

## **LONDON BOROUGH OF BRENT**

At an **ORDINARY MEETING OF THE COUNCIL** of the **LONDON BOROUGH OF BRENT** held at Brent Town Hall Forty Lane, Wembley, Middlesex on **Monday, 13<sup>th</sup> July 2009 at 7.15 pm**

### **PRESENT:**

**The Worshipful the Mayor**  
Councillor O'Sullivan

**The Deputy Mayor**  
Councillor Singh

### **COUNCILLORS:**

Ahmed	Hirani
Arnold	Jackson
Mrs Bacchus	John
Baker	Jones
Beswick	Joseph
Blackman	Kansagra
D Brown	J Long
V Brown	Lorber
Butt	Malik
Chavda	Matthews
Clues	Mendoza
Colwill	Mistry
Corcoran	J Moher
Coughlin	R Moher
Crane	Moloney
Cummins	Motley
Detre	CJ Patel
Dunn	H B Patel
Dunwell	H M Patel
Eniola	Powney
Mrs U Fernandes	Steel
Fox	Tancred
Green	Van Colle
Gupta	Van Kalwala
Hashmi	Wharton

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Allie, Anwar, Bessong, Castle, Farrell, Leaman, Pagnamenta, Ms Shaw, Sneddon and Thomas.

2. **Minutes of Previous Meetings**

RESOLVED:-

- (i) that the minutes of the meeting of Full Council held on 2<sup>nd</sup> March 2009 be confirmed as a true and accurate record, subject to showing Councillor Thomas as having declared an interest in Harmony Children's Centre rather than Councillor Gupta;
- (ii) that the minutes of the Extraordinary meeting of Full Council held on 2<sup>nd</sup> March 2009, the Annual meeting of Full Council held on 13<sup>th</sup> May 2009 and the meeting of Full Council held on 18<sup>th</sup> May 2009 be confirmed as true and accurate records.

3. **Declarations of Interests**

At this meeting there were none.

4. **Mayor's Announcements**

The Mayor was pleased to announce that his Charity Appeal launch would take place on Wednesday 29<sup>th</sup> July, at Willesden Green Library.

The Mayor announced with great pleasure that Martin Chesseman (Director of Housing and Community Care) had been awarded an OBE for service to local government in the Queen's Birthday Honours List.

The Mayor pointed out that, in accordance with standing orders, a list of current petitions showing progress on dealing with them had been circulated around the chamber.

5. **Appointments to Committees/Appointment of Chairs/Vice Chairs**

RESOLVED:-

that the following appointments be made:

<b><i>Body</i></b>	<b><i>Appointment</i></b>
Planning Committee	<p>Councillor Pagnamenta to replace Councillor Hirani as 1<sup>st</sup> alternate to Councillor Cummins</p> <p>Councillor Jackson to replace Councillor Pagnamenta as 2<sup>nd</sup> alternate to Councillor Cummins</p> <p>Councillor Tancred to replace Councillor Bessong as 1<sup>st</sup> alternate to Councillor Hirani</p> <p>Councillor Butt to replace Councillor Thomas as 1st alternate to Councillor R Moher</p>
Forward Plan Select Committee	Councillor Fox to replace Councillor Jones as 2 <sup>nd</sup> alternate to Councillor Coughlin
Overview & Scrutiny Committee	Councillor Long to replace Councillor Jones as 2 <sup>nd</sup> alternate to Councillor R Moher
South Kilburn Neighbourhood Trust	Lead Member for Regeneration
South Kilburn Neighbourhood Partnership Board	Lead Member for Regeneration
Welsh Harp Joint Consultative Committee	<p>Councillors Castle and Corcoran as first and second alternates respectively to Councillor Motley</p> <p>Councillors Gupta and Hirani as first and second alternates respectively to Councillor Wharton</p>

## 6. **Question time**

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

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

### *Parking charges and fines*

The question from Councillor Ahmed had asked how much money was collected in parking charges and fines across Brent in the financial years between 2005/06 to 2008/09. As a supplementary question she asked how much money had been collected due to event day parking fines since the scheme started.

