



Brent

SUMMONS TO ATTEND COUNCIL MEETING

Monday 21 November 2016 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

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.

CAROLYN DOWNS
Chief Executive

Dated: Monday 14 November 2016

For further information contact: Thomas Cattermole, Head of Executive and Member Services on 020 8937 5446 or via email: thomas.cattermole@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: democracy.brent.gov.uk

The press and public are welcome to attend this meeting
Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Agenda

Apologies for absence.

1 Minutes of the Previous Meeting

1 - 18

To confirm as a correct record, the attached minutes of the meeting of the full Council, held on 19 September 2016.

2 Declarations of Interests

In accordance with the Members' Code of Conduct, Members are invited to declare at this stage of the meeting, any relevant personal, prejudicial or disclosable pecuniary interests, and the nature of these, in any matter to be considered at this meeting.

3 Mayor's Announcements (including any petitions received)

To receive announcements from the Mayor.

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

To agree appointments to Committees (tabled), in accordance with Standing Order 37(g).

5 Debate on the Key Issues Affecting the Borough

To have a debate on the key issues affecting the Borough, in accordance with Standing Order 43.

The Council will receive a presentation from Dan Gascoyne, Director of the West London Alliance.

6 Reports from the Leader and Cabinet

To receive reports from the Leader and Cabinet in accordance with Standing Order 38.

7 Deputations (if any)

To hear any deputations received from members of the public in accordance with Standing Order 39.

8 Questions from Members of the Public

There are no questions from members of the public to be put to Members of the Cabinet, in accordance with Standing Order 39A.

9 Changes to the Constitution 19 - 28

To receive the attached report from the Chief Legal Officer.

10 2016-17 Mid-Year Treasury Report 29 - 36

To receive the attached report from the Chief Finance Officer.

11 Brent Development Management Policies - Local Plan Adoption 37 - 42

To receive the attached report from the Strategic Director for Regeneration and Environment.

12 Petitions

There are no petitions for debate in accordance with the Council's petition rules and Standing Order 68.

13 Non Cabinet Members' Debate

To debate an issue raised in accordance with Standing Order 39B and to receive reports from Cabinet Members in issues previously raised.

14 Questions from the Opposition and other Non-Cabinet Members 43 - 56

Questions to be put to members of the Cabinet in accordance with Standing Order 40.

15 Report from Chairs of Scrutiny Committees 57 - 76

To receive reports in accordance with Standing Order 41.

16 Motions 77 - 80

To debate the motions submitted in accordance with Standing Order 45.

17 Urgent Business

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



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.



LONDON BOROUGH OF BRENT
Minutes of the ORDINARY MEETING OF THE COUNCIL
held on Monday 19 September 2016 at 7.00 pm

PRESENT:

The Worshipful the Mayor
Councillor Parvez Ahmed

The Deputy Mayor
Councillor Bhagwanji Chohan

COUNCILLORS:

Aden	Agha
Allie	Bradley
Butt	Carr
Chan	S Choudhary
A Choudry	Colacicco
Collier	Colwill
Conneely	Crane
Daly	Denselow
Eniola	Ezeajughi
Farah	Harrison
Hector	Hirani
Hossain	Jones
Kabir	Kansagra
Kelcher	Khan
Long	Mahmood
Marquis	Mashari
McLeish	McLennan
Miller	Moher
W Mitchell Murray	Naheerathan
Nerva	M Patel
RS Patel	Pavey
Perrin	Shahzad
Ms Shaw	Ketan Sheth
Krupa Sheth	Southwood
Stopp	Tatler
Thomas	Van Kalwala
Warren	

Apologies for Absence

Apologies were received from: Councillors Davidson, Hylton and Maurice and from Councillor Stopp for lateness.

1. **Minutes of the Previous Meeting**

RESOLVED, that the minutes of the previous meeting, held on Monday 11 July 2016, be approved as an accurate record of the meeting, subject to the following amendments:

- (i) Minute No.4 (Appointments to Committees and Outside Bodies and Appointment of Chairs and Vice-Chairs).

That, at Line 1 to Resolution (i) therein, the word “Person” be deleted and replaced with “Member” to reflect the appointment of Dr Robert Cawley as Independent Member to the Council’s Standards Committee; and

- (ii) That Councillor Allie be recorded as having left the meeting of 11 July 2016, early.

2. **Suspension of Standing Orders**

In accordance with Standing Order 2 (Suspension of Standing Orders), Councillor Warren moved that Council suspend Standing Orders to consider a matter of urgent business Councillor Warren had asked be considered at this meeting.

For clarity, the Chief Executive asked that all Members be made aware as to what the matter in question was before Council could determine whether or not to suspend Standing Orders.

In response, Councillor Warren stated that Cabinet had decided to delegate to Councillor Butt and the Chief Executive, the decision to agree that the Revenue Support Grant be fixed for the next four years and that in addition to that, an efficiency plan be agreed.

Councillor Warren stated that he accepted that the decision had been made by Cabinet and that decision was final but felt that Members should be aware of the significance of that decision, which was binding upon the next Administration, and also felt that Members would want to see what was included in any efficiency plan.

Councillor Warren said that 14 October 2016 was the date by which a decision had to be arrived at and the Department for Communities and Local Government (DCLG) to be notified of that decision. He added that the urgent item he had asked to be considered was for an Extraordinary Meeting of the Council to be convened on 13 October 2016 to discuss the content or whatever decision the Leader of the Council and Chief Executive had made. In conclusion, Councillor Warren said that this was a significant interest from the Council’s point of view and since it was part of the Budget process, should be discussed.

In response, Councillor McLennan, Deputy Leader, stated that the decision to offer the fixed, four-year rate had been agreed last year by DCLG and that the Council had agreed that it would wait until after the referendum as there was an area of uncertainty as to what the impact would be. Councillor McLennan went on to say

that now the Referendum had been held most, if not all London Councils, had agreed to the four-year rate since it was the only matter at the present time where the Council could say with any certainty that there was guaranteed income coming in.

Councillor McLennan said that Officers had been informed that out of all the London Councils, none had rejected it and, in terms of how it had been agreed, most Councils Cabinets had taken the decision. She said that one or two London Councils had taken the matter to Full Council and that little or no discussion had taken place. She added that Cabinet taking the decision was the right action to take. Councillor McLennan said that the Cabinet decision on the offer made had been taken last year.

In conclusion, in respect of any efficiency plan, Councillor McLennan stated that, in line with transparency, she was happy for Members to see budget proposals prior to consultation.

On a vote being taken by a show of hands, three Members voted for the motion and no Members abstained from the vote. The Mayor confirmed that all other Members present voted against the motion which, accordingly, was declared **LOST**.

3. Declarations of Interests

There were no declarations of interest received from Members.

3. Mayor's Announcements (including any petitions received)

The Mayor made the following announcements:

(i) The Mayors' Charities

The Mayor said that Members would have been aware that he had had a busy summer working to raise money for his three charities. The Mayor thanked Members for their support.

Since the last meeting of Full Council, the Mayor had held the first of his fundraising events. He said it was a magnificent event with over 400 guests in attendance and he thanked all the Members of his Charity Committee who had made the event such a success.

The Mayor advised Council that his next two fundraising events were planned for 15 December 2016 and 16 March 2017 and he encouraged all Members to support both events in any way they could.

(ii) Civic Reception

The Mayor was delighted to announce that, on 29 September 2016, he would be holding his Civic Reception at Crest Academy in his Ward and that all Members were warmly invited to attend.

(iii) Nice, France

The Mayor said that recent events in New York reminded us how fragile the society we lived in was. He said that whilst Members were raising money in Brent on 14 July 2016, the tragic events in Nice had unfolded. The Mayor said that the Council's thoughts and prayers were with the victims of these barbaric acts.

(iv) Zee London Mela

The Mayor was delighted, along with the Leader of the Council, to have welcomed the Zee London Mela in Wembley last month. Despite the weather, he said that Wembley had come alive with a mixture of cultures, food and music and he expressed the Council's thanks to The Mayor of London who graced the event with his presence.

The Mayor said that, hopefully, the Council would see the Mela return to Brent next year.

(v) Kingsbury Synagogue 80th Anniversary Event

The Mayor said he had been honoured to attend the Kingsbury Synagogue 80th Anniversary Event recently.

(vi) Pakistani Independence Day

The Mayor thanked the Councillors who had organised the successful Pakistani Independence Day Celebration held recently at the Civic Centre.

(vii) Community Festivals

The Mayor announced that a number of fantastic community festivals had taken place since the Council last met:

- The Harlesden Community Festival;
- The Willesden Temple 41st Anniversary Celebrations;
- The Cricklewood Festival;
- The outreach event for Romanian communities delivered by the East European Resource Centre.

(viii) A-Level and GCSE Attainment

The Mayor was delighted to announce that Brent's A-Level and GCSE attainment had improved again this year. He said that the young people were a credit to the Borough and he congratulated them on the hard work they had put in over the past year.

The Mayor also extended his thanks to Brent's many dedicated teachers, staff and governors who had worked tirelessly to help the Borough's young people reach their full potential.

(ix) Coffee Morning for MacMillan Cancer Support

The Mayor encouraged all Members to come to the Civic Centre from 9.30am to 12.30pm on Friday 30 September 2016 to join the Coffee Morning to raise money for Macmillan Cancer Support.

He said that, as well as the traditional bake sale, this year would also feature an international stall selling different treats from around the world.

(x) Councillor Denselow

The Mayor offered his congratulations to Councillor Denselow who had recently completed yet another marathon, in just three hours and 45 minutes, in support of the Mayhew Animal Home.

(xi) Rosh Hashanah, Eid and Diwali

The Mayor passed on his best wishes to colleagues, staff and residents who were celebrating Rosh Hashanah and also to those that had celebrated Eid recently.

The Mayor extended a Happy Diwali to everyone who would be celebrating Diwali soon.

(xii) Fiona Alderman, Chief Legal Officer

The Mayor invited Members to join him in saying farewell to the Council's departing Chief Legal Officer, Fiona Alderman. He said that Fiona had joined Brent 12 years ago from Redbridge as Principal Lawyer and was soon to leave Brent and return to Redbridge as Head of Legal and Constitutional Services. On behalf of Members past and present, the Mayor thanked Fiona for her professionalism and good humour and wished her well in Redbridge.

In conclusion, the Mayor stated that, in accordance with Standing Order 68(f), a list of current petitions showing progress to date, had been circulated to all Members.

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

RESOLVED, that the following appointments to committees be ratified by the Council:

(i) Wellbeing and Scrutiny Committee

The resignation by Payam Tamiz (Al-Khoei Foundation) as co-opted Member of the Council's Community and Wellbeing Scrutiny Committee and the appointment by the Foundation of Siddika Gulamhusein as replacement Member on the Committee, be noted; and

(ii) Standards Committee

Dr Robert Cawley be appointed as Independent Member to the Council's Standards Committee (Minute No.1 (i) above refers).

5. **Reports from the Leader and Cabinet**

In accordance with Standing Order 38, the Council received reports from the Leader of the Council and Cabinet Members, as follows:

(i) Councillor Butt (Leader of the Council)

(a) Syrian Refugees

Councillor Butt spoke on the recent plight of Syrian refugees and how Brent was working with partners to ensure their safe transition to Brent. He added that other London Councils and the LGA had visited Calais to see at first hand, the extent of the situation and that they had returned with renewed vigour to help individuals affected. He went on to say that, in Brent, the Council had been working with UK London Citizens, the Inter Faiths' Centre and Crest Academy in an attempt to set up a network of support to any Syrian refugees moving to Brent.

(b) Streets and Heritage

Councillor Butt said that the Council had recently been contacted by the National Lottery Heritage Fund asking how it could work with the Council in providing allocated funding to improve streets and areas of heritage within the Borough.

(c) Bobby Thomas

Councillor Butt extended his thanks to Bobby Thomas who had organised the recent Harlesden Festival, which made sure that the Council had resilient communities that it was supporting and working with.

(ii) Councillor Pavey (Cabinet Member for Stronger Communities)

"Time to Talk" Event

Councillor Pavey took the opportunity to invite all Members and residents to attend the latest of the Council's "Time to Talk" events, which was scheduled to be held on the evening of 3 October 2016. Councillor Pavey said that Time to Talk was all about engaging with the community to try and find grass root solutions to the really difficult problems faced and that, following the success of the Council's most recent event on hate crime, the next event would focus on extremism.

Councillor Pavey went on to say that this was an important issue and one the Council wanted to address openly, sensibly and constructively. In

conclusion, Councillor Pavey encouraged everyone with an interest in this area to come along and get involved.

(iii) Councillor Southwood (Cabinet Member for Environment)

(a) Illegal Dumping and Antisocial Behaviour

Councillor Southwood said that Members and residents shared her frustration at the number of hotspots the Council had across the Borough where not only was illegal dumping very common but where there was a link to antisocial behaviour.

Councillor Southwood sought to advise Members that the Council was taking a much more joined-up approach to some of these areas and that this was beginning to yield results. She added that, more importantly, the Council had to work more closely with the community and similar with the model pioneered by the Keep Wembley Tidy Group and she thanked the Group for helping the Council to get better at working in partnership.

(b) Brent Transport Service

Councillor Southwood said that many Members and residents may not have been familiar with the Brent Transport Service, which transported the Borough's young people who attended special schools across Brent, as well as some of the Borough's adults who required its support to attend services they used.

Councillor Southwood went on to say that the Council's fleet was old and that the service was becoming unsustainable. She added that the Council was now working in partnership with Harrow and had launched a transport help which she felt was really exciting and had many opportunities for the future. In conclusion, Councillor Southwood said that this could not only sustain the service but improve it.

