



## **LONDON BOROUGH OF BRENT**

**Minutes of the ORDINARY MEETING OF THE COUNCIL  
held on Monday 2 March 2015 at 7.00 pm**

### **PRESENT:**

**The Worshipful the Mayor**  
Councillor Kana Naheerathan

**The Deputy Mayor**  
Councillor Lesley Jones B.Ed MA

### **COUNCILLORS:**

Aden	Agha
Ahmed	Allie
Bradley	Butt
Carr	S Choudhary
A Choudry	Colacicco
Collier	Colwill
Conneely	Crane
Davidson	Denselow
Dixon	Duffy
Eniola	Ezeajughi
Filson	Harrison
Hirani	Hoda-Benn
Hossain	Hylton
Kabir	Kansagra
Kelcher	Khan
Long	Mahmood
Marquis	Mashari
McLeish	McLennan
Miller	Moher
J Mitchell Murray	W Mitchell Murray
Nerva	M Patel
RS Patel	Pavey
Perrin	Shahzad
Ms Shaw	Ketan Sheth
Krupa Sheth	Southwood
Stopp	Tatler
Van Kalwala	Warren

### **Apologies for absence**

Apologies were received from: Councillors Daly, Farah, Hector, Oladapo and Thomas.

1. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 19 January 2015 be approved as an accurate record of the meeting.

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

Councillor Nerva declared a non pecuniary interest in relation to item 6 – Budget 2015/16 and Council Tax by virtue of his membership of the Local Government Information Unit.

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

The Mayor pointed out that this was the last meeting at which he would be Mayor before the annual meeting in May.

The Mayor announced that his end of year party would be on 16 May and that details would follow.

The Mayor drew attention to the list of current petitions showing progress on dealing with them which had been circulated around the hall.

4. **Procedural motion**

The Chief Whip moved a procedural motion in relation to debating the item on the 2015/16 Budget and Council Tax.

Councillor Warren moved an amendment to the procedural motion seeking to allow a longer time to be given to the contributions by the Leaders of the Brondesbury Park Conservative Group and the Conservative Group, which was put to the vote and declared LOST.

RESOLVED:

- (i) that the Leader of the Council be permitted to speak for up to 15 minutes in presenting the report on the 2015/16 budget and Council Tax to the meeting, setting out the Cabinet's proposals for the budget, after which the following arrangements be agreed for the purpose of debating and voting upon the 2015/16 Budget and Council Tax:

the Leader of the Brondesbury Park Conservative Group be permitted to speak for up to 10 minutes,

the Leader of the Conservative Group be permitted to speak for up to 10 minutes,

the Deputy Leader of the Council be permitted to speak for up to 10 minutes,

the Chair of the Scrutiny Committee be permitted to speak for up to 5 minutes,

a general debate to follow during which the usual rules for debate will apply as set out in Standing Orders 46 and 47 save as set out in this procedural motion,

the Leader of the Council be permitted to speak for up to 5 minutes to submit his closing remarks;

(ii) that voting on each Group's budget proposals be taken *en bloc*.

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

None.

**6. Budget 2015/16 and Council Tax**

The Council had before it a report seeking approval of the 2015/16 revenue and capital budgets and to the Council Tax to be levied. It set out the process for developing the budget, a breakdown of service area budgets and the overall budget requirement in 2015/16.

The Leader of the Council, Councillor Butt, addressed the meeting in support of the proposed budget. He stated that the decisions before Council were between what services to continue and what to cease in the face of more than £50m worth of savings the Council was being forced to make over the next two years. The proposals sought to provide hope for a more prosperous, inclusive and healthier borough. The proposals had been prepared in consultation with local people so that their priorities could be reflected in the Council's priorities. He noted that those boroughs facing the greatest cuts were those with the highest levels of poverty. He referred to some of the cuts to Council services having to be made and how Councils were no longer able to help vulnerable families as they once did. He stated that there were those that wanted to defend council services by not setting a legal budget but pointed out the consequences of the Government stepping in to run the Council; some argued for a rise in council tax but he countered this with the financial situation Brent's residents faced. Councillor Butt stated that Council Tax was now outdated and raising it would create as many problems as it would solve. He referred to some of the more controversial measures contained in the budget and explained why these decisions had been taken. He referred to the wide-ranging public consultation that had taken place and paid tribute to all those people who had taken part. As a consequence, the Leader referred to the decisions taken not to cut some services and how further savings were being sought from the back office services. Nevertheless there were difficult decisions that had to be taken.

