



LONDON BOROUGH OF BRENT

**Minutes of the ORDINARY MEETING OF THE COUNCIL
held on Monday 21 January 2013 at 7.00 pm**

PRESENT:

The Worshipful the Mayor
Councillor Michael Adeyeye

The Deputy Mayor
Councillor Bobby Thomas

COUNCILLORS:

Aden	Al-Ebadi
Allie	Arnold
Ashraf	Mrs Bacchus
Baker	Beck
Brown	Butt
Cheese	Chohan
S Choudhary	A Choudry
Colwill	Crane
Cummins	Daly
Denselow	Gladbaum
Green	Harrison
Hashmi	Hirani
Hopkins	Hossain
Hunter	John
Jones	Kabir
Kansagra	Kataria
Leaman	Long
Lorber	Mashari
Matthews	Mitchell Murray
J Moher	R Moher
Moloney	Naheerathan
Ogunro	Oladapo
CJ Patel	HB Patel
HM Patel	RS Patel
Pavey	Powney
Ms Shaw	Ketan Sheth
Krupa Sheth	Singh
Van Kalwala	

Apologies for absence

Apologies were received from: Councillors Beswick, Clues, Hector, McLennan,

1. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meetings held on 19 November and 10 December 2012 be approved as an accurate record of the meetings.

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

Councillor Leaman declared a non disclosable interest in item 9 by virtue of working for a children's mental health charity.

Councillor Lorber declared a non disclosable interest in item 6 by virtue of being a trustee of Friends of Barham Library.

3. **Mayor's announcements (including any petitions received)**

The Mayor announced the recent achievements of two Brent schools: firstly St. Joseph's Infant school in Wembley, which received a Beacon Award after coming top out of 500 London schools in promoting environmental health and safety. With the support of parents, teachers and other agencies, the pupil-led project succeeded in promoting work-to-school travel using modes of transport other than cars. Secondly, three members of staff of Chalkhill Primary School received Certificates of Commendation from the Royal Humane Society for saving a child's life with prompt and efficient acts of courage and bravery. The three staff administered first aid treatment in a coordinated and efficient manner through the MMR and CPR procedures.

The Mayor congratulated Councillors Leaman and Sneddon on their recent respective marriages and wished both councillors and their new wives all the very best for the future.

The Mayor announced that he had asked that his weekly sheet of engagements be circulated to all councillors and urged them to do what they could to support his future charity events.

In accordance with Standing Orders a list of current petitions showing progress on dealing with them has been circulated around the chamber.

4. **Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)**

None.

5. **Report from the Leader or members of the Executive**

The Leader reported that the Executive had agreed to the Council seeking accreditation as a London Living Wage employer as part of the vision for Brent to be a fair and equitable employer and for people to receive a fair days pay for a fair

days work. He added that local government was leading the fight for paying the London Living Wage and he hoped this would send a clear signal to contractors in Brent that they must pay a fair wage to their employees. Councillor Pavey was leading on this matter.

Councillor Arnold reported that the Working with Families Strategy had been agreed by the Executive. The strategy would provide a kick-start to the project aimed at improving the services delivered to the borough's most vulnerable families. She outlined the three strands that comprised the project:

- to develop a multi-agency front door (incorporating a multi-agency safeguarding hub) for Brent by July 2013
- to develop a family support service with an integrated short term crisis intervention service by April 2013 working with families with children of all ages
- to develop an aligned services strategy by the end of the month in order to improve and strengthen a wider range of aligned family support services across services and partners.

Councillor Crane paid tribute to the hard work of staff who had gritted the roads and helped maintain services during the recent cold weather. Councillor Crane referred to the report submitted to the last meeting of the Executive which set out a projected need by 2020/21 for up to 21 forms of entry primary school places and 19 forms of entry secondary school places. A strategic review of the Council's secondary school estate had been completed which would pave the way for a phased expansion of places. Phase 1 would see an additional 2 forms of entry provided at Queens Park school by September 2014. Phase 2 included Kingsbury High school accommodating an additional 4 forms of entry by September 2017 and the redevelopment of Gwenneth Rickus building providing additional 6th form capacity. Phase 3 included the redevelopment of Copland and Alperton Community Schools. In the meantime the Crest Academy would be completed in 2014. Councillor Crane expressed his concern over the position the Council was placed in of being accountable for providing school places but not for providing the necessary schools. Plans were not final because pupil numbers could change and because of the impact of the potential establishment of Free Schools.