In reply, Councillor D Brown undertook to arrange for the answer to be sent to Councillor Ahmed in writing.

### *Bulky collection service*

The question from Councillor J Moher had asked when and why the Liberal Democrat policy on free bulky waste collection had been reversed. Councillor J Moher expressed the assumption that the Leader regretted the failure to continue the free bulky waste collection service and as his supplementary question asked if he would explain this more clearly to Brent residents, without resorting to blaming everybody else for his Administration.

In reply the Leader stated that nothing was free and the service always cost a lot of money. The true cost was evident during the tendering process for the current contract. A decision had to be taken on deciding priorities which had resulted in increased recycling and keeping the borough's local streets as clean as possible. The Leader added that the Council took very seriously the issue of dumping which it considered to be an anti-social activity.

### *Free personal care for the elderly*

The question from Councillor R Moher had asked how, in the light of Sarah Teather, MP commenting that responsible political parties should not make promises they cannot keep, this reflected on the Leader's promise of free personal care for the elderly. As a supplementary question Councillor R Moher asked when the Leader intended to answer a question put to him and when would he take responsibility for what his executive decided and what the Council did.

In reply the Leader stated that he was happy to answer a straight question with a straight answer. The Labour Government had failed to provide free care for the elderly, which was something the Liberal Democrats had campaigned on. The responsibility for providing for the elderly and disabled fell on the Government and the challenge was to persuade the Government of the merits of this. The Council could not make its own rules up on this.

### *High rise buildings*

The question from Councillor Moloney had asked, following the Council in August 2006 changing the planning brief for the Queen's Park station area and reducing the maximum height of buildings to no more than twelve storeys, how many buildings higher than 12 storeys had been approved in Brent and in which wards. Councillor Moloney suggested that more units of housing were required to meet the needs of the homeless and as a supplementary question asked if it was agreed that the previous policy was the best way of creating more homes to reduce the large number of homeless people in Brent and encourage more social housing provision.

In reply Councillor Van Colle reminded members that the matter had previously been debated by the Council when it was agreed that tower blocks in the borough were not a good idea. It was nonsense to suggest that this meant that the Council was not catering for the homeless. As an example he referred to the Wembley masterplan which would lead to a large amount of housing provision in the area. As such he could not agree with the question put by Councillor Moloney.

### *Party political donations – publicity*

The question from Councillor Powney noted that an objector to the Brent Cross development had donated to the Liberal Democrat Party which had also voiced objections. He asked what plans there were to publicise party political donations in the same way as interests declared at Planning Committee meetings. Councillor Powney added that he did not dispute that there were valid objections to the development, notably on transport grounds, but was raising concerns about the transparency of Council business. The Liberal Democrat party had received a large donation from an objector to the development and if such a gift had been received by councillors personally they would have to declare it in the Register of Members Interests and it might be consider prejudicial to them considering the matter at Planning Committee. He stated that it would seem to a member of the public that it was relevant information, especially so as an MP made a personal appearance at the meeting. Given there was no requirement for councillors to declare donations to their parties at such meetings Councillor Powney asked as a supplementary question if the Leader would agree that there should be some mechanism for such declarations and would he ask officers to draw one up.

The Leader replied by noting that Councillor Powney had been hesitant in naming the objector in question, possibly because he had previously made a donation to the Labour Party. The Leader stated that nobody needed to be taught lessons at the present time about donations and impropriety in public life. The issue had nothing to do with the Council's

Planning Committee because the planning application was to be decided by Barnet.

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

#### *Building Colleges for the Future programme*

The question from Councillor Motley had asked if there was concern that the College of North West London was not included in the list of 13 colleges given the go-ahead to proceed with rebuilding plans, following the collapse of the Building Colleges for the Future programme.

Councillor Motley expressed alarm over the reply he had received and as a supplementary question asked, given the concerns about the disorganisation in the planning of educational funding, what hope there was for the Council's Building Schools for the Future application which was overseen by the same quango that recently failed the College of North West London.