Following repeated interruptions by a person sitting in the public gallery and repeated warnings from the Mayor not to interrupt, the Mayor asked the person concerned to leave the meeting.

The Leader continued by stating that the Council had to become a champion for fair pay and security at home. The proposed budget marked a beginning for people

who cared about Brent to find solutions to make the borough a more pleasant, secure and prosperous place.

Councillor Warren referred to what he felt was a bizarre discussion on the budget at the Cabinet meeting the previous week which he had not been able to follow. He referred to the public consultation carried out on the budget which he stated had only been used as an opportunity to criticise the Government. Budget proposals in the names of the Brondesbury Park Conservative councillors were circulated at the meeting. Councillor Warren thanked those who had helped him with his proposals. He outlined his proposals for a Council Tax cut, rejecting some of the savings in the budget put forward by the Leader and imposing additional savings elsewhere. He also put forward a list of growth spending. Councillor Warren referred to Government funding and stated that the list of Government grants given to Brent in the current year totalled £794M; and for the next year Brent would receive £787M. This contrasted with the repeated messages given out that Government funding was being severely reduced. He claimed that the biggest threat to Council funding over the next few years was the Labour Party's approach to the New Homes Bonus. He moved his budget proposals by saying he had struck a balance between protecting front line services, eliminating waste and introducing the first of several Council Tax cuts over the next few years leading up to the 2018 local elections.

Councillor Kansagra welcomed the proposed council tax freeze and pointed out that it was the fifth year of a freeze during which time front line services had been protected. He pointed out that it was the freeze grant from central Government that had allowed this. He referred to the Government's actions on income tax and spending on the NHS and schools and creating more employment opportunities. Councillor Kansagra outlined some amendments to the proposed budget which sought to protect the Stonebridge play centre, improve income opportunities from the use of the Civic Centre, maintain the Welsh Harp Education Centre, withdraw the garden tax and reduce councillor allowances back to 2013 levels.

Councillor Pavey, Lead Member for Resources and Deputy Leader, stated that the Council faced the most difficult financial settlement in the history of the borough and in response to this the proposed budget was built around protecting the most vulnerable residents. He referred to failed economic policy by the Government and the level of cuts the Council was now facing. He pointed out that as a result of the consultation, decisions had been taken not to pursue some of the proposals put forward. He thanked Councillors for their contributions to the budget and outlined how their views had been taken account of. In protecting many frontline services over 60% of the savings would be achieved through introducing efficiency measures and income would be increased through higher fees and charges for council services. Acknowledging that some people held the view that council tax should be increased, Councillor Pavey stated that this would be kept under review and re-considered next year. Councillor Pavey criticised the alternative proposals put forward by Councillors Warren and Kansagra claiming that Councillor Warren's proposals did not add up and that Councillor Kansagra had failed to mention any of the critical social care services the Council was responsible for.

After further interruptions by a person sitting in the public gallery, the Mayor issued a final warning that he should stop interrupting the meeting or face being removed.

Councillor Choudry, Chair of Scrutiny Committee, provided an update on the work of scrutiny since the last meeting of Full Council. This included the work of task groups and particularly the Budget Task Group which had reported its findings back to the Scrutiny Committee and these were now included in the papers before councillors. The task group had welcomed the range of public consultation carried out and the choices people were able to make. The task group welcomed the fact that £34.9M savings had been identified through efficiencies savings but warned that such savings needed to be monitored to ensure final delivery.

