

Mr Niikoi Kotey  
Legal Officer  
Enforcement & Public Duty Team  
Equality and Human Rights Commission  
Kingsgate House  
66-74 Victoria Street  
London, SW1E 6SE

REF: GD/FB  
7<sup>th</sup> December 2007

Dear Mr Kotey,

We are in receipt of your letter dated 12<sup>th</sup> November 2007 addressed to the Leader of the Council, Cllr Paul Lorber, who has asked me to reply on his behalf. The position of Brent Council has been set out fully in letters from me to you dated 1<sup>st</sup> August 2007 and 9<sup>th</sup> October 2007 and I am unclear what, if any, further information the Commission may now require from us.

We have stated throughout that the Council takes its race and diversity responsibilities very seriously and we believe that our detailed position on the issues raised by the NUT has been stated clearly to you in my two recent letters. We believe that we have responded in full to the concerns that you have conveyed to us in response to the NUT's complaint and that we have also complied fully with the current statutory requirements in this area.

If any compliance issues arise, you must now specify to us the nature of any alleged non-compliance on our part. You need to state clearly what, if any, breaches have occurred and clarify for us which particular order or legal duty applies in this case. Brent Council has already provided you with an analysis of the legal issues – I refer specifically to the paragraphs under the heading 'Legal Issues' in my letter to you dated 9<sup>th</sup> October 2007. If you are not in a position to provide this clarification, may I request that your specialist legal advisers respond to this point.

Our formal position remains that the Council has undertaken an appropriate race equality impact assessment which was considered and taken into account by the Council's decision-making Executive. There has been no legal challenge of any kind to the decision of the Executive to locate a new City Academy at the Wembley Park site and we are confident that we are not in breach of any race discrimination legislation. If you hold a different opinion, you must now advise us accordingly. Otherwise, we will assume this matter to have been concluded.

Your letters imply that you see yourself having some sort of personal role as a broker or intermediary between the Council and the NUT in our continuing dispute over the Wembley City Academy project. We do not accept that you or the CEHR have any role in arbitrating in what is an essentially political dispute between Brent Council and the NUT and we are frankly puzzled by your repeated references to such a role.

Finally, on the matter of statements to the local press, I have discussed your comments with the Leader and with Cllr Wharton. For the reasons set out previously, and in the light of advice from the Council's communications professionals, they are not inclined to make any further comment. Local newspaper journalists frequently make mistakes in their coverage of Council business and it is not our practice to provide a running commentary every time this happens.

Yours sincerely

**Gareth Daniel**  
**Chief Executive**