(iv) Councillor Mashari (Cabinet Member for Regeneration, Growth, Employment and Skills)

(a) Head of Planning, Transport and Licensing

Councillor Mashari informed Members of the appointment of Alice Lester, the Council's new Head of Planning, Transport and Licensing, with effect from 17 October 2016. She said that Ms Lester, a resident of Brent, brought with her, experience of working with three London Boroughs and the Planning Advisory Service, which was a national organisation that provided help with a range of experience and skills needed for this very important position.

(b) West London Economic Prosperity Board

Councillor Mashari advised Council that the Board was scheduled to meet on Wednesday 21 September 2016 and that she would be working with her counterparts across West London to help provide support and

confidence to businesses that faced the uncertainty that had been created by Brexit and also to the large number of European Union citizens who were valued employees and residents across Brent and other West London Boroughs.

(c) Ashford Place

Councillor Mashari extended her congratulations to Ashford Place, which had become the Council's latest living wage accredited employer in Brent and which took the total number of accredited employers to over 30 within the Borough.

(v) Councillor McLennan (Deputy Leader of the Council)

(a) Draft Budget

Councillor McLennan advised Council that the Administration was due to publish its draft Budget and that it would be seeking authority from Cabinet on 24 October 2016, to undertake consultation on it. She said that once Cabinet's authority to consult had been approved, all Members would have an opportunity to review the proposals and to allow the Opposition to formulate an alternative budget should it wish to do so.

(b) Revenue Support Grant (RSG)

Councillor McLennan said that she wanted the Council to fix the RSG for four years as it gave a level of certainty and clarity that was required.

(vi) Councillor W Mitchell Murray (Cabinet Member for Children and Young People)

Councillor Mitchell Murray echoed the Mayor's congratulations to all of Brent's students, for doing as well as they had, and to the teaching and support staff and parents who had helped their children achieve the grades that they had.

Councillor Mitchell Murray was pleased to advise Council that this year's results for Brent's children had showed that the Borough was delivering higher than the national average results for Brent's pupils across all key stages. Additionally, Councillor Mitchell Murray highlighted the following points:

- (i) Brent had achieved a significant closing of the gap in the Early Years Foundations Stage and that, for the first time here in Brent, the Borough had no primary schools below the Government's targets;
- (ii) In contrast with other areas in the Country who had seen a decline in their GCSE results, Brent's continued to improve with the proportion of the Borough's students achieving five GCSEs Grades A to C (including English and Maths) this year, had increased by three percentage points to 63%.

(iii) The Council had already learnt from its schools' feedback this summer that more of the Borough's A-level students had been successful in gaining entry into the Russell Brookes Society. The Council had seen an increase too in the numbers of A-level examinations in Brent, with an increased pass rate of 99% as opposed to 97% last year. Councillor Murray said she would not be satisfied until the Council got nearer to a 100% pass rate.

(iv) Congratulations also to all of the Borough's Looked after Children, who also attended their exams.

(vii) Councillor Hirani (Cabinet Member for Community Wellbeing)

(a) Health Visiting a School Nursing Service

Councillor Hirani said that work was underway to develop the "Health Visiting a School Nursing Service" in order that the Council had a 0-19 offer. Councillor Hirani said that this was a new way of looking to deliver services so that more parents could access that support as new families and also that the Council had a service, which stretched onto other areas, and that people who did have a visit from a NHS professional took that opportunity to look at other issues such as housing so that such an opportunity was not missed.

(b) My Heart Beats with Brent

Councillor Hirani was delighted to announce the launch of "My Heart Beats with Brent", in conjunction with Tottenham Hotspur FC, which encouraged Brent residents to take part in 30 minutes of physical activity or exercise every day, and he encouraged Members to take part in the scheme.

(c) Sustainable Transformation Plans (STP)

Councillor Hirani said that NHS England had developed national footprints across the Country where they were expecting local areas to deliver plans and services to their local population. In Brent, he said he wanted to turn this process around in order that the Council looked at what the needs of the Borough were and that these were presented to the STP to reflect the ways in which residents would like to see the Council's services run. Councillor Hirani added that, in order to do this, a public event was being hosted by Brent at 6.30pm on Monday 26 September 2016, to which he encouraged Members, and their residents to come along to, to ensure a representative view from residents across the Borough. He added that he was working with the Council's Communications Team to take STP out onto the streets of Brent speaking to people and the residents of Brent, on the STP.

(viii) Councillor Farah (Cabinet Member for Housing)

Councillor Farah gave a quick update on Brent's Benefit Cuts Toolkit, which was being launched shortly. He said that, following the lowering of benefits

cuts scheduled for this year, which would affect approximately 1,800 Brent residents who were in receipt of welfare benefit, 200 of these would experience a reduction in their housing benefits for the first time, with 600 experiencing a rise in their current housing benefits.

Councillor Aslam Choudry left the meeting at 7.25pm.

6. **Deputations (if any)**

In accordance with Standing Order 39, there were no deputations received from members of the public.

7. **Questions from Members of the Public**

The Mayor advised Council that six questions had been received by those residents listed below and that, in each case, a written response had been circulated and details of these had been placed before Members.

Council noted that those persons who had submitted Questions 4 and 5 were present at the meeting.

Question 1 from Fahmida Shakhar Khan to Councillor Southwood, Cabinet Member for Environment.

Question 2 from Ramesh Gami to Councillor Southwood, Cabinet Member for Environment.

Question 3 from Chris Dunham to Councillor Southwood, Cabinet Member for Environment.

Question 4 from Elham Farsi to Councillor Farah, Cabinet Member for Housing.

The Mayor welcomed Ms Farsi to the meeting and invited her to put a supplementary question to Councillor Farah.

Ms Farsi stated that she had not been happy with the answer given to her original question and asked for it to be readdressed. In response, Councillor Farah proposed that he meet with Ms Farsi outside of the Council Meeting to take the matter forward.

Question 5 from Ms Jennifer Dowell to Councillor Southwood, Cabinet Member for Environment.

The Mayor welcomed Ms Dowell to the meeting and invited her to put a supplementary question to Councillor Southwood.

Ms Dowell stated that she did not have a supplementary question but that she felt she was being punished for doing a good job within her neighbourhood. In response, Councillor Southwood proposed that she meet with Ms Dowell outside of the Council Meeting to look at ways in which the Council could do more to assist her.

Question 6 from Malik Nasir Khan to Councillor Farah, Cabinet Member for Housing.

8. **Petitions**

In accordance with Standing Order 68, there were no petitions received.

9. **Non-Cabinet Members' Debate**

Non-Cabinet Members discussed the issue of grammar schools.

During the debate, Members expressed concern over the lack of any real evidence to even continue to provide grammar schools and that the introduction of further such schools was a disastrous policy and would not help the brightest children.

Members acknowledged that all children should be given an equal chance particularly as far as education provision was concerned and that the Council and other local authorities which shared the same concerns, should apply pressure to the Government accordingly.

Members were concerned that the Government, in proposing the introduction of further grammar schools, had failed to address current important issues concerning education provision across the Country, including head teacher and teacher retention levels, class size issues, valuing teachers and supporting head teachers in their challenging roles.

During debate, a number of points were raised by Members, including:

- Local authorities should continue to make comprehensive schools better.
- In areas where there were grammar schools, only 20-30% achieved five A to C grades, as opposed to areas without grammar schools.
- Grammar schools provided no social value and actually made nearby schools worse by syphoning out local resources.
- Grammar schools were for children who had been selected at just 11 years, which was too young.
- Education was a birth right and not a privilege

Councillor Sabina Khan left the meeting at 7.54pm.

10. **Questions from the Opposition and other Non-Cabinet Members**

The Mayor advised Members that this item gave them the opportunity to ask questions of Members of the Cabinet on any matter, which was the responsibility of Cabinet. He confirmed that Members had received written tabled responses to these questions.

The Mayor stated that non-Cabinet Members each had one minute to ask a supplementary question if they so wished.

- (i) Councillor Shaw asked the Cabinet Member to inform residents as to who was responsible for sorting out the damage from floods, which had affected residents living in Chamberlain Road and All Souls Avenue NW10?

In response, the Chief Executive advised Council that this question had already been answered in the written tabled responses, which had been circulated previously.

- (ii) Councillor Choudhary asked the Cabinet Member that, since reports in circulation suggested that unemployment would rise next year as a result of Brexit, what action was likely to be taken to challenge those problems.

In response, Councillor Mashari (Cabinet Member for Regeneration, Growth, Employment and Skills) reiterated that there were signs of recruitment contracting significantly since Brexit in the short-term at least. She said that in a snap-poll following Brexit, conducted by the Institute of Directors, figures had suggested that a quarter of firms were temporarily freezing recruitment. Councillor Mashari went on to say that other surveys conducted suggested that six out of nine sectors surveyed were less optimistic about adding jobs in the wake of Brexit.

Councillor Mashari agreed with Councillor Choudhary that there was a great deal of uncertainty and a great lack of confidence at the present time. Councillor Mashari reassured Members that the Council was doing all that it could to reassure businesses, not just in Brent but across West London and in some of the sectors where large numbers of Brent's residents were employed. She said that the West London Economic Prosperity Board was a key driver in this and that she would be working closely with the Chief Executive of West London Business, Angie Dakers, to bring forward proposals across West London to create a hub for businesses to get the information and the confidence they needed and, crucially, would work with the Borough's Eastern European and wider European workforce, which Brent's economy, locally, depended upon. In conclusion, Councillor Mashari reiterated that it was an uncertain time and that there was evidence already that recruitment was contracting in the short-term but that the Council would be working with its partners across West London to instil as much confidence in businesses and employers as it could.

- (iii) Councillor Daly asked the Cabinet Member if Members could be advised of the timetable for the roll-out of additional Police Officers in the remaining wards within the Borough.

In response, Councillor Pavey (Cabinet Member for Safer Communities) advised Members that all wards in Brent would have two dedicated ward officers, by the end of 2017. He said that around half of the Borough's Wards would have these dedicated officers in place by the end of 2016 (Phase 1) with the remainder being in place by the end of 2017 (Phase 2). He went on to say that the rationale behind deciding which wards would receive the support of the dedicated officers first was based upon the issues of deprivation and geographical balance. In conclusion, Councillor Pavey said that Sudbury (for which, Councillor Daly was a Ward Member) would

receive the support via Phase 2 with Barnhill and Queensbury Wards being accommodated during Phase 1.

- (iv) Councillor Long asked the Cabinet Member what the Council could do to help the homeless and prevent homelessness given the illogical and daft policies of this government.

In response, Councillor Farah (Cabinet Member for Housing) said that the proposed Homelessness Protection Bill did not address the issue of housing supply. He said that the Council was doing a lot to help by utilising its Find Your Home strategy in Brent and was very successful. He said that the proposals created more work and brought about more homelessness with no additional resources and therefore Brent would continue to address its own homelessness issues with its own resources.

- (v) Councillor Kelcher asked the Cabinet Member when his residents in Rowanwood could expect to receive the CCTV and litter bin provision agreed as part of the planning permission to create a new skate park there.

In response, Councillor Pavey (Cabinet Member for Safer Communities) congratulated Councillor Kelcher on the work done by his scrutiny committee on CCTV Policy and also his hard work in this particular case. Councillor Pavey said that CCTV was covered by surprisingly strict rules considering it was something most members of the community would welcome on their street corner but in the case mentioned by Councillor Kelcher, he was hopeful that a solution had been found that would enable a camera to be installed in that trouble spot in the not too distant future. He said that this solution would be a credit to his hard work.

Councillor Pavey then took the opportunity to restate the commitment he had given to the Resources and Public Realm Scrutiny Committee. There had, he said, been much discussion about the future of CCTV provision and that Councillor Kelcher had politely, not mentioned the Council in question, which he felt was short-sighted and dangerous. Councillor Pavey was happy to announce that the local authority in question was Westminster Council, which had taken the decision to switch off all of its CCTV and reassured Members that Brent would not be doing this but would hope to make significant investment in improving the Borough's infrastructure in the very near future.

11. **Report from Chairs of Scrutiny Committees**

Council received the following reports from Chairs of Scrutiny Committees, as detailed in the Supplementary Agenda to this meeting:

- (i) **Resources and Public Realm Scrutiny Committee**

Councillor Kelcher, Chair to the Committee, referred to his report which, in accordance with Standing Order 14, provided a summary of the activities that had been carried out by the Council's Resources and Public Realm Scrutiny Committee. The report covered the period from 18 May 2016 to the present

day and gave details of the Committee's planned training, programme of work and items discussed during the committee meetings.

Councillor Kelcher stated that, at the last meeting, he had set out that the main reforms the Committee would focus on since he became Chair of the Committee and that these had been set out in detail in its Annual Report.

Councillor Kelcher said that the Committee was improving the way it requested reports in order that Members, and officers, were clear on what the Committee was receiving and then setting the agenda with the involvement of the whole Committee. He said that, since then, he believed that the Committee had taken these reforms further by conducting some reality checking visits, for example, the Committee had visited the CCTV Control Room before meeting to discuss the issue. He added that the Committee was working on a system whereby verbal recommendations were followed-up on as much as written recommendations and he had started to meet with Heads of Departments to make sure the Committee was aware of ongoing developments.

Councillor Kelcher said that, with regard to task groups that had been set up, the Committee had received a report from Councillor Farah (Cabinet Member for Housing) on S106 matters and that the Committee, in endorsing all other recommendations in the report had amended two and rejected one of the recommendations in the report, which was now the matter for consideration by the Cabinet.

Councillor Kelcher went on to say that the Committee had received further updates from two task groups, which had been set up previously. These, he said, referred to CCTV and illegal dumping of rubbish and, in both cases, the Committee had made further recommendations, which it believed built on the spirit of those reports and hoped would help to expand them.

Councillor Kelcher said that the Committee had also set up further task groups. The first of these, he said, was to look at business rates and that this task group would be chaired by Councillor Davidson. He said that the task group would look at the system of devolving business rates for local authorities, which was happening in this Parliament, how these would affect Brent, how Brent could take advantage of it and how exactly it would work and what the rules would be.

