



MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE
Tuesday 6 September 2016 at 7.00 pm

PRESENT: Councillor Kelcher (Chair) and Councillors Aden, S Choudhary, Davidson, Miller, Ezeajughi, M Patel and Tatler

Also Present: Councillors Mashari, Pavey and Southwood

Apologies were received from: Councillors

1. Declarations of interests

None

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 12 July 2016 be approved as an accurate record of the meeting subject to the following amendment:

The second sentence of Minute 4, Annual work programme 2016-17, be amended to read ' ... Councillor Tatler would be chairing the task group on Child Exploitation.'

3. Matters arising (if any)

None

4. Order of Business

RESOLVED: that the order of business be amended as set out below.

Item 7, update on the implementation of recommendations from the CCTV Scrutiny Task Group, be considered prior to the remaining items of business.

5. Update on the implementation of recommendations from the CCTV Scrutiny Task Group

Councillor Pavey (Cabinet Member for Stronger Communities) introduced the report updating the committee on the progress made against the recommendations of the Scrutiny CCTV Task Group. Members heard that all of the recommendations had either been completed or were in progress. In line with the second recommendation, Councillor Pavey confirmed the council's commitment to maintaining a public network of CCTV cameras in the borough and advised that

proposals were in development to secure major investment in the service enabling costs to be lowered and quality to be enhanced.

Drawing the committee's attention to Appendix 1 to the report, Karina Wane (Head of Community Protection) advised that of the twenty-one recommendations made, eighteen had already been implemented. Work was underway with regard to the remaining recommendations, 7, 9 and 11. Addressing each of these in turn, Karina Wane explained that the Home Office was currently undertaking work in relation to a CCTV benchmarking system. The Brent CCTV service had discussed a benchmarking system with other local authorities but had received an unenthusiastic response due to a lack of overlap of borough priorities and key hotspot areas. The CCTV team did have a list of community and residents groups for the purpose of communicating changes but work would be pursued with the Head of Strategy and Partnerships to develop a council-wide list. The value of using site visits to help maintain the local knowledge of CCTV operators was acknowledged and would be taken forward, though was currently limited by staffing capacity.

Members subsequently discussed the possibility of hosting an open-day to raise awareness of the CCTV service, to provide reassurance to residents and to deter criminal activity. Officers agreed that this would offer public insight into the work of the service and suggested that this could be held in partnership with the police. Karina Wane agreed to explore the practicalities of this proposal and report the outcome of this back to the committee.

The committee discussed possible sources of funding for the service, questioning the contribution of the Football Association and whether greater funds could be obtained from section 106 monies and the Community Infrastructure Levies, particularly in view of the large regeneration projects underway in the borough. Further information was sought regarding potential capital investment and the funding of additional staff hours. It was queried whether upgrading to a more modern system would allow opportunities for income generation. A member noted the high cost of moving CCTV cameras currently and highlighted the importance of addressing this need in the procurement of new equipment. The use of section 106 agreements and the role of the planning service in requiring CCTV installation in developments was queried and the committee sought additional information on work with other CCTV providers in the borough to extend the council's network. A member further queried whether the council had a full list of all CCTV providers in the borough. An assessment of the current performance measurement activity of the service was requested.

In response, Karina Wane explained that proposals had been submitted to the Capital Investment Board and it was hoped that a decision regarding capital investment would be made before the end of the calendar year. If this investment was secured, the current system could be upgraded thereby increasing the potential for income generation and consequently, staffing. The Football Association had historically contributed a capital sum towards the CCTV infrastructure in Wembley via Section 106 monies and so was an unlikely source of further income. A Partner Lunch was planned, to which the FA along with other significant organisations such as the Police, Transport for London and Social Landlords had been invited, to discuss joint working opportunities. Councillor Pavey advised that there was a strong case for Cabinet to give greater recognition to

CCTV as a priority for Section 106 funds when this was next considered. It was acknowledged that many modern developments had a level of CCTV and Karina Wane advised that the service had a good picture of CCTV providers in Brent, particularly Social Landlords. Alvin Wakeman (Control Room Manager) advised that performance measuring activity was conducted and members' guidance on how this could be enhanced would be sought.

RESOLVED:

- (i) that the Head of Community Protection explore the viability of a CCTV open day and update the committee on the outcome of this action.
- (ii) that the Head of Community Protection explore the potential for securing additional capital investment for the CCTV service.

