



SUMMONS TO ATTEND COUNCIL MEETING

Monday, 23 November 2009 at 7.15 pm
Council Chamber, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the MEETING OF THE COUNCIL of this Borough.

GARETH DANIEL
Chief Executive

Dated: Friday, 13 November 2009

For further information contact: Peter Goss, Democratic Services Manager,
020 8937 1351, peter.goss@brent.gov.uk

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

Apologies for absence

Item	Page
1 Minutes of the previous meeting	1 - 12
2 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 this agenda.	
3 Mayor's Announcements	
4 Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)	
5 Changes to the constitution	13 - 20
Report from the Borough Solicitor	
This report proposes and reports minor changes to the Council's Constitution arising out of the annual review of the operation of the Constitution.	
6 Review of representation of political groups on committees	21 - 28
Report of Borough Solicitor attached.	
7 Question time	
In accordance with Standing Order 39, up to ten questions selected by the Leaders of the three main political groups will be followed with supplementary questions to the Executive.	
A copy of the selected questions and the answers where possible will be separately circulated to all members.	
8 Items selected by Non-Executive members	29 - 30
In accordance with Standing Order 39 the following items have been submitted by the members indicated:	
(a) Councillor Bessong – Bogus charity workers	
(b) Councillor Mistry – Stag Lane Medical Centre	

(c) No item submitted

9 Reports from:

- a) the Executive 31 - 32

The report from the Leader or other members of the Executive:

- (i) Green Champions
- (ii) Youth Parliament
- (iii) Personal Information Promise
- (iv) New Housing Developments

- b) Chair of Overview and Scrutiny Committee 33 - 36

The Chair will report on the activities of Overview and Scrutiny.

- 10 To hold a first reading debate - 2010/11 to 2012/13 budget 37 - 66

Reports from the Executive and Director of Finance and Corporate Resources attached.

11 Urgent Business

At the discretion of the Mayor to consider any urgent business.



- 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 Grand Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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Agenda Item 1

LONDON BOROUGH OF BRENT

Minutes of the ORDINARY MEETING OF THE COUNCIL
held on Monday, 12th October, 2009 at 7.15 pm

PRESENT:

The Worshipful the Mayor
Councillor James O'Sullivan

COUNCILLORS:

Allie	Arnold
Mrs Bacchus	Baker
Bessong	Beswick
Blackman	Brown
V Brown	Butt
Castle	Colwill
Corcoran	Cummins
Detre	Dunn
Dunwell	Eniola
Mrs Fernandes	Fox
Green	Gupta
Hashmi	Hirani
Jackson	John
Jones	Joseph
Kansagra	Lorber
Malik	Mistry
J Moher	R Moher
Moloney	Motley
Pagnamenta	CJ Patel
HB Patel	HM Patel
Pervez	Powney
Ms Shaw	Sneddon
Steel	Tancred
Thomas	Van Colle
Van Kalwala	Wharton

Apologies for absence

Apologies were received from: Councillors Singh, Anwar, Chavda, Clues, Coughlin, Crane, Farrell, Leaman, Long and Mendoza

1. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 14 September 2009 be approved as an accurate record of the meeting.

2. **Declarations of personal and prejudicial interests**

None declared.

3. **Mayor's Announcements**

The Mayor announced that the Council had won a Corporate Social Responsibility award for the work that went into the Brent Respect Festival 2009. He congratulated the communications team and the festivals team in Environment & Culture in particular, for all the hard work that went into making the environmental theme at the Respect Festival such a success.

The Mayor reminded Members that the Brent to Richmond sponsored walk was taking place on Sunday 18 October and asked that those not able to join the walk support the walkers by sponsoring them. All money raised would go to the Paul Daisely Trust and the Mayor's Charity Appeal.

In accordance with Standing Orders the Mayor drew attention to the list of current petitions showing progress on dealing with them, circulated around the chamber.

4. **Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)**

RESOLVED:

that the following changes be made:

Body

Overview and Scrutiny Committee

Children and Families Overview
and Scrutiny Committee

Alcohol and Entertainment Licensing
Committee

Planning Committee

Appointment

Councillor Eniola to replace
Councillor Joseph as 1st alternate to
Councillor H B Patel

Councillor Beswick to replace
Councillor Eniola

Councillor Butt as 1st alternate
in place of Councillor Beswick

Remove Councillor Butt as 2nd
alternate and leave as vacant

Remove Councillor Eniola as
2nd alternate to Councillor Farrell
and leave as vacant

Councillor Beswick to replace
Councillor Eniola as 1st

alternate to Councilor Powney

	Remove Councillor Beswick as 2 nd alternate to Councillor Powney and leave as vacant
Forward Plan Select Committee	Councillor Eniola to replace Councillor Mendoza as 1 st Alternate to Councillor Baker
	Remove Councillor Eniola as 2 nd alternate to Councillor Long and leave as vacant
Health Select Committee	Remove Councillor Eniola as 2 nd alternate to Councillor Moloney and leave as vacant

5. Question time

The selected questions submitted under the provisions of standing order 38 had been circulated together with written responses from the respective Lead Members. The Members who had put the questions were invited to ask their supplementary questions.

The following five questions had been selected by the Leader of the Labour Group.

Dedicated Schools Grant

The question from Councillor Arnold had asked what the percentage increase in the Dedicated Schools Budget for Brent schools had been in each year since 2006/7 and how this compared with other local authorities. Councillor Arnold referred to the answer she had received which she stated confirmed the exceptionally high investment that had gone into schools and congratulated the schools on their efforts to raise standards and attainment each year. She added that the expectation now was for careful resourcing and planning in the provision of education throughout the borough to ensure an even distribution. However, she felt there was no clear plan in place and the promised new primary schools in Stonebridge and Kilburn had not materialised. As a supplementary question, Councillor Arnold asked what resources were being invested in the underperforming Schools Places Strategy Team so that it was fit to achieve necessary analysis and forward planning to keep headteachers and ECM (Every Child Matters) stakeholders involved and to make sure there was a modern school place for every child in the borough.

Councillor Wharton (Lead Member for Children and Families) expressed confusion over the question. He stated that the Dedicated Schools Grant (DSG) was to meet the existing costs of providing education and although this had been increased there was included in this a degree of catch up with other London boroughs. With the rising primary school age population it was forecast that there needed to be an extra 11 forms of entry amounting to £40-50M cost which could not be drawn from the DSG. The current allocation of resources by the Government came nowhere near to the level of investment needed to deal with the rising primary school population and many other boroughs faced a similar problem.

Staff redundancy

The question from Councillor Fox had asked how many members of staff had been made redundant or had been informed that they were to be made redundant over the past three months. He felt that the answer he had received did not include reference to the responsibility the Executive was taking on this matter. As a supplementary question he asked what approvals, comments or instructions had come from the Executive regarding the very serious and council wide programme of cuts and redundancies and when councillors and the public would be able to read the very expensive Pricewaterhouse Coopers report on the council.

Councillor Sneddon (Lead Member for Human Resources & Diversity and Local Democracy & Consultation) responded by making clear that his answer did answer the question. He stated that the Executive was taking responsibility for transforming the way the council worked through the improvement and efficiency agenda to ensure Council Tax paying residents received a better service. He submitted that it was not for the Executive to issue instructions on individual staffing issues but it was its responsibility to lead the strategic direction of the Council.

Job losses

The question from Councillor John had asked if the impending loss of 300 jobs in the Council meant that the council had been grossly inefficient since 2006. Referring to the answer she had received, Councillor John pointed out that question time provided the opportunity for backbench members to ask questions of the Executive, not the other way round. She submitted that the Chief Executive's September newsletter showed that the performance of the council had declined and as a supplementary question asked under whose watch had such a massive deterioration occurred.

Council Lorber (Leader) replied that the current Administration would be judged by the people of the borough at election time. Since 2006 there had been four by elections of which the Liberal Democrats had won three with the Labour Party not gaining one seat. In 2005 the Council conducted a residents' satisfaction survey which showed a satisfaction rate of 48%. This year a similar survey had shown the rate increasing to 65%.

London Low Emission Zone

The question from Councillor Powney had asked what action would be taken to reduce emissions within Brent's most polluted areas. In referring to the answer he had received he asked if it represented the views of both parties in the Administration or just the Lead Member's. Councillor Powney referred to proposals to demolish a number of properties along the North Circular Road because of the pollution suffered by the people currently living in them. Again referring to the answer he had received, Councillor Powney wondered how a Brent Local Emissions Zone could be rejected if the benefits and disadvantages had not been assessed. As a supplementary question, Councillor Powney asked if the Administration would commit to assessing the benefits and disadvantages of a Brent-specific Low Emissions Zone before making a final decision and when such an assessment would be completed.

Councillor Van Colle (Lead Member for Environment, Planning and Culture) confirmed that in answering the question he did so on behalf of the Executive. He

stated that it first had to be recognised that Brent was positioned in the middle of other boroughs with high pollution rates and so any local initiative would be affected by this. Although the proposal could be looked into the Council could not commit to any growth proposals at the present time because of the tight financial situation brought about by the actions of the present Government. He stated that if resources were made available then it would be considered.

Future of the ALMO

The question from Councillor Thomas had asked if consideration was being given to bringing the ALMO back in-house. As a supplementary question he asked if, given the present management agreement would run out in 2012 and with long term viability in mind, would it be possible to extend the management agreement with possible break clauses. Brent Housing Partnership had now acquired GNH (Grenville New Homes) with a 30 year business plan making it the only ALMO tied into long term financial arrangements such as this. He felt such an extension would send the right indications to potential backers.

Councillor Allie (Lead Member for Housing and Customer Services) replied to the supplementary question by saying no.

The following three questions had been selected by the Leader of the Liberal Democrat Group.

Outcome of Residents' Attitude Survey

The question from Councillor Castle has asked if the results of the recent Residents' Attitude Survey vindicated the Administration's approach to value for money. He asked as a supplementary question if a much greater satisfaction with basic Council services, delivered in a value for money way was what residents valued most. He also asked for assurance that the Leadership would not waiver from seeking greater efficiency gains, if these resulted in smarter working and more money to protect and improve frontline services.

Councillor Lorber (Leader) replied that the results of the survey were a clear indication of the loss of support for the Labour Party and the views of the residents of Brent showed they supported cleaner streets and better services.

Proposals for a third pool

The question from Councillor V Brown had asked for an update on proposals for a third pool in Brent. As a supplementary question Councillor Brown asked for an assurance that, in line with making sports more available as part of keeping in good health, the Administration would pay close attention to value for money so that residents would not be priced out of any facility.

Councillor Van Colle (Lead Member for Environment, Planning and Culture) replied that the Council was doing something the previous Administration had failed to do by planning to add an additional pool to the services provided in the borough. By identifying a site in Roe Green Park the Council was ready to respond as soon as financial support was identified. No commitment could be given on a charging structure at the present time but Councillor Van Colle stated that the Council would

make sure it was built to value for money standards and in a way that most residents would be able to afford.

Street based cleaning

The question from Councillor Green had asked how extra investment in street based cleaning had continued to benefit the residents of Brent. As a supplementary question, Councillor Green asked what exciting initiatives there were in maintaining the Council's robust commitment to continuing to clean streets and recycle throughout the present troubling times.

Councillor D Brown (Lead Member for Transport and Highways) remembered when rubbish littered the borough. He stated that recycling was up by 50% and was proud to report that an independent scoring on street cleaning had put it at 16% against a target of 19%. This was a massive improvement and added to this was the introduction of Green Zones.

The following two questions had been selected by the Leader of the Conservative Group.

Installation of road humps

The question from Councillor Mendoza had asked for confirmation of the process for the physical installation of road humps in the borough. In his absence, Councillor H B Patel added that in many cases the installation of traffic calming measures was a waste of money and referred to the scheme he had raised at an earlier Council meeting which had subsequently been changed. On behalf of Councillor Mendoza he asked as a supplementary question why following the installation of road humps they were not properly marked making them difficult to see. He asked for confirmation that in future the marking of road humps would be included as part of the scheme and given priority.