Councillor Kelcher said that the second task group to be established, after Christmas, was one which would consider child sexual exploitation and would be chaired by Councillor Tatler. In between these, he said, there would be a Budget task group set up, which would comprise six Members (three from each of the Council's two scrutiny committees), would be chaired by himself and would get underway in October.

In addition to task groups, Councillor Kelcher said that the Committee had considered a number of reports since the last meeting of the Council. The first of these, he said, had been to receive an overview of the Council's financial position because, as a committee, it needed to bear this in mind when considering its business. He went on to say that the Committee had also

focussed on planning matters and, in particular, had considered the Council's development management policies and its overall planning strategy.

Councillor Kelcher also said that the Committee had also held a very interesting discussion in relation to the Council's resurfacing policy and that it had made recommendations on improving the public's understanding of the issue.

Councillor Kelcher said that the Committee had many more issues to consider but those which he was particularly looking forward to at the next meeting were income generation and how the Council could better use its assets and how the Council managed Brent's high streets. In conclusion, he said that the Committee had a very busy agenda ahead but that there was still provision to consider any topical or important items which came up.

(ii) Community and Wellbeing Scrutiny Committee

Councillor Ketan Sheth, Chair to the Committee, referred to his report which, in accordance with Standing Order 14, provided a summary of the activities that had been carried out by the Council's Community and Well-being Scrutiny Committee. The report covered the period from 18 May 2016 to the present day and gave details of the Committee's Work Programme, visits, training and engagements undertaken and matters discussed.

Councillor Ketan Sheth stated that the care of older people was one of the greatest challenges the Council faced. He said that Brent's residents were living longer but the Council's resources to support them were diminishing year by year. Councillor Ketan Sheth went on to say that this administration had responded to the challenge by starting a new accommodation for independent living project, led by Adult Social Care. He added that residential care was very expensive and if the project succeeded, it would provide a significant budget saving, whilst improving the quality of care for some of the Borough's most vulnerable residents. Councillor Ketan Sheth said he strongly believed that it was important that in order to form a view about a service, the Council needed to find out about it at first hand. He said that, last week, he and Councillor Hector had visited extra care accommodation in Wembley, which was provided as part of the project. He went on to say that he had spent an afternoon visiting Willow House and talking to residents and key staff there. He said that what he had seen was high quality housing for older people, many of whom had mental health needs. He said that, at Willow House, the residents lived independently as far as they could, which was an excellent start, but recognised that the project had lots of challenges. Councillor Ketan Sheth acknowledged that people who lived in extra care and supported living would be exempt from a cap on local housing allowance for at least a year. He said that his Committee would meet the following evening to explore this and other questions.

Councillor Sheth said that he had also visited parts of the Borough and had seen far less happy sites. In August, he visited and joined officers from private housing services, who were carrying out checks on properties in Kingsbury, which were suspected of not complying with the Council's Landlord Licensing Scheme. Councillor Ketan Sheth said that he had been shocked by

what he had seen in terms of overcrowding, people living in a garage and 12 people living in a three-bedroom house. He said that he had gone on that visit because, in July, his Committee had reviewed the Scheme and had heard that in Harlesden, Wembley Central and Willesden Green, selective licensing had been successful.

Councillor Ketan Sheth said that his Committee had made a number of recommendations to the Cabinet but the most important one was that the Committee believed that the time had come to extend selective licensing to other parts of Brent.

Councillor Ketan Sheth then spoke on the safeguarding of the Borough's children and that promoting their welfare was another key priority for the Administration. He was pleased to announce the establishment of a "Signs of Safety" task group, to be chaired by Councillor Hoda-Benn, which had been set up to look into the introduction of a new model in children's services. He said that Signs of Safety was about improving the safety of children by working with families to build on their strengths and that this was being used by local authorities in North America, Australia and quite a number within the United Kingdom. He went on to say that part of the work of the Task Group would be to talk to frontline social workers to get their views and experiences and to make sure that the voice of children was also heard.

Councillor Ketan Sheth said that the Health Service was going through huge changes at present and that tomorrow evening, his Committee would be reviewing communication of the STP, which Councillor Hirani had spoken about earlier. He said that many Members were concerned about the future of Brent's Advisory Support Service and wanted to ensure that health services in Brent were sufficiently supporting this group of people and those people who had long-term health needs. He said that, earlier in the month, he had written to Brent Care Commissioning Group who had confirmed that they had decided to keep the pilot running but made it clear that if the pilot was not commissioned in the future then there would be a three-months' notice period in order that alternative arrangements could be put in place.

In conclusion, Councillor Ketan Sheth said that he had started by saying that the Council was having to provide more with fewer resources and that this was also true of the health service. He said that his Committee would ensure that as all public services in Brent addressed this challenge, the Borough's residents' views would be heard.

12. Treasury Outturn

Councillor McLennan, Deputy Leader of the Council, introduced the report by the Council's Chief Finance Officer, which asked Council to note the 2015/16 Treasury Management outturn report, which was substantively the same as that reviewed at Cabinet on 15 August and Audit Committee on 30th June, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

RESOLVED, that the 2015/16 Treasury Management Outturn Report, prepared in compliance with CIPFA's Code of Practice on Treasury Management (the Code), be noted.

13. **Motions**

(i) **Air Quality in Brent**

Councillor Nerva moved the motion circulated in his name by stating that air quality in London was getting worse and asked what the Council could do about it.

The motion was put to the vote and declared CARRIED.

RESOLVED, that:

1. The concerns expressed by residents throughout Brent about air quality in our Borough, be recognised;
2. The Council urges Transport for London to make “clean bus corridors” in Chamberlayne Road and Wembley High Road a priority; and
3. Officers be asked to report, by the end of 2016, on quick win measures and a long-term strategy for Brent Council to improve air quality in Brent.

(ii) **Regal Way**

Councillor Colwill moved the motion circulated in his name requesting that the Council finishes the road upgrade at Regal Way with the same materials used on the other side of the road.

The motion was put to the vote and declared LOST.

(iii) **Libraries**

Councillor Warren moved the motion circulated in his name requesting that the Council confirms its previous promises and pledges of support for the continued existence of the four voluntary-run Brent Libraries (Preston Community, Barham Park, Kensal Rise and Cricklewood)

By way of an amendment, the Labour Group moved that the following paragraphs be added to the above motion:

- (b) This Council also notes the excellent work already undertaken to make these community libraries valued partners of the Brent Library Service by providing services over and beyond the Council’s statutory offer; and
- (c) This Council supports the Cabinet’s decision to develop a new Community Libraries Strategy involving the four community library groups.

The motion, as amended became the substantive motion, which was put to the vote and declared CARRIED.

14. **Urgent Business**

There was no urgent business transacted.

The meeting was declared closed at 8.50pm.

COUNCILLOR PARVEZ AHMED
Mayor

 Brent	<p style="text-align: center;">Full Council 21 November 2016</p> <p style="text-align: center;">Report from the Chief Legal Officer</p>
<p>For Action Wards Affected: ALL</p>	
<p style="text-align: center;">Changes to the Constitution</p>	

1.0 Summary

- 1.1 This report proposes a number of changes to the Council's Constitution including Full Council meetings; more flexible arrangements for substitutes for the Alcohol and Entertainment Licensing Sub-Committees; clarifying the rules on petitions; recorded votes procedure; updating the officer scheme of delegation in relation to grants and technical changes to Contract Standing Orders.

2.0 Recommendations

- 2.1 That Full Council approves the changes to the Constitution proposed in this report and authorises the Chief Legal Officer to amend the Constitution accordingly.

3.0 Detail

Full Council Meetings

- 3.1 Two changes are proposed to Standing Orders relating to Full Council meetings.
- 3.2 First, it is proposed that Standing Order 40 be amended, as set out below, to bring forward the lead in times for the submission of questions from Opposition and Non-Cabinet Members to the Cabinet so that answers can be published with the meeting Summons.

“40. Questions from the Opposition and Non Cabinet Members

- (a) Not in use.
- (b) Non Cabinet members (except the Mayor and Deputy Mayor) will be permitted to put a maximum of 9 questions to the Cabinet on any matter which is the responsibility of the Cabinet. Each non-Cabinet member may only put one matter to the Cabinet in any one question time session. The 9 questions are to be divided as follows: 1 from each of the two opposition groups, 1 from an opposition member who is not a member of a group, and 6 from the administration group. Such questions ~~to~~**must** be provided in writing to the Head of Executive and Member Services not less than **510 clear working** days before the date of the meeting and the answers ~~circulated prior to the start of~~ published with the meeting **Summons**.
- (c) The party groups shall decide which of their members shall put the questions to the Cabinet.
- (d) Each non Cabinet member shall have up to 1 minute within which to put their supplementary question.
- (e) A member of the Cabinet shall have up to 2 minutes to respond to the supplementary question.”

3.3 Second, it is proposed that Standing Orders be amended so that Full Council meetings can receive a report from the Audit Committee in the same way that Standing Orders allow Scrutiny Committee reports to be presented. Affording a constitutional right to the Audit Committee to report matters of interest to Full Council strengthens the Council’s corporate governance arrangements and is considered to be good practice.

3.4 It is proposed that after Standing Order 41 which relates to Scrutiny Committee reports, the following Standing Order is added:

“41A. Report from the Audit Committee

- (a) The Vice-Chair of the Audit Committee may present reports on any matter reported to the Committee or in respect of which the Committee has reviewed or considered and shall be permitted to speak for up to 5 minutes thereon.
- (b) In the absence of the Vice-Chair, the report may be presented by another member of the Committee selected for that purpose by the Vice-Chair or, if no person has been selected by the Vice-Chair, a person selected for that purpose by the Mayor or other person presiding at the meeting of Full Council.”

More flexible arrangements for substitutes for the Alcohol and Entertainment Licensing Sub-Committees

- 3.5 It is proposed that Standing Orders be amended to permit the Alcohol and Entertainment Licensing Committee to appoint a larger pool of substitutes for each of its 3 sub-committees from which any Member may be selected as and when the need arises.
- 3.6 The Licensing Act 2003 requires the Council to hold hearings as and when the need arises to determine contested matters such as applications for the grant, variation or review of premises licences or club premises certificates as well as personal licences and Temporary Event Notices (TENs). These hearings require 3 Members.
- 3.7 The Council's Alcohol and Entertainment Licensing Committee (which has 15 Members) has appointed 3 Sub-Committees (A), (B) and (C) with 3 Members of the main Committee appointed to each Sub-Committee. In addition, 5 Members of the main Committee have been appointed as substitute Members for each Sub-Committee.
- 3.8 The lead in times for hearings is prescribed by law. For most hearings, this will be 20 working days. For others, however, it is much shorter. For example, for TENs it is 7 working days; for summary review hearings it is 48 hours.
- 3.9 Arranging Sub-Committee hearings at short notice or ad hoc is proving to be difficult. It is understandable why Members with work and other commitments are unable to make themselves available in such circumstances to attend hearings. That being the case, in order to ensure the Council can hold hearings within prescribed time limits and, as efficiently as possible, it is proposed that standing orders be amended so that all other 12 Members of the main Committee can be appointed to each Sub-Committee as substitutes.
- 3.10 This will mean that there is a bigger pool of substitute Members to draw from. It will also mean that more Members can be involved in licensing hearings. If the change is approved, the Alcohol and Entertainment Licensing Committee at its next meeting will have the opportunity to adopt the more flexible arrangements.
- 3.11 The proposed changes to Standing Order 55 are set out below:

“55. Appointment of and Changes to Substitute Members

- (a) The Council may appoint a pool of substitute members from which a member may be selected to speak and vote in the absence of a member of the committee provided that the substitute member is not already a member of the committee. Each pool shall number up to the number of members comprising membership of the committee and be divided according to the political balance on the committee, save that where a group has only one member on the committee up to two members may be appointed to the pool. A member of a committee (or the appropriate Group Whip) shall notify

the Head of Executive and Member Services at least two hours before a meeting that a substitute member will be attending in their place.

- (b) A parent committee may appoint a pool of substitute members to its sub-committees in the same manner as is described in (a). However, the Alcohol and Entertainment Licensing Committee may appoint all remaining Committee members to each of its Sub-Committees and select any member from this pool.
- (c) No member is able to act as a substitute for more than one primary member of the committee at any one time.
- (d) Any member acting as a substitute shall notify the meeting as soon as he or she arrives, and once the meeting has received such notification, that member shall be duly appointed for the remainder of the meeting (which, for the avoidance of doubt, includes a meeting adjourned to continue on a subsequent day) to the exclusion of the member for whom he or she is substituting.

Clarifying the rules on petitions

- 3.12 The proposal is to amend Standing Orders to make it clear that petitions do not require Cabinet or Council Committees etc. to re-consider or review specific decisions they have already taken.
- 3.13 Standing Order 68 sets out the Council's rules on petitions. Petitions allow the public to engage with the Council as part of its decision making processes and have the potential to influence outcomes, inform policy making or even set the agenda. Amongst other things, the rules make provision for petitions not concerning specific decisions which the Council is planning to make to be referred to the relevant decision maker. This gives the relevant decision maker the opportunity to consider the subject matter of the petition for the first time and decide what action, if any, to take.
- 3.14 The proposed change to standing order 68(e)(iii) (see below) makes it clear that there is no requirement for a petition relating to a specific decision which has already been taken to be referred to the relevant decision maker for it to effectively re-consider or review its own decision. It was not intended that decision makers be required to review their own decisions. That would create unnecessary delay and uncertainty and would result in additional costs being incurred. It could also be futile if the decision has already been implemented because only a valid call-in of a decision which relates to an executive function of the Council could defer the implementation of a decision.

“68. Petitions

- (e) (iii) Petitions not concerning specific decisions planned to be made shall be referred to the Cabinet or to the Council committee or sub-committee (if any) within whose terms of reference the subject matter of the petition falls as

determined by the Chief Legal Officer or Head of Executive and Member Services. If it concerns a decision that may be taken at a meeting on some future date then it shall be considered at that future meeting. In all other cases it shall be considered at the next convenient meeting. This paragraph does not apply to specific decisions which have already been made. There is no requirement for specific decisions which have already been made to be re-considered or reviewed.

