



DRAFT EXTRACT

LONDON BOROUGH OF BRENT

MINUTES OF THE FORWARD PLAN SELECT COMMITTEE **Thursday, 8 July 2010 at 7.30 pm**

PRESENT: Councillor Allie (Chair), Councillor Hirani (Vice-Chair) and Councillors Mrs Bacchus, Lorber, Naheerathan, Ogunro and BM Patel

Also Present: Councillors J Moher and R Moher

Apologies were received from: Councillors Van Kalwala

1. Call-in of Executive Decisions from the Meeting of the Executive held on Wednesday, 23 June 2010

Decisions made by the Executive on 23 June 2010 in respect of the reports below were called-in for consideration by the Forward Plan Select Committee in accordance with Standing Order 18.

(a) *Enforcement of Moving Traffic and Parking Contraventions by means of CCTV cameras*

The reason for the call-in was:-

- To examine the cost implications and timetable for implementation

Councillor J Moher (Lead Member for Highways and Transportation) introduced the report and confirmed that enforcement of moving traffic contraventions (MTCs) had been agreed in principle at the Executive meeting in March 2009 and he drew Members' attention to the resolutions agreed at that meeting. Members heard that the proposals had arisen in light of the London Local Authorities and Transport for London Act 2003 which allowed transfer of powers from the police to local authorities to take enforcement against minor traffic offences. Councillor J Moher explained that it was necessary for the Council to acquire these powers as the police had indicated that they would no longer be taking action against motorists who had made minor errors of judgement. However, he stressed that such minor error of judgements could lead to serious traffic contraventions, compromising the safety of both motorists and pedestrians and the proposals focused on ensuring public safety. Members heard that although this was a new area of expenditure, the income such measures were likely to generate were assured. Councillor J Moher then referred to some of the proposals in the report in detail, including the intention to introduce smaller but clearer hatch lines in order to make an infringement less excusable. There were also proposals to increase safety in school locations, such as deterring cars from parking nearby and such measures would be welcomed by schools and parents. It was proposed that fines would be

used as a form of deterrent for such contraventions. Councillor J Moher confirmed that the proposals also required the approval of Full Council and London Councils.

During Members discussion, Councillor Hirani enquired when the initial costs of introducing the scheme would be covered by the income it would generate and sought clarification as to whether traffic enforcement cameras would be used. Councillor Naheerathan raised the issue of traffic flow at the junction of Kingsbury Road and Edgware Road and enquired about the processes involved in changing the phasing of traffic lights.

Councillor Lorber sought further details of the annual repayments of the prudential borrowing undertaken to fund the scheme and enquired what the anticipated number of penalty notice charges (PCNs) would be. With regard to yellow box junctions, he referred to the one located at the junction of Forty Lane and The Paddocks, stating that it was difficult to avoid infringements when turning into The Paddocks when traffic was at a standstill, and similar situation existed at other locations in the borough. He stressed the need to ensure that due consideration was given as to how the measures were implemented and took into account the specific characteristics of the various locations. Furthermore, each measure should be designed so as to minimise the prospect of appeals. Councillor Lorber commented that there needed to be more publicity to ensure motorists were aware of what the traffic contraventions are and that they could be penalised for committing them. He also requested that the consultation strategy for the proposals be circulated to Members.

The Chair enquired about the costs incurred to date with the scheme and requested details of expenditure with regard to publicity and public awareness of the scheme and the proportion this would represent of the total budget, adding that it was important that sufficient funds were available to ensure effective communications. He sought clarification on enforcement of MTCs in locations that shared borders with other London boroughs, in addition to the A5 road that bordered with the London Borough of Camden. Details were sought for the costs of the mobile enforcement vehicles and of income generated through the scheme repaying the set-up costs. The Chair enquired what factors had been taken into consideration in determining the yellow box junction locations chosen for phase one of the scheme. In respect of schools, he enquired on the number that had made complaints in respect of the keeping schools clear proposal. He enquired whether the CCTVs would be used for any other reason than to monitor traffic, and if so had there been any consideration of the criteria for any such other uses, adding that there were privacy issues to consider. The Chair also sought views on the anticipated number of appeals against PCNs.

In reply to the issues raised, Councillor J Moher advised that enforcement officers would be trained to ensure that they were fair to motorists and the individual features of each site, including the yellow box junctions mentioned by Councillor Lorber, would be considered carefully. He stressed that the focus of the scheme was to deter motorists from poor behaviour and not to raise revenue and the purpose of issuing fines was to deter such behaviour. Councillor J Moher concurred that there needed to be considerable thought as to how to publicise the enforcement that the Council will be carrying out. With regard to CCTV, Councillor J Moher advised that Transportation would be mindful of the need to consider privacy issues and the appropriateness of using cameras for other purposes other

than for monitoring traffic. He suggested that it was likely that the scheme would be reviewed after a period of six months.