Councillor D Brown (Lead Member for Transport and Highways) stated that the scheme referred to by Councillor Patel had been modified in light of comments received. As for the marking of road humps, he replied that he would ask officers to look into this matter. However, he added that it was not necessary to wait to ask a Council question before raising such a matter. Councillor Brown also stated that if drivers drove sensibly as they should always do they would avoid accidents.

Closure of Stag Lane Doctors' practice

The question from Councillor Mistry had asked why residents were being forced to travel to Monks Park or Wembley following the closure of the Stag Lane Doctors practice for urgent repairs. She added that despite being told that Brent PCT were in discussions with the GPs the only dialogue had been a telephone call on 1st October saying they were closing the premises. Councillor Mistry expressed concern that this signalled the approach of more drastic cuts being made by NHS Brent. There did not appear any intention to consult local residents many of whom were patients at Stag Lane medical centre and she understood the Chief Executive of NHS Brent had no contact with the Director of Housing and Community Care on the subject. She asked as her supplementary question for assurances that the Stag Lane medical facilities would not be moved out of the Queensbury area to far

away places such as Monks Park and Wembley, that residents would be consulted and that the views of the local GPs and the Stag Lane practice would be taken into account.

Councillor Colwill (Lead Member for Adults, Health and Social Care) replied that the Council and the PCT worked in partnership and as such the PCT should keep ward councillors informed of what was happening in their area. He stated that in this case efforts were being made to try to keep some medical facilities in the local area.

6. **Items Selected by Non-Executive Members**

(i) Thames Water

Councillor Shaw introduced her item by pointing out that at times of heavy rain residents complained of sewage flooding their basements. This caused damage to property and was detrimental to their health. Thames Water had said that the drainage system was adequate but it clearly was not. She urged the Executive to take this matter up.

Councillor D Brown (Lead Member for Transport and Highways) responded by agreeing to take the matter up. He accepted that residents suffered difficulties with flooding but reported that Thames Water did not consider the area a priority for replacement of the drainage system. He undertook to raise the matter again at future meetings with Thames Water. Councillor Brown added that the Council had no powers of enforcement in this matter and so it was important that all incidents were reported so that lobbying for the works to be undertaken could be strengthened.

(ii) Mains water replacement programme

Councillor Joseph introduced her item by stating that Thames Water was not the only company that dug up the roads but that in this case one whole side of the roads had been dug up which meant that those residents with parking permits had lost two months use of them. Councillor Joseph felt that many of the companies who were responsible for road works took too long to complete them and had a lack of regard to the inconvenience caused to residents. She felt there should be a system of compensation and asked the Executive to look into this.

Councillor D Brown (Lead Member for Transport and Highways) explained that Thames Water was undertaking a programme of mains water replacement in parts of the borough. He agreed to look into the points made by Councillor Joseph and find out what the experience of other councils was. In the meantime he suggested residents should contact the Parking Shop about loss of use of their permits.

RESOLVED:-

that the response provided by the Lead Member on each item be noted.

7. **Reports from:**

7.1 **the Executive**

(i) *Improvement and Efficiency Action Plan*

Councillor Lorber referred to recent Government announcements of planned cuts in public expenditure and the selling of public assets. It was clear what the future held and the Council intended to be prepared to face it. He added that one year ago the Council produced an Improvement and Efficiency Strategy setting out how the Council would improve services and an action plan had now been developed to continue with the Council's aim of providing excellent services. It was available on the internet and Councillor Lorber urged Members to read it.

(ii) *Residents' Attitude Survey*

Councillor Lorber referred to the recent survey carried out in the borough which showed that 83% of residents were satisfied with the area they lived in which he felt reflected the actions taken by the Council. Other figures showed 65% of residents were satisfied with the way the Council was running its services and around half felt a strong sense of community in the place they lived. Satisfaction rates were also up on environment related issues. Councillor Lorber felt this was an excellent verdict on the performance of the Council.

7.2 Chair of Overview and Scrutiny Committee

Councillor Jones reported that only three meetings of the select committees had taken place since the last report. The Forward Plan Select Committee had met to consider the decisions called-in on the West London Joint Municipal Waste Management Strategy and on the Modernisation of the Council's Financial Management Arrangements and Approval for Appointment of Consultants. Following discussion on these two items no alternative views had been sent back to the Executive. The Select Committee had also received briefings on the Future of Brent in2work and Proposed Joint Employment Venture and on the Civic Centre.

The Budget Panel had heard from the Director of Policy and Regeneration on the local effects of the recession. It was clear that the impact of the recession had been significant particularly on the most deprived wards. There was an increase in the take up of benefits and unemployment. Mental illness had increased and there was more acquisitive burglary. The panel had also been updated on the Housing Revenue Account and reviewed previous budgets.

The Performance and Finance Select Committee had considered a number of items including the performance of the Revenues Service, the 4th quarter review of performance and finance in 2008/09 and had heard about the new evidence base which was a new tool that brought all the information on the borough held by the Council into a single accessible point.

8. Motions selected by the Group Leaders

8.1 Motion selected by the Leader of the Labour Group

Proposals to enhance local democracy

Councillor John moved the motion in her name which put forward ways to enhance local democracy. Councillor John submitted that there was cross party agreement

that the provisions in the Local Government Act 2000 did not work well for non-executive members and the scrutiny function. She felt that if meetings of the Council were televised it would lead to improved behaviour by Members. She felt there should be a right for Members to be able to ask questions at meetings of the Executive and that each ward should have its own forum. The motion made other proposals that she felt could be introduced at minimal cost.

The view was submitted that there existed a democratic deficit and as an example of this it was recounted that the Council had approved its budget in March, only for the Chief Executive to issue a newsletter in May stating that the council would need to save £50M over the next four years. This was noted at the July Council meeting with no other discussion of the issue. However, it was pointed out that the government of the day had changed the law in a deliberate act to abolish the committee style of governance. As for holding meetings at other venues it was pointed out that this had been tried before and resulted in public disturbances. Another view was submitted that proposals such as those put forward needed more detailed discussions which should be undertaken by a small Member-level group.

Councillor Lorber moved an amendment to the motion, accepting a suggestion that reference to 'all party' should read 'all-party/group'. He stated that whilst he understood the frustrations expressed, it was a matter of fact that the legislation invested power in the Executive and this position needed to be accepted. He agreed that improvements could be made but the motion before Council was not the way to achieve these.

A further view expressed support for the ideas put forward by the motion by pointing out that the council already televised marriage ceremonies and it was a logical step to extend this to citizenship ceremonies. Holding meetings at external venues was a positive suggestion and it was felt the current response provided by Lead Members to issues raised at Council meetings was not sufficient. The cost of some of the proposals was raised, such as televising proceedings, both to the Council and to residents who would have to pay a subscription charge. It was not felt likely there would be a high take up. It was submitted that once the committee system was abolished it rendered Council meetings virtually useless. The suggestion to hold meetings in other parts of the borough could be implemented without the need for a Council decision and reference was made to the Children and Families Committee having done this. It was submitted that people were not well informed on how government, including local government worked. Whilst some of the proposals included in the motion were supported in principle others were not and in any case it was felt the whole issue needed further discussion.

The amendment moved by Councillor Lorber was put to the vote and declared CARRIED.

RESOLVED:

This Council notes that membership of political parties and voter turnout in elections is at an all time low; the turnout in the last two general elections being the lowest since 1918.

This Council agrees with Baroness Helena Kennedy, QC that the public perception is that 'political institutions and politicians are failing, untrustworthy and disconnected from the great mass of the British people'.

This Council recognises that much of the public's reduced trust has come about as a result of things such as the MPs' scandal and their disgust at expenses issues such as the claiming of huge Second Home Allowances by MPs who already have homes in London. Nevertheless this Council recognises that this is a problem for local authorities as well as for central government and there are number of ways in which local authorities can enhance democratic renewal and take action both to involve local people more fully and to reduce the democratic deficit.

This Council welcomes ideas from across the political spectrum to enhance local democracy. This Council notes that across the country many local authorities are reviewing the way in which local democracy is debated and the way in which local residents are engaged.

To further enhance local democracy, this Council resolves to set up an all party/group scrutiny task group to investigate how local democracy can be improved, with a view to increasing the debate at Full Council meetings, improving the public's access to local democracy and encouraging more young people to take part.

8.2 Motion selected by the Leader of the Liberal Democrat Group

Local Housing Allowance

Councillor Allie moved the motion in Councillor Blackman's name which called on the Council to oppose the Government's proposal to remove the local housing allowance. He stated that this amounted to an attack on the poorest members of the community.

It was submitted that the current legislation had not been successful in introducing more competition into the setting of private sector rents and that a large number of properties were not picked up by the scheme. Another view was put that things had changed since the legislation was introduced and it was right that the government reviewed such areas of spending. Many people were not able to benefit from the allowance and it was felt that such a motion would harm the reputation of the Council.

RESOLVED:

This Council notes that at present 300,000 people in the UK on low incomes are allowed to keep up to £780 a year of their housing allowance if they find accommodation that costs less than the maximum benefit. This Council also notes that this reform was introduced to give tenants greater control over their housing arrangements by paying the rent themselves and the option to trade quality for extra money.

This Council notes however that under proposals which will be implemented next April by the Labour Government, this system will be scrapped, a decision which could cost many of Brent's poorest residents up to 20% of their income or up to £15

per week. This Council notes with concern that the removal of competition means that landlords will raise rents to the allowance maximum making it yet more difficult for our poorest residents.

This Council condemns the Labour Government for once again abandoning the people who need help the most and resolves to write to Brent's MPs encouraging them to oppose these proposals.

8.3 Motion selected by the Leader of the Conservative Group

Disruption to key public sector services

Councillor Blackman moved the motion in his name referring to the disruption in the country caused by industrial dispute and the deteriorating popularity of the Government. He added that there was no excuse for such strike action or for the macho-management styles adopted and instead round table discussions should be used to settle the disputes. He pointed out that in contrast the Council was planning for the future in discussion with its staff.

Councillor Sneddon moved an amendment to the motion which sought to acknowledge the need for modernisation of working practices and that this needed the support of the workforce.

A view was put that it was not the trade unions that posed a threat but other arms of government. Reference was made to the threat to pensions, the imposition of charging that impacted greatest on the poorest, cuts proposed by the Mayor of London and the threat of redundancy that the Council's staff faced.

The amendment to the motion moved by Councillor Sneddon was put to the vote and declared CARRIED.

RESOLVED:

This Council notes the proposed strike by members of the RMT on the Victoria Line on 5 October and threats for further strikes on the London Underground. This Council also notes the result of the ballot for the proposed strike by postal workers.

This Council believes that in the twenty-first century every organisation must constantly modernise its working practices to improve performance and efficiency.

This Council also believes that successful change programmes are those that command the support of the workforce.


Accordingly the Council calls on both management and unions of the organisations concerned to recognise these two truths and work together to improve services and avoid causing suffering to Brent residents.

9. Urgent Business

None.

The meeting closed at 9.10 pm

COUNCILLOR JAMES O'SULLIVAN
Mayor

	<p style="text-align: center;">Full Council 23 November 2009</p> <p style="text-align: center;">Report from the Borough Solicitor</p>
<p>For Action Wards Affected: NONE</p>	
<p>Changes to the Constitution</p>	

1.0 Summary

- 1.1 This report proposes and reports minor changes to the Council's Constitution arising out of the annual review of the operation of the Constitution.

2.0 Recommendations

Members are asked to:

- 2.1 Agree the amendments to the delegated powers as set out in the detail of this report at paragraphs 3.5 - 3.7 below
- 2.3 Note the recent minor changes made to the Constitution by the Borough Solicitor using her delegated powers as set out in paragraphs 3.8 – 3.10 below.