In reply, Councillor Wharton stated that the Building Schools for the Future programme was a different programme but expressed concern that it had the same underlying problems. An ambitious target had been set by the government to rebuild all secondary schools in the country which it was feared would not be adequately funded given the present economic circumstances. Councillor Wharton stated that there was a worrying parallel with the college programme but all the Council could do was progress its application.

#### *Brent Cross redevelopment*

The question from Councillor Castle had asked if the Leader had approached the Secretary of State to ask if the plans for Brent Cross would be called in and if so what response he had received. In the absence of Councillor Castle, Councillor Dunn asked a supplementary question on his behalf. The Leader was asked what other actions had been taken and what else could be done to ensure that Brent residents, who faced massive disruption if these proposals were allowed to go ahead, would have their voices heard locally and be able to fully contribute to a campaign against the development.

The Leader replied that a great deal had already been done including Sarah Teather, MP making sure local residents and businesses knew what was going on and to make sure Barnet and Government Ministers knew the strength of local feeling. A big concern was that the development proposed would bring the waste site closer to the borough boundary.

### *Improvement and Efficiency strategy*

In his question, Councillor Clues had asked for an update on the Administration's efficiency programme and whether the Council would be ready for tough times ahead caused by the present Government. Councillor Clues referred back to double digit rises in Council Tax and in keeping the level of rises down that the Council would continue to protect and improve services to residents. As a supplementary question he asked the Leader what more he thought the Government could do to help local government with its challenges in the future.

In reply, the Leader stated that he would be keen for the Government to make sure there was no more cost shunting from central to local government. He would also like the Government to recognise the true size of the population within Brent and freeze the landfill tax. Most importantly the Government needed to support the Council's investment programmes.

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

### *Copland High School – development proposals*

In his question, Councillor Kansagra had asked what proposals had been received for revisions of the proposed development at Copland High School and if there were any changes in the housing provision. Councillor Kansagra expressed his disappointment that nothing had happened on site yet and he hoped something positive would come out of the delay. He expressed the view that there should have been two planning applications for the site, one covering the school and the other the housing provision and asked that the applicants be encouraged to submit new planning applications along these lines.

Councillor Van Colle replied that the original application had been considered by the previous administration and had effectively blighted the area ever since. The original planning permission remained but if the applicant wanted to make major revisions to it they would have to submit fresh applications. Given the proximity of the site to Brent House and the plans the Council had for a new Civic Centre it could be in the Council's wider interests to receive revised proposals.

### *Eton Grove Open Space*

In her question, Councillor Mistry had asked for an update on what improvements were being considered for Eton Grove Open Space. As a supplementary question, Councillor Mistry asked what proposals there were for rebuilding the nursery to meet the shortage of places for young parents feeding into the local Roe Green Reception/Infants School and when the parks service would be reinstating the cricket crease and football posts in the park.

Councillor Van Colle replied by referring to the recent excellent open day held at the park. He was not able to provide an answer concerning the provision of a nursery but explained that the provision of sporting facilities was part of the Council's new Parks Strategy. His understanding was that this had been put back into the next year's programme and suggested that Councillor Mistry discuss this further with the Parks Service.

## 7 **Items selected by Non-Executive Members**

### *(i) Traffic calming measures in Windermere Avenue area.*

Councillor HB Patel introduced the item he had raised which asked that implementation of speed cushions in the narrow cul-de-sacs of Fernleigh Court, First Avenue, Second Avenue, Third Avenue, Ennerdale Gardens, Conway Gardens and Arnside Gardens be halted because residents were against the measures and had complained that the consultation had not been adequate. Councillor Patel added that whilst the speed restriction measures installed in other parts of the Windermere Avenue area were to be welcomed, it was nonsense for the Council to spend money on such measures in these narrow cul-de-sacs when it was already so difficult to speed down them.

Councillor D Brown (Lead Member for Transport and Highways) explained that the proposals for the area arose as a response to the personal injury statistics for the area. The imposition of a 20mph zone was an integral part of the strategy to slow speed in the area. Those cul-de-sacs within the zone that were long enough for cars to speed along were having speed cushions installed as this was an explicit requirement of the regulations governing the establishment of 20mph zones. The results of the consultation carried out had shown the majority of the residents to be in favour. Councillor Brown stated that he was prepared for the matter to be considered at the next meeting of the Highways Committee but asked that his comments be borne in mind.