6. The Council's Planning Strategy

Councillor Mashari (Cabinet Member for Regeneration, Growth, Employment and Skills) presented a report to the committee on the Council's Planning Strategy. The current strategy was based on the Core Strategy, which had been adopted in 2010 and had been supplemented by the subsequent adoption of other Local Plan documents. The Strategy now required review to account for various developments including the adoption of the Brent 2020 vision, updates to the London Plan and the Old Oak and Park Royal regeneration programmes. In reviewing the current strategy, the council had the opportunity to ensure that the plan addressed Brent's priorities and that opportunities arising out of developments in and around the borough were maximised for Brent residents. A statutory review process would be followed with the new Strategy going live in 2018. Key to the review would be the issues of housing provision and tackling poverty and it would be underpinned by a social structure needs assessment. A proactive approach to acquiring land for housing developments would be explored.

At the invitation of the Chair, Tom Cardis (Head of Policy, Old Oak and Park Royal Development Corporation (OPDC)) delivered a presentation to the committee on the Old Oak and Park Royal regeneration advising the OPDC had now been in operation for fifteen months. The consultation activity undertaken in support of the development of a Local Plan for the areas was outlined to the committee and the key emerging issues identified. The timescales for further activity were set out and formal consultation of the Regulation 19 Local Plan would begin in March 2017.

Members questioned the extent to which National Planning policy restricted Brent in shaping its Planning Strategy and sought further information on the role of the Council in delivering affordable housing. Concerns were raised about how affordable housing was defined, the implications for public health priorities of housing developments with inadequate provision for local amenities and services and the effect of large developments such as the South Kilburn development on the local infrastructure, including public transport. Members questioned how the council was working with the OPDC to address issues of sustainability in view of the proposed scale of the developments. With reference to the South Kilburn development, it was queried how the council would support the provision of three-

bedroom properties. A question was raised regarding the potential use of Compulsory Purchase Orders (CPOs) to acquire sites for development. Noting the modifications to the Development Management Plan policies to protect Public Houses from development, a member sought assurance from officers that this was an appropriate safeguard. An update was requested regarding the potential for securing a Community Infrastructure Levy (CIL) from the OPDC in the immediate term for use in the surrounding areas to the development.

Addressing Members' queries, Paul Lewin (Planning Policy & Projects Manager, Planning Transport and Licensing) advised that the National Planning Policy Framework (NPPF) did not prevent the council from pursuing a particular approach, but merely required that appropriate justification and supporting evidence be provided. Brent's approach was consistent with NPPF. It was acknowledged that developers were able to refer to the NPPF to cite issues of viability to reduce the proportion of affordable housing in proposed developments, though the council had successfully taken a stronger stance on this issue. In taking a proactive approach to supporting the provision of housing in the borough, for instance by purchasing a site and making it available to developers, the council could assume some of the risk, allowing a greater proportion of affordable housing to be provided. Councillor Mashari noted that land held by other public sector providers was a potential source of appropriate sites for development. Addressing the potential for using CPOs, Aktar Choudhury (Operational Director, Regeneration) advised that to obtain a CPO it would be necessary to demonstrate that all other options had been exhausted and that there was a proactive policy in place to develop the site. With reference to members concerns regarding the development of public houses, Paul Lewin confirmed that the protective provisions in the Development Management Plan policies were robust. It was agreed that an update on the work being undertaken to identify appropriate sites for development would be provided to the committee.

Paul Lewin confirmed that a closer relationship between the Planning Department and Public Health teams in the council had been created to ensure better understanding of public health pressures and noted that meetings would be held with the Brent Clinical Commissioning Group. Councillor Mashari confirmed that there would be an extensive consultation process and active engagement with members would be sought. Tom Cardis informed members that the OPDC had an environmental strategy addressing issues such as air quality and biodiversity, reflecting the London-wide environmental strategy. Parking was a key element to this strategy and parking controls would be applied. Arrangements were also in place to ensure that limits for pollutants were monitored during construction, with any breaches recorded and appropriate compensation provided.

In discussing the South Kilburn development, Paul Lewin explained that the affordable housing on the site was subsidised by the delivery of private housing. It was acknowledged that there was currently a significant dichotomy between the two and it would be necessary to provide intermediate tenures including three and four bedroom properties. Aktar Choudhury advised that Councillor Butt (Leader of the Council) sat on the OPDC Board and advised there was an for the committee to suggest to the Board via Councillor Butt, projects to be included in the OPDC Plan, such as the provision of three and four bedroom properties. Tom Cardis confirmed that a Community Infrastructure Levy was not currently in place for the Old Oak and Park Royal sites, however limited, unallocated Section 106 monies could be accessed and capital and revenue funding could be applied for. A working group

with officers from the three affected authorities Brent, Hammersmith and Ealing would be convened to consider projects meriting investment in the areas surrounding the sites and consideration would be given to an appropriate mechanism to channel member input. Councillor Mashari confirmed that she would meet with Tom Cardis to further discuss how areas surrounding the OPD site could benefit from the funding available via the unallocated Section 106 monies.

RESOLVED:

That the report be noted.