Recorded votes procedure

- 3.15 It is proposed that a procedure for recording votes at Full Council meetings be incorporated into Standing Orders.
- 3.16 Standing Order 47 makes provision for voting at Full Council meetings to be recorded. It does not, however, state how this will be done. It is proposed that the following procedure for recording votes be incorporated into Standing Order 47.

“47. Voting

- (a) Prior to voting on a Motion there shall be put to the vote any amendments to that Motion that have been moved.
- (b) Amendments to Motions shall be taken in the order in which they were moved and shall be voted upon in succession unless, subject to the advice of the Chief Legal Officer or the Chief Executive, it is agreed by the meeting that the amendments shall be taken en bloc.
- (c) The mode of voting at meetings of Full Council shall be by show of hands and, on the requisition of the leader of a political group, or of any member of the Council supported by 14 other members of the Council raising their hands, made before the vote is called, the voting on any question shall be recorded in the minutes of the meeting so as to show whether each member present gave their vote for or against that question or abstained from voting.
- (d) If a vote is to be recorded, the Chief Executive (or an officer acting on behalf of the Chief Executive) will acknowledge the request, confirm to the meeting that the vote is to be recorded and will read aloud the name of each Member present and record who cast a vote for the decision or against the decision or who abstained from voting. No discussion shall take place while the vote is being taken and recorded.
- (e) Immediately after any vote is taken at a budget decision meeting of an authority on the budget or council tax there must be recorded in the minutes of the proceedings of that meeting the

names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

- (f) Where immediately after a vote is taken any member so requires, there shall be recorded in the minutes whether that person voted for the question or against the question or abstained.
- (g) Except in the case of a vote taken under any provision of Standing Orders 48 (Guillotine) 49 (Minutes) or 50 (Disorderly Conduct), at least one full minute before a vote is taken at a meeting of Full Council, the Mayor shall by way of announcement draw members' attention to the impending vote.
- (h) For the purpose of voting and for recording votes at meetings of Full Council, members shall be present and seated in their places.
- (i) In the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.
- (j) Once a vote has been taken on any matter, the matter shall not be reconsidered by the meeting other than to clarify any points or if the matter is a procedural matter only."

3.17 If this proposal is approved, a similar procedure for recording votes at Committee and Sub-Committee meetings will be incorporated into Standing Order 65.

Grants: updating the officer scheme of delegation

3.18 The proposal is to update the officer scheme of delegation to reflect Cabinet decisions on grant awards.

3.19 Part 4 of the Constitution sets out the Council's officer scheme of delegation which, amongst other things, authorises officers to make grants or give other financial assistance to organisations but subject to specified limitations. For example, there is a general grant award limit of £5,000 per annum.

3.20 The limitations set out in point 9 of the table at paragraph 2.5 of Part 4 needs updating to reflect Cabinet decisions as shown below:

9. to make grants or give other financial or other assistance to organisations.	(a) Provided that if the grant or other financial assistance involves the grant of funds from Council's own resources (i) the relevant Director is satisfied that no adverse capital finance or other negative implications would arise, unless
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	<p>written consent of the Chief Finance Officer is obtained.</p> <p>(ii) no grant shall be made by officers if it amounts to more than £5k per annum except in the case of the Edward Harvist Trust where a grant not exceeding £7k per annum may be made <u>and in the case of the Brent Advice Fund Grant where a grant not exceeding £10k per annum may be made.</u></p> <p>(iii) no grant shall be withdrawn or reduced by officers if the receiving body has received a grant from the Council for each of the last five years for the same purpose unless such withdrawal is due to the fact that the body no longer meets the relevant grant criteria or conditions of grant.</p> <p>(iv) the grant criteria has been approved by the Cabinet other appropriate body or person with appropriate authority.</p> <p>(v) no grant shall be made by officers from the council's <u>'Main Programme Grant' or the 'Development Fund' Voluntary Sector Initiative Fund</u> except with the prior approval of the Cabinet.</p> <p>(b) Provided that where the grant or other financial assistance involves the distribution of funds received from a third party the grant or other financial assistance complies with the conditions under which the funds have been received by the Council.</p>
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Changes to Contract Standing Orders

Electronic Signatures

- 3.21 It is proposed that the use of electronic signatures be introduced. Although e-signatures for signing documents have been in use for some time in certain sectors, there has been no consensus on their validity. In August 2016 the Law Society issued a practice note on the use of electronic signatures confirming that electronic signatures are a valid method of executing commercial contracts under English law and highlights how as market practice and technology evolves, the use of electronic signatures has and will become increasingly common in a range of commercial transactions for reasons of flexibility, efficiency, and cost saving.
- 3.22 The Law Society practice note closely follows the eIDAS Regulation (EU No 910/2014) which came into force on 1 July 2016 establishing an EU-wide framework for electronic signatures.
- 3.23 It is considered appropriate for the Council to be able to take advantage of the benefits of using electronic signatures. As there are stringent requirements for the use of electronic signatures however, it is proposed that the Chief Legal Officer should determine which contracts or classes of contracts may be executed by electronic means and advise exactly how such contracts should be executed.
- 3.24 It is proposed that the following sub-paragraph be added to Standing Order 73:

“(e) All contracts, agreements or transactions required to be executed as a deed under seal or signed in accordance with these Standing Orders may be executed by electronic means where authorised by the Chief Legal Officer in respect of a particular contract or class of contract.”

Legislative/Statutory guidance changes

- 3.25 The following proposed changes update the Constitution to reflect new legislation/statutory guidance.
- 3.26 First, amendment is required to give effect to statutory guidance issued under Procurement Policy Note 8/16 which replaces the Pre-qualification Questionnaire with a new Selection Questionnaire. It is proposed that Contract Standing Order 96 (c) (ii) and (iii) be amended as follows:
- “(ii) Persons or bodies wishing to express an interest shall be sent a ~~pre-qualification selection~~ questionnaire to be completed and returned to the Council by the date specified in the notice.
- (iii) The response to the ~~pre-qualification selection~~ questionnaire shall be used to evaluate whether the person or body meets the Council’s minimum technical capacity and financial standing requirements and has relevant experience, and whether they should be included in a shortlist.”

3.27 Second, the Concession Contracts Regulations 2016 came into force on 18th April 2016 and apply to over threshold public works concessions and public services concessions. Certain changes to Contract Standing Orders are required to reflect the requirements of the new Concession Contracts Regulations 2016.

3.28 It is proposed that Contract Standing Order 82 which sets out various definitions be amended as follows:

European Procurement Legislation	The relevant EU Directives and corresponding UK Regulations as amended or replaced from time to time including the Public Contracts Regulations 2015 and the Public Contracts Regulations 2006 <u>Concession Contracts Regulations 2016</u> .
EU Thresholds	The current EU thresholds under European Procurement Legislation for the following types of contracts are: <ul style="list-style-type: none"> • • • • in the case of contracts for public works <u>or services</u> concession contracts, £4,104,394

3.29 In addition, it is proposed that Contract Standing Order 107(a) be amended as follows:

“Subject to the specific exceptions in the European Procurement Legislation, where the Contract is subject to the full application of the European Procurement Legislation (being a services contract, public works contract, public supplies contract, concession contract or Framework Agreement above the relevant EU Threshold) a mandatory standstill period of at least 10 calendar days must be observed between notifying all tenderers in writing of the award decision and the actual award of contract. The standstill period shall commence on the day after the written award notification is sent to all tenderers and the written notification must comply with the requirements of the European Procurement Legislation. If an unsuccessful tenderer requests further information, such information must be provided in accordance with the European Procurement Legislation.”

4.0 Financial Implications

4.1 None.

5.0 Legal Implications

5.1 These are addressed in the body of the report.

6.0 Diversity Implications

6.1 None.

Background Papers

None

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FIONA ALDERMAN
Chief Legal Officer

 <p>Brent</p>	<p>Full Council 21 November 2016</p> <p>Report from the Chief Finance Officer</p>
<p>Wards Affected: ALL</p>	
<p>2016/17 Mid-Year Treasury Report</p>	

1. Summary

1.1 This report updates Members on recent treasury activity.

2. Recommendation

2.1 Council is asked to note the 2016/17 mid-year Treasury report, which has already been reviewed by the Audit Committee and Cabinet.

3. Detail

Background

3.1 The Council's Treasury Management Strategy is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.

3.2 The Code also recommends that Members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority is embracing best practice in accordance with CIPFA's recommendations.

3.3 Treasury Management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

3.4 In addition to reporting on risk management, the Code requires the Authority to report on any financial instruments entered into to manage treasury risks.

Economic Background

3.5 Growth rates have slowed across most developed economies in the past six months, though growth in the US continues to be solid. However, the largest uncertainty in the marketplace in the UK continues to be the vote to leave the European Union.

- 3.6 A recent plunge in the pound and increased market turbulence has made it very difficult to foresee the course of events. In particular, business investment is vulnerable to a changing international trade environment.
- 3.7 The weakness of the pound is also likely to be a source of inflationary pressure and this would normally indicate rising interest rates. Indeed, the Governor of the Bank of England recently noted this in public. However, the Bank of England is committed to keeping interest rates low to support economic activity. There are likely to be higher levels of volatility in the market until the future of the UK's relations with its major trading partners are resolved. It is widely assumed that interest rates will be lower and inflation higher than previously thought.
- 3.8 Gilt yields have been significantly affected by the vote and have fallen to unprecedentedly low levels. Current borrowing rates are positive and the Governor of the Bank of England has expressed reluctance to lower the base rate to or below zero. The table below illustrates the significant change caused by the vote.

PWLB Rates

Period	March 2016	August 2016
1 year	1.3%	1.1%
5 year	1.8%	1.2%
10 year	2.5%	1.6%

- 3.9 The interest rate the Council receives on money market funds has fallen since the vote and 12 month maturities with local authorities have fallen from 0.6% to 0.4%.

Debt Management

- 3.10 The Authority continues to qualify for borrowing at the 'Certainty Rate' (0.20% below the PWLB standard rate). This is reviewed on an annual basis and has been confirmed as applying until 31 October 2016.
- 3.11 Alternative sources of long-term funding to long-dated PWLB borrowing are available, but the Council will continue to adopt a cautious and considered approach to funding from the capital markets. The affordability, simplicity and ease of dealing with the PWLB represents a strong advantage but the Council, due to its prudent policies and strong balance sheet, is in a position to consider alternatives, and will start to do so in order to finance the investment strategy. However, no long-term loans have been raised so far this year as can be seen in the table below:

	Balance on 01/04/2016 £m	Debt repaid* £m	New Borrowing £m	Balance on 31/08/2016 £m
Short Term Borrowing	0.0	0.0	0.0	0.0
Long Term Borrowing	419.3	1.6	0.0	417.7
TOTAL BORROWING	419.3	1.6	0.0	417.7
Average Rate %	4.76	2.57		4.79

* £34.2m of the PWLB loans are referred to as EIP, whereby the Councils pays down the loans in half-yearly equal installments over the lifetime of the loan.

- 3.12 Affordability remains an important influence on the Council's borrowing strategy. Moreover, any borrowing undertaken ahead of need would need to be invested in the money markets at rates of interest significantly lower than the cost of borrowing and involve credit risk. If interest rates seemed likely to rise in the short-term then this approach might need to be reviewed.
- 3.13 The use of internal resources in lieu of borrowing has continued to be the most cost effective means of funding capital expenditure. This has lowered overall treasury risk by reducing external debt and temporary investments. However this position will not be sustainable over the medium-term and the Council will need to give careful consideration to its future Capital Programme and how this is financed. Borrowing options and the timing of such borrowing will continue to be assessed in conjunction with the Council's treasury advisor, Arlingclose.
- 3.14 The persistence of low interest rates means that it would be uneconomic to reschedule debt, because early retirement of the loan would incur a heavy penalty, to compensate the PWLB for having to lend the money on at lower rates.

Investment Activity

- 3.15 The Council gives priority to security and liquidity and aims to achieve a yield commensurate with these principles.

	Balance on 01/04/2016 £m	Investments Made £m	Investments Repaid £m	Balance on 31/08/2016 £m
Short Term Investments	164.0	583.3	541.7	205.6

- 3.16 There was a £42m movement in short-term investments. This was partially due to an additional Housing Benefit payment of £18m at the end of last year that led to a dip in the cash balance. £186m was the average amount of cash held in 2015/16. The rest of the movement between March 31st and August 31st 2016 was due to a steady flow of capital receipts that will be used to fund the Council's Capital Programme and the timing of payments and receipts.
- 3.17 Security of capital has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2016/17. New investments were made with the following classes of institutions:

A- rated banks;
AAA rated Money Market Funds;
Other Local Authorities;
The UK Debt Management Office.

- 3.18 Counterparty credit quality was assessed and monitored with reference to Credit Ratings (the Council's minimum long-term counterparty rating of A- (or equivalent) across rating agencies Fitch, Standard & Poor's and Moody's); credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms; potential support from a well-resourced parent institution; share price. There were two foreign banks on our Lending List, both Swedish (and, therefore, outside the Eurozone), conservatively run and with good ratings and strong financial figures.
- 3.19 All investments in banks and Building Societies are now undertaken by means of marketable instruments (Certificates of Deposit, CDs). This adds a measure of additional liquidity without sacrificing return, given our maturity limits.

Budgeted Income And Outturn

- 3.20 The Council's external interest budget for the year is £23.3m, and for investment income is £1.4m. The Council is unlikely to achieve the income figure, but this is likely to be compensated for by lower borrowing costs than budgeted. The average cash balances, representing the Council's reserves and working balances, were £184m during the period to 31 August 2016.
- 3.21 The UK Bank Rate was reduced to 0.25% on 4 August, 2016. Short-term money market rates have remained at very low levels and do not, at the moment, appear likely to rise.