### *(ii) Brent's housing strategy*

Councillor Steel introduced the item he had raised which asked that the Executive consider how the allocation of new build affordable accommodation could be prioritised for those people on Brent's own housing list. Councillor Steel stated that the officers of the Council allocated accommodation according to need and there was no chance for local people born and raised in the borough to gain higher priority. He asked the Executive to look to see how a more equitable system could be adopted.



Councillor Lorber (Leader) responded by stating that the Council had a duty to comply with the housing legislation and would continue to do this. The provision of housing was a major challenge for the Council. The answer was to provide new accommodation and the Council would continue to work with its partners to provide for those in need and not according to artificial boundaries. He added that officers were not responsible for housing policy as this was a matter for the Executive and the provision of housing would be reviewed on an annual basis as part of that policy.

*(iii) Copland redevelopment*

Councillor V Brown introduced the item she had raised which asked that the Council use its influence with Copland School and Technology College and the Government to encourage a redevelopment of the school that did not include a 28 storey tower block overshadowing the area. Councillor Brown expressed concern at the recent planning appeal that had allowed a 20 storey block in North End Road and referred back to the decision of the previous administration to allow a 28 storey block which had resulted in no work starting and no new school provided. She felt there was now the opportunity to work closely with local people to provide an acceptable development that provided facilities for local people.

Councillor Wharton (Lead Member for Children and Families) stated that he understood the objections to a 28 storey tower block which now appeared commercially unattractive. Discussions were taking place with Registered Social Landlords who might be interested in providing social housing on the site but who did not view tower blocks as viable. Councillor Wharton gave an assurance that the Executive would be prepared for alternative schemes to come forward.

RESOLVED:-

that the responses provided by the Lead Members on each item be noted and in the case of the item concerning traffic calming measures in the Windermere Avenue area the matter be referred back to the Highways Committee.

**8. Report from the Executive**

**a. Items reported by the Executive**

*(i) Improvement and Efficiency programme*

Councillor Lorber encouraged all Members to take an interest in the Council's Improvement and Efficiency programme because by making efficiencies it would be possible to protect and improve front line services.

(ii) *Housing Strategy launch*

Councillor Lorber reported back from his attendance at the launch on 22<sup>nd</sup> June 2009 of the Council's Housing Strategy 2009-14 entitled *Shaping the Future of Housing in Brent*. The message was that the Council could deliver the provision of new housing for people in need provided it received appropriate support and funding.

(iii) *Place survey*

Councillor Lorber told Members to watch out for the information coming out of the Place Survey carried out at the end of last year, which provided important information on how the Council could more effectively deliver local services.

(iv) *North Circular*

Councillor Detre (Lead Member for Regeneration and Economic Development) reported that he believed that the Council had an opportunity to make changes that would improve the lives of people living along the North Circular Road. Proposals included the rebuilding of houses to face away from the road. There was serious concern over the junction with Brentfield Road and Transport for London (TfL) had been asked to help with this. However, the response had been that TfL had already spent all its money until 2018 but the matter was still being pursued. The vision included a 'green' bridge to create a green aspect to the area. Consideration was also being given to a sports centre for the area and a small park close to the Swaminarayan Temple. He gave the assurance that housing in the area would not be under threat until proposals began to emerge.

(v) *Sustainability*

Councillor Van Colle (Lead Member for Environment, Planning and Culture) urged Members to read the Climate Change strategy agreed by the Executive on 15<sup>th</sup> June 2009. He stated that it would have a huge impact over the next few years and was a strategy for the whole borough covering all the Council's partners.

**b. Decisions taken by the Executive under the Council's urgency provisions**

RESOLVED:

that the decisions taken by the Executive under the Council's urgency provisions relating to the following items be noted:

- Petition against the Kilburn Streets for People scheme

- Wembley Park Academy – award of design and build contract and entry into a development agreement with ARK

## 9. **Report from the Chair of Overview and Scrutiny**

Councillor Jones in presenting her report expressed surprise that the report from the Executive had not included mention of the proposed constitutional change and the short period of consultation being carried out. She urged the Executive re-consider this.