3.0 Detail

Introduction

- 3.1 The Constitution is kept under review throughout the year to ensure that it complies with relevant legislation and that it operates effectively. Each year, in May and November, the Borough Solicitor brings a report to Full Council with any recommendations for changes that should be made to the Constitution.
- 3.2 Each change is discussed in detail below and members are asked to approve or note (depending on the nature of the change) the changes as set out in the appendices and described below.

- 3.3 Following this report the Borough Solicitor will update the electronic version of the Constitution available on the Council's intranet and internet sites to take account of the changes agreed by the Council.
- 3.4 In a separate report to the Special Full Council Meeting of 23rd November 2009 members are informed of the need for changes to the Executive arrangements which are due to come into effect on 9th May 2009. The changes will impact on the Constitution and accordingly amendments to the Constitution will need to be made. This is addressed in the report to members on the change in executive arrangements.

Designated Places – Alcohol Consumption.

- 3.5 Item 49 of that table relates to the power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption where the Council is satisfied that nuisance or annoyance to members of the public, or a section of the public, or disorder, has been associated with the consumption of alcohol in that place. Once designated as such a place, the police have powers to require a person not to consume alcohol in the area, or to confiscate open containers of alcohol. It is recommended that this power be delegated to the Director of Environment and Culture. The power is within that service area and is consistent with other powers delegated to him. The making of the order has little immediate effect on any person as enforcement will always be at the discretion of the police. It is therefore recommended to members that this responsibility is more appropriately exercised by a senior officer rather than being a matter which requires consideration by Full Council. The Director of Environment and Culture will be required to seek advice from Legal Services prior to making such an order.

Unclaimed Registered Land

- 3.6 Item 52 relates to the power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference. It is recommended that this power be delegated to the Director of Environment and Culture, as it falls within his area of responsibility (parks and open spaces) and other functions relating to common land are also delegated to him. Additionally this power effectively allows the Council to take the steps as an owner of the land to protect it from unwanted interference. It is therefore appropriate that the power be exercised by a senior officer so that decisions can be made as and when the circumstances require it, whereas at the moment a decision can only be taken at Full Council. Once again legal advice will be sought before exercising this power.
- 3.7 Members are asked to approve the changes set out in **appendix 1**.

Changes Made by the Borough Solicitor under delegated powers

- 3.8 Some minor changes have been made by the Borough Solicitor under delegated powers to give effect to changes required by statute, made to remove ambiguity or inconsistency or where the changes were considered minor. In accordance with the Constitution these are now being reported to Full Council for information.

3.9 The minor amendments concerned Councillor Call for Action and were made in order to make the powers relating to Councillor Call for Action clearer.

3.10 Members are asked to note these amendments which are attached as **appendix 2**

4.0 Financial Implications

4.1 There are no financial implications arising from this report.

5.0 Legal Implications

5.1 The legal issues are dealt with in the body of the report.

6.0 Diversity Implications

6.1 There are no diversity implications arising from this report.

7.0 Staffing

7.1 There are no staffing implications arising from this report.

Background Papers

Brent Constitution

Contact Officers

Should any person require any further information about the issues addressed in this report, please contact Kathy Robinson, Senior Solicitor, Borough Solicitor's Office on telephone number 020 8937 1368.

TERRY OSBORNE
Borough Solicitor

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Appendix 1

<p>49. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption</p>	<p>Section 13(2) of the Criminal Justice and Police Act 2001</p>	<p>Full Council <u>Director of Environment and Culture</u></p>
<p>50. Power to make or revoke an order designating a locality as an alcohol disorder zone</p>	<p>Section 16 of the Violent Crime reduction Act 2006</p>	<p>Full Council</p>
<p>51. Power to apply for an enforcement order against unlawful works on common land.</p>	<p>Section 41 of the Commons Act 2006</p>	<p>Borough Solicitor</p>
<p>52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.</p>	<p>Section 45(2)(a) of the Commons Act 2006</p>	<p>Full Council <u>Director of Environment and Culture</u></p>
<p>53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens.</p>	<p>Section 45(2)(b) of the Commons Act 2006</p>	<p>Borough Solicitor</p>
<p>J. Other functions which are not to be the responsibility of the Executive</p>		
<p>1. Members allowances.</p>		<p>Full Council</p>
<p>2. Establishing committees under section 101 of the Local Government Act 1972.</p>		<p>Full Council</p>

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Appendix 2

recommendations for future work programmes and amended working methods if appropriate.

- 6.11 The Chair of the main Overview and Scrutiny Committee shall as soon as possible after the Annual Meeting submit to Full Council for approval the proposed work programme for the committees and sub-committees for the forthcoming year together with an annual report on the work of the committee and sub-committees over the last year.

Proceedings of the Overview and Scrutiny Committees and sub-committees

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- 6.12 The Overview and Scrutiny Committees and sub-committees will conduct their proceedings in accordance with Standing Orders and the Access to Information Rules.
- 6.13 If the Overview and Scrutiny Committee or its sub-committees is intending to receive a report back from a task group of the committee or sub-committee as the case may be will allow an Executive member to address it at the meeting that receives the report and the time allowed will be determined by the Chair acting reasonably

Members' Rights to Request Scrutiny

- 6.14 *Any member of the overview and scrutiny committees and any member of any sub-committees thereof may, by giving written notice to the Democratic Services Manager, request that any matter which is relevant to the functions of the committee or sub-committee as the case may be is included in the agenda for, and is discussed at, a meeting of the committee or sub-committee such notice to be given at least 21 days prior to the date of the meeting at which the member wishes to raise the said matter.**

Councillor Call for Action

- 6.15 *Any member of the council may, by giving written notice to the Democratic Services Manager, request that any local government matter (as defined by section 21A of the Local Government Act 2000) which is relevant to the functions of an overview and scrutiny committee or sub-committee is included in the agenda for, and is discussed at, a meeting of the committee or sub-committee.*
- 6.16 *Any member of the council may, by giving written notice to the Democratic Services Manager, request that a local crime and disorder matter (as defined by the Police and Justice Act 2006) is included in the agenda for, and is discussed at, a meeting of the overview and scrutiny committee.*
- 6.17 The terms of reference of the Overview and Scrutiny Committee and its relevant sub-committees contain a power for the committee or sub-committee to consider a Councillor Call for Action in relation to a local government matter or a local crime and disorder matter.

6.18 Prior to referring a local government or local crime and disorder matter to Overview and Scrutiny a member should refer to the Council's Councillor Call for Action protocol which provides further information about the Call for Action process.



COUNCIL MEETING
23 November 2009
and
OVERVIEW AND SCRUTINY
COMMITTEE
8 December 2009

Report from the Borough Solicitor

Wards Affected:
None

Review of representation of political groups on committees

1.0 Summary

- 1.1 This report updates members on the impact of the change in membership of the political groups on the political balance of committees and sub committees and advises on the need to consider changes to the allocation of seats on committees.

2.0 Recommendations

2.1 That the Council:

- (i) Agrees the allocation of seats on ordinary committees to each of the political groups as set out in bold in Table C
- (ii) agrees the allocation of seats on the Overview and Scrutiny Committee and Children and Families Overview and Scrutiny Committee as shown in bold in Table E of this report
- (iii) agrees changes to Standing Orders in relation to motions to change the size of committee and allocation of seats in accordance with paragraph 3.19 of this report

2.2 That the Overview and Scrutiny Committee agrees the allocation of seats on its sub-committees as shown in bold in Table E.

3.0 Detail

- 3.1 Under the Local Government and Housing Act 1989 s15 (the "Act") and Regulations made under s15(1) (e) of that Act, the Council is required to review and determine the representation of political groups on committees and sub committees and allocate places to political groups accordingly.

- 3.2 The allocation of places is determined by applying the political balance principles set out in the Act. These are designed to ensure that the political composition of the Council's decision making and deliberative committees as far as possible reflects the political composition of the full Council. Committees are subsequently required to carry out a similar process in relation to any sub-committees they may have.
- 3.3 The Act provides that seats must be allocated so far as reasonably practicable in accordance with 4 overriding principles:
- (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership (this rule does not apply to the Council as no party currently has an overall majority of seats);
 - (c) subject to paragraph (a) above (and to (b) above if it had been applicable), that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the authority that belong to that group; and
 - (d) subject to paragraph (a) and (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the authority that belong to that group.
- 3.4 Principle (c) refers to "ordinary committees" which under the Act means those appointed under S102 Local Government Act 1972, namely General Purposes Committee, Audit Committee and Planning Committee.
- 3.5 Principle (d) applies to a "body" to which the Council makes appointments. The Act provides that the bodies to which this principle applies include ordinary committees (as defined above) and ordinary sub committees, advisory committees and sub-committees. By virtue of the Local Government Act 2000 principle (d) also applies to Overview and Scrutiny Committee and its sub-committees.
- 3.6 Accordingly under principle (c) above the General Purposes Committee, the Audit Committee and the Planning Committee first have to be taken together to determine the number of seats that should be allocated to each group. Then, in accordance with paragraph (d) above, the political balance principles have to be applied to each of those committees individually. However, principle (c) takes precedence and accordingly some adjustment may be needed to the final allocation of ordinary committee seats.
- 3.7 In relation to Overview and Scrutiny committee and the sub committees only principle (d) applies namely that each individual committee must be considered in relation to the political balance principles.
- 3.8 The current membership of the authority is 63 councillors. Prior to end of September 2009 this consisted of 27 Liberal Democratic members, 20 Labour members, 14 Conservative members and 2 Democratic Conservative Group members. However, upon Councillor Eniola joining the Conservative Group in October 2009 the Labour Group reduced to 19, and the Conservative Group increased to 15. This has affected the percentage of the Council seats held by each group and therefore potentially the number of seats allocated on each committee.

3.9 **Table A** below sets out the required allocation of seats on the ordinary committees of the Council according to the political balance principles described above in light of the change in group membership. It shows the exact percentage of seats (in faint type and in brackets) and the whole number of seats (in bold type). The seat numbers are calculated by allocating seats according to whole numbers first. Where that does not fill all the available seats, remaining seats are allocated to the group with the highest fraction of a seat until all the seats are allocated. Members will note that the duty on the council is to allocate seats in accordance with the principles as far as is reasonably practicable.

Table A – Number of seats required to be allocated across all Ordinary Committees

Group	Size	Liberal Democrats	Labour	Conservative	Democratic Conservative
Number of council seats		27	19	15	2
Percentage of seats on the Council		42.857%	30.158%	23.809%	3.174%
The number of seats on all ordinary committees	25	11 (10.714)	7 (7.539)	6 (5.952)	1 (0.793)

3.10 **Table B** below shows the number of seats that would be allocated on each individual Ordinary Committee if seats were allocated purely by reference to the percentage of seats a group holds on the council but without any reference to principle (c). Seats are allocated to whole numbers first. Where that does not fill all the available seats, remaining seats are allocated to the group with the highest fraction of a seat until all the seats are allocated.

Table B – Allocation of seats across individual Ordinary Committee

Group	Size	Liberal Democrats	Labour	Conservative	Democratic Conservative
Number of council seats		27	19	15	2
Percentage of seats on the Council		42.857%	30.158%	23.809%	3.174%
General Purposes Committee	10	4 (4.285)	3 (3.015)	3 (2.380)	0 (0.317)
Planning Committee	12	5 (5.142)	4 (3.618)	3 (2.857)	0 (0.380)
Audit Committee	3	1 (1.285)	1 (0.904)	1 (0.714)	0 (0.095)
Total number of ordinary committee seats to be allocated in accordance with principles (d)	25	10	8	7	0

3.11 Members will note from the above **Table B** that this produces a result (10,8,7,0) which conflicts with the result required by principle (c) (11,7,6,1) shown in **Table A** above. An adjustment therefore has to be made to the number of seats allocated to each committee in order to achieve the overriding principle (c). The required adjustment needs to be made reasonably. The least disturbance to political balance would be achieved by the transfer of one seat of the Conservative Group on the General Purposes Committee to the Democratic Conservative Group, and one seat of the Labour Group to the Liberal Democratic Group on the Planning Committee. This adjustment is calculated firstly by deciding which changes are needed (namely transfer of seats from the Conservative and Labour Groups to the Liberal Democratic Group and Democratic Conservative Group); Secondly, by identifying the seats on the individual committees that have been allocated based on fractions; Thirdly, by identifying the smallest adjustment necessary in order to achieve compliance with principle (c). **Table C** below shows the ordinary committees with the recommended adjustments made in bold to achieve compliance with principle (c).

