

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, 26th January 2004 at 7.05 pm.**

PRESENT:

The Worshipful the Mayor
Councillor P Lemmon

The Deputy Mayor
Councillor A Shahzad

COUNCILLORS:

Allie	Kagan
Arnold	Kansagra
Bellia	D Long
Beswick	J Long
Mrs N Blackman	Lorber
R Blackman	Lyon
D Brown	McGovern
V Brown	Moher
N Colwill	Moloney
R Colwill	Nerva
Crane	O'Sullivan
Cribbin	C J Patel
Coughlin	H M Patel
Davies	H B Patel
Dromey	R S Patel
Duffin	Rands
Farrell	Sattar-Butt
Mrs Fernandes	Sayers
Fiegel	Sengupta
Fox	Shah
Freeson	Singh
Gillani	Steel
Halder	Taylor
Harrod	Thomas
Hughes	Thompson
John	Van Colle
Jones	Wharton
Kabir	Zakriya

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Gladbaum, Joseph and B M Patel.

2. **Minutes of Previous Meeting**

RESOLVED:-

that the minutes of the meeting of full Council held on 17th November 2003 be confirmed as a true and accurate record, subject to:

- (a) it being recorded that Councillors Gillani and Rands were not present for the discussion of the item on Members' Allowances and did not vote on the matter (amendment incorporated);
- (b) it being recorded that within the General Debate Councillor Moher welcomed the good news on Kingsbury Pool concerning the granting of planning permission and the Leader's commitment to the project.

3. **Declarations of Interests**

Councillors Gillani and Sayers declared their personal but non-prejudicial interest in the item on the Calculation of Council Tax Base 2004/05 as members of the Taxpayers Alliance and the Pensioners Alliance respectively.

There were no other declarations made at this meeting.

4. **Mayor's Announcements**

The Mayor reported with regret the death of Cllr B M Patel's father who passed away recently in India.

The Mayor reported on the achievement of the Council in being awarded Investors in People status for the whole Council.

The Mayor gave notice of a prize quiz in aid of the Paul Daisley Trust taking place in the Town Hall on 6th February at 7.30pm.

The Mayor gave thanks to the people who attended his Christmas party which was a great success.

The Mayor reminded the Council that Brent had the honour of hosting the first Citizenship ceremony in the country that would take place in February.

The Mayor pointed out that it would be the last Council meeting at which Stephen Hughes would be attending following his appointment as the Strategic Director of Resources at Birmingham City Council. Members joined the Mayor in expressing their appreciation of Stephen's excellent work as our Director of Finance and to wish him well in his new role.

5. Procedural Motion

The Council considered a procedural motion in the name of Councillor Moloney that was circulated.

RESOLVED:-

That for the debate on Summons item 5 concerning the report entitled *Future of the CRE Leadership Group*, the Labour Group be permitted 4 speakers, the Conservative Group be permitted 2 speakers and the Liberal Democrat Group be permitted 1 speaker. Each Member to be entitled to speak for up to 3 minutes, save that a Leader of a Group (or their nominee) shall be entitled to speak for up to 5 minutes each. Any speaker wishing to move a motion or amendment to a motion may only do so during their time limited contribution.

6. The Council's Five-Year Race Equality Action Plan

An amended copy of the report *Future of the CRE Leadership Group* had been subsequently circulated. A correction to this amended copy of the report was made at the meeting by the deletion of the word *minority* in the 7th line of paragraph 6.3 and its replacement with the word *majority*.

The report presented to the Council outlined the achievements in recent years of Brent Council in relation to race equality. It recommended that the Council's existing arrangement with the Commission for Racial Equality (CRE) be brought to a conclusion.

In presenting the report, Executive members emphasised the voluntary nature of the agreement with the CRE and submitted that it was time to bring the agreement to an end in light of the significant achievements of the Council in the area of race equality and diversity.

A view was put that it would have been helpful had the Council received written confirmation from the CRE that it supported the proposal to end the agreement. Nevertheless, the reforms that had taken place within the Council over the last three years suggested that it was time to move on providing the Council continued to embrace the spirit within which the original agreement had been signed. A view was put that whilst the Council had made significant progress not all the desired outcomes had yet been achieved and therefore it was too early to end the agreement.