Councillor Crane referred to the location of Vicar's Green primary school being in Ealing but close to the borough border. In October a joint project with Ealing had been agreed to expand the capacity of the school. Given that 50% of the pupils at the school were from Brent it made sense to share the cost of the project.

Councillor Powney stated that a wide range of environmental projects were underway and two highlights were that the reduction in carbon emissions was exceeding 25% and the amount of waste recycled was up from 30% to 45%.

Councillor Hirani reported that the Executive had agreed to delegate to officers the authority to award call-off contracts from the Supporting People Framework for a period of 2 years with discretionary extensions of one year (x2). He also referred to the change agreed to the Blue Badge scheme which now allowed the Council to levy a charge for the standard issue of a blue badge.

6. Questions from the Opposition and other Non- Executive Members

Councillor Hopkins referred to the community functions that took place from the Queensbury pub in Willesden which would be under threat if the redevelopment proposals for the pub were agreed and asked what action was being taken by the Council to protect the provision of these functions. Councillor Butt replied that the One Council programme included a project looking at the provision of youth services. The provision by the Council and by community and voluntary organisations would be reviewed to see what was provided and what was needed. He expressed his wish that the Council could do more but was unable to because of the Government's cut to funding for local government. Efforts were being made to find different and innovative ways to protect residents from the worst effect of the cuts. Councillor Hopkins responded by pointing out that the functions run from the Queensbury pub were not funded by the Council and so wondered how the Council would protect them. She stated that more than a token effort was needed from both the Council and the developer and suggested the provisions under the Localism Act might be used to protect the facilities.

Councillor Choudry asked what efforts the Council was making to promote the uptake of the Living Wage by the Council's partners and contractors. Councillor Butt replied that the Council would be sending a strong signal that it expected its partners and contractors to pay a fair wage to their workers. The Council would look to work in partnership with businesses and Councillor Pavey would be taking the lead on this. Councillor Butt added that he was looking to work further with the employers side by establishing a joint forum and felt such a move would make a real difference for local residents. Councillor Choudry thanked Councillor Butt for his reply.

Councillor HB Patel referred back to two years ago when it was said that the Council needed to cut its budget by £100M over 4 years. He referred to the reductions so far made which showed that with two years to go there was a shortfall of £21.1M. He wondered if the assessment of how much the Council had to save was wrong and had led to scaremongering tactics in order to cut services that had not needed to be cut. He asked if the Council would now decide not to increase its reserves and spend its resources for the benefit of residents. Councillor Butt replied that the Chartered Institute of Public Finance and Accounting (CIPFA) had advised the Council that it had reached the minimum level of reserves it recommended. He stated that the cuts in funding were being made by the Government and the Council would use its reserves when the situation demanded it. Councillor HB Patel responded by saying that the cuts had not been imposed by Government but instead had been made necessary due to the mismanagement of the country's finances by the previous Labour government. He felt it was down to common sense what level of balances were needed and at a time when money in the bank was not generating an adequate yield he felt it should be spent on services and reiterated that reserves should not be increased.

Councillor Brown asked what progress had been made since the last meeting of Council on the arrangements for making permanent appointments to the posts of Chief Executive and Director of Finance. Councillor Butt replied that arrangements were in progress with the interim Chief Executive being tasked with the job. The appointments would be made in due course through the Council's agreed procedures. Councillor Brown responded by expressing the view that the Leader

was allowing the matter to drift and that it was a matter of concern to the whole council as to when permanent appointments would be made.