Icelandic Bank Investment Update

- 3.22 The Council received £0.4m in August 2016, which means that only £0.2m of the original £10m deposit now remains outstanding. It is expected that a further distribution will be made but this depends on the result of litigation currently under way regarding a property investment.

LOBOs (Lender Option Borrower Options)

- 3.23 Barclays released its lender option rights to alter the rate of interest, at no cost to the Council, in order to comply with Basle III Regulations, coming in 2019. This has meant that £15m of LOBOs became fixed interest rate loans. Arlingclose have advised us that it is likely that many of our other lenders may also give up these rights. This has reduced our level of Treasury Management risk.

Compliance With Prudential Indicators

- 3.24 Officers confirm that they have complied with its Prudential Indicators for 2016/17, which were set in February 2016 as part of the Council's Treasury Management Strategy Statement (TMSS). Details can be found in Appendix 1.

Outlook

- 3.25 At the time of writing this activity report in August 2016, economic growth remains slow worldwide, though seems well established in the US. The UK had performed comparatively well with growth led by consumer spending, and investment beginning to grow.

- 3.26 Productivity remains low, though is showing some signs of improvement. However, the prospects for the UK economy are now extremely difficult to forecast. The period of uncertainty following the referendum is likely to last for at least the two-year period of notice. It will depend on what terms can be negotiated with the EU, but also with other nations and trading blocs. As a major trading partner, the EU will continue to have a significant influence on the UK economy, however, other countries are likely to develop in importance.

Summary

- 3.27 In compliance with the requirements of the CIPFA Code of Practice, this report provides Members with a summary report of the treasury management activity during the first half of 2016/17. As indicated in this report, none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

4. Financial Implications

These are covered in the report.

5. Diversity Implications

None.

6. Staffing Implications

None.

7. Legal Implications

There are no direct legal implications.

8. Background Papers

Annual Treasury Strategy – Report to Full Council as part of the Budget Report – February 2016.

Persons wishing to discuss the above should contact Gareth Robinson, Head of Finance, Treasury and Pension Investments Section, Finance, on 020 8937 6567 at Brent Civic Centre.

CONRAD HALL
Chief Finance Officer

Appendix 1

Capital Financing Requirement

Estimates of the Council's cumulative maximum external borrowing requirement for 2016/17 to 2018/19 are shown in the table below (excluding Private Finance Initiative schemes):

	31/03/2016 Final £m	31/03/2017 Estimate £m	31/03/2018 Estimate £m	31/03/2019 Estimate £m
CFR	584	584	624	664

Usable Reserves

Estimates of the Council's level of Usable Reserves for 2016/17 to 2018/19 are as follows:

	31/03/2016 Final £m	31/03/2017 Estimate £m	31/03/2018 Estimate £m	31/03/2019 Estimate £m
Usable Reserves	106	101	91	81

Prudential Indicator Compliance

Authorised Limit and Operational Boundary for External Debt

The Local Government Act 2003 requires the Council to set an Authorised Borrowing Limit. This is a statutory limit which should not be breached. The Council's Authorised Borrowing Limit was set at £850m for 2016/17. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The Operational Boundary for 2016/17 was set at £750m. The Chief Finance Officer confirms that there were no breaches to the Authorised Limit or the Operational Boundary so far this year; borrowing at its peak was £419m.

Upper Limits for Fixed Interest Rate and Variable Interest Rate Exposure

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2016/17	Maximum during 2016/17
Upper Limit for Fixed Rate Exposure	100%	100%
Upper Limit for Variable Rate Exposure	40%	0%

Maturity Structure of Fixed Rate Borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Upper Limit %	Lower Limit %	Actual Fixed Rate Borrowing as at 31/08/16 £m	% Fixed Rate Borrowing as at 31/08/16	Compliance with Set Limits?
Under 12 months	40	0	44	10	Yes
12 months and within 24 months	20	0	14	3	Yes
24 months and within 5 years	20	0	52	13	Yes
5 years and within 10 years	60	0	7	2	Yes
10 years and above	100	0	301	72	Yes

Net Debt and the CFR

This is a key indicator of prudence. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Authority should ensure that the net external borrowing does not exceed the total of the CFR in the preceding year plus the estimates of any additional increases to the CFR for the current and next two financial years.

The Authority had no difficulty meeting this requirement so far in 2016/17, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

Total principal sums invested for periods longer than 364 days

This indicator allows the Council to manage the risk inherent in investments longer than 364 days.

The limit for 2016/17 was set at £20m.

The Council's practice since the onset of the credit crunch in 2007 has generally been to keep investment maturities to a maximum of 12 months. At 31 August, the last maturity date in the deposits portfolio was 20 March, 2017.

Credit Risk

This indicator has been incorporated to review the Council's approach to credit risk. The Council confirms it considers security, liquidity and yield, in that order, when making investment decisions.

Credit ratings remain an important element of assessing credit risk, but they are not the sole feature in the Authority's assessment of counterparty credit risk. The authority

considers the following tools to assess credit risk, with advice and support from our advisers, Arlingclose:

- Published credit ratings of the financial institution and its sovereign;
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);
- Economic fundamentals, such as a country's net debt as a percentage of its GDP;
- Corporate developments, news, articles, markets sentiment and momentum.

The Council can confirm that all investments were made in line with a minimum long term credit rating of A- or equivalent, as set in the 2016/17 TMSS.

HRA Limit on Indebtedness

This purpose of this indicator is for the Council to report on the level of the limit imposed at the time of implementation of self-financing by the Department for Communities and Local Government.

HRA Limit on Indebtedness	31/03/2016 Final £m	31/03/2017 Estimate £m	31/03/2018 Estimate £m	31/03/2019 Estimate £m
HRA CFR	137	137	147	157
HRA Debt Cap (as prescribed by CLG)	199	199	199	199
Difference	62	62	52	42



Full Council
21 November 2016

**Report from the Strategic Director
Regeneration and Environment**

Wards affected:
ALL except parts of those wards in
Tokyngton, Stonebridge, Harlesden,
Kensal Green that fall within the Old
Oak and Park Royal Development
Corporation boundary

**Brent Development Management Policies Local Plan
Adoption**

1.0 Summary

1.1 This report explains that the Council has received an Inspector's report into the Examination of the Development Management Policies Local Plan. The Inspector has found the document 'sound' subject to recommended 'main' modifications being made. Full Council is being apprised of the modifications and outline of the next stages. Full Council is recommended that the Development Management Policies Local Plan incorporating modifications is adopted.

2.0 Recommendations

2.1 Full Council accept the main modifications and minor modifications to the Development Management Policies Local Plan that the Council submitted for examination, as set out in Appendix 1 and Appendix 2 to this report.

2.2 Full Council adopts the modified Development Management Policies Local Plan.

2.3 That the Strategic Director for Regeneration and Environment is authorised to make further editorial changes to the document.

3.0 Detail

Background

- 3.1 The reasons for producing the Development Management Policies Local Plan (DMP) derive from the need to remove and replace 'saved' policies of the Unitary Development Plan adopted in 2004. It concludes, as identified in accordance with the Council's Local Development Scheme, the folder of Development Plan Documents (DPDs) that will comprise the borough's local plan, also referred to as its development plan. The other documents that comprise Brent's local plan are the Brent Core Strategy adopted in 2010, the Brent Site Specific Allocations Plan adopted in 2011 and the Wembley Area Action Plan adopted in 2015. Other components of the development plan for Brent are the London Plan (as amended in 2016), the West London Waste Local Plan adopted in 2015 and the Sudbury Neighbourhood Plan adopted in September 2015.
- 3.2 The DMP sets out a number of policies that supplement and amplify the strategic policies set out in the Brent Core Strategy and London Plan. These are used for the determination of planning applications where Brent is the local planning authority. However, it will not apply in the areas of Brent that fall within the boundary of the Old Oak and Park Royal Development Corporation (OPDC) as there Brent Council is no longer the local planning authority. The OPDC is taking forward its own local plan for the area, which is anticipated will be adopted in 2017/18.
- 3.3 Full Council on 18 January 2016 approved the submission of the DMP, along with proposed modifications to address representations made, to the Planning Inspectorate for examination.
- 3.4 The DMP was subject to examination by an independent Planning Inspector, who held hearing sessions to consider oral evidence on 3 and 4 May 2016. A number of modifications to the document were proposed before, during and after the hearing sessions (Full Council delegated to officers the ability to propose modifications post submission to allow soundness issues raised by the Inspector to be satisfactorily be addressed). These were made available for representations to be received for the period from the 14 June until the 8 August 2016.
- 3.5 Scrutiny Committee on 12 July 2016 considered the proposed modifications but made no comment that necessitated consideration of a revision of the modifications proposed. All representations were subsequently submitted to the Inspector for consideration, alongside those made prior to submission and the positions set out by representors as part of the hearings process. The Council has now received and published the Inspector's report.

Inspector's Report

- 3.6 The Inspector considers that the DMP subject to a number of recommended 'main' modifications is sound and therefore capable of adoption. Main modifications are essentially those which change policy or materially affect its interpretation in implementation. In addition to these the Council proposed minor modifications; these for the most part deal with factual updates and grammatical errors. These have also been seen by the Inspector and were

issued in association with the modifications issued for representations as set out in paragraph 3.4.

- 3.7 The main modifications can be summarised as:
- a) Inclusion of further detail regarding the development planning framework and the geographical coverage of the Plan.
 - b) Changes to reflect the importance of heritage assets, in line with national policy.
 - c) Changes to policies on retail development, transport, employment and housing so that they are justified, effective and consistent with national and local policy.
 - d) Insertion of new policies and text relating to flood risk and surface water management, in line with national and local policy.
 - e) Insertion of reference to 'local carbon off-setting' and the location of open space mapping.
 - f) Additions to the monitoring indicators in chapter 12 of the Plan.
- 3.8 The main modifications proposed by the Council were for the most part accepted by the Inspector following the representations made in the period 14 June until the 8 August 2016. However, minor amendments to policies related to development in the flood plain as proposed by the Environment Agency and protection of heritage assets in conservation areas as proposed by Historic England were accepted by the Inspector (following correspondence with officers).
- 3.9 The Inspector also made some amendments to the supporting text for policy EMP14 which were considered too detailed to be incorporated in the Plan. This related to the assumed land value of employment land in any viability study supporting a reduction of affordable housing. Although ideally officers would have preferred the original modification to be kept, it is accepted that there was an element of 'gold-plating' in what was proposed. The Inspector has essentially still captured the essence of what the Council was trying to achieve in fewer words, i.e. the existing site's value should be pegged at that of a low quality employment site.
- 3.10 In addition the Inspector noted that one of the minor modifications proposed by the Council in relation to minimum residential operational parking standards was in their opinion a main modification. However, they felt incapable of recommending it as a main modification in their report as they did not consider it accorded with London Plan Policy 6.13E and supporting text, which refers to maximum standards, whilst 'operational parking' is associated with commercial development. This will be removed as a minor modification and not included in the adopted version of the Plan. It is not considered that this will have an adverse impact as it was only seeking to clarify a point on what has essentially been the Council's approach to the application of parking standards set out in the UDP.

- 3.11 The recommended main modifications included in the Inspector's report are more fully set out and attached as Appendix 1. In addition in Appendix 2 a list of minor modifications to the DMP are shown.
- 3.12 The Inspector's report is not binding on the Council, in the sense that the Council is not obliged to proceed to adoption. It could choose to not adopt the plan. It however cannot decide to adopt the plan through only selecting some of the main modifications and not others. If circumstances warranted it, it does have the potential to legally challenge the content of the Inspector's report to seek reconsideration or removal of parts it might feel particularly aggrieved about and then decide whether to proceed to adoption or not.
- 3.13 As identified, the proposed modifications for the most part were drafted by the Council taking account of representations received, the Inspector's changes to these have been relatively minor. It is considered that the Inspector's amendments will not prejudice to such an extent the operation of the policies initially proposed by the Council and therefore a decision to not proceed to adopt the Plan, or to legally challenge the Inspector's report would not be warranted.
- 3.14 Not adopting the DMP would mean the Council would have to continue to rely on very old policies in the UDP 2004 in the determination of applications. It also potentially puts at risk initiatives such as the housing zones, or finding acceptable sites for secondary schools which are in part reliant on DMP Policy 14 being adopted; adoption of this policy will put in place a more permissive approach to using Strategic Industrial Land for housing and other uses. Other priorities which would be put at risk are those supporting the Council's public health agenda related to limiting takeaways, betting shops, pay day loan shops/pawnbrokers, adult gaming centres and shisha cafes in Brent's town centres, neighbourhood parades and near secondary schools.
- 3.15 When adopted the Plan will replace existing 'saved' policies within the UDP 2004. This will bring planning policies more up to date and therefore improve the efficiency of the planning service in terms of decision making, this will be related to time and clarity of position, which should reduce the potential for appeals and make the Council's position more robust.
- 3.16 Where a Local Plan is not up to date, Government has indicated its intention to intervene and potentially appoint a responsible party to write a Local Plan for the Local Planning Authority and to claim back the associated expenses. Brent is not considered to be at significant risk currently due to its ability to show it can meet a five year housing target. However, it does need to take forward a review of the Local Plan soon to continue to limit this risk.
- 3.17 The adoption of a Development Plan Document is in statute required to be a decision of Full Council. Cabinet on the 15 November 2016 considered the Inspector's report and proposed modifications with a recommendation that the DMP progress to Full Council for adoption. On this basis, it is recommended to Full Council that the DMP Plan submitted for examination incorporating proposed modifications as set out in Appendices 1 and 2 is adopted. The adopted plan will be accompanied by an adoption statement and final sustainability appraisal. It is also recommended that the Strategic Director Regeneration & Environment is authorised to make further editorial changes to

the document should they be necessary, e.g. grammatical, factual or presentational.