It was put that the CRE would continue to exercise its role of promoting and safe guarding race equality and could raise any concerns it had with the Council at any time.

The Leader of the Council responded to some of the points made by pointing out that the Council had restored a central Human Resources Unit and created a Diversity Team. The Council mainstreamed equality issues through the Improving Brent programme. She read to the Council the contents of a letter received from the CRE in which it thanked the Council for keeping it informed of developments.

RESOLVED:-

- (i) that the meeting notes the Council's achievements in relation to race equality and diversity and debates the ending of the informal monitoring arrangement with the CRE and Leadership Group. Council is recommended to refer the matter for decision to the Executive meeting on February 9th 2004;
- (ii) that in light of the comments of the Council, the Executive determine whether to end the existing arrangement of the CRE and Leadership Group given that other arrangements now exist to monitor the Council's commitment to race equality;
- (iii) that the Council expresses its appreciation to the CRE for its help and support throughout this partnership arrangement and confirms its commitment to continue working with the CRE in the future.

7. Procedural Motion

The Council considered a procedural motion in the name of Councillor Moloney that was circulated.

RESOLVED:-

That for the debate on Summons item 6, concerning the report entitled *Calculation of Council Tax Base 2004/05*, the Labour Group, Conservative Group and Liberal Democrat Group each be allowed one speaker who shall be entitled to speak for up to 3 minutes, and any Member wishing to move a motion or amendment to a motion may only do so during their three minute contribution.

5. Calculation of Council Tax Base 2004/05

The Council received a report about the Council Tax Base for 2004/05. It is required by legislation to be agreed by 31st January prior to the start of the financial year and is used in the calculation of the Council Tax for 2004/05. Under the terms of Section 75 of the Local Government Act 2003, local authorities may now determine to reduce the council tax discount for second homes and long term empty homes from the nationally set 50% to a minimum of 10%. This decision must be made by a meeting of the full Council, and if it is to be taken into account when setting the budget for 2004/05, cannot be made after the setting of the tax base.

It was pointed out that the collection rate had got progressively worse over the last three years. It was also stated that if reducing the empty homes rate encouraged properties being brought back into use it was a good thing but it was questioned how this would be achieved if the Council could not show that it was capable of collecting the tax.

In response the Deputy Leader of the Council responded by stating that efforts continued to be made to collect this year's tax and he admitted that last year's collection rate had been poor. Nevertheless a 97.5% target for 2004/05 was realistic. He felt the change in the discount for second or empty homes was long overdue, particularly in an area like London that suffered from a shortage of housing.

RESOLVED:-

- (i) that the report of the Director of Finance, and the estimates for the calculation of the Council Tax Base for the year 2004/05, be approved;
- (ii) that the collection rate for the Council Tax for 2004/05 be set at **97.5%**;
- (iii) that the discount for second homes (every chargeable dwelling in the Council's area which is not the sole or main residence of an individual and which is furnished) and long-term empty homes (every chargeable dwelling in the Council's area which is unoccupied and substantially unfurnished) be reduced from 50% to 10%;
- (iv) that in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by the Council as its Council Tax Base for 2004/05 be set at **92,643** (including the effect of reducing the discount for second and long-term empty homes).

(All Conservative Councillors present at the meeting wished it recorded that they had voted against the above resolutions)

7. Appointments to Committees/Appointments of Chairs/Vice-Chairs

At this meeting there were none.

8. Question Time

Questions submitted under the provisions of Standing Order 39 had been circulated together with written responses from respective Lead Members. Members were invited to ask supplementary questions.

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

Construction Work on Wembley Stadium

The question from Councillor R Blackman referred to the death of a construction worker and serious injury to another and asked what action was being taken to ensure the workforce were safe for the remainder of the construction. Councillor Blackman expressed his sympathy to the families and relatives of the workers involved and acknowledged that it was outside the powers of the Council to ensure safety on site. Nevertheless in a supplementary question, Councillor Blackman asked what the Council was doing to try and ensure that local residents and workers were safe from further accidents.