Table C - Adjusted allocated of seats across individual Ordinary Committees

Group	Size	Liberal Democrats	Labour	Conservative	Democratic Conservative
Number of council seats		27	19	15	2
Percentage of seats on the Council		42.857%	30.158%	23.809%	3.174%
Number of seats across all ordinary committees	25	11	7	6	1
General Purposes Committee	10	(4) 4	(3) 3	(3) 2	(0) 1
Planning Committee	12	(5) 6	(4) 3	(3) 3	(0) 0
Audit Committee	3	(1) 1	(1) 1	(1) 1	(0) 0
Total number of ordinary committee seats to be allocated in accordance with principles (d)	25	(10) 11	(8) 7	(7) 6	(0) 1

3.12 For ease of reference members will note that this calculation requires a change to the current allocation of seats on the Ordinary Committees as shown below in **Table D** below (with the current allocation shown in feint and in brackets and the new allocation shown in bold type).

Table D - Proposed changes to seats allocated.

Group	Size	Liberal Democrats	Labour	Conservative	Democratic Conservative
Number of council seats		(27) 27	(20) 19	(14) 15	(2) 2
General Purposes Committee	10	(4) 4	(3) 3	(2) 2	(1) 1
Planning Committee	12	(5) 6	(4) 3	(3) 3	(0) 0
Audit Committee	3	(1) 1	(1) 1	(1) 1	(0) 0
Total number of ordinary committee seats to be allocated in accordance with principles (d)	25	(10) 11	(8) 7	(6) 6	(1) 1

- 3.13 In relation to the Overview and Scrutiny Committees and the sub committees, only those Committees and Sub-Committees that have 8 members are affected by the change in political group members. These are Overview and Scrutiny, Children and Families Overview and Scrutiny, Forward Plan Select and Health Overview. The Council needs to decide the allocation of seats on the two main committees namely Overview and Scrutiny and Children and Families Overview. The Overview and Scrutiny Committee must decide the allocation of seats on the sub-committees. The allocation of seats is shown in **Table E** below. The current allocation is shown in feint and in brackets, and the new allocation shown in bold type.

Table E - Other Committees of the Council

Other Committees	Size	Liberal Democrats	Labour	Conservative	Democratic Conservative
		27	19	14	2
Overview and Scrutiny Committee	8	(3) 4	(3) 2	(2) 2	(0) 0
Children and Families Overview and Scrutiny,	8	(3) 4	(3) 2	(2) 2	(0) 0
Forward Plan Select	8	(3) 4	(3) 2	(2) 2	(0) 0
Health Overview	8	(3) 4	(3) 2	(2) 2	(0) 0
P and F Select Committee	8	(3) 4	(3) 2	(2) 2	(0) 0

- 3.14 The Council has two committees which are not required by law to be subject to the political balance principles described. These are the Standards Committee and the

Alcohol and Entertainment Licensing Committee. These are not affected by these proposals.

- 3.15 A proposal has been submitted by the leader of the Conservative Group to reduce the size of the Planning Committee from 12 to 11 seats. If this change were to be agreed by the Council the allocation of seats would change as shown in **Table F** below. The allocation of seats based on the current size of committee is shown in faint type and in brackets and the proposed allocation is shown in bold type. It is open to the Council to change the size of its committees, but it is not required to change the size of the committees in order to comply with the Act. As such, this recommendation is not necessarily recommended by officers but it is open to the Council to make the change should it so wish.

Table F - Proposal by Leader of the Conservative Group

Ordinary Committees	Size		Liberal Democrats		Labour		Conservative		Democratic Conservative	
			27 (42.857%)		19 (30.158%)		15 (23.809%)		2 (3.174%)	
Total number of ordinary committee seats allocated in accordance with principles (c) and (d)	(25)	24	(10)	10	(8)	7	(6)	6	(1)	1
General Purposes Committee	(10)	10	(4)	4	(3)	3	(2)	2	(1)	1
Planning Committee	(12)	11	(6)	5	(3)	3	(3)	3	(0)	0
Audit Committee	(3)	3	(1)	1	(1)	1	(1)	1	(0)	0

- 3.16 It is recommended that the Standing Orders be amended so that any motion to change the size of committees, or sub committees, or to change allocated seats on committees, or sub committees, can only be moved if written notice of the motion has been given to all group leaders and the Borough Solicitor at least 5 working days in advance of the meeting at which the motion is to be moved. This recommended change to Standing Orders is designed to ensure that both members and officers have adequate opportunity, prior to the relevant meeting, to consider the implications of the proposed change(s) to the allocation of seats to members of all groups and for advice to be given.

4.0 Financial Implications

- 4.1 There are none arising directly from this report.

5.0 Legal Implications

These are addressed in the body of the report.

6.0 Diversity Implications

6.1 This report has been screened by officers and there are not considered to be any diversity implications arising from it.

Background Papers

The Brent Constitution
Local Government and Housing Act 1989

Contact Officers

Kathy Robinson, Senior Solicitor, Borough Solicitor's Office, Town Hall Annexe, Town Hall, Wembley Tel: 020 8937 1368, email: kathy.robinson@brent.gov.uk

Terry Osborne
Borough Solicitor

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Full Council – 23 November 2009

Items Selected by Non-Executive Members under Standing Order 39

(a) From Councillor Bessong

Bogus charity workers

Residents in my ward have raised concerns about criminals posing as charity workers collecting donations for those caught up in the conflict in Sri Lanka. Unfortunately, when residents show goodwill and open their doors, they attempt to rob them. This is causing great concern within the Tamil community, a community who this Council is aware have suffered in this unfortunate conflict.

Will the Lead Member work with partners to see if these criminals can be brought to justice?

(b) From Councillor Mistry

Stag Lane Medical Centre

NHS Brent has informed Stag Lane Medical Centre in Queensbury that it needs to close for indefinite urgent repairs with all patients and clinical services forced to relocate to Monks Park or Wembley. This is unacceptable and shows a complete disregard for the elderly, infirm and those unable to travel. It is imperative that temporary facilities are provided **locally** for residents while repairs are carried out and I call on this council to engage fully with NHS Brent to ensure this happens.

(c) No item submitted

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Full Council – 23 November 2009

Report from the Executive

Items to be reported by the Executive

The Leader has given notice that the Executive will report to Council on the following items:

- (i) Green Champions
- (ii) Youth Parliament
- (iii) Personal Information Promise
- (iv) New Housing Developments

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Full Council – 23 November 2009

Report from the Chair of the Overview and Scrutiny Committee

At the last meeting of the Overview and Scrutiny Committee the Leader of the Council attended to update the committee on the Council's priorities, covering the following areas:

- the provision of school places in Brent,
- impact of the recession on the borough,
- children's social workers, and
- the importance of exploring opportunities for shared services with partners and other London boroughs.

Members of the committee raised a wide variety of issues with the Leader and the outcome was that the committee asked for the following:

- information on referrals to children's services for child neglect / safety issues, including whether referrals are increasing and if this was attributable to Baby P or the recession,
- information on the number of companies that have taken up the Council's reduction in business rates that is being offered to small businesses during the recession, and
- information on the shared services agenda.

The committee was updated on the modernising of day opportunities for people with learning disabilities being undertaken as part of the transformation programme in Adult Social Care. It felt that the carers needed to be re-consulted and so requested that an update on the transformation be provided to the meeting of the committee on 9 February 2010.

The first councillor call for action was considered by the committee. Councillor Powney had requested that the item be considered, which concerned the volume of traffic travelling down Tubbs Road and Nightingale Road and called for Tubbs Road to be reclassified as a 'B' road. The committee heard from a member of the public representing residents of Tubbs Road and Nightingale Road. It was agreed that further consideration should be given to the matter at the next meeting of the committee and that representatives from the Transportation Unit and Transport for London be invited to attend this meeting to respond to questions from Members. It was also agreed that Members of the committee should make a site visit to the roads prior to the next meeting.

The annual report of the Local Strategic Partnership and its self evaluation were also considered as were the recommendations of the recycling in flats task group.

The Children and Families Overview and Scrutiny Committee heard from the Lead Member for Children and Families who updated the committee on the recently established cross-party body looking at safeguarding children in Brent. This had been set up in the aftermath of the Baby P case to review child protection arrangements and comprised the Leaders of the three main parties, the parties' education spokespersons, the Chair of the Children and Families Overview and Scrutiny Committee, and the Lead Member for Children and Families.

The committee received an update on the provision of school places in Brent and on the progress of Brent's bid for BSF (Building Schools for the Future) funding. The annual report from the Brent Youth Parliament was considered and a number of decisions were taken on it.

The committee was informed of the new process for allocating and funding nursery places. Members noted that this issue would be put before the Executive in January 2010, with approval sought as part of the Dedicated Schools Grant (DSG). They agreed to reconsider the issue before it was presented to Full Council as part of the budget process.

The progress made by the Brent Children's Partnership Board in 2008/09 on delivering the strategic priorities identified in the 2006/09 Children and Young People's Plan was considered and a number of decisions taken including inviting NHS Brent to a future meeting to discuss issues of concern.

The final report of the task group on pupil safety on the journey to and from school was submitted to the committee and the recommendations agreed for forwarding to the Executive. The committee also requested that the report and recommendations be included in the Council's Crime Prevention Strategy.

The Budget Panel has met twice since the last meeting of Full Council. It has received a presentation on the action plan for the Council's four-year improvement and efficiency strategy for the period 2010-2014. The Panel asked that information on the progress of the staffing and structure review and the review of strategic procurement be brought to a future meeting of the Panel. The meeting also heard from the Director of Housing and Community Care on the adult social care budget and forecast for 2009/10. Members noted that the net budget for the service was £87.7m (£109.2m gross), with a relatively small overspend of £127,000 currently forecast. The department was seeking to reduce the predicted overspend, but in general this budget was volatile and demand-led.

At its more recent meeting, the Panel considered the financial issues that formed the background to the debate to be held at Council on the first reading of the 2010/11 – 2013/14 budget. The Leader of the Council attended to answer questions from members. The Panel also considered the budget issues facing the Children and Families service.

The Health Select Committee has considered a report, written by the Audit Commission, which documented the findings of the Commission's review into how health inequalities were being tackled by the Council and its partners. The select committee was informed that the Audit Commission project was composed of two stages with this review being the first stage of the project. Members noted that whilst at borough level the overall health of

the population was consistent with the national average, there were areas in the borough where residents were experiencing significant health inequalities. The select committee asked that a report be presented to it in February 2010 on the work being done to increase physical activity carried out by adults in Brent, which forms the second part of the Audit Commission's work.

The select committee heard from the Chief Executive NHS Brent on the results of the GP Access Survey for 2008-09 and on the progress of the smoking cessation service in Brent. It was agreed to make the latter item a standing item on the agenda. The Chief Executive also introduced a presentation pack which provided the select committee with an overview of the progress made in implementing 'Healthcare for London'. In 2008/09 NHS Brent developed its Commissioning Strategy Plan which set out a 5 year investment programme but was having to review the plan to ensure that it was aligned with others across North West London.

Members received an update from the North West London NHS Hospitals Trust on the reconfiguration of emergency surgery and paediatric services across Brent and Harrow as part of the Acute Services Review and on the service reconfiguration across Brent and Harrow with regards to stroke services.

The Performance and Finance Select Committee considered a review of Brent Housing Partnership's Responsive Repairs Service Void Management and Capital Programme. It also received an update on the performance of the Council's Waste Services Contract with Veolia, specifically with respect to waste and recycling, street cleansing, missed collections and complaints and an update on the development of a revised Waste Strategy for Brent.