A general debate followed with councillors commenting on the proposed budget and the amendments put forward. Reference was made to the closure of children centres around the country and how welcome it was that the Council was committed to keeping them open. A number of councillors expressed support for a budget that protected local people in the face of such cuts imposed by Government and acknowledged the achievement in managing to identify the level of efficiency savings put forward. A suggestion was made that the proposed budget was built on scaremongering with messages of how desperate the Council's financial position was and it was submitted that the Brondesbury Park Conservatives offered clear alternatives and leadership. Further reference was made to the amount of funding the Council would receive under the New Homes Bonus. A view was put that it was easier in opposition to put forward alternative proposals but that there were very difficult decisions for the Administration to take when faced with such severe spending cuts. A critical view was expressed of the Opposition's proposals being in response to high publicity issues. A reference was made to the Conservatives campaigning in the forthcoming Kenton by election to support an increase in spending on roads and preventing flytipping but that these two areas had not received a mention in the current debate. A comment was made that the proposals put forward by the Brondesbury Park Conservatives would use the Council's reserves and so amounted to one-offs. A reference was made to vulnerable adults facing a cut in services and it was submitted that there would be a need to evaluate how personal budgets were working. Sorrow was expressed over staff losing their jobs. A criticism was submitted over the consultation on the budget and it was claimed that decisions had been made before the consultation was completed. A view in support of raising the council tax was expressed by reference to other Labour Councils across the country putting up Council Tax. A view was submitted that the decision taken on Stonebridge playground had been driven by the developer's needs. It was submitted that there had been insufficient scrutiny of the budget carried out. A point was made that, for those councillors who did not live in a CPZ area, increases in parking charges had no affect. A question was also asked why councillors should receive free car parking at the Civic Centre. A reference was made to the past Labour Government making cuts and the view expressed that there needed to be honesty about what funding was spent on. Questions were asked about how much rent the Council received from letting part of the Civic Centre to Air France and how much the old Town Hall was sold for.

The Leader thanked everyone for their contribution. He expressed his commitment to the provision of housing and pointed to the proposed Wembley and Alperton housing action zones which would provide quality homes. The Council was committed to delivering positive outcomes for children, employment through regeneration schemes and was committed to working with the voluntary sector. The budget ensured there was care support for those residents that needed it and he commended the proposed budget to the Council.

RESOLVED:

- (i) that there be no increase in the Council's element of council tax for 2015/16;
- (ii) that the General Fund revenue budget for 2015/16 be agreed and the indicative budget for 2016/17 be noted, as summarised in Appendix B of the report submitted;
- (iii) that the Service Area budgets including the cost pressures and savings detailed in Appendices C and D of the report and the dedicated schools' grant set out in section 6 of the report submitted, be agreed;
- (iv) that the budgets for central items as detailed in Appendix G of the report submitted be agreed;
- (v) that the Housing Revenue Account budget set out in Appendix I(ii) of the report submitted be agreed;
- (vi) that the 2015/16 to 2016/17 capital programme as set out in Appendix J of the report submitted be agreed;
- (vii) that the Treasury Management Strategy and the Annual Investment Strategy for 2015/16 set out in Appendix K of the report submitted be agreed;
- (viii) that the Prudential Indicators measuring affordability, capital spending, external debt and treasury management set out in Appendix L of the report submitted be agreed;
- (ix) that the report from the Chief Finance Officer in Appendix E of the report submitted in respect of his statutory duty under Section 25 of Local Government Act 2003 be received;
- (x) that the advice of the Chief Legal Officer as set out in Appendix M of the report submitted be noted;
- (xi) that the levels of unsupported borrowing forecast for 2015/16, based on the borrowing levels agreed by the Council on 3 March 2014 be noted;
- (xii) that the instalment dates for council tax and NNDR for 2015/16, and the recovery policy for council tax as set out in Appendix H(ii) of the report submitted be agreed;
- (xiii) that decisions on individual applications for reducing council tax payable in accordance with section 13A(1)(c) of the Local Government Finance Act 1992 be delegated to the Chief Finance Officer;
- (xiv) that in relation to the council tax for 2015/16:-

the following amounts be now calculated by the Council for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