Regarding her report, Councillor Jones pointed out that the Forward Plan Select Committee had been successful in getting the Executive to make an approach to Transport for London (TfL) regarding the junction of the North Circular Road and Brentfield Road. Councillor Jones reported that the Deputy Leader, Councillor Blackman, had addressed the meeting of the Overview and Scrutiny Committee and that the same meeting had heard from the Director of Business Transformation on the Council's Improvement and Efficiency strategy. Members had expressed concern over the effect of the Council's strategy on the moral of staff and had asked for an update in the new year. Councillor Jones stated that the effectiveness of overview and scrutiny depended on the members being kept informed and in turn proposing constructive ways forward. She felt that in the main this was being achieved but expressed concern regarding the level of information coming forward from the Executive on matters such as how the £50M savings target was going to be achieved, the revised proposals for a bigger new civic centre and the future of Brent House. Finally, she mentioned her concern at the attendance record of some members, especially when no alternate attended in their place.

## 10. **Motions selected by Group Leaders**

### (a) *Standards in Brent schools*

The motion in the name of the Leader of the Labour Group asked the Council to conduct an investigation into all primary and secondary schools and children's centres in Brent regarding payments to staff, whether staff were related to senior staff and whether they had any connections to companies that had contracts with the school. It also asked that a survey be carried out to ascertain the mechanisms used by governors to ensure financial scrutiny and what arrangements existed for Council officers to scrutinise expenditure in schools. Councillor John moved the motion and stressed the seriousness of the point made by it. She referred to times past when some schools in the borough had been under special measures because of a failure to run them properly.

It was submitted that the motion sought only to attract publicity and overlooked the impracticality and cost of what it proposed. It was pointed out that there were different types of school in the borough – community, voluntary aided and foundation. Some schools managed their own affairs and it was the responsibility of the governors and the Government to ensure they were in order, others the Council was responsible for. It was pointed out that many people working in schools were related but that did not suggest any wrongdoing. Governors were required to declare their financial interests and to suggest any wrongdoing was a slur against them. It was essential that sufficient auditing and investigation took place to identify any concerns.

Councillor Wharton (Lead Member for Children and Families) explained that the Government had introduced Local Management of Schools which had broadly worked well but the system had weaknesses. He stated that whilst recognising the concern behind the motion it was impractical. All schools had been asked about any bonuses paid to staff and a check on the payroll of a selection of schools had been made. Meetings between officers and headteachers had taken place so that the Council's concerns could be passed on. Councillor Wharton added that he felt improved guidance to schools was needed on the role of the independent clerk.

A point was made that the Council had responsibility for every child's well-being and there were clear gaps in this with children without school places, delays in the provision of additional places through the building of new schools and Afro-Caribbean boys under-achieving. It was felt that closer monitoring should have taken place, especially when the redevelopment of the school site did not proceed. However, it was pointed out that a number of the issues raised in the motion were already covered by the work programme of the Children and Families Overview and Scrutiny Committee and the committee would be looking closely at the report on what happened at Copland High School meaning the motion was premature. A concern was expressed that most activity was being taken after the event and that there needed to be a sense of urgency to reassure people that the Council was doing all it could to ensure standards in schools were raised and there was clear accountability for the money spent. It was pointed out that governors held unpaid positions and only had limited time available to perform their duties.

Councillor Lorber stated that an investigation was being carried out into what happened at Copland High School and the motion added no value. He suggested that it was only the development plans previously agreed for the school that had allowed the current situation to arise. The Council could not be expected to know all that was going on in each school with some having Foundation status and with a scheme of local management in place. All councillors and governors had to be vigilant and raise any concerns they had.

The motion in the name of the Leader of the Labour Group was put to the vote and declared LOST.