As part of the select committee's standing remit it has also considered the first quarter performance and finance review for 2009/10.


Finally, at the last meeting of the Forward Plan Select Committee the decisions taken by the Executive on the following items were reviewed in light of the reasons given by members for calling-in the decisions:

- Third pool in Brent – progress report
- Authority to participate in a West London collaborative procurement for the provision of home care, including housing related support and 'integrated' home care support for adults
- Authority to participate in a West London collaborative procurement for residential and nursing care for adults
- Brent Civic Centre – concept design proposals and authority to tender contract for a design and build contractor

The select committee did not agree to send any views back to the Executive on these items.

At the same meeting the select committee received a number of briefing papers on items included in the Forward Plan.

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	<p style="text-align: center;">Full Council 23 November 2009</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Resources</p>
Wards Affected: ALL	
First Reading Debate on the 2010/11 to 2013/14 Budget	

1.0 Summary

- 1.1 This report, together with the separate report on this agenda on the priorities of the administration, meets the requirement in the Constitution (Standing Order 25(b)) that: 'The Executive shall present a report to Full Council setting out the financial position of the Council, financial forecasts for the following year and their expenditure priorities. There shall then be a debate on the issues raised in that report held in accordance with Standing Order 44 hereinafter called a "First Reading Debate".'
- 1.2 The record of the 'First Reading Debate' is sent to the Leader of the Council and the Chair of the Budget Panel in order to inform consultation by them on the budget. The role of the Budget Panel is to assist the budget process by providing detailed input during the Executive's development of its budget proposals. This will include scrutiny of the Executive's budget proposals prior to the Executive's recommendations on the budget being agreed at their meeting on 15th February 2010, as well as further consideration after the Executive's recommendations have been made. Final decisions on budget and council tax will be made at Full Council on 1st March 2010.
- 1.3 The report has been written on the basis of the best information available to the council at this stage. Assumptions of external funding for 2010/11 are based on the figures in the current Comprehensive Spending Review, including a 1.5% increase in Formula Grant. There is considerable uncertainty about funding for later years with an expectation that this will not become clearer until after a General Election. In addition, the ongoing impact of the recession and pattern of future economic recovery mean that underlying assumptions about pay and price increases, interest rates, service pressures and other items within the council's medium term financial strategy will have to be kept under close review.

- 1.4 This report is structured as follows:
- Section 2 Recommendations
 - Section 3 Background to the 2010/11 to 2013/14 budget
 - Section 4 General Fund revenue budget issues in 2010/11
 - Section 5 Schools Budget
 - Section 6 Housing Revenue Account
 - Section 7 The capital programme
 - Section 8 Timetable
 - Section 9 Financial implications
 - Section 10 Legal implications
 - Section 11 Diversity implications

2.0 Recommendations

- 2.1 Full Council is recommended to consider the issues set out in this report when it holds its 'First Reading Debate' for the purposes of Standing Order 25(a).

3.0 Background to the 2010/11 to 2013/14 budget

- 3.1 The 2009/10 budget was agreed at Full Council on 2nd March 2009. Key features of the budget agreed for 2009/10 were as follows:
- A General Fund budget requirement of £261.8m in 2009/10;
 - A council tax increase for Brent services of 2.5% in 2009/10;
 - An overall council tax increase, including the GLA precept, of 1.9%, leading to a Council Tax for Band D properties of £1,368.76 in 2009/10;
 - Level of balances set at £7.5m for 2009/10, which was within the range of £7.5m to £8m recommended by the Director of Finance and Corporate Resources based on an assessment of financial risks and to enable effective medium term financial planning;
 - Financial projections for future years based on the assumptions that balances would remain within the £7.5m to £8m range and council tax increases would range between 0% and 5%.
- 3.2 Based on budget monitoring information up to the end of September 2009, the council is projected to have balances at 31st March 2010 of £5.6m, which is below the £7.5m target set in the 2009/10 budget. This forecast overspend is reduced from that forecast at the end of the first quarter. This is due to a forecast overspend in 2009/10 of £1.9m. Further details are in Appendix A.
- 3.3 The 3 year financial forecasts included in the 2009/10 budget report have formed the background for work on the 2010/11 to 2013/14 budget carried out over the past few months. The underlying assumptions in the current medium term financial strategy were up-dated in the budget process report to the

Executive in July. The resulting projected budget gap is set out in Table 1 below. This assumed that:

- a. Previously assumed service reductions of 3% each year were taken out on the basis that a balanced budget would need to be primarily delivered through the delivery of the Improvement and Efficiency strategy;
- b. 'inescapable growth' would be contained within a total contingency for growth of approximately £4m per annum;
- c. all priority growth would be funded from Area Based Grant, Performance Reward Grant or growth in other specific grants.

Table 1: Projected Budget Gap (July Executive)

Year	Cumulative budget gap assuming:		
	5% council tax rise	2.5% council tax rise	0% council tax rise
	£m	£m	£m
2010/11	9.0	11.6	14.1
2011/12	16.7	22.0	27.2
2012/13	23.9	32.3	40.2
2013/14	31.3	42.9	53.7

4.0 General Fund revenue budget issues for 2010/11

Budget gap

- 4.1 Appendix B shows that the current budget gap for 2010/11 is £5.2m lower than that reported in July. The reasons for the decrease are a reduction in the inflation assumptions for pay and prices, reflecting the current low levels of inflation (£4.7m) and an increase in the estimated council tax base (£0.5m). The pay award for 2010/11 is now assumed at 0.75%. As a result the budget gap, assuming a council tax freeze, is £8.9m in 2010/11 and £3.8m for a 5% increase.
- 4.2 Further measures that can be taken to reduce the gap are as follows:
 - a. *Surplus carried forward from 2009/10:* The current budget gap assumes that there will be no surplus carried forward from 2009/10. Whilst the council's medium term financial strategy limits use of one-off funds to support on-going spending, the council has used surplus balances to provide limited support to the budget on a one-off basis. This amounted to £1m in the 2008/09 budget and £0.5m in the 2009/10 budget. Whilst the 2009/10 budget is currently forecast to overspend (see para 3.2 above), officers are currently reviewing measures to bring it back into line and, if possible, identify a surplus that can be used in 2010/11. Actions include a combination of eliminating projected overspends in individual service areas and identifying other measures to reduce spending in 2009/10. The 2009/10 pay award averaging 1% has now been agreed against a

budgeted level of 2%. This will save around £1m. The council has succeeded in achieving surplus balances to be used in the following year's budget in recent years and officers are confident that this can be achieved again in 2009/10.

- b. *Identifying additional savings:* As referred to above services are identifying actions as part of managing the budget for 2009/10. Where these are permanent changes this will provide ongoing benefit with full year effects to the budget position for 2010/11 and later years.
- c. *Central items:* Details of central items in the budget are included in Appendix C. The provision made in future years is still subject to fundamental review and updated information. Increases in these items include additional borrowing costs to fund the capital programme, rises in the levy that the council needs to pay to West London Waste Authority reflecting principally the impact of land-fill tax.
- d. *Fees and Charges:* The budget currently assumes no increase in fees and charges. Members may wish to consider some rises in specific areas.
- e. *Improvement and Efficiency Strategy:* The Strategy was developed in 2009 to address the massive financial and service challenges facing local government. The full impact of the recession and its effect on public finances will become much clearer after the General Election and the next Comprehensive Spending Review. An incremental approach to budgeting is no longer sustainable. The Improvement and Efficiency Action Plan is the blueprint to deliver the strategy over a 4 year period. It seeks a planned and rational approach to realistically recognising the scale and complexity of the Change Programme. The Action Plan contains the key projects including 12 gold projects which are highly complex but where there are opportunities for a high level of efficiency savings. Detailed project plans are currently being prepared including estimates of potential savings to be delivered. A proportion of these will be realised in 2010/11 and these can be factored into the budget consideration to help ensure a balanced budget is agreed.

Inescapable growth

4.3 The current medium term financial strategy approved in March 2009 contained itemised inescapable growth for 2010/11 of £1.849m plus a general provision of £2m. These items have been updated for more recent information, bringing the revised total to £2.038m, as set out in Appendix D - leaving £1.811m within the general provision. Any new inescapable growth above this figure will increase the budget gap. Assessments of the sums involved are still being undertaken but it is clear that pressures in the following areas will have an impact in 2010/11:

- Children with Disabilities
- Increase in looked after children/Impact of "Southwark" judgement
- Adult Social Care – increase in transitions cases from young people to adults

- Environment and Culture – significant decreases in income linked to the recession
- Housing Benefit – 12% rise in caseload

Further information on these issues is set out in Appendix E.

Priority growth

- 4.4 The current medium term strategy incorporates the allocation of performance reward grant to deliver council priorities and this is set out in Appendix F. These were agreed by Full Council on 2nd March 2009.

Council tax increase

- 4.5 Members need to recognise that the budget pressures the council faces are such that the delivery of the council's Improvement and Efficiency strategy is vital to ensuring a budget which is affordable within the permitted maximum council tax rise of 5%, particularly if members are to achieve a council tax rise of significantly less than 5%. Each 1% in council tax equates to approximately £1m of council spending.
- 4.6 The figures for council tax do not include the precept that will be set by the GLA. The Mayor will issue his consultation on the proposed GLA precept – which covers the Metropolitan Police, London Fire and Emergency Planning Authority, and Transport for London, as well as the GLA itself – in December 2009 and his budget proposals will then go through a process of scrutiny by the Greater London Assembly. The final precept will be decided in February 2010. At this stage, the indications are that the new Mayor will be seeking to freeze the GLA precept in 2010/11 and this is reflected in the figures for overall Brent council tax shown in Appendix B.
- 4.7 The level of council tax increase for the council is affected by the extent to which the council tax base has changed between 2009/10 and 2010/11 and the estimated deficit in the Collection Fund. The council tax base for Brent will be determined by the General Purposes Committee in January 2010 and the estimated deficit in the Collection fund will be determined by the Executive in December 2009. The assumptions in Appendix B are that the council tax base will increase by 1.25% and that the deficit in the Collection Fund will remain at 2009/10 levels.

Government funding decisions

- 4.8 The government announced the Formula Grant, Area Based Grant and specific grants the council will receive in 2010/11 as part of last year's finance settlement. Whilst the settlement for 2010/11 has to be formally confirmed, no significant changes are expected to most of the previously announced figures. The one exception to this being concessionary fares where there has been uncertainty as to whether the government will change the basis of allocating the grant across the country. The government has recently

published a consultation document on a proposal to transfer £28.6m from London. This would mean an additional cost to the council of £1m in 2010/11. Updated passenger usage numbers will also mean that the council will have to bear a greater proportion of the costs met by London boroughs, resulting in an additional £350,000 in 2010/11. The combined effect of this will increase the cost to the council in 2010/11 by £1.35m more than allowed for in the current medium term financial strategy.

Longer term position

- 4.9 The council needs to look at spending decisions, and associated resource projections, over at least a three year period. This ensures effective service development and prevents the council having to make significant adjustments to its spending plans each year. It is important therefore that, when members consider budget issues, they take account of the longer term impact. This means recognising that one-off resources, such as balances or one-off grants, can act as a palliative in one year of the budget cycle but cause problems in future years. It also means that, if there is new growth which is on-going, the resource implications in future years have to be considered.
- 4.10 Further work needs to be carried out on the potential impact of demand and other growth pressures after 2010/11, the savings that will be delivered as part of the Improvement and Efficiency Strategy, and other projections through to 2013/14. This work will be reflected in an up-dated medium term financial strategy which will be included in the budget report to Full Council in March 2010.

Activity levels and outcomes

- 4.11 Setting the budget is not just a financial exercise. Having sufficient budget – and prioritising how that budget is used – is the means by which the council delivers services within Brent. In addition, budget discussions are often confined to spending at the margin – growth or savings – and do not focus on how the rest of the budget (the 95% or more not affected by growth or savings) is used. The council's performance and finance review monitoring system enables members to focus attention on the activities the budget supports – and the performance of those activities. The process for setting performance targets and levels of activity the budget can sustain will be incorporated within the 2010/11 budget report.

