillor Mistry sought clarification with regard to funding and commented that gating schemes could sometimes result in displacing crime and anti-social behaviour to a different location. Councillor Clues in noting that approximately 180 alleyways had been gated against a total of 1,400 in Brent, acknowledged the scale of the task and he enquired whether all alleyways would be assessed for gating needs. Councillor John commented that alley gating was popular with residents in her ward who understood the need to help with maintaining the alleys and the schemes played a psychological role in preventing litter being dumped at the location. However, there was a problem with litter dumping in alleyways, particularly smaller ones and many also were overgrown with brambles. Councillor John suggested that more creative uses of alleyways could be considered, such as introducing play areas, planting or wildlife. She also acknowledged that gating was not necessarily the ideal solution to all alleyways as there was a large variation in their nature and size.

The Chair enquired whether the police had made any requests for alleyways to be gated.

In reply to Members' comments, Stephen Moore stated that residents and businesses could contribute to improving alleyways, as well as introducing gating. In particular, there could be a focus on projects to improve the environment. He concurred that this could include measures such as planting flowers and could also involve working with other partners. Members were advised that there was no intention to introduce gating schemes to all alleyways in Brent as gating was not always the ideal solution and in most cases where it was introduced it was part of a solution involving a combination of measures. Alleyways where there was evidence of high anti-social behaviour were targeted for consideration of gating schemes and the police's Safer Neighbourhood Team also offered their advice on whether such a scheme was needed and would be effective.

8. Town Centre Regeneration Task Group Follow Up

Michael Read (Assistant Director, Policy and Regulation – Environment and Culture) drew Members' attention to a paper circulated at the meeting that summarised progress on recommendations made by the Town Centre Regeneration Task Group.

During discussion, Councillor Mistry sought clarification of the definition of 'town centre' and stated that food stalls on the pavements of Wembley High Road were undesirable. Councillor John cited significant improvements to Kingsbury Town Centre as an example of a regeneration scheme being effective.

The Chair enquired whether there was an existing Town Centre Strategy and if so if it was still relevant, as the development of a new strategy appeared to be reliant on funding for an external consultant. She sought details concerning the timescale for developing a protocol to agreeing priorities and responding to environmental issues raised by town centre managers. The Chair also asked if there were plans to review the possibility of introducing dual use properties in town centres. With regard to community safety officers, she asked when they would commence environmental monitoring, especially as funding of the street warden service had ceased.

In reply to the issues raised, Michael Read advised that there was not a specific Town Centre Strategy, but an opportunistic approach was taken to development and where there was a possibility of funding being obtained. A Development Management Document had been produced to consider ways of town centre regeneration. Members noted that there was a Town Centre Manager appointed for Wembley Town, however because of the present economic circumstances all non-essential spending for town centre regeneration in Brent had ceased. Michael Read advised that flexible use of an under-used site was considered, however any approach needed to be mindful not to jeopardise future uses once the economy came out of recession. Members heard that landlords were sometimes reluctant to relinquish properties or land. Michael Read added that he would write to Members to update them on when community support officers would be introduced. The Committee heard that the Local Development Framework set out a hierarchy of town centres, although there was not a comprehensive list of all town centres in Brent. With regard to food stalls on pavements, Michael Read advised that these were permitted if the stallholder owned the piece of land used and if they had the necessary food hygiene certificate. However, food stalls would be subject to enforcement action if they did not meet either of these conditions and Michael Read asked that councillors draw attention to any locations where this was perceived to be a problem.

9. Transitions Services Task Group Report

Members had before them the final report from the Transitions Services Task Group and discussed the recommendations in the report. Councillor Mistry commented that the recommendations made by the task group were sound and complemented other Council strategies. The Chair stated that although the Council offered a number of services in this area, it was not always clear how these could be accessed. She felt that young people with disabilities required more attention and suggested this issue be considered in future.

Cathy Tyson (Assistant Director, Policy – Policy and Regeneration) advised that the recommendation with regard to mediation had been removed as it was felt that it was more appropriate that each case be looked at individually.

RESOLVED:-

- (i) that the final report on the Transitions Service Task Group be noted: and
- (ii) that the recommendations of the Transitions Service Task Group be endorsed and passed to the Executive for approval.

10. Overview and Scrutiny Committee Work Programme

Members discussed future topics that could be considered for the 2010/11 Work Programme. Members agreed to the Chair's suggestion that Monitoring of Assessments of Learning Disabilities Day Care Service Users, Young People with Disabilities and Use of Agency Staff be added to the 2010/11 Work Programme.

The Chair thanked Members and officers for their contributions throughout 2010/11.

RESOLVED:-

- (i) that the Work Programme be noted; and
- (ii) that Monitoring of Assessments of Learning Disabilities Day Care Service Users, Young People with Disabilities and Use of Agency Staff be added to the 2010/11 Work Programme.

11. Date of Next Meeting

It was noted that the next meeting of the Overview and Scrutiny Committee would be confirmed at the May meeting of the Council.

12. Any Other Urgent Business

Stag Lane Clinic

Councillor Mistry raised the issue of the proposed move of the Stag Lane Clinic to portacabins for a period of between two to five years. She felt the length of time in portacabins would be excessive and unacceptable to both patients and medical staff and she suggested that the current site building could undergo structural repairs at an affordable cost. Councillor Mistry also expressed concern that there was presently no long term solution proposed for the future of the Stag Lane Clinic. She requested that this issue be considered by the Overview and Scrutiny Committee at the earliest opportunity.

Andrew Davies (Policy and Regeneration Officer) advised that this issue had already been discussed in some depth by the Health Select Committee who would continue to monitor the situation. He advised that the issue could be raised under Matters Arising at the next Health Select Committee meeting on 24 March 2010 and also discussed at subsequent meetings in 2010/11. The Chair concurred with Andrew Davies' comments and requested that the Health Select Committee continue to consider this issue.

The meeting ended at 9.45 pm.

L JONES
Chair