Councillor John (Leader) replied that the Council had no direct responsibility for safety on the site but in a recent visit to the site she had seen how seriously health and safety was treated. Just to visit the site people had to undergo health and safety training and wear protective clothing. A visit to the site was being planned for the Wembley Review Group and she suggested that Councillor Blackman might want to raise his question then. In the meantime the Council would try to establish how such an accident happened.

Redevelopment of Wembley Park, Wembley Central and Wembley Stadium Stations

The second question from Councillor R Blackman asked when the stations would be redeveloped to meet the needs of local residents as well as visitors to the stadium. In a supplementary question, Councillor Blackman asked what assurances could be given that the transport infrastructure would be completed by September 2005 when the stadium was due for completion.

Councillor John (Leader) responded by saying that it was vital for the stadium to have the transport links in place around the time of its opening. However it was difficult to ensure all the relevant authorities

were fully committed to working towards this aim. There was disappointment that it had not been possible to secure the more expensive redevelopment option but all parties needed to monitor progress.

The next question had been selected by the Leader of the Liberal Democrat Group

Dollis Hill House

The question from Councillor Lorber asked what the exact funding offer from the Greater London Authority was and why the Council had not authorised an application for lottery funding. As a supplementary question Councillor Lorber asked whether the Council had immediately requested the information still required from the Trust and whether the Council had had any further contact with the Trust with the aim of doing something itself to progress restoration of the building.

Councillor Jones (Lead Member for Environment and Planning) replied that the Council had been surprised at the approach of the Greater London Authority and would be contacting it regarding details of the offer. She added that the Trust had received a lot of support from the Council over the last 3 years and the matter had to be drawn to a conclusion. She pointed out that the Council had still not received some of the documentation mentioned in the review as outstanding and referred to at the meeting of the Forward Plan Select Committee. She undertook to find out about the contact the Council had since had with the Trust .

There then followed three questions selected from Labour backbench members.

Employment Appeal Tribunals

Councillor Harrod had asked what progress there had been on reducing the number of Employment Appeal Tribunals since 1996. In a supplementary question, Councillor Harrod welcomed the dramatic improvement and asked what steps were being taken to maintain it.

Councillor D Long (Lead Member for Equalities and Service Improvement) referred to three publications – Workforce Monitoring, Diverse Faiths and the race equality action plan report referred to earlier. The Council had made resources available for training managers and other staff and for running a mentoring scheme. There was a group that examined Employment Tribunal cases. A revision of the disciplinary procedures had been carried out and the process to follow upon carrying through a reorganisation had been reviewed. All this demonstrated the Council's commitment to ensuring that progress was maintained. In addition Councillor Long explained that as his

original reply had indicated, there was limited information available on the number of Employment Tribunal cases between 1996 and 1999 but that a new management information system was now in place that would ensure such records were kept.

Employment Appeal Tribunals – Racial Discrimination Cases

Councillor Gladbaum had asked about cases involving compensation on grounds of racial discrimination. Councillor Gladbaum was not present at the meeting and no supplementary question was asked in her absence.

Kensal Rise Area (Chamberlayne Road/Station Terrace)

Councillor Nerva had asked when plans for the area would be presented to the Executive. In a supplementary question, Councillor Nerva asked if an assurance could be given that a report would be presented to the Executive after consultation had taken place at the February 2004 meeting of the Kilburn and Kensal Area Consultative Forum.

Councillor Jones (Lead Member for Environment and Planning) replied that she could not guarantee the submission of a report in the near future but expressed her support for the matter being discussed at the Area Consultative Forum.

There then followed four questions drawn from the general ballot.

Social Services Frozen Meals

The first was a question from Councillor C J Patel asking if the Executive would accept that the quality of the frozen meals was unacceptable and allow a return to fresh meals. In a supplementary question, Councillor Patel asked if it was considered more important to cut costs than provide properly prepared and nutritional meals, why earlier criticism of the meals had not been accepted, whether a written assurance could be given that if residents remained unhappy with the quality of the meals the Council would not be breaking its commitment to providing an equal service to all communities and whether the option of fresh meals would be re-visited if needed.