5.0 Schools Budget

- 5.1 The introduction of the Schools Budget from 1st April 2006 was a fundamental change to the way in which councils' budgets are constructed. Previously, schools' spending was part of the overall council budget, and was funded from Formula Grant and council tax. From 2006/07, schools' spending was funded directly from a Dedicated Schools Grant. It is therefore totally ring-fenced and does not appear as part of the council's overall budget requirement. The result is that the £189.6m the council is spending through

the Schools Budget on schools in 2009/10 is treated totally separately from spending on other General Fund services.

- 5.2 The government announced indicative allocations of Dedicated Schools Grant for 2010/11 as part of the current Comprehensive Spending Review. The average national provisional per pupil increase is 4.3% for 2010/11. The provisional per pupil increase for Brent is above average at 4.7%, primarily as a result of the award of additional funding to authorities such as Brent which spent below the government's hypothetical allocation under the pre-2006/07 system. Caution has to be exercised in allocating this amount to schools and central items, since the actual increase will not be announced until June 2010 based on the result of the January 2010 pupil count.
- 5.3 When the Dedicated Schools Grant framework was introduced, the government also announced that there would be a fundamental formula review which began in January 2008. The review is still ongoing and is due to be completed in 2010.
- 5.4 A total of £2.552m of funds allocated through Area Based Grant in 2009/10 was for schools' schemes and this will decrease to £2.015m in 2010/11. The change is primarily due to a decrease from £922k to £379k in the allocation to fund extended schools set up costs. Specific grants to schools, on top of Dedicated Schools Grant, are £20.965m in 2009/10 and will increase to £21.866m in 2010/11.
- 5.5 The council is required to consult the Schools Forum, which consists of representatives of the different schools sectors and includes head-teachers and governors, on allocation of the Schools Budget. The Schools Forum will be considering this at their meetings in December through to February. There is a requirement that the year on year increase in the central element of the Schools Budget (which includes Special Education Needs element and other areas) cannot be greater in percentage terms than the increase in funding delegated to schools, unless the Forum agrees a higher increase. A key issue that will need to be addressed is competing demands on the central element of the budget which will include pressure on the cost of pupils with special education needs, the need to increase funding for schools' capital works, and other legitimate charges to this budget.
- 5.6 Final decisions on the allocation of the Schools Budget will be taken by the Executive in February 2010.

6.0 Housing Revenue Account

- 6.1 The Housing Revenue Account (HRA) covers the activities of the council as landlord for approximately 9,100 freehold dwellings and 300 leasehold dwellings. The HRA is separate from the General Fund and is ring-fenced – i.e. HRA expenditure is met from HRA resources, which primarily consist of government subsidy (Housing Revenue Account Subsidy) and rents.

- 6.2 The rent increase for council dwellings takes account of the government's guidelines on convergence between rents charged by councils and Registered Social Landlords (mainly housing associations). In 2009/10, this resulted in an average rent increase of 2.53%.
- 6.3 The HRA forecast outturn for 2009/10 indicates a surplus of £2.0m, which is £1.6m more than that provided for in the original budget. The main reason for this is the increased surplus carried forward in 2008/09.
- 6.4 At the time of drafting this report the government is yet to publish its draft HRA determination and HRA subsidy determination for 2010/11.
- 6.5 The Executive will make decisions on the rent increase to be applied in 2010/11 in February 2010. The HRA budget will be agreed by Full Council in March 2010 as part of its consideration of the overall council budget report.

7.0 Capital Programme

- 7.1 The capital programme is a four year rolling programme which is up-dated each year. The current 2009/10 to 2012/13 capital programme was agreed as part of the overall 2009/10 budget process in March 2009 and has been up-dated to reflect changes subsequently reported to the Executive. A high level summary of the current capital programme is attached as Appendix G. This includes slippage of previous years' spending into 2009/10.
- 7.2 The capital programme for 2009/10 to 2012/13 reflects priorities in the Corporate Strategy. The revised capital programme from 2010/11 will be up-dated to reflect new information on spending needs resulting from revised asset management plans and also will be rolled forward to include the 2013/14 financial year.
- 7.3 The key challenges for the development of the capital programme are:
- a. To revisit the estimated sources of funding, taking into account the impact of the economic downturn on future government funding and other contributions;
 - b. The progress of the major schools capital projects including Building Schools for the Future and the national Primary Capital Programme which are key to the formation of a long-term programme to address school capital needs;
 - c. In the light of the above to ensure that the up-dated capital programme delivers the council's key priorities within the resources available.
- 7.4 The capital programme is currently based on the assumption that borrowing that falls on the General Fund will be at the level set out in the council's medium term financial strategy. This was agreed by Full Council on 2nd March 2009. Members could decide to reduce that borrowing as a way of helping bridge the budget gap in 2010/11 and beyond. To achieve this, there would have to be either reductions in the capital programme or identification of alternative funding sources other than borrowing from those already identified.

8.0 Timetable

8.1 The timetable for finalising the 2010/11 budget is attached as Appendix H. Key dates are as follows:

- release of the Mayor's consultation on the GLA budget in mid-December;
- administration's draft proposals issued on 27th January 2010;
- GLA budget agreed on 10th February 2010;
- Executive decides recommendations to Full Council on budget at meeting on 15th February 2010;
- Full Council decides budget on 1st March 2010.

8.2 The Budget Panel will be scrutinising the budget at various stages of this process: prior to the administration's draft proposals being issued; after the proposals have been issued, with their discussions feeding into Executive consideration of the budget proposals on 15th February; and following the decisions of the Executive on 15th February, feeding into the Council budget debate. Last year the Budget Panel successfully involved a range of members in their meeting preceding the Executive's consideration of the budget proposals and the intention will be to follow the same approach this year. This meeting has been scheduled for 10th February 2010. Party Groups are also encouraged to invite the Director of Finance and Corporate Resources to brief their members in advance of the budget decision making process.

9.0 Financial Implications

9.1 The report is entirely concerned with financial implications.

10.0 Legal Implications

10.1 The council's Standing Orders contain detailed rules on the development of the council's budget. Some elements of these rules are required by the Local Authorities (Standing Orders) (England) Regulations 2001 but a number are locally determined.

10.2 In the case of the council's annual budget, including the capital programme, the Executive is required under the Constitution to present a report to Full Council setting out the financial position of the council, financial forecasts for the following year and their expenditure priorities. This report, together with the separate report on this agenda on the priorities of the administration, sets out the required information. There will be a debate on the issues raised herein and in the separate report, which will be conducted in accordance with Standing Order 44.

- 10.3 Following the First Reading Debate, a record of the debate will be sent to the Leader and to Chair of the Budget Panel. The Budget Panel will meet and produce a report setting out its view of the budget priorities and any other issues it considers relevant. This report will be submitted to each Executive Member and each Group Leader in order to inform budget proposal discussions. Prior to being agreed by the Executive, the Executive's budget proposals will be sent to members of the Budget Panel which will consider the proposals and submit a note of its deliberations and comments on the proposals to the Executive. The Executive will take into account the issues raised at the First Reading Debate and the note of the deliberations and comments from the Budget Panel in making its budget recommendations to Full Council.
- 10.4 The final proposals will be submitted by the Leader to a special meeting of Full Council for consideration and determination no later than 10th March in accordance with Standing Order 34. There is a statutory dispute procedure set out in Standing Order 25 to deal with circumstances where there is a disagreement between the Council and Executive on the budget proposals but this only applies where the budget setting meeting takes place before the 8th of February.

11.0 Diversity Implications

- 11.1 Prioritisation and decision making as part of the budget process are tied into the council's corporate strategy, individual strategies and service development plans. The priorities within these reflect the council's commitment to tackling discrimination and disadvantage as part of its Comprehensive Equality Plan (CEP). In addition, services are required to carry out Impact Need and Requirements Assessments where it is considered that individual growth and savings proposals could have an equality impact. The impact of budget decisions is monitored through the council's performance monitoring systems. Members need to bear in mind the diversity implications of any proposals they put forward as part of the First Reading Debate.

12.0 Background Papers

- Corporate Strategy 2006-2010
- Priorities for the Administration – on this agenda
- Capital Strategy 2006-2011
- 2009/10 budget and council tax report – Full Council on 2nd March 2009
- Performance and Finance Review Report – Quarter 1 (April to June 2009)– the Executive on 15th September 2009
- Improvement and Efficiency Strategy Action Plan 2010-2014

13.0 Contact Officers

Duncan McLeod / Mick Bowden
Brent Town Hall
020 8937 1424 or 020 8937 1460

e-mail address: duncan.mcleod@brent.gov.uk or mick.bowden@brent.gov.uk

DUNCAN McLEOD
Director of Finance and Corporate Resources

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FULL COUNCIL
23 NOVEMBER 2009
FIRST READING DEBATE
BUDGET 2010/11 – 2013/14

I N D E X

	Pages
Appendix A 2009-10 Council Budget	13
Appendix B Financial Forecast 2010/11 - 2013/14	14
Appendix C Analysis of Central Items - 2010/11 – 2013/14	16
Appendix D Inescapable Growth	17
Appendix E New Growth Pressures	18
Appendix F Growth Funded by Performance Reward Grant	20
Appendix G Capital Programme 2010/11 to 2013/14	22
Appendix H Service Planning and Budget Timetable	24

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2009/10 LATEST REVENUE BUDGET COMPARED WITH FORECAST OUTTURN

	2009/10 Original Budget	2009/10 Latest Budget	2009/10 Full Year Forecast	2009/10 (Under)/ Over Spend £'000 (3)-(2)
	£'000 (1)	£'000 (2)	£'000 (3)	
Service Area Budgets				
Children and Families	58,990	59,002	60,179	1,177
Environment and Culture	47,858	48,356	49,006	650
Housing & Community Care	101,929	101,929	102,046	117
Finance & Corporate Resources / Central Units/BT	25,542	25,885	25,885	0
Total Service Area Budgets	234,319	235,172	237,116	1,944
Central Items				
Capital Financing Charges	25,223	25,153	24,773	(380)
Capital Financing Charges/Net Interest Receipts	(2,409)	(2,409)	(2,409)	0
Capital Financing Reserve	(1,996)	(1,996)	(1,616)	380
Capitalisation Adjustment	(600)	(600)	(600)	0
Affordable Housing PFI	764	764	764	0
Other	1,427	1,419	1,419	0
Levies	9,802	9,704	9,704	0
Premature Retirement Compensation	5,330	5,330	5,330	0
Middlesex House	489	489	489	0
Remuneration Strategy	875	790	790	0
South Kilburn Development	570	570	570	0
Investment in IT	820	820	820	0
Insurance Fund	1,800	1,800	1,800	0
Civic Centre/Property Maintenance	1,668	1,668	1,668	0
Neighbourhood Working	850	850	850	0
Efficiency Programme	(1,484)	(1,484)	(1,484)	0
Income Generation Initiatives	(213)	(213)	(213)	0
Performance Reward Grant	(2,000)	(2,000)	(2,000)	0
Performance Reward Grant Programmes	2,000	1,600	1,600	0
Elections	0	22	22	0
Positive Activities for Young People	369	369	369	0
Building Schools for the Future	500	500	500	0
Future of Wembley	350	350	350	0
Leasing Income	(70)	0	0	0
Total Central Items	44,065	43,496	43,496	0
Area Based Grants	(16,048)	(16,310)	(16,310)	0
Contribution to/(from) Balances	(500)	(522)	(2,466)	(1,944)
Total Budget Requirement	261,836	261,836	261,836	0
Balances B/Fwd	8,013	8,054	8,054	0
Contribution from Balances	(500)	(522)	(2,466)	(1,944)
Total Balances Forecast for 31st March 2010	7,513	7,532	5,588	1,944