4.0 Financial Implications

4.1 The Planning Inspectorate has confirmed the cost of Examination as approximately £32k. The examination is the main expense associated with this stage of the Plan and its adoption, but there will also be minor costs associated with printing, although most people now download or access the documents via the website. The expenditure associated with the Examination and related costs will be met from existing Planning budgets.

5.0 Legal Implications

5.1 Planning applications are to be determined in accordance with Development Plan unless there are significant material considerations that indicate otherwise. The provisions of the Development Plan are likely to hold the most weight where the Local Plan is up to date and consistent with National and London Plan policy. The DMP has passed these tests. The Housing and Planning Act 2016 and associated regulations will be setting out what the Government considers to be an up to date Local Plan and mechanisms that will allow it to intervene to ensure that an up to date Local Plan is in place where required.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Full statutory public consultation has been carried out in the process of preparing and adopting the Local Plan. An Equalities Analysis Assessment has been undertaken at each stage of the Plan adoption process. The impacts have been assessed as being positive in relation to younger people, ethnic minority groups and those with a disability, specifically related to policies around limiting takeaways and shisha premises in the vicinity of schools, limiting betting shops and pay day loans and also in seeking to provide suitable affordable housing to meet needs.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None arising specifically from the adoption of the DMP Plan.

Background Papers
[Brent Core Strategy 2010](#)

[Brent Site Specific Allocations DPD 2011](#)
[Wembley Area Action Plan 2015](#)
[Brent Development Management Policies Plan Publication Version 2015](#)
[Brent Development Management Policies Proposed Modifications June 2016](#)
[Report On The Examination Of The Brent Development Management Policies](#)
[Local Plan September 2016](#)
[Cabinet 21st September 2015 Development Management Policies Plan](#)
[Publication](#)
[Full Council 18th January 2016 Development Management Policies Plan](#)
[Submission](#)
Cabinet 15 November 2016 Development Management Policies Local Plan
Adoption

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AMAR DAVE
Strategic Director, Regeneration & Environment



Questions from the Opposition and other Non-Cabinet Members

Full Council – 21 November 2016

1. Question from Cllr Shaw to Cllr Miller, Cabinet Member for Stronger Communities:

The numerous residents of Donnington Road that abuts the car park of Willesden Sports Centre have and are continuing to suffer a long standing statutory noise nuisance due to the anti-social behaviour of persons racing vehicles and congregating to play loud music within the car park during night time (usually between 12.30am to 3.30am) when the Willesden Sports Centre is closed.

The affected residents of Donnington Road have previously made several complaints to the management of the Willesden Sports Centre and Brent Council concerning this anti-social behaviour - nothing is being done.

The car park is ultimately owned by Brent Council and is within a “private finance initiative” arrangement for Willesden Sports Centre. The car park is required by Brent Council to be open to the public 24hrs/7 days.

The car park is in complete darkness with no illuminations within the car park outside the operating hours of the sports centre – 11.30pm to 6 am weekdays and 10pm onwards at weekends.

The car park has no security barrier or ticket device/vehicle identification apparatus at the entrance to the car park.

The car park’s two security cameras that monitor the car park location are not infrared capable and therefore cannot capture any images during the hours of darkness nor are the security cameras of the required CCTV specifications to allow evidential admissible details of the anti-

social culprit identification, vehicle registration numbers and the anti-social behaviour to be captured (whether during daylight or night time hours)

What is Brent Council going to do to ensure Brent Council's:

(a) compliance with its statutory obligation to ensure proper health & safety provisions within the car park for genuine, authentic car park users and to investigate, put in place appropriate security & deterrent measures and serve an abatement notice in relation to the anti-social noise nuisance pursuant to the Environmental Act and other relevant legislation; and

(b) close working with the Neighbourhood Police to aid and assist the police to enforce the appropriate measures of the Anti-social Behaviour, Crime and Policing Act 2014 and other relevant legislation in relation to the anti-social culprits.

Response:

The council has proactively visited the site this last week (5th/6th Nov 2016) following receipt of a complaint but no noise nuisance was evident at the time of this visit. Prior to this the last complaint received was investigated in April 2016 and no further action was taken in the absence of evidence of the alleged problem or additional complaints. Similarly, Willesden Sports Centre contractor, 1Life has advised that prior to October 2016, no complaints have been received from neighbours on Donnington Road with regards to night time incidences of nuisance behaviour in the sports centre car park.

In order to progress this the council would need is a clear understanding of who is affected by the noise, when and how in order to gather evidence for enforcement.

The council can use Community Protection Notices under the ASB Crime and Policing Act 2014 for Nuisance and ASB behaviour on mopeds and vehicles where we have met the evidential threshold. We would need to identify those responsible in order to take this action. The most effective way of establishing this is to determine a pattern of when these events occur so that we have the best chance of observing these activities at their worst. As a result the council is reliant on those affected by noise and ASB reporting incidents to the council as and when they are happening so that action can be taken. The council can liaise with the Police to ensure any appropriate enforcement is coordinated.

There is no evidence of a nuisance issue to date (i.e. the council has not observed any issues associated with the site and requiring intervention) so the council is limited in the action that can currently be taken.

Moving forward, the council can begin planning for action as by initiating multiagency planning at our Local Joint Action Group with Policing partners and other partners in terms of collating an evidence base. The management responsibility of the car park sits with the PFI consortium Linteum (Willesden) Limited within a PFI arrangement for 25 years from 1 November 2006 until 2031. The custom and practice of the leisure centre management team is to switch off the car park lighting each evening to suitably manage energy. The Council can propose the contractor to keep the lights on in the evening for security measures and better recording of the CCTV cameras but the Council will need to accept additional revenue costs and increased electricity consumption. Furthermore, the Council can propose a change order to Linteum (Willesden) Limited to put access restrictions and fund the maintenance of new security assets and manage a call out service to release vehicles in the car park out of centre opening hours. This could be an action to restrict access to the car park at night rather than rely on officer intervention for what could be an ongoing issue but the Council needs to note that the costs associated with the barriers access could be quite significant.

I would be pleased to join Councillor Shaw to meet with the residents concerned, make sure that their concerns are heard, and that appropriate action continues.

2. Question from Cllr Nerva to Cllr Hirani, Cabinet Member for Community Wellbeing:

The Government announced £170 million cut in the funding of community pharmacies in England this year which would lead to closure of a quarter of our local pharmacies. Please can the lead member tell us what the Council is planning to do to force the Government to re-think this plan and to ensure that the people of Brent do not lose the vital access to medicines, healthcare advice, Public Health input and employment that these pharmacies are providing?

Response:

Community pharmacists play a crucial role in the delivery of Health and Care services in Brent. Many rely on them to receive much needed medication and advice. Unfortunately the Government has chosen to make these cuts to community pharmacies in Brent. I am concerned with the impact this cut will have on small independent pharmacists in particular as some of the larger dispensers such as those located in Supermarkets will be able to absorb these cuts due to their other income streams. We are not in a position to pick up the hole that will be lost in local services as a Council but I have written to our three Members of Parliament to ensure that our concerns are represented in Parliament where these decisions are being made.

3. Question from Cllr Ezeajughi to Cllr Miller, Cabinet Member for Stronger Communities

Residents across Brent have been as concerned - as I am sure we all have - by the recent shootings in Stonebridge and Harlesden. Can I ask what the Council are doing to work with our police service and local community to ensure that Brent continues to be a place where residents feel safe?"

Response:

There are estimated to be over 1,000 individuals involved with gang criminality in Brent, some on a nationally organised scale. Since March 2016, there had been a rise in gang related intelligence and incidents occurring. As well as neighbourhood policing and dedicated ward officers, special Policing units were dispatched across Brent for operating specific operations for several months earlier in the year and throughout the summer to help prevent further serious incidents and ultimately to prevent further loss of life. The operation resulted in many top gang nominals being arrested and brought to justice, many of which were known to the Harlesden and Stonebridge areas. Dedicated Ward Officers are still very much focused on any gang hotspot areas and targeted intelligence gathering.

Due to increased levels of violence in known gang hotspots in Brent, the Community Protection Service implemented a 12 week evening and weekend operation with other department partners as a direct response, to support ongoing Police operations. The aims of the operations were to increase public reassurance in hotspot areas by providing a visible presence of uniformed (high visibility vests) council officers and branded vehicles during peak gang activity times, and also engage in a 12 week consultation in the hot spot areas with residents who are affected. A large volume of actionable intelligence around the gangs and their activity was captured during the operation. During the operation we carried out short surveys with members of the community to create conversation opportunities to increase communications about neighbourhood issues and general community feedback. 80% of those surveyed in and around gang hotspot locations believed that the council's engagement in the area was helpful, and 60% believed it to be very helpful. All residents' concerns were responded to and/or appropriate sign posting occurred.

Long-term partnership interventions, coordinated by the council community protection service, have since been reviewed and implemented from late April 2016 to focus on certain gang hotspot areas in terms of preventative and deterrent interventions. Many of these interventions

have inhibited recent serious gang related offending and injury, albeit it has not eliminated all issues and there is still a lot of work to be done between the partnership.

Unfortunately there are not the same amount of resources made available across London to aid this prevention work, as previous years have seen, therefore the partnership are working with what resources they have to make the biggest difference possible. Earlier in the year we had a community led conference to ensure we involved as many partners from all sectors, as well as community members, as possible. We are currently working with a small number of community members around this issue ensuring we take forward their advice and thoughts on the issues we face. We have seen however that community members are sometimes reluctant to come forward and speak out against gangs, therefore we work with who we can. We have scheduled a further conference with our Partnership colleagues in January 2017 as a follow up platform.

Our focused work is largely set by progressive analytical capabilities through detailed analytical work in conjunction with targeted CCTV operations to ensure wider focused work, via our Focused Gang Deterrent Group meetings and the fortnightly partnership gang intelligence meetings. The community protection service commission external voluntary sector organisations to complete gang mentoring schemes, as well as mentoring through sports interventions and music programmes, all of which are commissioned by the council with resources available. Police are also key to these interventions and forums and information sharing between all statutory and non-statutory partners ensure focused intervention takes place in areas where focused attention is needed. Such operational forums are overseen by a senior governance group who report up to the Safer Brent Partnership board.

Moving forward, we have just heard about the MOPAC London Crime Prevention Fund. Thanks to a change in the Mayor's formula, which has benefited Brent, we now in a position where some limited additional resources will be made available to help respond to this issue further, and ultimately help ensure and reassure safety for our residents. I will be having conversations with officers in the coming days in order to decide how we can get the best value possible for our increase.

4. Question from Cllr Collier to Cllr McLennan, Deputy Leader

What does Brent Council believe will be the effect on businesses in Brent of the revaluation of business rates? What strategic actions are the Council going to take to mitigate these effects?"

Response:

The headline figure is that Brent's businesses have been revalued upwards, before appeals, by almost 12%, against a national average of 9% and a London average of 23%. Based on current information from the valuation office the tax rate will drop slightly, by less than 2p in the pound.

So, the revaluation will result in Brent's businesses paying more, although we expect that there will be some transitional protections. However, this won't increase Brent council's overall income, because the government guidance suggest that our grant income will be cut by the amount of extra business rates income raised - on top of all the other cuts to government funding.

Of course, Brent also pays business rates over to government for the buildings we own ourselves, and that will rise too, but we aren't expecting any additional government funding to compensate us for that.

The increases are less in Brent than elsewhere in London, which should increase our attractiveness as a business location, and we want to attract more businesses into the borough. We are also lobbying, through London Councils, for London to retain all of these extra business rates being generated, rather than having them distributed across the country and having our grant cut, so that we can fund additional services.

5. Question from Cllr Krupa Sheth to Cllr Farah, Cabinet Member for Housing and Welfare Reform

Housing continues to be the number one issue affecting residents in Brent, and across London. We were recently visited by the Mayor of London, Sadiq Khan, and Deputy Mayor for Housing, James Murray, to see the developments taking place in Kilburn. Can I ask how the Council plan to help tackle the housing crisis here in Brent, and make buying or renting a home in our borough more affordable?”

Response:

Consultation on a revised Housing Strategy will begin in November. The Strategy will set out the council's objectives on a range of issues, including the delivery of new affordable housing across tenures.

At present, there is a lot of uncertainty about the direction of national housing policy and how future funding will be used as the government is yet to publish many details about the programme set out in the Housing and Planning Act 2016. In addition, the Mayor of London is still in discussions with government about proposals for further devolution, leading to uncertainty about how programmes will work in London.

Having said this, the council has clear objectives that the Strategy will set out.

Our planning policy seeks 50% affordable housing on new sites in line with the London Plan and the London Housing Strategy and the Mayor has indicated that he will retain this policy.

Our approach to new supply will include delivery of homes at social and affordable rents, as well as intermediate and sub-market options. For example, this will include private rented housing let below market rents and at Local Housing Allowance rates, as well as low-cost home ownership options. As well as continuing to work with our Registered Provider partners, the council has implemented its own development programme and a new Investment Vehicle aims to expand the scale of investment in new homes. We have also initiated a programme through which the council is purchasing homes in the private sector that will be let at Local Housing Allowance rates, primarily for use as temporary accommodation at this stage.

Achieving our targets will require innovative approaches to investment and partnership as well as exploring new approaches, such as the use of modular construction. Consultation on the

revised strategy will enable us to develop these approaches in the run up to consideration of the strategy by Cabinet in 2017.

6. Question from Cllr Colwill to Cllr Hirani, Cabinet Member for Community Wellbeing:

We are all aware of the national pressures being faced by the health service. Can the Lead Member for Community and Wellbeing confirm that Brent will be in a strong position to be able to provide a good reliable and supportive health service for all of our residents? Can Brent ensure that there is ample respite care available so that carers, who save a fortune for the Council by looking after their loved ones, are able to have a break to enable them to continue their valuable work? Please can assurance be given that hospitals and hubs will be fully funded?