Councillor Fox (Lead Member for Health and Social Services) in response stated that he did not accept that the meals were below standard. The kitchen service met BSI standards and the National Catering Association guidelines were followed. The new tender procedure would take into account the needs of the community and that was why the Council was being tough on the tender process. He considered that the information being put out that the meals did not reach an acceptable standard was being inaccurate and misleading.

School Funding

Councillor Kansagra asked what action was being taken to reduce the gap between the devolved fund to schools and the retained fund of the LEA. In a supplementary question, Councillor Kansagra asked whether in view of the fact that the Schools Forum and most Head teachers in Brent were against the Authority holding a large share of the schools funding block could assurances be given that more funds would be devolved to schools.

Councillor Lyon (Lead Member for Education, Arts and Libraries) responded by saying that the question was based on a misrepresentation of the facts. More money had gone to schools both in Brent and nationally and that this would again be the case for 2004/05. He pointed out that the “gap” referred to was also spent on educating children such as through meeting special needs. He had met with Head teachers that day and hoped to take on their concerns and be able to discuss publicly the terms of the funding settlement.

The Brent Magazine

Councillor Van Colle had asked how many copies of the magazine were produced and how many were wasted. In a supplementary question, Councillor Van Colle again asked to be informed of the approximate volume that is wasted. At the Black and Ethnic Minority User Consultative Forum and Kilburn/Kensal Rise Area Consultative Forum people had said that the magazine could be improved through the inclusion of dates and information about Council meetings and on what the Council does. He asked if this would be looked into.

Councillor Beswick (Lead Member for Community Consultation and Public Safety) replied that it was not possible to accurately measure the number of magazines sent for recycling. He added that a recent poll had shown that 62% of residents found the magazine useful, it cost 17p per copy to produce and represented value for money. The Council used the magazine as the main vehicle for communication with residents.

Bed and Breakfast Hotel and Hostel Accommodation

Councillor V Brown had asked what numbers of people were placed in bed and breakfast accommodation, the cost and comparisons with the last three years. In a supplementary question, Councillor Brown asked to be supplied with figures on the number of residents placed in decanted properties in each of the years 2001, 2002 and 2003 and how many of these had full services provided and what health and safety assessments of these buildings had been undertaken.

Councillor Thomas (Lead Member for Housing) pointed out that the supplementary question referred to temporary housing rather than the

subject of Councillor Brown's original question and that he would provide a written response. He congratulated the Housing Service on getting the numbers in bed and breakfast or hostel accommodation down to the levels reported.

9. **Report from the Executive**

Councillor John introduced the report from the Executive that dealt with matters that had been before the Executive at the meetings on 8th December 2003 and 7th January 2004.

(i) ***Children and Young Persons Services Strategic Plan 2003/04***

Councillor Fox referred to the report and draft strategic plan, which had been circulated to members separately and moved the recommendation. He added that the plan had been through many stages of consultation and particularly welcomed the input from Overview Committee.

(ii) ***Dollis Hill House***

Councillor Jones reminded Members of the decision of the Executive to pursue potential rebuilding proposals for Dollis Hill House through funding support from the Greater London Authority and to undertake building repairs to the Stables Art Gallery and formalise the leasing arrangements. Councillor Jones expressed her hope that capital funding would be made available by the GLA but stressed the importance of how this was put to use in order to maximise potential revenue income.

(iii) ***The Audit Letter from PricewaterhouseCoopers***

Councillor Coughlin referred to the report that had been submitted to the Executive on 7th January 2004. He gave thanks to Mr Simon Sharpe from PricewaterhouseCoopers who had served the role of critical friend to the Council but was now standing down from this position. Councillor Coughlin welcomed the fact that there were less recommendations in this year's report than last year which showed the progress the Council was making.