7. Brent Road Resurfacing Strategy

Councillor Southwood (Cabinet Member for Environment) presented a report from the Strategic Director for Regeneration and Environment on Brent Road Resurfacing. Members' heard that the Brent highways infrastructure was currently valued at £3.89bn and was the asset most visible and frequently used by the public. Despite an increasing maintenance requirement and reductions to local government funding, Brent continued to provide investment and deliver programmes to improve the overall condition of the borough's footways and roads. The Highway Asset Management Plan (HAMP) had been adopted by the council in 2014 and enshrined a proactive approach to asset repair, ensuring maintenance works took place before assets failed to prevent high street repair costs in the long term. In line with this approach, an asset management tool was being procured which would enable officers to identify the most appropriate time for planned intervention ensuring optimal use of funding and improved communication with residents.

Councillor Southwood highlighted that additional funding of £200k had been provided in the 2015/16 budget to target areas worst affected by potholes and a further £2m in the current 2016/17 budget had been made available to accelerate road repairs. Members had been extensively involved in identifying priorities for action and a decision had been taken by Cabinet to use asphalt surfacing on some roads as a more durable and therefore cost effective material.

Members raised a concern about damage caused to public roads and pavements as a result of building works and in the case of commercial buildings, deliveries and other routine activities. It was queried whether the use of deposits or licences could address the cost implications of repairing this damage. Similar concerns were raised regarding damage caused to highways by Transport for London (TfL) buses and how this was accounted for in the service's budget. Noting that investment was concentrated on A class roads, it was queried what action would be taken to maintain the other categories of highway. The committee questioned the quality and timeliness of repairs being carried out by the contractors and sought details of the department's oversight arrangements. Members discussed the importance of good communication with and feedback to Brent's residents and it was queried whether the publicising of the additional £2m funding had raised expectations beyond what could reasonably be delivered. Members further suggested that the automatic and formulaic responses provided by the current system should be tested on real people to enable improvements to be made. Clarity was sought regarding the relative merits of the different materials used for repair.

Councillor Southwood confirmed that the council had previously paid for repairs to pavements damaged by building works but that the number of staff pursuing enforcement action was now in the process of being increased. Members' suggestions regarding the use of deposits or licensing would be explored as part of the planned Service Review. Tony Kennedy (Head of Highways and Infrastructure) advised that Transport for London provided the council with a principle road budget to repair A class roads and liaised with the council to identify areas requiring attention. Where damages had clearly been caused by buses, the council would seek funds from TfL for the required works. The council was also currently able to make use of TfL grants for maintenance ranging between £100k and £200k, though such grants might not be sustained in future TfL budgets. It was explained that when identifying priorities for road repair, a RAG (Red, Amber, Green) rating was applied based on the condition of the road. Those roads with higher levels of use and therefore with a greater risk of accident were awarded a greater priority. The Asset Management Plan, which was published on the council's website detailed how the council aimed to achieve the greatest benefit for the funding available. Broadly, whilst targeting those roads with a Red status, approximately thirty per cent of repairs were preventative and sought to bring Amber status roads back to a green rating.

Tony Kennedy explained that the planned programme of repairs was agreed with Cabinet at the start of the year. Site visits were undertaken with the contractor prior to repair, works were monitored during implementation and a final check would be carried out before issuing a completed certificate and permitting payment. For reactive repairs, a sum of money was agreed with the contractor based on a risk assessment. When a site for repair was identified, the contractor was required to take a photograph and categorise the fault. If the fault was categorised correctly a defect notice would be issued. The contractor would then be required to undertake repair works within the relevant timescales and take another photograph of the completed repair. Payment for the work would not be issued without provision of the photographic evidence. Monthly meetings were held with the contractors to identify any mis-categorisations and the standard of repair was evaluated via the photographs provided. A sample of the reactive repairs carried out was also audited by council officers. Faults categorised as medium would be visited to determine whether a repair was necessary. Councillor Southwood advised that there was sufficient funding to repair approximately seventy-eight per cent of faults categorised as medium. Performance data was reviewed monthly and it was agreed that this data set covering a period of six months would be provided to the committee.

Addressing members queries regarding communication with residents, Tony Kennedy advised that a draft Frequently Asked Questions document for highways maintenance was being developed with the Communications team. The automated responses produced when a defect was reported had also recently been updated to ensure more timely updates were provided. It was agreed that these would be tested with residents.

Tony Kennedy advised that asphalt was more durable than paving slabs and allowed for easier maintenance as it was easy to reseal. Noting members' concerns about the works carried out on Wembley High Road, Tony Kennedy explained that these had been completed by a different contractor prior to the existing

arrangements. Insufficient time had been allowed for works to settle and this had led to various defects.