Councillor Mitchell Murray referred to the troubled families programme and asked if the Council had its trouble shooters and its partners in place to deliver the programme. She also asked what would happen to the Government funding for the programme if the programme did not deliver. Councillor Arnold replied that the programme included 800 identified families and that the key workers had been recruited and partners were in place to deliver on the programme. She confirmed that payment would be by results so it was important to press hard to deliver the outcomes. This presented an opportunity to tackle a number of issues in a holistic way. Councillor Mitchell Murray thanked Councillor Arnold for her answer.

Councillor Hunter stated that planning permission was granted for new floodlighting in Gladstone Park in 2009 and the floodlighting was installed soon after. She asked why therefore were the rugby club and other local sports clubs still waiting for the lights to be connected. She asked if it was agreed that the rugby club should get a refund because it had paid for a service that it had not received. The Council had consistently failed to keep local members updated despite numerous requests for information and updates. Councillor Powney replied that he was not familiar with the situation described by Councillor Hunter and so would get officers to provide an answer and submit a timeline for a solution to the problem. Councillor Hunter responded by saying that enthusiastic club members were leaving because of the lack of facilities which was a great shame.

Councillor Pavey asked about the news that Michaela Free School intended to locate within the borough. Councillor Arnold replied that confirmation had been received from the Department for Education that a site had been bought in Wembley for the Michaela Free School and this was without any consultation with the Council. She referred to the Government's diversion of funds towards the provision of free schools. She expressed concern at the recent news and would be approaching the school to seek assurances over its plans. Councillor Pavey shared the concern expressed by Councillor Arnold. He responded by saying that he served on the governing body of a primary school which worked hard to educate local children only for the threat that they would be handed over to unqualified teachers working in free schools. He stated that the education sector should not be run for profit and hoped the Council would take a strong position on this.

Councillor Lorber referred to CIPFA's recent report about libraries which showed how poorly Brent compared to similar councils following the library closures that had happened in the borough. The future of the libraries had been frequently debated and there had been conflicting views over the implications but the CIPFA report suggested that those who said it would result in a worse service were right. He asked if his concern was shared over the low number of active borrowers in Brent which the CIPFA report suggested showed that the library service did not engage as well with the population when compared to other authorities. He also asked when a rethink on library policy would happen. Councillor Butt replied that the CIPFA report referred to an out of date period when the library service was undergoing significant change and it did not correlate with the present position. All the borough's libraries except the Town Hall library had been modernised and a new library would soon be provided at the Civic Centre. Usage figures now showed an increase and the decisions taken on the library service were now being justified.

It was Government action that had forced the Council to take hard decisions on the budget but funds were being used in the most efficient and effective way. Councillor Lorber submitted that the Council needed to take serious account of the CIPFA report which set out that the borough had the fewest number of libraries as a proportion of population, that the number of active users had declined, that 25% less than other authorities was spent on the service and that there was poor use of volunteers. Councillor Lorber felt facilities could be improved if there was a more positive approach to using volunteers. He felt there had to be a change in Council policy and that funding streams to local government allowed the Council to invest more in its library service.

Councillor Van Kalwala referred to the reduction in the local government settlement recently announced and the impact this would have on the local community. He asked for reassurance over how the Council would manage with further reduced resources. Councillor R Moher replied that £100M had already been taken by the Government and the 2014/15 settlement would require a further £17M saving. She stated that it was difficult to reassure members over this. The Government had originally stated that it was a 4 year savings programme but this had now been extended and would continue to most affect the poorer members of the community. Councillor Van Kalwala responded by referring to the complexity of the settlement but pointing out that whilst Brent had a reduction in its spending power of £1.5M, St Albans Council's reduction was £95,000. This showed that the people of Brent were being badly affected by the actions of the present government.

Councillor Beck asked for reassurance that the Council would formally object to the massive block of flats that A2 Dominion had proposed for the Edgware Road on the Brent/Barnet border. This would present a burden on the quality of life for local residents with any compensating benefits only going to Barnet. He asked would the planning application be opposed. Councillor Powney replied that this was a planning matter and he was sure that officers would consider the application and be sure to submit any objections considered necessary. Councillor Beck responded that he understood a revised application had been submitted before Christmas last year and there was only two weeks left to object. He submitted that it was important that the Council stood up for its residents.