- (a) £995,477,173 being the aggregate of the amount that the Council estimates for the items set out in Section 31A(2) of the Act,
- (b) £907,798,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(3) of the Act,
- (c) £87,679,173 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year,
- (d) £1,058.94 being the amount at (c) above, divided by the amount for the tax base specified above calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year, and
- (e) Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
705.96	823.62	941.28	1,058.94	1,294.26	1,529.58	1,764.90	2,117.88

being the amounts given by multiplying the amount at (d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (xv) that it be noted that for the year 2015/16 the proposed Greater London Authority precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, in respect of the Greater London Authority, for each of the categories of dwellings shown below:

#### Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
196.67	229.44	262.22	295.00	360.56	426.11	491.67	590.00

- (xvi) that, having calculated the aggregate in each case of the amounts at (e) and (xv) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2015/16 for each of the categories of dwellings shown below:

#### Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
902.63	1,053.06	1,203.50	1,353.94	1,654.82	1,955.69	2,256.57	2,707.88

(xvii) that it be noted that the Chief Finance Officer has determined that the Council's basic amount of council tax for 2015/16 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Act 1992;

(xviii) that the Chief Finance Officer be and is hereby authorised:-

- (a) to give due notice of the said council tax in the manner provided by Section 38(2) of the Local Government Act 1992,
- (b) when necessary to apply for a summons against any council tax payer or non-domestic ratepayer on whom an account for the said tax or rate and any arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly, and
- (c) to collect revenues and distribute monies from the Collection Fund and is authorised to borrow or to lend money in accordance with the regulations to the maximum benefit of each fund

In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which require local authorities to take recorded votes when budget decisions are being taken, the voting on Councillor Warren's amendments was recorded as follows:

For	Against	Abstained	Absent
Councillors Carr, Davidson, Shaw and Warren (4)	Councillors Aden, Agha, Ahmed, Allie, Bradley, Butt, Choudry, Choudhary, Colacicco, Collier, Conneely, Crane, Denselow, Dixon, Duffy, Eniola, Ezeajughi, Farah, Filson, Harrison, Hirani, Hoda-Benn, Hossain, Hylton, Kabir, Kelcher, Khan, Mahmood, Marquis, Mashari, McLeish, McLennan, Miller, Moher, J Mitchell Murray, W Mitchell Murray, Nerva, M Patel, R Patel, Pavey, Perrin, Shahzad, Ketan Sheth,	HW The Mayor, Councillor Naheerathan, Deputy Mayor, Councillor Jones and Councillors Colwill, Kansagra and Long, (5)	Councillors Chohan, Daly, Hector, Oladapo and Thomas (5)



	Krupa Sheth, Southwood, Stopp, Tatler and Van Kalwala (48)		
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The voting on the recommendations contained in the report submitted, as moved by the Leader, was recorded as follows:

For	Against	Abstained	Absent
Councillors Aden, Agha, Ahmed, Allie, Bradley, Butt, Choudry, Choudhary, Colacicco, Collier, Conneely, Crane, Denselow, Dixon, Duffy, Eniola, Ezeajughi, Farah, Filson, Harrison, Hirani, Hoda-Benn, Hossain, Hylton, Kabir, Kelcher, Khan, Mahmood, Marquis, Mashari, McLeish, McLennan, Miller, Moher, J Mitchell Murray, W Mitchell Murray, Nerva, M Patel, R Patel, Pavey, Perrin, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stopp and Tatler (47)	Councillors Carr, Colwill, Davidson, Kansagra, Shaw and Warren (6)	HW The Mayor, Councillor Naheerathan, Deputy Mayor, Councillor Jones and Councillors Long and Van Kalwala (4)	Councillors Chohan, Daly, Hector, Oladapo and Thomas (5)

## 7. **Brent's Borough Plan 2015-2019**

The Borough Plan constitutes a community strategy for Brent and sets out how the Council, its partner services, local residents, local business and the voluntary and community sector will, working together, improve the quality of life locally. The Cabinet had considered the Draft Borough Plan at its meeting on 15 December 2014 and since then the draft document had been the subject of detailed discussion with partners in the statutory and voluntary sectors. Members were now being asked to agree the plan.