Response:

I cannot provide assurances that hospitals and hubs will be fully funded as funding for NHS is sourced from the Department of Health. We will always strive for our local services to be properly funded. However, I fundamentally disagree with the Government's entire approach to Health and Social Care funding. In the last six years, the Government has been cutting Public Health funds and the money that Brent Council has to provide social care when we know that investing in these services will actually save the NHS money by preventing people from getting worse in the first place.

We can provide assurances that we will provide much needed support for Carers who are eligible for support in Brent and we will signpost those who might not be eligible for support from the Council to alternative support.

7. Question from Cllr Colacicco to Cllr W Mitchell Murray, Cabinet Member for Children and Young People:

Like many of our residents, I have been saddened to see the plight of tens of thousands of refugees and asylum-seekers, fleeing conflicts around the world. In particular, those young children who have found themselves separated from family and loved ones, thousands of miles from home and in desperate need of support. Could I ask what Brent Council has done to help these young people rebuild their lives after such tragedy?

Response:

Brent Council is helping children and young people from the refugee camp in Calais. Since the process to demolish the Calais camps was announced, eight requests from the Home Office to assess family arrangements in Brent for children from northern France have been received. These eight requests have all been swiftly completed by our social workers. Five children have moved to live with family, two have been referred to other local authorities due to inaccurate information being provided about the family's UK location and one young person entered another Local Authority's care. The council currently supports 150 unaccompanied asylum-seeking children and former unaccompanied asylum seeking children (as care leavers) – one of the highest number in London. These are children who have made their own way to the UK and presented at our Council offices over the last few months and years. Despite the ongoing cuts to local government funding, we in Brent hope that other local authorities will follow our example and make further provision to support these unaccompanied children. I am extremely proud that here in Brent we are continuing to play our part, providing support for those most in need. Our borough - the most culturally diverse in the country - has always welcomed people from across the world. As a council, we will continue to work closely with the Home Office to ensure that we are doing all we can to help those affected by this crisis.

8. Question from Cllr Bradley to Cllr Butt, Leader of the Council:

So far this year, Brent Council has helped facilitate a number of excellent events, completely free of charge, for local residents. In particular, I was delighted to see the Council step in at the eleventh hour to ensure that one of our biggest family festivals – the London Mela – was able to go ahead here in Brent. Tens of thousands of local residents were joined by visitors from across London – including the Mayor of London, Sadiq Khan, who seems to be making Brent his second home! – for a fantastic day of family fun. More recently, I'm sure many of us enjoyed the amazing fireworks display that took place just outside this building, attended by more than 18,000 local residents. Can I ask what Brent Council will do to ensure that - despite cuts of more than £119m to our budget by this Conservative government – events like these will continue to take place, free of charge to our residents?

Response:

Many thanks for your question Cllr Bradley.


I too was delighted to see so many local people, of all ages and backgrounds, enjoying both the fabulous free fireworks display earlier this month and also the wonderful London Mela in September.

Our vision is to make Brent a great place to live, work and visit and this includes encouraging free or sponsored cultural activities which help to bring communities together.

The significant budget cuts which all public services have endured over the past decade means that Brent is no longer in a position to directly pay for events like these but by working in partnership with local businesses to secure sponsorship we have been able to deliver these two fantastic free events for local people to enjoy nonetheless. We will continue to work innovatively and build on this success by seeking new opportunities for free cultural events while minimising the cost to local taxpayers.

9. Not used.

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 Brent	<p style="text-align: center;">Full Council 21 November 2016</p> <p style="text-align: center;">Report from the Director of Policy, Performance and Partnerships</p>
For Action	Wards Affected: ALL
<p style="text-align: center;">Update Report from the Chair of the Community and Wellbeing Scrutiny Committee (Councillor Ketan Sheth)</p>	

1.0 Summary

- 1.1 This report provides a summary of the activities carried out by the Council's Community and Wellbeing Scrutiny Committee in accordance with Standing Order 14. The report covers the period from 19 September 2016 and details its work programme, visits and engagement, committee discussion and training.

2.0 Detail

2.1 Work Programme 2016/17

The development of the annual work programme has allowed the Committee to map out and plan its activities and work for the Municipal Year 2016/17. It has also built-in enough capacity to ensure there is the flexibility to respond to events as they arise and space for issues that Brent's residents may suggest.

On 28 June 2016, a member-led workshop developed a work programme for 2016/17 with input from officers from Brent Council and Brent Clinical Commissioning Group. This was done by filtering items according to the new criteria for scrutiny and deciding what subjects or ideas would be appropriate for a task group report and what would be appropriate for a committee report.

The revised 2016/17 work programme is detailed at Appendix A and is currently up-to-date.

On 22 September 2016, the Audit Committee made a recommendation that following an Ombudsman's report into housing a vulnerable person, scrutiny should review what improvements the Housing Needs service has made in working with vulnerable people affected by domestic violence. A report on this will be heard at the next committee meeting on 23 November. In addition, an item on the 2015-16 Complaints Report has been added to the agenda for 1 February, but it will only look at complaints in the committee's remit.

Members should note that the Committee held a special committee meeting on 19 October 2016 to discuss the housing management options report, which was outside the normal cycle of committee meetings. The meeting was attended by the Cabinet Member for Housing and Welfare, Strategic Director for Community Wellbeing and the Operational Director for Housing and Culture. Recommendations agreed by the Committee were incorporated in the report considered by Cabinet on 15 November, which made the decision on the report.

In the 2016/17 work programme, there will be scrutiny task groups covering:

- Signs of Safety
- Children and Adolescent Mental Health Services

These time-limited task groups will include a small group of Councillors and are being led by a Community and Wellbeing Scrutiny Committee member. Children's oral health will be reviewed by the committee.

The scrutiny task group on Signs of Safety aims to complete its report, which will include recommendations for the Cabinet, by early December this year. So far, it has held four meetings to help Members better understand the challenges and opportunities of implementing Signs of Safety in the Children and Young People's Department, and gather evidence for its report.

The Members of the task group are:

- Cllr Aisha Hoda Benn, task group Chair
- Cllr Dr Amer Agha
- Cllr Bhagwanji Chohan
- Cllr Suresh Kansagra
- Cllr Shama Tatler.

Recommendations made by the Committee have been discussed by Cabinet. On 24 October 2016, Cllr Sheth presented scrutiny's recommendations on landlord licensing and the Ethical Lettings Agency and on 15 November 2016 the scrutiny task group report on Brent's housing associations was presented to Cabinet.

2.2 Engagement and Visits

The Community and Wellbeing Scrutiny Committee is committed to improving scrutiny by carrying out visits outside of formal committee meetings. This allows Members to see at first-hand how services are delivered, speak to officers and most importantly speak with service users and residents about those services. Visits complement the discussion which takes place at committee meetings, and accounts of the visits are also written up in a standing report to the Committee so that there is publicly available information about what Members have done.

Before the special meeting of the Scrutiny Committee held on 19 October 2016, Members visited housing which is currently managed by Brent Housing Partnership. Cllr Sheth also visited Northwick Park hospital A&E on 15 November 2016. Members are also planning a visit to understand more about

the Like Minded mental health strategy which is being led by the Central and North West NHS Foundation Trust.

Committee made sure that tenants and leaseholders of Brent Housing Partnership (BHP) were aware of the special meeting taking place on 19 October 2016, and it was promoted at the BHP Talkback forum and on social media. Pleasingly, the meeting had a very high turnout of members of the public with 25 people attending and six residents also made contributions at the meeting.

Representatives of Healthwatch Brent attended the meeting of the Committee on 20 September 2016 to present Members with information about the role of the organisation in the Borough, its objectives and it is expected that they will attend future meetings as well.

The Committee also played its part in European Local Democracy Week, which took place from 10 to 16 October 2016. Cllr Sheth spoke to pupils at the Winston Churchill Lycee in Wembley about local democracy, participation and scrutiny and also took part in a phone-in on K2K Radio on the same topics with Councillor Matt Kelcher.

On the final day of the week, Cllr Sheth took part in a scrutiny café in a coffee shop in central Wembley which was open to residents to drop-in and discuss matters of concern or issues which they thought would be useful for scrutiny to look at. The issues raised included health, housing in Wembley and libraries and it was felt that the café allowing residents to meet with the Chair face-to-face, took scrutiny out of the formal atmosphere of the Civic Centre and by making use of social media during the scrutiny café and the radio show before it enhance its transparency and accessibility to residents.

2.3 Training

On 3 November 2016, Members of the Committee also took part in a briefing about the Local Safeguarding Children's Board, led by the Independent Chair of Brent LSCB and Gail Tolley, Strategic Director for Children and Young People.

On 11 October 2016, the Centre for Public Scrutiny's (CfPS) Members took part in a training session on effective skills for scrutiny, which included development around questioning skills, making recommendations and influencing techniques, which was led by Ed Hammond, from the CfPS and Cllr Ed Davie, Chair of Overview and Scrutiny at Lambeth Council.

2.4 Committee Meetings

The Community and Wellbeing Scrutiny Committee has met twice since the last report to full Council – on 20 September 2016 and 19 October 2016 (special meeting). The September meeting heard reports on the Sustainability and Transformation Plan (STP) and the New Accommodation for Independent Living (NAIL) project.

The meeting was advised that that the STP had heard from senior officers in NHS organisations, Brent Council officers and Members. They included the Chief Executive, the Strategic Director for Community Wellbeing, the Cabinet

Member for Community Wellbeing as well as Healthwatch Brent, Simon Crawford, Director of Strategy, London North West Healthcare NHS Trust, Jo Carroll, Brent Borough Director, Central and North West London NHS Trust, Sarah Mansuralli, Chief Operating Officer, Brent Clinical Commissioning Group, and Rob Larkman, Chief Officer, Brent Harrow Hillingdon CCGs.

A report updating the Committee on the NAIL project was introduced by the Operational Director Social Care. The Committee heard that the project was the largest and most strategically important efficiency and quality improvement initiative in Adult Social Care. It aimed to identify, develop and acquire alternative forms of care to residential care for all vulnerable adult client groups in Brent.

At present, outcomes for people going into residential care were not as good as for those who remained in their own communities and the NAIL project sought to address this by supporting people in an independent living setting, allowing them to remain in a home of their own, or in their own communities. It was emphasised that independent living was not a prescriptive model of service design and could look very different for different people with different levels of care and support needs. The project had been active for two years.

Brent also takes part in the North West London Joint Health Overview and Scrutiny Committee. The last meeting, held in Ealing on 16 October 2016, looked at aspects of Shaping A Healthier Future, and was attended by Cllr Ketan Sheth.

2.5 Scrutiny and the Cabinet

The Community and Wellbeing Scrutiny Committee has made a number of recommendations to Cabinet about different areas of policy. On 24 October 2016, the Committee's recommendations on landlord licensing and Ethical Lettings Agency were presented to Cabinet and, on 15 November 2016, recommendations of a scrutiny task group on housing associations were discussed by the Cabinet.

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Director of Performance, Policy and Partnerships

Community and Wellbeing Scrutiny Committee Work Programme 2016-17
20 July 2016

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	Impact of the selective and additional landlord licensing schemes	Post-decision scrutiny on implementation of the landlord licensing schemes and impact on improving standards in private rented sector.	Cllr Harbi Farah, Cabinet Member for Housing	Phil Porter, Strategic Director for Community Wellbeing. Jon Lloyd-Owen, Operational Director for Housing and Culture Spencer Randolph, Head of Private Housing Services.
2.	Task Group report on Brent's housing associations	To discuss and agree report from Cllr Tom Miller's task group about housing associations in Brent.	Cllr Tom Miller Cllr Harbi Farah, Lead Member for Housing	Phil Porter, Strategic Director for Community Wellbeing. Jon Lloyd-Owen, Operational Director for Housing and Culture
3.	Update report on the implementation of an Ethical Lettings Agency	Post-decision scrutiny on implementing Ethical Lettings Agency agreed by Cabinet in July 2015.	Cllr Harbi Farah, Lead Member for Housing	Phil Porter, Strategic Director for Community Wellbeing. Jon Lloyd-Owen, Operational Director for Housing and Culture
4.	Scrutiny 2015-16 Annual Report	To agree Scrutiny's Annual Report.	Cllr Matt Kelcher, Chair of Scrutiny Committee	Peter Gadsdon, Director Performance Policy and Partnerships
5.	Scrutiny 2016-17 Work Programme	To agree Scrutiny Committee's Work Programme for 2016-17.	Cllr Ketan Sheth, Chair of Scrutiny Committee	Peter Gadsdon, Director Performance Policy and Partnerships

*Items involving school education. ** Items which may involve partnership work with schools.

20 September 2016

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	New Accommodation for Independent Living (NAIL) project	Scrutiny review of progress of NAIL scheme to date against its 2016/17 targets. *Members' visit to Victoria Court, Wembley on 12 September.	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Phil Porter, Strategic Director for Community Wellbeing.
**2.	Task Group Signs of Safety	Agree task group scoping paper and TOR.	Cllr Wilhelmina Mitchell-Murray, Cabinet Member Children and Young People	Gail Tolley, Strategic Director Children and Young People
3.	Sustainability and Transformation Plan	Scrutiny review of progress of STP.	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Carolyn Downs, Chief Executive Phil Porter, Strategic Director for Community Wellbeing Sarah Mansuralli, Chief Operating Officer, Brent CCG Rob Larkman, Chief Officer, BHH
4.	Co-opted Members on Scrutiny committee	To set out the role of co-opted Members on the Community and Wellbeing Scrutiny Committee.	Cllr Ketan Sheth, Chair of Community and Wellbeing Scrutiny	Pascoe Sawyers, Head of Strategy and Partnerships.
5.	Scrutiny Work Programme update	Review the Work Programme for 2016/17 and note any changes.	Cllr Ketan Sheth, Chair of Community and Wellbeing Scrutiny Committee	Pascoe Sawyers, Head of Strategy and Partnerships.