7. Reports from the Chairs of Overview and Scrutiny Committees

Councillor Mashari presented the report from overview and scrutiny and invited councillors to submit any questions on its content to the respective chair.

NOTED

8. Changes to constitution

RESOLVED:

that the changes made to the Constitution providing for the Director of Legal and Procurement to act as a Returning Officer for any elections of Councillors and as Electoral Registration Officer, shown as tracked changes in Appendix 1 to the report submitted, be agreed.

9. Motions

9.1 Credit unions

Councillor Butt moved the motion circulated in his name. He referred to the last 2 years during which what he regarded as the biggest decline in living standards had taken place; millions of households had been pushed deeper into poverty which had been made worse by cuts to welfare benefits. He stated that increased poverty led to increased debt. Credit Unions were a viable and ethical alternative to the loan shark companies and he felt there was much more that could be done to promote the use of them. Representatives of the Credit Union for Brent and Ealing (CUBE) were present at the meeting. Councillor Lorber expressed support for Credit Unions and referred to what he thought was the related issue of the proliferation of betting shops, which had made it easier for people to gamble. Councillor Lorber asked how CUBE had been selected out of all the credit unions operating and whether a proper selection process had been undertaken. He felt it was important that the Council did what it could to ensure people received proper advice about debt. Councillor Kansagra supported the motion and felt that the Council needed to do what it could to provide assistance and advice to those people who found it difficult to manage their finances.

Following a vote the motion was declared unanimously CARRIED.

RESOLVED:

- (i) that Council notes with alarm the unfettered growth of Pay Day Lenders in the borough and recognises the role that they play in increasing poverty and debt across Brent;
- (ii) that Council welcomes the progress being made by the "Movement for Change" to highlight the dangers posed to the community by Pay Day Lenders and in promoting credit unions as an alternative;
- (iii) that lenders charging interest at rates of 4,000% have no place in a modern society;
- (iv) that Council regrets that excessive interest rates as charged by Pay Day lenders are hampering the UK's economic recovery and causing misery to the already financially excluded;
- (v) that Council notes the Government's determination to increase the number of members of credit unions, recognises that in order to provide the best service for those that are financially excluded an equal number of members need to be paying into their credit union accounts by payroll deduction;
- (vi) that the well-established and productive partnership between CUBE, the credit union for Brent and Ealing and Brent Housing Partnership be continued;
- (vii) that Brent Council becomes a Corporate Member of the credit union subject to there being no legal constraints;

- (viii) that CUBE be promoted to tenants and residents across the borough;
- (ix) that improved access to CUBE for Brent Council staff be provided;
- (x) that the Council's partners and other employers in Brent be encouraged to allow payroll deduction so that their staff can more easily develop a savings culture;
- (xi) that representations be made to Brent MPs to support a rate cap on Pay Day lenders when next the opportunity arrives in Parliament;
- (xii) that schools in Brent be encouraged to use materials provided by the Personal Finance Education Group to improve the financial capability of the borough's school children;
- (xiii) that Councillor Pavey be appointed to champion Credit Unions across the Borough.

9.2 Scrap the April parking charge increase

Councillor Cummins moved the motion circulated in his and Councillors Beck, Cheese, Hashmi, Hopkins, Lorber, CJ Patel and Shaw's names which sought to scrap the April parking charge increase. He added that people were worried about the economy and yet the Council appeared to think it was acceptable to take more money from the motorist. There had been massive increases in charges and a decline in the high streets. Councillor Cummins submitted that people tended to go where there was free parking and these charges were dramatically affecting local businesses. Councillor J Moher stated that increases in charges were being kept to around the inflation rate at 3%. The charges were not being increased twice in one year. A decision had been taken to move to annual increases and the increase in January 2013 related to the year 2012/13 when there had been no increase. In addition, some people would not face an increase if they used low emission cars. Others faced an increase because it had been 11 years since the last increase. Councillor J Moher denied the parking account was used simply to raise money and stated that the income all went on providing improved transport services. Councillor HB Patel stated that whilst the Leader spoke of improving the lives of residents this was not happening with parking charges increasing and libraries closing. He referred to increases in penalty charges introduced in 2011/12 and submitted that neighbouring boroughs had reduced their charges thereby encouraging people into their areas. He suggested that the first half hour parking should be free.

