



Call In Overview and Scrutiny Committee

Thursday 17 May 2012 at 7.30 pm

Committee Room 3, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

**To be confirmed at the Annual Council meeting on
16 May 2012**

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For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
1 Declarations of personal and prejudicial interests	
Members are invited to declare at this stage of the meeting any relevant financial or other interest in the items on the agenda.	
2 Deputations (if any)	
3 Minutes of the last meeting held on 1 February 2012	1 - 12
The minutes are attached.	
4 Matters Arising	
5 Call-in of Executive decisions from the meeting of the Executive held on 23 April 2012	13 - 20

Decisions made by the Executive on 23 April 2012 in respect of the following report was called in for consideration by the Call In Overview and Scrutiny Committee in accordance with Standing Orders 6 (b) and 18.

Control of distribution of free literature on designated land

The reasons for the call in are:-

- (1) The report does not quote the relevant passage of the act, nor explain that interpretation of the act would be a matter for the courts.
- (2) The report does not explain the evidence base for the problem. There should be a context paragraph explaining why they think the problem will get so much worse, why existing measures are inadequate and what action other London boroughs are taking.
- (3) The report should either time limit these powers or make explicit that they are being requested permanently. At the moment the report implies they are just for the Olympic period from the way it is worded.
- (4) The issue of enforcement, in particular the circumstances which would lead to action by council officers, is unclear.
- (5) Equalities issues are dealt with inadequately: for example many small

businesses in Brent are owned by members of particular ethnic minorities and small non-commercial group which are not charities or political organisations may be disproportionately affected given the level of fees proposed.

- (6) The report does not sufficiently make clear whether small organisations which are not charities or political organisations and do not cause litter will be compelled to take out licenses and risk fines.

Suggested action for the Call In Overview and Scrutiny Committee to take:-

- (1) Clarify how the controls will be enforced and who they will affect.
- (2) Consider whether further information is needed about the equalities impacts of the decision.
- (3) Recommend that if the council goes ahead with the proposal it should consult on and adopt a code of practice for enforcement of the controls, including guidance as to how officers will use their discretion, particularly in the case of small unlicensed distributors (commercial and non-commercial) who are not causing littering.

The Executive report is attached. The Lead Member and Lead Officer are invited to the meeting to respond to Members' questions.

6 The Executive list of decisions for the meeting that took place on 23 April 2012 21 - 28

The list of decisions is attached.

7 Date of next meeting

The next meeting of the Call In Overview and Scrutiny Committee will be confirmed at the Annual Council meeting on 16 May 2012 and will take place in the event of there being any call-ins of decisions made by the Executive meeting that preceded it.

8 Any other urgent business

Notice of items raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.
- Toilets are available on the second floor.
- Catering facilities can be found on the first floor near the Paul Daisley Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge