

## **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, 27<sup>th</sup> November 2006 at 7.00 pm**

### **PRESENT:**

**The Worshipful the Mayor**  
Councillor B Joseph

**The Deputy Mayor**  
Councillor H B Patel

### **COUNCILLORS:**

Ahmed	Jackson
Allie	John
Anwar	Jones
Arnold	Kansagra
Mrs Bacchus	Leaman
Baker	D Long
Bessong	J Long
Beswick	Lorber
Blackman	Malik
D Brown	Matthews
V Brown	Mendoza
Butt	Mistry
Castle	J Moher
Chavda	R Moher
Clues	Moloney
Colwill	Motley
Coughlin	O'Sullivan
Crane	Pagnamenta
Cummins	CJ Patel
Detre	H M Patel
Dunn	Powney
Dunwell	Shah
Farrell	Sneddon
Mrs U Fernandes	Steel
Fox	Tullett
Hashmi	Van Colle
Hirani	Wharton

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Corcoran, Eniola, Ms Shaw, Singh, Tancred and Thomas.

2. **Minutes of Previous Meeting**

RESOLVED:-

That subject to Councillor Mrs Fernandes being shown as abstaining in the vote taken on the resolution under minute no. 9(i) Motions selected by the Group Leaders – *Cuts to our health services at Willesden Community Hospital and across Brent*, the minutes of the meeting of full Council held on 30<sup>th</sup> October 2006 be confirmed as a true and accurate record.

3. **Declarations of Interests**

A list of the Councillors who serve as LEA governors of local schools circulated around the Chamber was noted. In addition, the following declarations of interest were made by Councillors in relation to the item on the First Reading Debate – 2007/08 to 2010/11 Budget:

<b>Councillor</b>	<b>Organisation/Subject</b>
Arnold	South Kilburn NDC Board member
Beswick	Fortunegate Housing Board
Chavda	Middlesex ITEC (Director)
Clues	Foundation Governor of St Mary's CE Primary School
Crane	Brent Primary Care Trust (non-executive director)
Cummins	Tricycle Theatre (Board Member) Paddington Churches Housing Association (Board Member)
Dunwell	Brent Community Transport (Director) Brent Housing Partnership Board Barnhill Residents Association Queensbury Area Residents (and Traders) Association Chalkhill JDB
Farrell	Homerton NHS Trust (employee)
Mrs Fernandes	Brent Primary Care Trust (employee)
Fox	Hoffman Foundation for Autism
Hashmi	London Music Society (Director)
John	Tricycle Theatre (Board Member)
J Long	Brent Housing Partnership Board Fortunegate Community Housing
Joseph	Grandchildren attend St Robert RC

	Primary and St Joseph RC Junior schools
Mendoza	Tricycle Theatre member
Malik	Brent Housing Partnership Board Stadium Housing Association Management Committee
Mistry	Executive officer at Copland Community College
J Moher	Brent Housing Partnership Board
Moloney	Hillside Housing Trust Park Royal Partnership
O'Sullivan	Fortunegate Community Housing Willow Housing Board Chalkhill JDB Brent Housing Partnership Board
CJ Patel	Brent Indian Association
HB Patel	Brent Indian Association Shree Sattavis Gam Patidar Samaj (Europe) (member)
HM Patel	Shree Sattavis Gam Patidar Samaj (Europe) (trustee)
Van Colle	Wife is clerk to governors at Michael Sobell Sinai School Governing Body Chalkhill Joint Development Board

#### 4. Mayor's Announcements

The Mayor announced that she had become a grandmother for the fifth time and that mother and baby were well.

The Mayor reported on her visit to Dominica which she had undertaken at the invitation of its Prime Minister who she met on 3<sup>rd</sup> November. She stated that she had been very well received and personally praised for her achievements in being the first afro-Caribbean Mayor of the borough and on being Mayor for a second time. She had visited Government House and a number of schools and attended a children's parade. The island had been celebrating its independence. The Mayor added that there were many people from Dominica living in the borough and she hoped to encourage them to use their connection with the island to foster mutual support in any way they could.

The Mayor announced that the Jewish Labour movement was holding a celebration of the life of the late Rt Hon Reg Freeson on 17<sup>th</sup> January 2007. Invitations had been sent to the Group Offices.

The Mayor passed on the best wishes of the Council to Councillor Van Colle and his wife who were to soon attend the Court of Appeal concerning their Human Rights case.

The Mayor reminded councillors that the staff awards ceremony would be taking place on 30<sup>th</sup> November 2006 and offered her congratulations to everyone who had won an award.

The Mayor made special mention of an event organised by Claremont High School. She had attended a play at Questors Theatre in Ealing performed by children from the school which she felt had been a credit to the borough's school children. She intended to write a letter of congratulations to the school.

The Mayor reminded Members that her charity Christmas Ball would take place on 9<sup>th</sup> December. Invitations had been issued and she hoped to see many councillors at the event.

The Mayor read from a statement she had prepared expressing her concern over attacks by dogs taking place in the borough and asking the Lead Member for Environment, Planning and Culture to consider the introduction of a new bye-law to help prevent this happening. She stated that she had been approached by many residents asking the Council to take action to stop dangerous dogs attacking other pet dogs and children. She explained that certain breeds of dogs were known for their fighting temperament and were used to enhance the status of the owner and sometimes for criminal activity. The Lead Member for Environment, Planning and Culture agreed to look into the matter and respond to the Mayor with his findings.

**5. Appointment to Committees etc**

RESOLVED:-

that Councillor Mistry (with Councillors Baker and Detre 1<sup>st</sup> and 2<sup>nd</sup> alternates respectively) be appointed to the School Organisation Committee for the remainder of the municipal year 2006/07.

**6. Procedural motion**

The Council considered procedural motions that were circulated and moved, as amended, by Councillor Castle.

RESOLVED:-

- (i) that in respect of Summons item 6, Brent Council's Corporate Strategy 2006 – 2010, the Liberal Democrat Group, the Conservative Group and the Labour Group be allowed three members each to speak for up to three minutes on the item before moving to the vote;
- (ii) that in respect of Summons item 7, Second Interim Report of the Constitutional Working Group, Summons item 8, Capital Strategy 2006 – 2011 and Summons item 9, Authority to award

the Council's Waste Services contract, the Liberal Democrat Group, the Conservative Group and the Labour Group be allowed one member each to speak for up to three minutes on each of the items before moving to the vote;

- (iii) that in respect of Summons item 13, 1<sup>st</sup> Reading Debate – 2007/8 to 2010/11 Budget, the time allowed for the 1<sup>st</sup> reading debate be extended to up to 60 minutes with the Deputy Leader being given up to ten minutes to present the reports, the Leader of the Opposition up to ten minutes and the Leader of the Council up to ten minutes to speak on the item, followed by other members speaking for up to 3 minutes each.

## 7. **Brent Council's Corporate Strategy 2006 - 2010**

The Corporate Strategy 2006 - 2010 is the critical policy framework for the Authority. It identifies the key improvement and expenditure priorities for the Council and represents the public commitment made to the people of Brent on how the Council will develop services and shape the borough over the period of the Administration.

The Leader introduced the item by stating that it reflected the priorities for the Administration. Central was the vision to create a borough that was a great place to live, work and play in, with a clean, safe environment. He added that he wanted the highest possible level of education provided for young people, greater use of buses, to tackle homelessness, create training and job opportunities, continue to rebuild neighbourhoods and provide local leadership. The Deputy Leader added that this was an important document that everyone should read as it set out the aims and policies that the Administration would invest in to achieve. He stated that Overview and Scrutiny would have an important role in monitoring how the Executive delivered against the aims and aspirations of the strategy. There would be a focus on achieving efficiency savings to provide resources to support the strategy. Partner agencies and government bodies would have a role in delivering the programme and the regeneration of the borough would be taken a step further with the creation of job opportunities and rewards for local people.

It was argued that the strategy bore a striking resemblance to the previous Corporate Strategy and built on the achievements of the previous Administration. Residents' satisfaction had been increasing whilst the previous Administration had successfully tackled difficult issues. A comment was made that there were risks associated with some of the transport related targets included in the strategy. It was pointed out that the strategy did not include any promises to freeze or reduce the Council Tax which had been a campaign issue in the elections. A view was submitted that the strategy was not ambitious enough and did not fit comfortably with previous pledges made by the Liberal Democrat and Conservative Groups.

It was emphasised that the most important aspect of the strategy was around environmental issues. A point was made that Brent for too long had been a place people tended to pass through and the ambition now was to make it a place people wanted to live in for a lifetime. It was argued that previous claims of regenerating the borough had not encouraged people to stay in the borough and this needed to be reversed. One way to achieve this would be to give young people born in the borough the opportunity to get on the housing ladder through joint ownership schemes and the provision of decent homes. Reference was made to the previous Administration's housing record and how, through the delivery of the Corporate Strategy, this would be improved upon. With reference to the provision of school places, it was submitted that the Government did not permit the Council to meet demand through the safe means of modernising and expanding existing schools. The only way the Council had of attracting the resources it needed was to provide a new school. The strategy aimed at breaking out of the narrow approach to target driven performance in schools and introduce vision and fun into the education of children.

RESOLVED:-

that the Corporate Strategy 2006-2010 be adopted as the policy and financial framework for the Council and as the contribution of the Council towards delivering the borough-wide partnership Community Plan 2006-2010.

#### 8. **Second Interim Report of the Constitutional Working Group**

This report updated members on the discussions and findings of the Constitutional Working Group (CWG) since its last report to Council in September 2006. It outlined its recommendations with regard to the creation and remit of an Audit Committee, amendments to Standing Orders in relation to petitions and deputations, and the business transacted at meetings of Full Council. Proposals were also made regarding the referral of "called-in" decisions to Full Council from Overview and Scrutiny Committees and the establishment of a Brent Youth Parliament.

Members of the CWG had requested that their recommendations to date were presented to Full Council at this time to facilitate the development of the proposed Audit Committee and Youth Parliament and to enable necessary improvements in the business of the Council.

The CWG would be submitting a further report to Council following its deliberations regarding members' allowances and neighbourhood working. This was expected early in the new year.

In introducing the report, the Borough Solicitor made it clear that the intention was for the proposed Audit Committee to comprise a non-executive member from each political group.

Councillor John stated that she had not agreed with the proposals for allocating time for motions selected by the group leaders because it was her Group's view that this time should be allocated wholly to the Opposition. Nevertheless she had had to concede on this issue and accept an undertaking that the Labour Group would receive a greater proportion of the time allocated to the debates on each of the motions.

In response, Councillor Blackman explained that members and officers were working hard to reach a consensus on the issues and if that was not possible to at least reach some agreement. The proposals ensured that Council meetings would not be dominated by the Executive but it had to be recognised that the Administration was a joint arrangement between two distinct parties who still needed to have the opportunity to express their own views on issues. The Opposition would be given more time to express its views. Council meetings would be longer as more business would be included on each agenda to allow more councillors to have their say. Councillor Lorber, in endorsing what Councillor Blackman had said, added that issues discussed at CWG inevitably ended in compromise and he had particularly wanted to see business at Full Council opened to greater participation by all members.

RESOLVED:-

*Audit*

- (i) that an Audit Committee be established in accordance with CIPFA guidance, consisting of three non-executive members (one from each political group) with terms of reference and a Statement of Purpose, as set out in Appendix 1 to the report submitted;
- (ii) that the terms of reference of the General Purposes Committee, the Standards Committee, and the Performance and Finance Select Committee be adjusted so as to take account of the new role of the Audit Committee, as set out in Appendix 1 to the report submitted;
- (iii) that the portfolio of the Executive Member responsible for Corporate Resources be amended to clearly include responsibility for risk management;
- (iv) that Councillor Cummins be appointed chair of the Audit Committee and Councillors J Moher and HM Patel be appointed to the committee;

### *Petitions*

- (v) that the progress made in dealing with petitions received by the Democratic Services Manager which have 50 or more valid signatures in accordance with Standing Order 68, be reported on an ongoing basis to Full Council, each petition to remain in the report until finally disposed of;

### *Full Council*

- (vi) that Council meetings begin in future at 7.15pm;
- (vii) that:
  - (a) all questions for "Question Time" be allocated to the political parties rather than by a ballot system,
  - (b) Question Time and Items Selected by Non-Executive Members be included on the summons for every Ordinary meeting of the Council except the March Council Tax Meeting,
  - (c) the time allocated for Question Time be reduced from 45 minutes to 40 minutes, and
  - (d) the time allocated for Non-Executive Member Items be reduced from 45 minutes to 30 minutes.
- (viii) that the time allocated for the report back from the Executive be reduced from 20 minutes to 10 minutes;
- (ix) that Motions Selected by the Group Leaders be debated for 30 minutes in the case of the Opposition and 10 minutes each in the case of the Leaders of the two groups forming the Administration;
- (x) to note that at its meeting on 11<sup>th</sup> September the Council agreed to set the threshold for call in at 5 non-executive members;
- (xi) that the threshold for referral of a called in decision to Full Council be set at 10 members;
- (xii) that provision for a General Debate be removed from the Constitution;

### *Annual Policy Programme*

- (xiii) that the Annual Policy Programme be removed from the Constitution;



### *Youth Parliament*

- (xiv) that a Youth Parliament be established and that Brent Youth Matters 2 and the Children User Consultative Forums be deleted from the Constitution;
- (xv) that Councillor Matthews be appointed co-chair of the Youth Parliament and that the appointment of a member co-vice-chair be deferred to a later date;

### *Contract Standing Orders*

- (xvi) that Contract Standing Orders be amended as set out in Appendix 3 of the report submitted;

### *General*

- (xvii) that the Borough Solicitor be authorised to make such consequential changes to the Constitution as may be necessary to give effect to the changes agreed by Council;

### *Allowances*

- (xviii) to note that a separate report dealing with members' allowances will be presented to a future meeting of Full Council.

## 9. **Capital Strategy 2006 - 2011**

The report before Members explained that the Capital Strategy and Corporate Asset Plan were key elements of the Council's overall approach to ensuring efficient and effective use of its asset base in pursuit of its objectives and priorities set out in the Corporate Strategy. The five year strategy presented to Members provided the context in which the Council's rolling capital programme is up-dated. The strategy would be kept under review during this period to ensure that it reflected changing needs and priorities within the authority.

The Lead Member for Corporate Resources, Councillor Blackman, pointed out that the amount of capital resource made available to the Council from Government was rapidly reducing year on year. If the Council continued to raise money through unsupported borrowing it would have a dramatic effect on the level of Council Tax. He submitted that the Council was faced with having to reduce its unsupported borrowing but this was set against the Council's spending priorities. He hoped Members would support any efforts made to lobby Government for more resources.

It was submitted that the strategy did not look very different from that followed by the previous Administration and that none of the schemes listed in Appendix 4 of the report were costed so it remained to be seen

whether the strategy could be delivered. No new money was available and so it was suggested that services would have to be cut and assets sold in order to support the strategy. However it was pointed out that the new Administration had inherited the current budget situation and despite this had invested substantially in a new waste services contract. This had been in response to a recognition of the poor environmental condition of the streets in the borough. The Council would also continue to campaign for resources to support the provision of school education in the borough.

RESOLVED:-

that the Capital Strategy 2006 – 2011 circulated as an appendix to the report submitted be approved.

#### 10. **Authority to Award the Council's Waste Services Contract**

The report before members attached the report submitted to the Executive which described the process undertaken in tendering for the contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

Members had also received a copy of appendices 4, 5 and 6 of the report submitted to the Executive which were not for publication as they contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

'Information relating to the financial or business affairs of any particular person (including the authority holding that information)'

Full Council was now required to consider recommendations including the award of the Waste Services Contract.

The Borough Solicitor explained that the reason why Full Council needed to take a decision on the matter was because it was outside the policy framework in that the tendered prices represented a significant increase in the existing budget for the services. The Lead Member for Environment, Planning and Culture, Councillor Van Colle, submitted the views of the Executive which had been considered by the Performance and Finance Select Committee and asked Council to agree to them. He stated that this would allow the Council to achieve a number of objectives one of which would be that every resident would see their street swept three times a week. The contract would also provide for a greater rate of recycling. The view was expressed that implementation of the contract would make a difference across the borough and meet the service standards for which residents had been calling. It was also pointed out that consultation on the contract had taken place over the last 18 months and the contract replaced one that had been less than satisfactory.

Nevertheless, regular meetings with the contractor had brought about improvements in the old contract.

RESOLVED:-

- (i) that the recommendations of the Performance and Finance Select Committee shown at paragraph 3.3 of the report be noted;
- (ii) that the resolution agreed by the Council's Executive at its meeting on 13<sup>th</sup> November 2006 and shown at paragraph 3.4 of the report be noted;
- (iii) that the Waste Services Contract be awarded to Veolia ES (UK) plc on the basis of Permutation Enhanced 12 (Package 4) as set out in the Executive report attached to the report to Council;
- (iv) that the Director of Environment & Culture, in consultation with the Director of Finance & Corporate Resources be authorised to decide whether to proceed with the option for the Council to purchase the waste vehicles for the contract as set out in paragraph 5.14 of the Executive report attached to the report to Council.

#### 11. **Items selected by Non-Executive Members**

- (i) *Approach to Planning Enforcement*

Councillor Shah introduced the item he had raised by drawing on the example of traders in Ealing Road who applied for planning permission and as soon as it was obtained flouted the conditions by trading from the forecourt and providing car parking. He felt the planning service did not respond quickly enough to enforce the planning conditions.

Some support for the item was voiced. It was put that planning legislation existed to protect people but this was undermined if there was no enforcement or an inability to enforce the decisions taken by the Planning Committee. It was suggested that the Council did not always enforce planning conditions for fear of losing appeals. In turn the Planning Inspectorate took a long time to hear appeals. However, an alternative view was presented of the Council's enforcement team as being one of the firmest in London despite being under-staffed. However about half of enforcement cases were appealed against and this was rising across the country. It was a matter for the Government to review the enforcement framework and provide adequate resources to the Planning Inspectorate. This view was endorsed by pointing out that the Government set targets for the determination of planning applications but then failed to provide the resources needed to promptly determine those decisions which were the subject of appeal by the applicant. It was suggested that the law needed to be changed because at

present only the applicant could appeal against a decision and they often used this as a means to abuse the process. It was felt that it should not be possible for someone who was in breach of planning law to lodge an appeal. It was pointed out that the Council faced a financial risk when pursuing enforcement action but most of the time it got it right. In response the Lead Member for Environment, Planning and Culture, Councillor Van Colle, expressed some sympathy with the points raised. The Council already had a very pro-active approach to pursuing planning enforcement but the Planning Inspectorate was not able to hear appeals for a number of months. However the conduct of the applicant was not a material planning consideration. Councillor Van Colle undertook to keep the matter under consideration.

(ii) *Services from Sudbury Stations*

Councillor CJ Patel introduced the item he had raised by stating that the stations were well served by buses but this appeared to be ignored by Chiltern Railways and the Council. Most people were not aware of the services offered on this route and of the fact that everyday travelcards could also be used on it. He asked the Council to promote the use of this service.

The Lead Member for Transport and Highways, Councillor D Brown, replied that he had met with Chilton Railways and had pointed out that the stations were poorly served with only 8 trains a day stopping at them. Unfortunately no guarantees to improve the service had been forthcoming but there had been agreement to improving the marketing of the service. Councillor Brown undertook to provide a copy of the notes of the meeting to Councillor Patel. He agreed that that this was a matter of concern and agreed to consider it further.

(iii) *Action on Climate Change*

Councillor Bacchus introduced the item she had raised by referring to the approach adopted by the London Borough of Richmond upon Thames towards dealing with climate change by increasing parking charges for high consumption vehicles and contrasted this with the new Administration's commitment to scrap the charge for first permits. She urged the Executive to study the Richmond scheme and reconsider the Council's approach to charging for parking so that the owners of small cars did not end up effectively subsidising the owners of larger cars. In support of the item it was stated that the Council was at odds with the growing importance of green issues by being the only Council in London to abolish charges for parking permits. It was asked why the Council Tax payer should subsidise car owners, especially the owners of large 4x4s. The request to re-examine the Council's approach to this issue was supported by some members. In response however it was pointed out that the scheme recently agreed by the Executive only made the first

permit free for certain types of vehicles. The point was made that no other Council had opted to follow the Richmond model. It was explained that in the past the parking account had been used to pay for more than funding parking schemes so the point about Council Tax payers subsidising car owners was not valid. For the current year the projected income from parking charges would fall well short of the estimate as a result of a recent court case regarding the collection of most outstanding PCN's issued before 15<sup>th</sup> August 2006. The issue for the Council was how to protect streets from indiscriminate parking and allow residents reasonable access to parking within the vicinity of their homes. It was put that action on climate change required action on the use of cars.

The Lead Member for and Highways and Transportation, Councillor D Brown, replied by referring to the decision taken by the Executive on 13<sup>th</sup> November regarding this issue, which was not far removed from what Richmond had done. He submitted that the Executive had already agreed to take the action being requested of it. Future proposals would see the owners of high consumption vehicles paying more but time would be given for people to change their car buying habits.

RESOLVED:-

that the responses from the Executive on the Approach to Planning Enforcement, Services from Sudbury Stations and Action on Climate Change be accepted.

## 12. Report from the Executive

### (i) *The Brent Health Challenge*

Councillor Lorber (Leader) reported that he had attended a meeting of the PCT Board at which decisions on cutting services appeared to be taken with no recognition of the impact they would have. He moved a motion circulated in his and Councillor Blackman's name headed *PCT cutbacks and cost shunting*.

### (ii) *New public toilets for Wembley*

Councillor Lorber (Leader) stated that the previous Administration had not produced a strategy for the provision of public toilets but there were now plans to provide six additional toilets in the Wembley area for when the stadium opened.

### (iii) *Residents parking permits charging policy*

Councillor Lorber (Leader) repeated from earlier discussions under item 10(iii) above that the estimated income on the

parking account had been severely affected by the outcome of a recent court case meaning that the Council would likely lose £1M to £1.5M of income. However decisions had already been taken so that important services to the public were not cut as a result.

*(iv) Mutual insurance for Councils*

Councillor Blackman (Deputy Leader) reported on a ground breaking initiative whereby up to 20 other London boroughs would share in the arrangements to provide insurance cover leading to savings being achieved, a better spread of risk and an improved service to claimants. Detailed proposals would be brought forward.

*(v) Children's Centres funding and approval*

Councillor Wharton (Lead Member for Children and Families) reported on the decisions of the Executive to approve the next phase of children's centres. The programme was being run on a tight budget which had been thrown into doubt by the PCT funding cuts. The intention had been to work in partnership with the PCT to provide joint services from the same sites.

*(vi) Copland School delays*

Councillor Wharton (Lead Member for Children and Families) reported on the delay to the start of the building work caused by the need to submit a construction plan. Officers were working with the school to produce the plan. He commented that past decisions on this matter had meant the opportunity had been lost to expand the school rather than re-build it.

*(vii) School governor allocation*

Councillor Wharton (Lead Member for Children and Families) reported that following the elections in May the allocation of LEA appointed school governors had been reviewed. It had been intended to allocate the seats in accordance with the political balance of the parties on the Council but following representations received it had been agreed to allocate them on the basis of the number of votes cast for each party. He had been pleased to accept this proposition but would look carefully at how the changes took effect.

*(viii) Street watchers*

Councillor Lorber (Leader) reported that he had been pleased to attend a meeting arranged by Streetcare to promote the street watchers scheme. The Council was now seeking to recruit

another 50 'watchers' and anybody known to be interested in this should be encouraged to contact Streetcare.

### **13. Report from the Chair of Overview and Scrutiny Committee**

Councillor D Long introduced his report by saying that the next meeting of the Committee was not until 14<sup>th</sup> December but that he had taken the opportunity to report from some of the sub-committees that had met and also from the Children and Families Overview and Scrutiny Committee. He drew attention to the establishment of a task group on the academic and educational outcomes for children and young people from black African heritage groups. He referred to 2007 commemorating 200 years since the abolition of slavery and felt this still had an impact which he hoped the task group would consider.

Councillor Long added that overview and scrutiny would be looking to assist the Administration in achieving some of its ambitions and priorities set out in the Corporate Strategy and holding the Executive to account to deliver on these. He made particular reference to the priority to reduce unemployment in the most deprived wards in the borough by a faster rate than that for the Borough by 2008.

### **14. General Debate**

Members debated the motion put forward on the PCT cutbacks included under the report from the Executive.

It was put that the previous Administration must have known the extent of the PCT funding crisis, which showed the impact Government actions were having on the health service. Reference was made to cuts being made to front line services that impacted on the most vulnerable and needy. This was in contrast to past Government pronouncements that it would save the NHS. It was submitted that, whilst the Government had increased its spending on the NHS, this had been used to fund salary and wage increases and many re-organisations. The money was now no longer available. The Government had suggested that the current position was more an accounting exercise but there had been a lack of consultation on the decisions being taken and it was submitted that it was time the Council was shown some details of the implications of the decisions being taken. It would fall on the Council to continue to provide some of these services and if it could not then the blame would be shifted from the PCT to the Council. This was not acceptable and would be resisted. The Executive was asked to ensure that cuts were not made to services for the most vulnerable people. It was put that all sides on the Council needed to recognise the impact on Brent residents and lobby the Government to change its approach. Reference was made to past decisions by Government that had not been in the best interests of local government and had been lobbied against. It was recognised that the intention was to move away from providing acute services and put

more resources into the preventative side but not to the extent where it adversely affected local residents. The PCT had been instructed to cut its budget and had taken decisions with no regard for the effect they would have on the Council. The point of view was expressed that the Council should still try to work with the PCT because the PCT was being forced to make such cuts to make up for mismanagement in other areas of the NHS. Shifting costs from the PCT to the Council had started some years earlier to redress a position whereby the Council was effectively being subsidised by the PCT.

In response to the general debate, the Leader, Councillor Lorber, stated that costs from the PCT had been shunted onto the Council for the last two years and the Council had co-operated in this. The PCT currently owed the Council money and whilst there was every intention to deal with the PCT on a professional basis, the fact remained that it owed the Council money which needed to be paid and it needed to consult and provide information on what it was proposing so that the Council could assess the implications. The PCT had a large budget and was taking the easy options in making cuts that would impact on the Council. There was a hidden agenda in having to make these cuts in order to meet commitments made at Government level. He submitted that successive modernisation plans for the NHS had brought the service to its knees.