Following a vote the motion was declared LOST.

9.3 Parking charges

Councillor Kansagra moved the motion circulated in his name which sought to request the Executive to review parking charges and introduce one hour's free parking in appropriate shopping areas. He referred to neighbouring boroughs, especially Harrow, which he submitted did a better job of supporting businesses to flourish. He felt proud that Brent had not increased its parking charges over the years and stated that it was not good for the environment when people could not leave their cars at convenient places. Councillor J Moher moved an amendment to

the motion. He pointed out that the Executive was already undertaking a review and this would include proposals to charge by the minute and to introduce a lower charge for an initial period. Councillor Hashmi referred to examples of where it was difficult to park that were personal to him. He added that the parking revenue account was down on the previous year and suggested that the high streets would soon close down as supermarkets with car parks continued to be supported. He urged that small businesses be supported and parking charges reduced.

The amendment to the motion was put to the vote and declared CARRIED.

RESOLVED:

- (i) that it be noted that due to huge government cuts in its grant the Labour Administration has had to raise parking charges in the borough as a means of paying for transport-related services and that it plans to increase charges in 2013 in line with inflation;
- (ii) that it be noted that as parking charges have gone up, some revenue collected has decreased; the Council is aware of the serious repercussions for businesses who are suffering from a lack of trade as a result of the deep recession, supermarket competition and on-line shopping, as the Portas report concluded, with parking charges being just one of seventeen factors identified;
- (iii) that it be noted that the Executive is currently reviewing the parking charges in the borough in order to aid residents and support local businesses in these difficult economic times.

9.4 **Childcare**

The motion circulated in Councillor Mashari's name was put to the vote and declared CARRIED.

RESOLVED:

- (i) that the great economic and social value of helping parents of young children to return to work or enter employment be recognised but the difficulty meeting the high child care costs and find suitable part time positions be understood;
- (ii) that in order to support young families, the arrangements for accommodating part-time contracts be reviewed, the use of community benefit clauses to enshrine provision for child care in future tenders be investigated and the Mayor of London be lobbied to adopt part-time weekly Oyster cards

9.5 **Impact of welfare benefits up-rating bill on people with disabilities**

The motion circulated in Councillor Oladapo's name was put to the vote and declared CARRIED.

RESOLVED:

- (i) that the fact that households which include disabled people are more likely to be affected by the Government's decision to restrict most benefits to below-inflation increases be deplored;
- (ii) that it be noted that the Government's own impact assessment of the welfare benefits up-rating bill shows households where someone is disabled "are more likely to be affected than those where there is not a person who describes themselves as disabled";
- (iii) that the restrictions which will leave some households with disabled people having to choose between eating and heating on a regular basis be noted;
- (iv) that the Government be called on to immediately reverse its decision for the sake of disabled families across the UK.

9.6 **Sustainable Communities Act**

The motion circulated in Councillor Colwill's name was put to the vote and declared unanimously CARRIED.

RESOLVED:

That Brent Council:

- (i) supports the bottom up process set up by the Sustainable Communities Act that enables councils to drive action and assistance that central government gives councils to promote thriving local economies and communities;
- (ii) notes that the Act gives councils the power to make proposals to government for action and assistance from government to promote sustainable communities, and that those proposals can be for, but are not restricted to, new powers, removal of bureaucratic hurdles or a transfer of public money and related function from central control to local control;
- (iii) notes that the Act defines sustainable communities broadly, that definition having the 4 aspects of:
 - the improvement of the local economy,
 - protection of the environment,
 - promotion of social inclusion and wellbeing, and
 - increasing participation in civic, political and democratic activity;
- (iv) resolves to use the Act by inviting residents to come forward with proposals for action and assistance from central government and submitting those proposals, along with others the Council may have, each year; and
- (v) further resolves:
 - to inform the local media of this decision;
 - to write to local MPs, informing them of this decision; and

- to write to Local Works (at Local Works, c/o Unlock Democracy, 37 Gray's Inn Rd, London WC1X 8PQ or info@localworks.org) informing them of this resolution.