Sandor Fazekas (Assistant Head – Highways and Civil Engineering, Transportation Unit, Environment and Culture) advised that approximately £70,000 had been spent on the scheme in 2009/10, whilst all spending for the current financial year was subject to Council approval. Members noted that Transportation were working with the Communications Team on a consultation strategy and areas of consideration included press releases, advertising on buses, posters, advertisements in newspapers and information on the Council's website and Brent Magazine. Consideration would be given to ensure that the scheme was publicised through the appropriate forms of media and there was no intention to restrict the budget in terms of spending on publicising the scheme. Sandor Fazekas explained that it had been agreed in principle with the London Borough of Camden that the Council would be responsible for MTC enforcement along the A5, however arrangements for other areas that bordered neighbouring London boroughs would be considered in the future as the scheme was developed and this could possibly include areas such as Kenton Road and Harrow Road. He also advised that officers anticipated that the costs of both implementing and operating the scheme would be covered, with approximately £830,000 income generated in the first year of implementation and £527,000 in the second year.

Tim Jackson (Head of Transportation, Environment and Culture) advised that it was anticipated that the prudential borrowing to set up the scheme would be paid back within a four to five year period through income generated by the scheme. He confirmed that the prudential borrowing would be repaid at a rate of £225,000 a year and this amount included the interest payable. Members noted that it was projected that approximately 18,000 PCNs would be issued in the first year of implementation, and as the effects of the scheme modified motorists behaviour, the amount of PCNs would fall to around 12,000 PCNs in the second year. Tim Jackson advised that each site would be examined with regard to yellow box junctions to ensure that the Council and London Councils were satisfied with their layout and location and some boxes would be reduced in size. The yellow box junctions identified in the report included locations where there was evidence of a significant number of accidents which resulted in personal injury which offered a reliable indicator of the need for yellow box junctions. Officers would be trained to ensure that they understood the behaviour of motorists and to take the appropriate enforcement action, which would be monitored. Members heard that it was not an offence to wait in the yellow box junction at the Forty Lane and The Paddocks junction in the circumstances so described by Councillor Lorber. Tim Jackson assured Members that every effort would be made to ensure transparency with regard to the proposals, whilst benchmarking against other London boroughs would be undertaken with regard to a communications budget and he agreed to circulate details of the consultation strategy once it had been devised.

Tim Jackson advised that schools had complained consistently about traffic-related matters around their schools and some 24 schools had been identified to be included in the keeping schools clear proposals. The Select Committee heard that it was anticipated that approximately 30% of PCNs issued would result in appeals, however CCTV would deter appeals being issued and motorists would be able to download footage of the offences that they had been issued the PCN for to help them determine whether they wished to appeal. With regard to issues raised by

Councillor Naheerathan concerning traffic flow at the junction of Kingsbury Road and Edgware Road, Tim Jackson stated that officers would investigate this and he advised that as Transport for London were responsible for traffic signals, applications to them were required to make changes to their phasing.

Members agreed to the Chair's suggestion that the review of the scheme be reported back to the Highways Committee and to Councillor Lorber's suggestion that a further report be presented to the Executive to consider the criteria for other uses of CCTV cameras other than to monitor traffic.

RESOLVED:-

- (i) that upon considering the report from the Director of Environment and Culture, the decisions made by the Executive be noted;
 - (ii) that the Executive be requested to agree that the review of the Enforcement of Moving Traffic and Parking Contraventions by means of CCTV cameras scheme be reported to the Highways Committee; and
 - (iii) that the Executive be requested to agree that it consider a future report on the criteria for other uses of CCTV cameras other than to monitor traffic.
- (b) **Main Programme Grant – Funding for Organisations Providing Regeneration, Crime and Community Safety Services (Three Year Funding)**

The reason for the call-in was:-

- Inaccurate information regarding financial position of Brent Private Tenants Rights Group given.

Martin Cheeseman (Director of Housing and Community Care) introduced the report and explained that applications to the Main Programme Grant (MPG) was open to both organisations who were already receiving funding from the Programme and those who were not presently funded by it. Some 69 applications from 67 organisations had been received and the number submitted significantly outstripped the funding available. Members noted that 20 projects had been recommended for MPG funding and Martin Cheeseman confirmed that the Brent Private Tenants Rights Group (BPTRG) had been unsuccessful, as although there was merit in the applicant's objectives, other organisations' applications better met the Council's objectives. Martin Cheeseman acknowledged that there had been some inaccuracies in the report concerning BPTRG's financial position and he accepted that the organisation had made a loss of £750 in 2008-09 and not £3,929 as stated in the report. The Select Committee heard that BPTRG already received funding under a separate scheme from Housing and Community Care and BPTRG had approached the Council to request some flexibility in the funding it received to assist in delivering its Homeplan project. There were also concerns that the application, if approved would lead to funding of a duplication of services. Martin Cheeseman stated that the decision not to approve BPTRG had been a difficult one, however the implications of restoring its funding would mean removing the funding from another organisation that had made a successful application.