*Items involving school education. ** Items which may involve partnership work with schools.

Special Scrutiny Meeting

19 October 2016

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	Review of housing management options	Pre-Cabinet scrutiny of report on the future of management for Council housing stock.	Cllr Harbi Farah, Cabinet Member for Housing	Phil Porter, Strategic Director for Community Wellbeing. Jon Lloyd-Owen, Operational Director for Housing and Culture

*Items involving school education. ** Items which may involve partnership work with schools.

23 November 2016

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	NHS estate in Brent	Evaluate impact of changes to the NHS estate in Brent	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Jake Roe, NHS Property Services Sue Hardy, Head of Strategic Estate Development Brent, Harrow, Hillingdon and Ealing CCGs
*2.	Brent Local Safeguarding Children's Board	Receive 2015-16 annual report.	Cllr Wilhelmina Mitchell-Murray, Cabinet Member for Children and Young People	Mike Howard, Independent Chair Brent LSCB
3.	Housing Needs services and vulnerable clients	To review progress in implementing recommendations for improvements.	Cllr Harbi Farah, Cabinet Member for Housing and Welfare Reform	Phil Porter, Strategic Director for Community Wellbeing Jon Lloyd-Owen, Operational Director for Housing and Culture Laurence Coaker, Head of Housing Needs

*Items involving school education. ** Items which may involve partnership work with schools.

1 February 2017

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	Community Pharmacies	Assess impact on community pharmacies of recent changes by central government.	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	NHS England Local Pharmaceutical Committee
2.	Brent Safeguarding Adults Board	Receive 2015-16 annual report	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Michael Preston-Shoot, Chair Brent ASB
3.	Air quality and public health	Evaluation of air quality and public health.	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Phil Porter, Strategic Director for Community Wellbeing Dr Melanie Smith, Director of Public Health Brent CCG
**4.	Task Group Scoping paper CAMHS	Receive report from task group and discuss recommendations for Cabinet.	Cllr Wilhelmina Mitchell-Murray Task group chair	Gail Tolley, Strategic Director for Children and Young People
**5.	Task group report Signs of Safety	Receive task group report on Signs of Safety	Cllr Wilhelmina Mitchell-Murray, Cabinet Member for Children and Young People Cllr Aisha Hoda-Benn Task group chair	Gail Tolley, Strategic Director Children and Young People

*Items involving school education. ** Items which may involve partnership work with schools.

29 March 2017

Agenda	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
*1.	School Annual Standards and Achievement report	Receive report. Examine reasons for underachievement in Brent's schools among particular groups.	Cllr Wilhelmina Mitchell-Murray, Cabinet Member for Children and Young People	Gail Tolley, Strategic Director for Children and Young People
*2.	Special educational needs (SEN)	Update and evaluation of SEN provision.	Cllr Wilhelmina Mitchell-Murray, Cabinet Member for Children and Young People	Gail Tolley, Strategic Director for Children and Young People

*Items involving school education. ** Items which may involve partnership work with schools.

9 May 2017

Agenda Rank	Item	Objectives for scrutiny	Cabinet Member/Member	Brent Council/Partner organisations
1.	Brent's community libraries	Community libraries and draft cultural strategy.	Cllr Tom Miller, Cabinet Member for Stronger Communities	Phil Porter, Strategic Director for Community Wellbeing. Jon Lloyd-Owen, Operational Director for Housing and Culture
2.	Primary Care Transformation	Review implications of primary care transformation for Brent	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Brent CCG
**3.	Children's oral health	Review of working being done to improve children's oral health in Brent.	Cllr Krupesh Hirani, Cabinet Member for Community Wellbeing	Phil Porter, Strategic Director for Community Wellbeing Dr Melanie Smith Director of Public Health

*Items involving school education. ** Items which may involve partnership work with schools.

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Full Council
21 November 2016

**Report from Director of Policy,
Performance and Partnerships**

For Action

Wards Affected:
ALL

**Report from the Chair of the Resources and Public Realm
Scrutiny Committee (Councillor Matt Kelcher)**

1.0 Summary

1.1 This report provides a summary of the work carried out by the Council's Resources and Public Realm Scrutiny Committee in accordance with Standing Order 14. The report covers the period from 19 September 2016 to present, detailing Committee Members, planned training, programme of work and items discussed during the committee meetings.

2.0 Detail

2.1 *Scrutiny Committee*

Resources and Public Realm Scrutiny Committee

This committee covers Corporate Resources, (including Customer Services, Policy, Partnerships and Performance, Procurement and IT) as well as Regeneration, Regulatory Services, Environment, Transport and Community Safety. The Committee is composed of eight elected Members (seven from the Labour Group and one opposition group member, which is consistent with current political balance arrangements).

In October 2016, Councillor Miller resigned from the Resources and Public Realm Scrutiny Committee to take up a post with the Cabinet. In November 2016, Councillor Stopp was appointed to the Committee following approval by Full Council.

2.2 *Training*

On 11 October 2016, Members of both Committees attended the second session on effective scrutiny, delivered by the Centre for Public Scrutiny (CfPS). The Chair and Vice-Chair of the Committee are booked to attend the CfPS Annual Conference and training event on 1 December.

2.3 *Programme Planning*

The Resources and Public Realm Programme has seen one change, with the item on Brent High Streets being moved to 10 January 2017 to incorporate the current work taking place with Town Centre Managers.

A copy of the Resources and Public Realm Scrutiny Committee Forward Plan is attached as Appendix 1.

2.4 *Committee Meetings*

Since the last Chair's Report in September 2016, the Resources and Public Realm Scrutiny Committee has met once. This meeting was under the chairmanship of Councillor Matt Kelcher and a summary of the meeting is as follows:

On 8 November 2016, the Committee received the following reports:

(i) Income Generation

The Director of Resources delivered a presentation detailing the progress made towards delivering the Civic Enterprise Strategy. This includes details on activity undertaken to address the savings targets and how business plans can add value to improving outcomes for the Borough as well as meeting financial targets. It was stated that given the pace and scale of the financial cuts the Council is facing, if it wants to protect the services residents care about the most, then the Council needs to create new income streams and find ways to save money.

(ii) Update on Community Access Strategy* and Customer Care and Access

The Director of Brent Customer Services delivered a presentation detailing Brent's vision for transforming the way in which residents are able to access information, advice and services. The report provided Scrutiny Members with a summary of the Community Access Strategy agreed by Cabinet on 15 October 2014 and the progress that has been made in implementing the Strategy. The Committee discussed some of the key achievements, such as call rates and areas for improvement e.g. voice recognition systems. Members also enquired about mystery shoppers and ghosting to check the quality of the service offered.

(iii) Devolution of Business Rates Task Group

Councillor Davidson, Chair of the Task Group, presented the Task Group's report. Firstly, outlining the reasons why the Task Group was formed and the need for the Council to be ahead of this policy development. The Chair went on to describe the Task Group's methods for gathering evidence and its findings. It was stated that despite the lack of details available for this policy change, the Task Group was still able to formulate strong recommendations that would put the Council in a position to respond positively to the devolution of businesses rates. Members of the Task Group, Councillors Duffy and Miller, contributed to the discussion stating that this was a cross-party

piece of work and that the Task Group welcomed the devolution of business rates and saw it as a great opportunity for Brent. The Deputy Leader of the Council welcomed the report and stated that there are areas within business development that the Council is already working on and that the recommendations will support bringing all the work together. The Task Group made eleven recommendations that were all agreed by Committee and endorsed by the Deputy Leader and the report and recommendations will be presented to Cabinet for approval.

(iv) Annual Report on Complaints 2015/16

The Director of Performance, Policy and Partnerships presented the report, providing an overview of complaints received by the Council during the period April 2015 to March 2016. There was a focus on the high level data for the past three years, which was included in the report where available for the purpose of comparison. A Departmental and service area analysis was provided for the 2015 – 2016 operational year (based on the current structure). The headlines of the report were discussed including, volume of complaints, the nature and reasons for complaints, outcomes, timeliness, compensation and ombudsman complaints.

2.5 Task Group

The Committee has received one task group report and the Budget Panel begins this week with its report heard by the Resources and Public Realm Scrutiny Committee on 10 January 2017:

- Devolution of Business Rates (received at 8 November 2016 committee meeting)
- 2017/18 - 2018/19 Budget Scrutiny Report (will be heard at 10 January 2017 committee meeting)
- Child Sexual Exploitation and Gangs is due to commence in February 2017 (will be heard at 3 May 2017 committee meeting)

2.6 Upcoming Scrutiny Meetings and Activities

The next meeting of the Scrutiny Committee is scheduled for 10 January 2017 and will consider:

- Budget Scrutiny Report - a short budget scrutiny report to be published as part of the reports' pack for the January 2017 Resources and Public Realm Scrutiny Committee and to be responded to by the Deputy Leader at this meeting.
- Capital Programme – An overview of the Council's Capital Programme
- Brent Council Investment Strategy – A look at the Council's priorities for investment
- Brent's High Streets - A review of various issues impacting on the performance of high streets in Brent

Both Scrutiny Committees will be taking part in the annual Youth Takeover Challenge event on 18 November. Young people in Brent will take part in challenges where they will learn about democracy and help to solve actual challenges that the Council is facing. The day's events will be led by Children's Services.

The Chair of the Committee can add an oral report on any issues arising.

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Appendix 1

Resources and Public Realm Scrutiny Committee - Draft Forward Plan 2016/17

This committee will cover Corporate Resources, including Customer Services, Policy, Partnerships and Performance, Community Safety, Regeneration and Environmental Services.

Date of Committee	Agenda items	Responsible officers
15 June 2016	Workshop to agree Work Programme for 2016-17	Peter Gadsdon, Director of Performance, Policy and Partnerships
12 July 2016	<p>Resources and Public Realm Scrutiny Committee: 2016-17 Forward Plan</p> <p>Development Management Policies</p> <p>Scrutiny Annual Report 2015/16</p> <p>Strategic overview of the Council's financial position</p> <p>S106 Community Infrastructure Levy Scrutiny Task Group report.</p>	<p>Councillor Kelcher, Chair of the Resources and Public Realm Scrutiny Committee</p> <p>Amar Dave, Strategic Director of Regeneration and Environment</p> <p>Peter Gadsdon, Director of Performance, Policy and Partnerships.</p> <p>Althea Loderick, Strategic Director of Resources</p> <p>Councillor Farah, Chair of the Scrutiny Task Group</p>
6 September 2016	<p>Brent Road Resurfacing Strategy</p> <p>The Council's Planning Strategy</p> <p>Update on implementation of recommendations from CCTV Scrutiny Task Group.</p> <p>Update on implementation of recommendations from</p>	<p>Amar Dave, Strategic Director of Regeneration and Environment</p> <p>Amar Dave, Strategic Director of Regeneration and Environment</p> <p>Amar Dave, Strategic Director of Regeneration and Environment</p> <p>Amar Dave, Strategic Director of Regeneration and Environment</p>

	Illegal Rubbish Dumping Task Group. Task Group Scope Devolution of Business Rates Task Group	Environment Councillor Davidson, Chair of the Task Group
8 November 2016	Income Generation Update on Community Access Strategy*/Customer Care and Access Devolution of Business Rates Task Group Annual Report on Complaints 2015/16	Althea Loderick, Strategic Director of Resources Althea Loderick, Strategic Director of Resources Councillor Davidson, Chair of the Task Group Peter Gadsdon, Director of Performance, Policy and Partnerships
10 January 2017	Budget Scrutiny Report Capital Programme Brent Council Investment Strategy Brent's High Streets	Chair of the Budget Scrutiny Panel Althea Loderick, Strategic Director of Resources Althea Loderick, Strategic Director of Resources Amar Dave, Strategic Director of Regeneration and Environment.
8 March 2017	Unemployment and Work Programme providers* Is Brent a "green" Council?/Environmental Sustainability agenda* Prevent	Amar Dave, Strategic Director of Regeneration and Environment Amar Dave, Strategic Director of Regeneration and Environment Peter Gadsdon, Director of Performance, Policy and Partnerships
3 May 2017	Annual report of the Safer Brent Partnership Hate Crimes Domestic Violence/Human trafficking	Chair of Safer Brent Partnership Amar Dave, Strategic Director of Regeneration and Environment Amar Dave, Strategic Director of Regeneration and

	<p>Crime and fear of crime locally</p> <p>Stronger Communities - Child Sexual Exploitation and Gangs Task Group.</p>	<p>Environment</p> <p>Amar Dave, Strategic Director of Regeneration and Environment</p> <p>Councillor Shama Tatler Chair of the Task Group</p>
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*Item carried forward from previous Scrutiny Forward Plan

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Full Council – 21 November 2016

Motion selected by the Labour Group

Small Business Saturday

That this Council acknowledges – in the lead up to Small Business Saturday on the 3rd December – the important role of that small businesses play here in Brent.

Our borough is home to more than over 14,000 small businesses, providing thousands of employment and training opportunities for local residents.

They represent the great diversity of our borough, providing a wide variety of goods and services to the people of Brent.

This Council will continue to support the excellent work of our small businesses, providing incentives for local employers to pay the London Living Wage and ensure that the customers, employees and owners see Brent as the best borough in London to do business.

Councillor Shafique Choudhary
Barnhill Ward

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Full Council – 21 November 2016

Motion selected by the Brent Conservative Group

Model of decision making in Brent

This Council believes that the Cabinet system in Brent is not working.

The Local Government Act 2000 allowed Councils to adopt different models of government - Brent chose the cabinet model - but we believe it is time for a change.

We instruct the Chief Executive to formulate a "committee model " of government, whereby all main committees make their own decisions, which are then put to Full Council for approval.

We believe that this model gives much greater involvement for more members and is a more open and transparent method of running the Council.

The Chief Executive should present this report to the January Council meeting.

Councillor John Warren
Leader, Brent Conservative Group
Brondesbury Park Ward

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