RESOLVED:

- (i) That the Cabinet consider the possibility of requiring a deposit be provided where building works were being undertaken to address any repairs to the public highway caused as a result of those works.
- (ii) That Cabinet consider the possibility of issuing a license or the use of a similar mechanism to address damages to the public highway caused by the routine activities of those occupying commercial buildings, such as deliveries.

8. Progress report on the recommendations of the Scrutiny Fly-Tipping Task Group

Councillor Southwood (Cabinet member for Environment) presented a progress report on the recommendations of the Fly-Tipping Scrutiny Task Group which had been formed in 2015 in response to concerns regarding increased levels of illegal rubbish dumping (IRD) in the borough. The purpose of the task group was to analyse and consider the borough's knowledge, behaviour and understanding of IRD, to review local policies and processes, and to put forward recommendations to bring about improvements to the service. The review was reported to Scrutiny Committee on 5 November 2015, and made twenty-six specific recommendations, principally concerned with reducing the levels of fly-tipping in Brent and ensuring clean and safe environments for Brent residents; and as a result, a reduction in clean-up and enforcement costs. The committee's attention was drawn to Appendix 1 to the report which set out the progress achieved against each of the task group's recommendations. Councillor Southwood noted that the pilot with Kingdom Security which aimed to provide dedicated teams of uniformed officers in the borough able to issue fines for littering, was going well. The need to increase work with landlords was recognised and the Service Review which was due to be undertaken over the coming weeks would seek to address the currently unsustainable Bulky Waste Service.

The committee acknowledged that an email received from a member of the public in attendance at the meeting set out concerns about incidences of illegal rubbish dumping in Harlesden and it was agreed that Councillor Southwood would provide a detailed response to be shared with the committee.

In the subsequent discussion the committee sought the views of Councillor Southwood regarding the role of community champions in the context of the "Love Where You Live" campaign and emphasised the importance of a good coverage of this activity across the borough. It was queried whether the council was engaging with residents across a broad range of social media platforms. The value of a council-wide list of community and resident groups, previously discussed in relation to the task group recommendations for the CCTV service, was again highlighted. It was questioned what was being done to reach residents who had difficulties with written or spoken English and whether relevant community groups were being engaged. Members noted the importance of involving ward councillors in discussions with local community groups. The committee raised queries regarding

enforcement activity and communicating this to residents. With reference to street inspections further information was sought about what constituted a 'pass rate' and how the borough compared with other London Boroughs.

Councillor Southwood advised that she would liaise with the Communications team regarding the use of a broader range of social media platforms. Feedback on the role of community champions from residents identified that a group or community approach was preferred. Further work was still required to develop the initiative but initial responses had been positive. This would be further explored in the planned Service Review, particularly with regard to ward member involvement and extending coverage across the borough. Robert Anderton (Head of Environmental Improvement) explained that the department sought to ensure that all of its literature was conveyed in pictorial terms as well as a number of different languages and was working with the contractor, Veolia, to identify where it would be appropriate to target literature at specific communities. Via monthly contract monitoring, Veolia provided information to the council about their communications and outreach activity. Chris Whyte (Operational Director Environmental Services) noted that the remit of this activity was limited to the services they provided but acknowledged that work could be undertaken to ensure that this activity formed part of a broader spectrum of education provided by the council. Councillor Southwood added that similar actions could be pursued with West London Waste to combine efforts.

Robert Anderton further explained that the council had a small but dedicated enforcement team and that robust action was carried out; however the scale of the challenge in Brent was significant. The level of resources for enforcement would be considered in the Service Review. There was a nationally set standard for the 'pass rate' for a street and details of this would be provided to the committee. Chris Whyte advised that nationally, the top five boroughs with the greatest levels of fly-tipping were located in London. Robert Anderton added that the London Environmental Directors Network had commissioned a pan-London group to look specifically at the issue of Illegal Rubbish Dumping, to share best practice and lobby the government for more support on this issue.

RESOLVED:

That the report be noted.

9. Proposed Scope for Scrutiny Task Group on The Devolution of Business Rates in Brent

Pascoe Sawyers (Head of Strategy and Partnerships) outlined the report to the committee detailing the proposed scope for the Scrutiny task group on the Devolution of Business Rates in Brent. The task group would explore both Brent and the government's current business rates policies and processes with a view to ensuring Brent council is in the best possible place to respond to the government's changes to the Devolution of Business rates policy. The committee's attention was drawn to appendices A and B to the report which detailed the proposed scope, terms of reference and time scale for the task group.

RESOLVED:

that the scope, terms of reference and timescale for the task group on the Devolution of Business Rates in Brent be agreed as detailed in appendices A and B to the report from the Director of Performance, Policy and Partnerships.

10. **Any other urgent business**

None.

11. **Date of next meeting**

Members noted that the next meeting of the committee was scheduled for 8 November 2016.

The meeting closed at 9.57 pm

M KELCHER
Chair