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FINANCIAL FORECAST 2010/11 - 2013/14

	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000
Service Area Budgets (SABs)					
Children & Families	59,002	58,862	58,862	58,862	58,862
Environment and Culture	48,356	47,934	47,934	47,934	47,934
Housing and Community Care					
- Housing	14,188	14,150	14,150	14,150	14,150
- Adults Social Care	87,741	87,685	87,685	87,685	87,685
Business Transformation	10,413	10,308	10,173	10,173	10,173
Central Units	9,578	8,703	8,226	8,226	8,226
Finance & Corporate Resources	5,894	5,851	5,851	5,851	5,851
Total SABs	235,172	233,493	232,881	232,881	232,881
Growth for Service Areas					
'Inescapable' growth	0	3,849	7,949	12,023	16,023
Inflation Provision		300	5,580	11,066	16,787
Performance Reward Grant	1,600	2,000	0	0	0
Total provision for growth	1,600	6,149	13,529	23,089	32,810
Other Budgets					
Central Items	43,896	52,100	56,659	60,902	65,411
Area Based Grant - excluding Supporting People	(16,310)	(15,395)	(14,818)	(14,818)	(14,818)
Estimated Performance Reward Grant	(2,000)	(2,000)	0	0	0
Contribution to/(from) Balances	(522)	0	0	0	0
	25,064	34,705	41,841	46,084	50,593
Total Budget Requirement	261,836	274,347	288,251	302,054	316,284
Plus Deficit on the Collection Fund	1,154	1,162	1,162	1,162	1,162
Grand Total	262,990	275,509	289,413	303,216	317,446
Budget Gap at 0%, 2.5% and 5% Council Tax Increase					
Reductions required to achieve council tax increase of 0% in each year		(8,864)	(22,002)	(35,033)	(48,485)
Reductions required to achieve council tax increase of 2.5% in each year		(6,311)	(16,797)	(27,066)	(37,644)
Reductions required to achieve council tax increase of 5.0% in each year		(3,750)	(11,444)	(18,676)	(25,959)

FINANCIAL FORECAST 2010/11 - 2013/14

	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000
Grant Calculation for Future Years					
Formula Grant					
1.75% 2009/10, 1.5% 2010/11, 0% in 2011/12 and 2012/13 (2009/10 to 2010/11 based on three year settlement announced in Jan 2008 - 2011/12 and 2012/13 are estimates)	162,095	164,489	164,489	164,489	164,489
Council Tax Calculation for Future					
Brent Council Tax Requirement 95,279 in 2009/10, 96,470 in 2010/11 and 0.75% increase in subsequent years	1,058.94	1,058.94	1,058.94	1,058.94	1,058.94
% Increase in Brent part of CT	2.5%	0.0%	0.0%	0.0%	0.0%
Balances					
Balances Brought Forward	8,054	7,532	7,532	7,532	7,532
Underspends/(Overspends)	0	0	0	0	0
Contribution to/Use of Balances	(522)	0	0	0	0
Balances Carried Forward	7,532	7,532	7,532	7,532	7,532

ANALYSIS OF CENTRAL ITEMS 2010/11 -2013/14

	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000
Coroners Courts	213	218	223	228
LGA	71	72	74	76
London Councils	208	213	218	223
LGIU Subscription	21	21	22	23
West London Alliance	30	30	30	30
Park Royal Partnership	25	25	25	25
Copyright Licensing	19	21	23	25
External Audit	490	505	520	535
Corporate Insurance	320	340	360	380
Capital Financing Charges	26,196	26,943	27,930	29,153
Net Interest Receipts	(1,703)	(1,789)	(1,876)	(1,964)
Levies	12,219	14,430	16,702	19,002
Premature Retirement Compensation	5,442	5,552	5,662	5,772
Middlesex House/Lancelot Road	526	565	607	652
Remuneration Strategy	875	875	875	875
South Kilburn Development	1,500	1,500	1,500	1,500
Investment in IT	820	820	820	820
Insurance Fund	1,800	1,800	1,800	1,800
Civic Centre/Property Maintenance	1,668	1,868	2,068	2,268
Neighbourhood Working	850	850	850	850
Freedom Pass Scheme Growth	0	1,533	2,173	2,813
Affordable Housing PFI	1,003	1,159	1,188	1,217
Council Elections	400	0	0	0
Corporate Efficiency Savings	(1,388)	(1,388)	(1,388)	(1,388)
Income Generation Initiatives	(213)	(213)	(213)	(213)
Future of Wembley	350	350	350	350
Capitalisation adjustment	(600)	(600)	(600)	(600)
Building Schools for the Future	500	500	500	500
Positive Activities For Young People	369	369	369	369
Other Items	89	90	90	90
TOTAL	52,100	56,659	60,902	65,411

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INESCAPABLE GROWTH - 2010/11 - 2013/14

Service	Item	2010/11	2011/12	2012/13	2013/14	Comments
		£'000	£'000	£'000	£'000	
Demand led growth						
C&F	Safeguarding & Child Protection	71				Additional full year effects of Child Protection monies agreed in 2009/10
E&C	Parks - Maintenance of facilities installed through the Playbuilder Pathfinder Scheme	35	15	15		This scheme will spend £1.1m on additional, high quality children's play facilities across Brent. Maintaining the quality of the facilities will require a maintenance budget of approximately £55k per annum and the appointment of an additional qualified playground inspector to ensure that the facilities remain safe and attractive (£35k). The requirement is from September 2009 and will reach its full extent in 2012/13 so growth is phased. £25k was agreed in 2009/10
E&C	StreetCare - Street Lighting PFI Additional Lighting	20	20	20		Maintenance costs in the StreetLighting PFI continue to increase with new traffic and parking schemes increasing the stock of illuminated signs and bollards. This allows for an average level of increase.
E&C	Town Centre CCTV.	15	15	15		The capital programme includes £135k per year to be spent on new CCTV installation. Revenue operating , maintenance and replacement costs are needed for the new cameras to be viable.
H&CC	Temporary Accommodation	687				Transitional arrangements for the new Temporary Accommodation Subsidy scheme for 2010-11.
H&CC	Middlesex House and Lancelot Road	248	25	24		General Fund costs as properties fall out of the HRA, in line with agreed Middlesex House financial model
Total demand led growth		1,076	75	74	0	
Price led growth						
Total price led growth		0	0	0	0	
Loss of income						
E&C	Land Charges	300				Unless substantial and early recovery in housing market takes place there will be a significant income shortfall for land charges. If the legal challenges prevent the Council charging for much information this could amount to whole land charge income budget. Currently a provision of £200k through the performance reward grant is provided in the 2010/11 budget to meet any shortfall.
H&CC	HRA/General Fund Recharges	400	25			Impact of potential stock transfer at South Kilburn involving 1,534 dwellings.
F&CR	Housing Benefit Administration Grant	262				Department of Works and Pensions are now reducing the grant nationally by 5% from 2010/11
Total growth due to loss of income		962	25	0	0	
GRAND TOTAL - DEMAND, PRICE AND LOSS OF INCOME LED GROWTH		2,038	100	74	0	

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NEW GROWTH PRESSURES - 2010/11 - 2013/14

Service	Item	Comments
	Demand led growth	
C&F	Children with Disabilities	The Children and Disability Services has had budget pressures for a number of years. The cost has increased with the complexity of support needed by some children as well as the number of children who are supported. The number of children needing one to one support has put pressure on existing respite centres to care for them and stay within budgetary constraints. In the medium term it is planned to change the provision of respite from specialist centres to provision within the borough's special schools to reduce the cost of respite provision.
C&F	Social Care Placements	The social care purchasing budget has been under pressure for a number of years and has been subject to an invest to save scheme since 2007. In this time, real terms costs of the placements has reduced by £1.6m since 2005/06. However, at the instigation of the invest to save placements were overspending by £2m. The saving made by social care has never managed to bring the placement cost down to the budgeted level for a number of reasons. The service has experienced a 24% increase in referrals, 57% in child protection investigations and 40% increase in child protection plans. The original invest to save scheme did not take into account the increase in adoptions, special guardianship orders and residence orders. The in-house fostering service has not delivered the increase in in-house carers necessary to reduce IFAs and the service is currently being reviewed in an effort to increase the numbers from 75 back up to 95 though recruitment is a lengthy process.
C&F	Housing and Support Services - 16 & 17 year olds - Southwark Ruling	The ruling confirmed the Government's view that a homeless child is 'in need' and falls under the Children's Act 1989 and is eligible for the full range of support from a local authority's children's service. To date homeless 16 and 17 year olds have been provided accommodation by Housing. The Housing Department estimate that this amounts to 40 children entering the system each year. This would equate to an additional 60-65 children in care each year as most children will stay for over a year. This will lead to additional placement, staffing and care leaver costs. From November Housing will be referring all such cases to children's social care.
E&C	Streetcare	No inflation has been assumed in the 2010/11 estimates. A number of contracts are indexed according to various different bases including RPI-X which is currently 1.4% and rising. This includes the waste, streetlighting PFI and arboricultural services contracts. There are also pressures from the need to provide additional rounds to collect organic waste for 6 months of the year and more resources are required for the collection of clinical waste. There are additional costs for CCTV for contract monitoring, line rental and maintenance. The energy costs for extra illuminated street furniture will also need to be funded.
H&CC	Learning Disability Transitions from Children and Families	The responsibility for paying the cost of care transfers each year on 1st August for all young people aged 19. The majority of transfers relate to learning disabilities and will need residential, homecare, respite and day care services. Adult Social Care also experience demand from the community from young people not currently receiving a service. The main pressure for 2010/11 relates to residential care where the number of young people and cost of their care packages are much higher than recent transitions. This pressure is net of transfers out and assumed savings.

NEW GROWTH PRESSURES - 2010/11 - 2013/14

Service	Item	Comments
	Demand led growth	
F&CR	Housing Benefits Deficit	The majority of housing benefit costs are covered by government grant however a proportion relating to overpayments is not fully funded. The overall costs of housing benefits are estimated to rise from £250m in 2008/09 to £300m for 2009/10 and the deficit is likely to rise proportionately. This pressure has already shown itself in 2009/10 and it is likely to continue in 2010/11
	Loss of income	
E&C	Parking Account	It is forecast that the current loss of income from PCN income, parking permit income and income from removals will continue into 2010/11

PRIORITY GROWTH FUNDED BY REWARD GRANT 2009/10 - 2011/12

Service	Item	2009/10	2010/11	2011/12	Comments
		£'000	£'000	£'000	
	Growth Funded by Performance Reward Grant				
Central	The Local Area Agreement (LAA) team	209	209	209	The Local Area Agreement team is currently funded from performance reward grant received as a result of stretch targets in the first round of Local Public Sector Agreements. Funding at this level is needed for three years if the Council is to support the Local Strategic Partnership (LSP) and LAA2 process.
Central	Domestic Violence Prevention Programme	71	71	71	The 'Domestic Violence' project has been funded as a stretch target through the use of reward grants. It has been very successful in reducing domestic violence incidents. As well as contributing to the reduction of serious violence priority and more generally health and wellbeing outcomes, domestic violence is one of the main reasons that children become 'Looked After'. Research shows that in care, life outcomes are less positive. The monies allocated contribute to an advocacy service based at Kilburn Police Station, providing advice and support to females subjected to domestic violence. Providing this service as part of the 'criminal justice' process, places less burden on the police, who are able to devote more time to delivering high quality investigations.
Central	Volunteering Programme	60	60	60	Volunteering work has previously been funded as a stretch target through the use of reward grants. The 'Volunteering' project has been very successful and has enabled the Volunteer Centre to attract an additional £578,000 from various sources for work from 2007-2011. Work with young volunteers aged 16-25 years and a supported volunteering project helps them to address some of the inequalities faced by certain groups, who find it harder to access volunteer opportunities. Equal access is important, as volunteering is known to help people with confidence and self-esteem, as well as providing valuable skills and experience which can help with finding paid work.
Central	Income Maximisation	90	90	90	There has been support from partners for a proposal for the Council to co-ordinate a programme of income maximisation across Brent - involving mapping services to enable people to maximise benefits. This would be funded for three years
C&F	Extended Schools Set-up Cost	116	0	0	Funding to be provided for extended schools set-up costs to replace growth in Area Based Grant allocation which has been used to help fund growth in child protection costs. The Director of Children and Families is identifying funding from other sources to make this up to £200k. The intention is that this funding will be match funded by the 5 Extended Schools Locality Boards.
E&C	Sports Development for disabled children and diversionary activities for children at risk of getting involved in crime.	287	287	287	Within the Sports Development Team there are currently 2 full-time and 1 part-time Sports Development Officers (SDOs) posts funded by the LAA. These posts were introduced to focus on key priorities within LAA1; increasing adult participation in sport/physical activity, increasing sports participation by disabled children/young people and creating diversionary activities from crime for young people. Research shows that if people take part in regular sport as a child this will follow through into adult lifestyle. Brent has one of the lowest adult sports participation rates in London with over 56% taking part in no sports or physical activity on a regular basis and one way of tackling this is by encouraging young people to be active. There will be also initiatives aimed at low participation groups including the healthy walks programme in parks in Brent. The total budget for this work is £287K for 2009/10. This breaks down as follows: Adult participation £ 84K; Disabled young people £ 50K; Diversionary activities £153K. Funding will be available for three years.