**RESOLVED:-**

- (i) that the reports from the Executive and Chair of Overview and Scrutiny Committee be noted;
- (ii) that the Council expresses its profound concern at the massive spending cuts approved by the Brent PCT Board meeting on 23<sup>rd</sup> November 2006 and the detrimental consequences that these will inevitably have on the health and well-being of all Brent residents and in particular on vulnerable residents with high health and social care needs.

The Council also expresses its determination to resist the large scale shunting of costs from the National Health Service on to local government on which many of the PCT's proposals are based. Brent Council will take robust action to protect its own budget and services and will campaign with other affected London boroughs to ensure adequate funding of the capital's health service.

The Council will explore every possible avenue including political and judicial challenge to oppose the PCT's cuts and we will resist any attempt by the PCT to impose unilateral burdens on Brent Council's budget and therefore on Brent's Council Tax payers.



The Council notes that the PCT has already made cuts in the current financial year which are adding to spending pressures in the Council's children's and adult care services. The additional cuts announced on 23<sup>rd</sup> November of a further £14 million in the remainder of 2006/7 and up to £31 million in 2007/8 are totally unacceptable to the Council and cannot fail to place an unmanageable cost on the local authority.

The Brent PCT Board is called upon to re-consider their recently approved cuts package and to enter into a serious dialogue with Brent Council about how to best protect the interests of Brent residents. The Council also calls on the PCT to pay without delay or prevarication their outstanding debt to the Council which is currently estimated at £10 million.

The Council also urges the Government in the strongest terms to acknowledge the funding crisis facing many Primary Care Trusts in the capital and to take action to ensure that critical frontline services, often serving vulnerable people and deprived communities, are safeguarded. Brent's three MPs are called on to work with the Council in support of a cross-party campaign to protect local health services.

(Councillor Crane had declared a personal interest in the above item because of his position as a member of the PCT Board and he considered this to be prejudicial and so left the chamber for the duration of the debate and the voting thereon).

(Councillor Wharton declared a personal interest in the above item by reason of his employment by KPMG, although not related to the business of the Council, and did not vote on the item).

#### 15. **1<sup>st</sup> Reading Debate – 2007- 08 to 2010-11 Budget**

The Deputy Leader (Lead Member for Resources), Councillor Blackman introduced the reports of the Executive and Director of Finance and Corporate Resources. The report of the Executive set out the Administration's top priorities for action and spending in 2007/08. It pointed out that earlier in the year the borough had voted for change with one of the key areas of change being in the approach to the Green Agenda. The report of the Director of Finance and Corporate Resources presented the best information available to the Council at the present time. One significant area of uncertainty was the Primary Care Trust (PCT) finances. Further cuts approved by the PCT Board on 23<sup>rd</sup> November 2006 would have serious adverse implications both for the finances of the Council and for services received by residents. He pointed out that Appendix 1 to the report of the Director of Finance and Corporate Resources showed that with the maximum permitted Council Tax increase of 5% an additional £21M was needed based on current spending. If there was to be no Council Tax increase £25M

was needed. The new Administration had made a start at examining very closely all the spending plans and options for the Council.

Councillor Blackman stated that it was anticipated that the Council would remain at the floor for the purposes of the grant settlement which would mean an inflation only increase. He accused the previous Administration of not making proper provision for children and adult care services and that budgetary pressure had been allowed to build up. Efforts were already being made to address these overspends and he commended officers on the actions taken in attempting to bring the budgets back into line. Councillor Blackman stated that 2% efficiency savings had been identified and brought forward into this financial year. Nevertheless spending pressures were building up and the papers showed a growth list amounting to £12M which could not all be met. The papers also included a list of savings proposals most of which would have to be taken if the Council was going to balance its budget. The spending cuts approved by the PCT would undermine efforts by the Council to formulate a reasonable budget and that was why the message to the PCT had to be that the Council would not co-operate on making the cuts it proposed. Without government intervention the Council would be in a very serious financial position if the PCT cost shunting proposals happened.

The Leader of the Opposition, Councillor John, stated that it was her understanding that following Councillor Lorber's representations to the PCT Board it had been agreed that a check would be made on the accuracy of the £9.8M the Council claimed the PCT owed to it, referred to earlier in the General Debate. This had been found to be true but the Board believed that the Council owed the PCT £7M so she submitted that constructive discussions were needed to resolve the position. Councillor John stated that every budget was a difficult exercise. She asked that the final budget make adequate provision for the development of children centres and that money be identified to fulfil the agreed improvements to Roe Green Park.