(iv) ***The National Stadium Development***

The Leader referred to the framework document that set out the Council's vision for 'Destination Wembley', setting out the future redevelopment of the area surrounding the stadium. She pointed out that in a few weeks the stadium redevelopment would see the raising of the arch which would become a feature of the

London skyline. The Leader added that local schools were being encouraged to do projects on the building of the stadium so that children could learn more about its significance to for Brent and London.

10. Report from Chair of Scrutiny Committee

Councillor Taylor submitted his report and specifically mentioned the visit to Camden that had taken place on 20th January. Members and officers had met with the Chair of their Overview and Scrutiny Commission and had observed a meeting of their Road Safety Panel. Councillor Taylor was struck by the involvement of all councillors at Camden in the process and at how outward looking the panels at Camden were in consulting and involving the local community. He felt this was something Brent should look to develop. He mentioned that only four councillors were needed to call-in an item but that this course of action was rarely used. He had written to Camden thanking them for the visit and looked forward to similar visits to other authorities and to observe a Parliamentary Select Committee.

11. General Debate

Members debated the items included under the report from the Executive and Chair of Scrutiny Committee.

It was suggested that the funding developments around Dollis Hill House required the project to be reconsidered. The motives around the new funding offer were questioned and regret expressed that the views of Scrutiny were not accepted. Criticism was made that following the fire damage, plans to convert Dollis Hill House to a restaurant had been rejected and nothing else had been done. After a lengthy debate the Forward Plan Scrutiny Committee had put forward the view that the Lottery bid should be allowed to proceed whilst further exploration of the possible funding from the GLA was undertaken.

Councillor D Brown moved a motion regretting that the Council had not supported the Lottery bid and whilst welcoming the possible funding from the GLA that this had yet to be confirmed. The Executive was therefore urged to reconsider its decision and provide authority to proceed with a Lottery bid thereby keeping all possible funding avenues open. This was put to the vote and declared LOST.

Whilst the Children and Young People's Services Strategic Plan was welcomed the comment was made that most of its content was influenced by central government. Some of the initiatives included in the plan were good but it was felt that they came at great cost and administrative bureaucracy. It was suggested that Brent's Children's Services were still disorganised and that the Council's Looked After Children were not being given the attention they needed. It was stated that Children's social workers should be freed to undertake the work

they were trained for and not distracted by new initiatives and additional bureaucracy. In response, the Chair of the Social Care Scrutiny Panel, Councillor Crane, expressed surprise at these comments given that the last meeting of the Panel had heard how much change had taken place in Children's Services leading to improvements. The next meeting of the Panel would be receiving presentations from the Directors of the three Sure Start projects in Brent. Councillor Crane stated that the new Scrutiny process was now working well and gave non-Executive members the opportunity to look at important issues and ask questions.

The comments on Scrutiny were supported with the view that the changes introduced to the Scrutiny structure in May 2003 had greatly improved its effectiveness. However, the counter view was put that the Scrutiny structure did not allow the Executive to be challenged effectively.

The importance of the Children and Young People's Services Strategic Plan was emphasized and the link to the Council's strategic priorities was made. The plan ensured co-ordination of services and opened up access to a range of initiatives designed to address areas of need and to allow all young people to achieve their potential.

Reference was made to the Audit Letter that had also been considered by the Performance and Finance Select Committee and attention was drawn to the comments made on foster placements, foster care and learning disabilities. It was also pointed out there continued to be a problem in getting staffing information from schools and the assistance of the Executive in achieving this was requested. It was stated that those most vulnerable were affected by the problems identified in the Audit Letter.

The Leader responded to the debate on Dollis Hill House by saying that the Council would be failing in its duty if it was not to fully explore the opportunity of attracting funding from the GLA.

RESOLVED:-

- (i) that the Children and Young People's Services Strategic Plan 2003-04 be approved and adopted, subject to the changes identified in paragraph 6.7 of the covering report;
- (ii) that the report from the Executive on Dollis Hill House, the Audit Letter and the National Stadium Development be noted.