Councillor R Moher (Lead Member for Adults, Health and Social Care) added that the MPG strategy had been approved Council-wide and that the approach taken was fairer as it gave opportunities to organisations that were not presently funded by the Council. Members noted that the applications that were most successful were those which best met the Council's objectives.

With the approval of the Chair, Jacky Peacock, Executive Director of the BPTRG, was invited to address the Select Committee. Jacky Peacock reaffirmed that BPTRG had made a net loss of £750 during 2008/09. She acknowledged that BPTRG had been through a difficult period, partly due to its contract with the Legal Services Commission and that flexibility in the use of grants had been requested, however this had been for the Tenancy Engagement project which was not an area covered by the application. The financial situation for BPTRG had improved significantly during 2009/10 and demand was increasing for services provided by the organisation as the economic difficulties continued. Jacky Peacock felt that the report was misleading in stating that BPTRG served 1,950 residents, stating that this only included the number who used the service in 2008/09 and that tens of thousands had used the service over the years. She stressed the importance of Homeplan, which assisted a significant number of families who approached BPTRG when their tenancies come to an end for help and guidance and felt that the service encouraged self-empowerment for families in avoiding homelessness and in finding a decent home in the private rented sector. Jacky Peacock continued that BPTRG took a rounded, long term approach for its users, looking at social and cultural factors and had proven to be effective, with families' outcomes measured every three months. Jacky Peacock referred to the Government's Emergency Budget and the impact this would have on housing benefits, asserting that this would mean that a number of claimants would have to move as their areas would become unaffordable. This, in addition to the overall economic situation meant that there would be even greater demand for the services offered by BPTRG who would seek to target the most hard to reach areas where help was most needed. Jacky Peacock concluded by stating that she understood that some £40,000 of the MPG was yet to be allocated and enquired about the possibility of BPTRG receiving this funding.

In reply to queries from Members, Jacky Peacock advised that BPTRG's draft accounts for 2009/10 were presently being audited and income was due to the organisation.

During Members' discussion, Councillor Lorber sought clarification with regard to comments in the report that BPTRG was in receipt of other funding from Housing and Community Care and therefore could not have their application recommended and that the organisation was not financially viable, particularly as BPTRG appeared to have £35,000 in reserve. He also enquired whether any newly created organisations would be receiving any MGP funding. The Chair asked if there could be any flexibility for the remaining MPG funding being allocated to BPTRG.

In reply, Martin Cheeseman advised that although the BPTRG's losses were smaller than had originally been reported, it was still financially unviable in terms of the MGP's criteria. This was explained in that both BPTRG's working capital ratio and liquidity ratio were below the required ratios to be considered financially viable. Martin Cheeseman stated that there were some shortcomings with regard to objectives being met for the Homeplan project during 2009/10 which, along with the

financial problems being experienced, had led to BPTRG requesting some leverage concerning use of funds from another Housing and Community Service funded project. Concerns had also been raised regarding obtaining appropriate information to measure performance of the Homeplan project. In addition, the 2009/10 accounts were not available at the time of the assessment of the application. The Select Committee noted that the anticipated additional demand in respect of the services provided by BPTRG had been factored in, especially in light of the Emergency Budget which was likely to place a significant increase in demand. The changes to the MGP were designed to help organisations get their projects up and running over a three year period before consideration of new schemes through applications submitted by organisations, including those that had not received funding from the Council in the past, although these would not necessarily be totally new organisations. Martin Cheeseman advised that some £43,000 had been set aside as part of an exit strategy to assist organisations that were having their funding stopped. He added that if for any reason an organisation did not take up the funding it had been offered, then other organisations could be re-considered for the funds that would become available.

Councillor R Moher added that difficult decisions had been made with regard to allocating the MGP and it was unfortunate that some organisations had not been successful in their applications because of the limited funds available.

Members then agreed with Councillor Lorber's suggestion that if any funding becomes available from the MGP, BPTRG be given priority in being allocated this funding.

RESOLVED:-

- (i) that upon considering the report from the Director of Housing and Community Care, the decisions made by the Executive be noted; and
- (ii) that the Executive be requested to give priority to the Brent Private Tenants Rights Group should any funding from the Main Grant Programme become available.

The meeting closed at 9.15 pm

J ALLIE
Chair