(Councillor Van Colle declared an interest in the above item by virtue of his wife's role as clerk to governors at the Michael Sobell Sinai School)

*(b) Sustainable Communities Act*

Councillor Lorber moved his motion which sought to support the use of the Sustainable Communities Act. He added that he welcomed the main aims of the Act and felt the Council should argue for additional resources to put the provisions into practice. He explained that there was more chance of success in using the Act if proposals had the backing of local residents and therefore it was proposed to submit proposals under the second round in order to give time to preparing a sound case backed by sufficient evidence. Councillor Lorber referred to issues arising from the area consultative forums and gave reassurance that these would be pursued, hence the motion calling for an approach to London Councils but he stated that there was a need to demonstrate wider consultation in order to access the provisions of the Sustainable Communities Act.

Support was expressed for use of the powers under the Act but some reservations were expressed. A view was put that it seemed excessively bureaucratic to meet the standards required for any proposal to be successful and there appeared to be doubt over the amount of resources available to support the Act. Another view was expressed that given other Councils had already submitted bids under the Act there was no reason why Brent should not have done so. It was suggested that if it were not for the issue being raised at the area consultative forums then such a motion might not have been put forward.

The motion in the name of the Leader of the Liberal Democrat Group was put to the vote and declared CARRIED.

RESOLVED:-

that this Council:

- (i) notes that the aims of the Act have received cross-party support and believes that if the Government is serious about acting on the proposals it receives the Act will be of benefit to local communities;
- (ii) supports the bottom up process in the Sustainable Communities Act designed to allow local authorities and their communities to drive local regeneration and promote thriving, sustainable communities;

- (iii) notes that the Act gives local authorities the power to make proposals to government on the action and assistance government must take or give to promote sustainable communities, and argue for a transfer of public money and function from central to local control;
- (iv) notes that the Act defines the sustainable communities broadly, defining them as improving the local economy; protecting the environment; promoting social inclusion; and encouraging participation in civic and political activity;
- (v) will use the Act by preparing and submitting proposals to Government in the second round of proposals for the Act, if the Government makes real changes and grants actual “freedoms and flexibilities” from the first round of proposals;
- (vi) notes the spirit of the Act suggests that local residents and organisations should be involved in deciding how the Act is best implemented in Brent;
- (vii) notes the recent resolution from the Harlesden and Willesden Area Consultative Forums regarding the Act and betting shops and that the Leader of the Council be requested to write, on behalf of the Council, to London Councils asking that provisions be made in the next London Local Authorities Bill for London Authorities to be granted greater powers with regard to licensing to limit the number of betting shops in any area;
- (viii) write to local MPs informing them of this decision; and to write to Local Works (at Local Works, c/o Unlock Democracy, 6 Cynthia St, London N1 9JF) informing them of the Council’s resolution to use the Act in the second round of the Act.

(Councillors Dunwell and Malik wished it recorded that they had abstained from the vote taken above).

(c) *Memorial to Brent resident*

Councillor Joseph moved the motion on behalf of the Leader of the Conservative Group which called for the planting of a tree in remembrance of a local resident murdered in 2006.

In response Councillor Matthews moved an amendment to the motion. She explained that the murder referred to in the motion was no more or less tragic than other murders committed in the borough and to single out one individual had the danger of sending the wrong message to the families of other such victims.

Councillor Powney moved an amendment seeking to consult the Not Another Drop campaign over future memorials to all victims of violent

crime in Brent. He stated that the campaign was a good example of the Council working with its partners within the difficult area of gun and other violent crime.

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

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

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

RESOLVED:-

that this Council:

- (i) remembers the many tragic and senseless murders which have saddened the borough of Brent;
- (ii) asks the community how best to commemorate all those who have lost their life, if such a commemoration would be appropriate and the best location for such a memorial. It agrees to consult the Not Another Drop campaign over future memorials, including a memorial to all victims of violent crime in Brent;
- (iii) acknowledges the pain of all those who have been bereaved as a result of gun or other violent crime. It expresses its sympathy to all those families who have lost loved ones and pledges to continue to work with the police and the community to stop further tragic losses of life within the Borough.

The meeting ended at 9.30 pm

J O'SULLIVAN  
Mayor