RESOLVED:

that the Borough Plan for 2015-2019 be agreed and the Chief Executive be authorised to make any minor changes before publication.

#### **8. Old Oak and Park Royal Development Corporation Scheme of Delegation**

The agreement of Members was sought for the Old Oak and Park Royal Development Corporation (OPDC) Scheme of Delegation, which was an arrangement between the OPDC and the London Borough of Brent to formalise the delegation of certain planning functions.

RESOLVED:

- (i) that the OPDC Scheme of Delegation for Planning Functions in the London Borough of Brent, as set out in Appendix A of the report submitted, be agreed;
- (ii) that the Protocol for handling planning applications and other planning related functions attached as Appendix B of the report submitted, be approved;
- (iii) that the functions to be discharged by the Council on behalf of the OPDC be delegated to the Planning Committee and officers in accordance with the current arrangements for carrying out planning functions and that the Planning Committee's terms of reference and Part 4 of the Constitution be amended accordingly, as shown underlined in Appendix C of the report submitted;
- (iv) that any minor ancillary matters arising from time to time in respect of the Scheme of Delegation or the Protocol be delegated to the Strategic Director, Regeneration & Growth;
- (v) that the matters set out in (i) – (iv) above take effect from 1 April 2015 or such other time as the OPDC planning functions become effective.

#### **9. Pay Policy Statement**

The purpose of the report before Members was to inform them of the arrangements that had been put in place to meet the requirement to produce a pay policy statement on an annual basis. The statement in draft had been approved by the General Purposes Committee on 29 January 2015.

Councillor Warren proposed an amendment to the pay policy statement by adding to the key strategic aims for 2015/19 reference to adopting a zero tolerance to bullying of staff by fellow staff members. In response, Councillor Pavey assured members that the recommendations in his review of equalities and HR policies would be implemented and, whilst agreeing with the sentiments of Councillor Warren's proposed amendment, pointed out that the document before Members was a pay policy and not an HR strategy.

Councillor Warren's amendment was put to the vote and declared LOST.

RESOLVED:

that the draft pay policy statement attached to the report submitted be approved as an accurate and factual representation of the Council's pay arrangements for 2015/16.

#### **10. Updates to the Constitution**

The report before Members proposed that the Constitution be amended so as to reflect the senior manager restructuring agreed by the Cabinet, and to address changes in the law in relation to procurement. There was also a minor change in relation to meetings of the Teachers' Joint Consultative Committee.

Councillor Warren moved a procedural motion that would enable him to propose an additional amendment to the Constitution, notice of which had not been put before the Mayor. The procedural motion was put to the vote and declared LOST.

RESOLVED:

- (i) that the changes made to the Constitution as shown in Appendix 1 of the report submitted in relation to the senior management restructure to take effect from 1 April 2015 be agreed;
- (ii) that the Chief Legal Officer be delegated authority to make such other incidental changes to the Constitution as are necessary in relation to the senior management restructure;
- (iii) that any previous delegations made by the Council, its committees, or the Cabinet, and its committees to post titles now deleted be regarded as delegations to those Chief Officers to whom that function has now transferred;
- (iv) that the changes to Contract Standing Orders as shown in Appendix 2 be agreed;
- (v) that the frequency of meetings of the Teachers' Joint Consultative Committee be varied from at least once per every school term to ad hoc.

#### **11. Urgent business**

The Mayor authorised the following report as urgent and not admitting of delay because the date of the next Council meeting would be too late for the matter to be considered.

#### **12. Member's absence from Council meetings**

RESOLVED:

- (i) that Councillor Oladapo's absence from meetings of the Council since 27 November 2014 be approved on the basis of his ill-health and that the position be reviewed, if required, at the first Ordinary Meeting of Full Council for the 2015/16 Municipal Year;

- (iii) that the Council's wishes for a speedy return to good health be passed on to Councillor Oladapo.

The meeting closed at 9.05 pm

COUNCILLOR KANA NAHEERATHAN  
Mayor