9.7 **Children held in police cells under the Mental Health Act**

The motion circulated in the names of Councillors Beck, Hunter, Leaman and Lorber's was put to the vote and declared CARRIED.

RESOLVED:

- (i) to note that:
 - the results of a recent BBC investigation which revealed 347 children in England were detained in police cells under the Mental Health Act in 2011 with some being held for more than 24 hours and the youngest children being just 11 years old,
 - that often these children had committed no criminal acts,
 - that under the Mental Health Act children suspected of being mentally ill and in "need of care or control" can be taken to a safe place for assessment and that in exceptional circumstances, when psychiatric units or children's homes are unavailable, they can be placed in police cells;
- (ii) that the view of the Health Minister, Norman Lamb, that holding children who are unwell and have committed no crime in police cells is "completely unacceptable" be supported and that spending long periods of time in police cells is likely to increase a child's mental distress;
- (iii) that it be recognised that the police currently may have no alternative but to take children to police cells as the only place of safety and that the Association of Chief Police Officers admits that this is 'not the best answer' and concern be expressed that the Metropolitan Police were one of the few police forces not to respond in detail to the BBC's Freedom of Information request;
- (iv) that the Lead Member for Crime and Public Safety be requested to contact the Metropolitan Police to ask whether this practice occurs within Brent and if it does to bring together the Police, the Council and the local NHS to make sure that it ends as soon as is practically possible.

9.8 **Future of social care**

An amendment to the motion circulated in the names of Councillors Beck, Brown, Hopkins, Hunter, Lorber and Shaw was tabled, put to the vote and declared CARRIED.

RESOLVED

- (i) to note that the report of the Commission on Funding of Care and Support chaired by Andrew Dilnot was sent to the Chancellor of the Exchequer and the then Secretary of State for Health on 4 July 2011 recommending, inter alia, that:

- a) a cap should be set on an individual's contributions, and
 - b) the upper threshold for means-testing should be raised;
- (ii) that the Social Care White Paper published in July 2012 represents progress towards these objectives but does not go nearly far enough to address the pressing needs of the Country;
- (iii) that the Government be called upon to:
- a) bring forward legislation to implement these two proposals without any further delay, and
 - b) ensure that the necessary funding provided to all local authorities is based upon the demographics of the eligible population rather than an arbitrary formula;
- (iv) that the Chief Executive be requested to write to the Secretary of State for Health outlining these concerns.

9.9 DNA database

The motion circulated in the names of Councillors Beck, Hopkins, Hunter and Lorber was put to the vote and declared CARRIED.

RESOLVED:

- (i) that in a fair society it is not right that innocent people can have their DNA stored by the state and so it is noted with concern that since 2004, the UK's National DNA Database (NDNAD) has been permitted to hold DNA samples of any individual arrested of an offence, regardless of whether that individual was actually charged or convicted;
- (ii) that it be noted that over million people, who have never been given a conviction, caution or formal warning are estimated to be on the National DNA database and acknowledges that the European Court of Human Rights found indefinite DNA retention to be in violation of Article 8;
- (iii) that whilst recognising that DNA evidence can be an important tool in criminal investigations, the indefinite retention of the DNA of innocent people constitutes a disproportionate intrusion by the state;
- (iv) that the Government's announcement that all DNA samples held for innocent people will be destroyed by May 2013 be welcomed and the provisions within the Protection of Freedoms Act 2012 ending the illiberal policy of permanent DNA retention for individuals not charged or convicted of any crime be endorsed;
- (v) that the Metropolitan Police's Early Deletion Request Scheme be supported and the Metropolitan Police be called upon to ensure that this is adequately publicised among Brent residents and a link to the Early Deletion Request Scheme be placed on the Council's website and the scheme be highlighted in the next edition of the Brent Magazine.

10. **Urgent business**

None.

The meeting closed at 8.35 pm

COUNCILLOR MICHAEL ADEYEYE
Mayor