PRIORITY GROWTH FUNDED BY REWARD GRANT 2009/10 - 2011/12

Service	Item				Comments
		2009/10	2010/11	2011/12	
		£'000	£'000	£'000	
E&C	Directorate - Sustainability Green Zones	90	90	90	This allows the development of green zone 'nodes' around streets, parks, town centres and faith centres. It aims to engage and support residents to provide "resident to resident" support for changing behaviours to more sustainable ones. This will allow a dedicated member of staff, the involvement of Groundwork and £20k for incentives, materials, training and other expenses.
E&C	Directorate - Climate Change, NI 185 and NI 186	155	155	155	The NI185 indicator measures progress by local authorities in reducing carbon dioxide emissions arising from buildings and transport and includes schools and contractors. The NI188 indicator measures progress in adapting to and helping its community adapt to climate change through working with major organisations both public and private organisations and with local groups. NI 185 and NI 188 are indicators targeted for improvement in the Local Area Agreement. These monies will support a team of 3 staff costing £125k and £30k of monies for promotional work and events. This programme may potentially be increased by seeking funding from schools to support an additional energy advisor post. This will be taken to the schools forum.
E&C	Libraries - Book Stock	100	0	0	An investment of an additional £100k in 2009/10 in the stock budget will improve borrowing performance and visits to libraries by making the stock available in libraries more attractive.
E&C	Publicity for recycling	60	0	0	In order to maximise the quantity of targeted materials collected and aim to reach higher participation rates in all recycling schemes, a further advertising campaign is planned for 2009/10
E&C	Directorate - Loss of land charges income (For 2009/10 £400k included in Environment & Culture's budget)	400	200	0	The downturn in the housing market is seriously affecting the number of local land searches processed. The estimated income shortfall for 2009/10 is at least £400k and final figure may turn out to be higher. The central team responding to search requests is very small and there is no scope for reducing costs to match the income loss.
H&CC	Private Housing Services	50	83	83	Demand for Disabled Facilities Grants recently has increased significantly. Budget growth of £83k is required to address this in a full year, with the provision of two additional surveyors.
H&CC	Advice Agencies	22	0	0	To provide additional resources to meet anticipated increased demand arising from the current economic conditions
	Total Growth Items Spend	1,710	1,245	1,045	
Central Item	Contribution to/from Performance Reward Grant Reserve	290	755	-1,045	
	Total Growth Items Funded by Performance Reward Grant	2,000	2,000	0	
	Performance Reward Grant	-2,000	-2000	0	An estimated £4m of revenue performance reward grant will be available over 2009/10 and 2010/11. Some of these monies will be transferred into a reserve to enable the funding of schemes to continue into 2011/12.

CAPITAL PROGRAMME 2010/11 TO 2013/14

General Fund

Programme Details	2010/11 Capital Programme £000	2011/12 Capital Programme £000	2012/13 Capital Programme £000	2013/14 Capital Programme £000
RESOURCES: GENERAL FUND				
Capital Grants and other contributions				
Government Grant - SCE (C)	(311)	(2,820)	(2,820)	(2,820)
Primary Capital Programme	(7,033)	0	0	0
Building Schools for the Future				
Devolved Formula Capital	(4,615)	(4,615)	(4,615)	(4,615)
Other External Grant	(28,596)	(10,303)	(9,036)	(9,036)
Capital Receipts in Year - Right to Buy Properties	(400)	(500)	(600)	(700)
Corporate Property Disposals	(2,300)	(3,300)	(3,630)	(4,000)
Other Receipts	(200)	(200)	(200)	(200)
Capital Funding Account				
Additional Contributions				
S106 Funding	(9,591)	(5,905)	(5,080)	0
Borrowing				
Supported Borrowing - SCE (R)	(4,581)	(4,600)	(4,600)	(4,600)
Unsupported Borrowing	(8,939)	(4,382)	(4,628)	(4,628)
Unsupported Borrowing - School Loan Scheme				
Unsupported Borrowing (Self Funded)	(15,900)	0	0	0
Invest to Save Schemes				
External Grant Funding				
Unsupported Borrowing (Self Funded)	(250)	0	0	0
Total Resources	(82,716)	(36,625)	(35,209)	(30,599)
EXPENDITURE: GENERAL FUND				
Children & Families				
School Schemes	19,603	3,741	5,488	4,141
Non-School Schemes	481	0	0	0
Ringfenced Grant Notifications	935	935	935	935
Childrens Centre Sure Start Grant	720	0	0	0
LEA Controlled Voluntary Aided Programme	484	1,531	1,531	1,531
Extended Schools	508	508	508	508
Devolved Formula Capital	3,333	3,333	3,333	3,333
Voluntary Aided Devolved Formula Grant	1,282	1,282	1,282	1,282
Co-Location Capital Grant	708	0	0	0
Playbuilder Capital Grant	417	0	0	0
Myplace Grant (Big Lottery Fund) - Roundwood Youth Centre	2,489	1,267	0	0
Additional S106 Works	4,935	2,417	2,416	0
Total Children & Families	35,895	15,014	15,493	11,730
Environment & Culture				
TfL Grant Funded Schemes	4,500	4,500	4,500	4,500
Leisure & Sports Schemes	535	535	535	535
Environmental Initiative Schemes	135	135	135	135
Highways Schemes	4,100	2,920	2,920	3,550
Parks & Cemeteries Schemes	330	80	80	165
Library Schemes	522	0	0	0
S106 Works	4,213	2,396	1,375	0
Total Environment & Culture	14,335	10,566	9,545	8,885
Housing & Community Care: Adults				
Ringfenced Grant Notifications for Adult Care	405	0	0	0
Total Housing & Community Care: Adults	405	0	0	0
Housing and Community Care: Housing				
PSRSG and DFG council	5,162	5,162	5,162	5,162
New Units	0	0	0	0
S106 Works	443	573	769	0
Total Housing & Community Care: Housing	5,605	5,735	5,931	5,162
Business Transformation Unit				
Customer Services Schemes	0	0	0	0
Individual Schemes	15,900	0	0	0
Total Business Transformation Unit	15,900	0	0	0
Corporate				
ICT Schemes	0	0	0	0
PRU Schemes	2,569	1,000	1,000	1,000
Property Schemes	1,802	1,720	1,720	1,720
Central Items	7,705	1,090	1,520	790
S106 Works	0	0	0	0
Total Corporate	12,076	3,810	4,240	3,510
Total Service Expenditure	84,216	35,125	35,209	29,287
(Surplus)/Deficit carried forward	1,500	(1,500)	0	(1,312)

CAPITAL PROGRAMME 2010/11 TO 2013/14

Housing Revenue Account

Programme Details	2010/11 Capital Programme £000	2011/12 Capital Programme £000	2012/13 Capital Programme £000	2013/14 Capital Programme £000
RESOURCES: HOUSING REVENUE ACCOUNT				
Supported Borrowing				
Central Government - SCE (R)	0	0	0	0
Capital Grant	0	0	0	0
Contributions	(8,684)	(8,684)	(8,684)	(8,684)
Unsupported Borrowing	(600)	(600)	(600)	(600)
Total Resources	(9,284)	(9,284)	(9,284)	(9,284)
EXPENDITURE: HOUSING REVENUE ACCOUNT				
Housing Revenue Account				
Disabled Facilities Works (Unsupported Borrowing)	600	600	600	600
Major Repairs Allowance Works	7,000	7,000	7,000	7,000
Main Programme RCCO (HRA)	1,684	1,684	1,684	1,684
Total Expenditure	9,284	9,284	9,284	9,284
(Surplus)/Deficit	0	0	0	0

CAPITAL PROGRAMME 2010/11 TO 2013/14

Total Summary Position

Programme Details	2010/11 Capital Programme £000	2011/12 Capital Programme £000	2012/13 Capital Programme £000	2013/14 Capital Programme £000
RESOURCES				
General Fund	(82,716)	(36,625)	(35,209)	(30,599)
Housing Revenue Account	(9,284)	(9,284)	(9,284)	(9,284)
Total Resources	(92,000)	(45,909)	(44,493)	(39,883)
EXPENDITURE:				
General Fund	84,216	35,125	35,209	29,287
Housing Revenue Account	9,284	9,284	9,284	9,284
Total Expenditure	93,500	44,409	44,493	38,571
Surplus carried forward	1,500	(1,500)	0	(1,312)

SERVICE AND BUDGET PLANNING TIMETABLE FOR 2010/11

Date	Action
Early August	Initial service planning and budget guidance issued
August/ September	Work on formulating draft budgets
August/ September	First stage budget meetings between F&CR and service areas
15 September	Report to Executive on Performance and Finance Review 2009/10 – 1 st Quarter
October	Second stage budget meetings between F&CR and service areas
October	Final service planning guidance issued.
14-15 October	Second service and budget planning away-days - issues to be considered as part of First Reading debate
October/ November	Continue to develop proposals for achieving 4 year budget targets
Mid-November	Service areas and units begin process of developing service plans
11 November	Budget Panel receives and discusses 1 st reading debate papers
23 November	Full Council. First reading of Policy Framework and Budget
Early December	'Star chamber' meetings
9 December	Schools Forum meets to agree in principle funding formula and budget issues
9 December	Report to Executive on Performance and Finance Review 2009/10 – 2 nd Quarter
10 December	Release of the Mayor's consultation draft GLA budget
14 December	Executive sets Collection Fund Surplus/Deficit
Mid December	Confirmation of 2010/11 funding from central government
December/ January	Budget Panel collects evidence
Up to January	Consultation with residents, businesses, voluntary sector, partner agencies and trade unions on budget proposals.
10 January	Budget Panel collects evidence and discusses 1 st interim report
18 January	Executive reviews budget position and sets Collection Fund surplus/deficit
26 January	General Purposes Committee agrees Council Tax base
27 January	Greater London Assembly considers draft consolidated GLA budget
End of January	Members agree budget proposals to be presented to February Executive.

SERVICE AND BUDGET PLANNING TIMETABLE FOR 2010/11

Date	Action
Early February	Schools Forum meets to agree the recommended Schools Budget
10 February	Budget Panel receives budget proposals prior to the Executive. Discusses second interim report.
10 February	Greater London Assembly's final consideration of consolidated budget.
15 February	Executive considers and announces administration's final budget proposals, agrees fees and charges for the following year and agrees savings/budget reductions for the HRA budget report as well as the overall average rent increase.
Late February	Budget Panel receives the outcome of Executive's budget report and agrees a final report
1 March	Full Council agrees budget
March	Service areas return completed budget book papers
Late March	Service plans and corporate budget book published