12. **Motions Selected by Leaders of the Opposition Groups**

- (i) ***Proposed New Powers to be given to Traffic Wardens***

Councillor R Blackman referred to his motion and stated that the proposals would have a further draconian impact on the motorist. He pointed out that the neighbouring Borough of Hammersmith and Fulham was included in a pilot operation of these new powers which meant there would be an impact on Brent residents. He felt there was a danger that under-trained officers would unfairly single out people as opposed to the expertise provided by trained Police officers. His motion asked for a full review of the proposals to be submitted to the Executive so that the Council could be properly informed of what was being intended.

Councillor Nerva stated that many people in Brent did not own a car and that some car owners committed a long list of offences for which the Police did not have the resources to take action against. Wardens were capable of implementing the law provided they were given proper training and he supported the Government's proposal.

Councillor Fiegel referred to the time when the Borough had parking meters and employed meter attendants. Many of these people were now parking attendants but had received no further training. In the meantime the proposal was to give them additional powers currently held by the Police. He submitted that performance would be measured on income to the Council. This was not appropriate. He therefore supported the motion.

Councillor R Colwill was appalled at the proposed new powers to be given to traffic wardens. He stated that there used to be some discretion over taking action against those that had illegally parked and referred to a case that had recently been featured in the press. This had now gone and the further empowerment of local authorities to take action against traffic offenders only served to increase such revenue raising powers, despite Government's denials to the contrary. He stated that it was time to put the matter to Scrutiny to review how the current system operated.

Councillor Hughes referred to the fact that the Road Traffic Act introduced the offences now being considered and asked why local residents should not expect the law in this area to be upheld. The Police did not have the resources to do this and he therefore felt the proposal should be supported.

Councillor Jones queried members asking for a review before the proposals had been implemented. She had some sympathy for traffic wardens faced with a major change in their working practices and that was why Transport for London were conducting pilots. Her concerns were around the health and safety of traffic wardens and her understanding that local

authorities would not get any extra resource for carrying out this extra duty. She pointed out that local authorities would not be able to exercise the new powers until the appointed day and this had yet to be decided.

Councillor Van Colle felt this amounted to poor legislation and would alienate a large number of people. There were some professions not liked by people generally and traffic wardens were one of them and it was not in the Council's interests to further alienate its staff. He accepted that such powers could be used to deal with extreme cases but submitted once again that in reality this was a money raising scheme. He urged the Council to take the opportunity to review this matter.

Councillor H B Patel stated that the proposals amounted to another tax on motorists. He submitted there was no dispute that the provisions of the Road Traffic Act needed to be enforced but this was a question of devoting sufficient resources to the Police. He stated that even when parking tickets were issued the majority did not pay. The proposed standardisation of penalties again indicated that this was a money raising scheme.

The Council then voted on the motion in the name of Councillor R Blackman which was put to the vote and declared LOST.

(ii) ***The State of Brent, the State of Our Streets***

Councillor Lorber introduced his motion and stated that too many contracts involved in the provision of services led to responsibility being passed around and undermined efficiency. This meant that the people of the Borough were not getting the services they deserved. One problem was the poor nature of the contracts and many needed reviewing. As an example the contractor carrying out the refuse contract needed to be challenged on why it allowed its staff to knock on doors at Christmas seeking tips and why it did not ensure that bins were returned to the point from which they were collected.

Councillor Thompson expressed certain sympathy with some of the arguments put forward within the motion but pointed out that the Council had invested heavily in Environmental Services over the last two years and the Executive had already made it clear that it would be concentrating on the local environment during 2004/05. He accepted that more needed to be done on recycling although progress had been made by including plastic in the green box scheme. The refuse collection contract was subject to penalties and he was aware that these were used

rigorously when necessary. He did not accept that no progress had been made and could not therefore support the motion.

Councillor Jones added that a great deal had been done on graffiti removal, abandoned cars, trade waste and recycling. The park wardens service had been extended, town centre managers were in post, there was a mobile warden service, street cleaning had been enhanced with the removal of fly-tipping had improved, the noise pollution service had been extended which now included promotional and educational activities to dissuade people from carrying out such anti-social behaviour.

The Council then voted on the motion in the name of Councillor Lorber which was put to the vote and declared LOST.

The meeting ended at 10.42 pm

PETER LEMMON
Mayor

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