Councillor R Moher referred to Hay Lane School which provided for young people with learning disabilities. She stated that the school building was not fit for purpose, not designed to make wheelchair use easy, lacked storage facilities and that the school could not continue to operate from such premises. A figure of £5M had been identified to bring the building up to standard and Councillor Moher urged that this commitment be honoured.

Councillor Kansagra referred to a stretch of Preston Road at its junctions with The Avenue and Preston Way which was very busy and difficult for school children and the elderly to cross. He asked for a pedestrian crossing facility to be installed. He also asked for resources to deal with young people causing a nuisance on motorbikes in the Barnhill open space and Fryent Country Park.

Councillor Arnold asked that the £200,000 growth identified for the youth service be sustained. She referred to the action plan for improvement which identified a need for these resources. She saw it as an invest to save approach because intervention at an earlier stage could prevent problems developing later in a young persons life. She made reference to the Kilburn area where a lack of youth workers was being matched by an increase in street crime. Councillor Arnold submitted that because of a lack of facilities the young were vulnerable to drug traffickers. She asked specifically that some funding be directed towards providing premises in the area from where various youth activities could be co-ordinated.

Councillor Mistry referred to the Queensbury area of the borough she represented and the many school children and the elderly who travelled on foot in the area. She asked that attention be paid to ensuring the pavements were maintained and adequate pedestrian crossing facilities were provided. Councillor Mistry stated that she had heard it said by a Council official that any new swimming pool built in the borough would not be in the Kingsbury area. She argued against this and suggested no more money should be spent on Roe Green park until an evaluation of the current improvements was undertaken and the view of the police was sought on the anti social behaviour taking place in the park.

Councillor Beswick proposed that the Council earmark £5,000 to spend on commemorating the abolition of the Slave Trade Act of 1807 on 25<sup>th</sup> March 2007. Additional funding could be sought from the Heritage Lottery fund and Councillor Beswick submitted that it would be very appropriate for a borough like Brent to put on such an event.

Councillor Farrell made a plea for the continued improvement and maintenance of the borough's parks. She made particular reference to Welsh Harp and hoped that stated commitments to the parks would be kept. She also referred to the provision of park wardens introduced by the last Administration and expressed the hope that they would be retained by the new Administration.

Councillor Dunwell expressed concern that some of the cuts referred to in the reports would affect provision of the infrastructure necessary to allow planning permissions to be granted for the regeneration of the borough. He questioned the method adopted over the years for achieving savings by requiring an across the board percentage reduction and felt this was the wrong approach. Instead he suggested what was needed was for a team of people to be charged with analysing each service area budget drawing on the expert advice of officers but not necessarily using their suggestions to achieve savings.

Councillor Jones asked that CCTV be provided in the Willesden Green area and that the controlled drinking zone in Kilburn be extended into Willesden and suggested that it be taken up to the North Circular Road

thereby providing a buffer to prevent moving the problem into neighbouring areas.

Councillor Ahmed asked the Executive to reconsider the offer from the Mayor of London to match fund the restoration of Dollis Hill House.

Councillor Coughlin referred to the growth in the youth service budget being clawed back in the current financial year and asked that this be re-instated next year. He also asked that the redevelopment of Barham Park Estate be speeded up. Councillor Coughlin pointed out that before the PCT issue had been known about decisions had already been made to re-introduce day care charges and increase parking charges. As these were decisions based on local factors he asked that they be reversed. He also spoke in support of maintaining in real terms the funding of the voluntary sector. Finally he warned against taking a confrontational view of the PCT and urged the Council to recognise the PCT as a partner agency.

Councillor D Brown referred to comments made at the meeting about the provision of school places and pointed out that the simplest way of providing extra places was to expand existing successful schools but that the government would not allow the Council to do this. He criticised the plan to redevelop Barham Park estate by building on part of the Barham Park open space. Councillor Brown also questioned the claim that funding for improvements to Roe Green Park had been built into the budget under the previous Administration.

Councillor J Long asked that the Council keep its commitment to supporting the provision of allotments and also provide toilet facilities on site and offer the option of greenhouses instead of huts. She referred to the report from the Lead Member for Housing explaining the Council's new approach to housing provision. Given the proposal to build intermediate housing she asked where people on small incomes who were on the housing waiting list would be housed. She hoped the post of Empty Property Grant Surveyor included in the list of additional savings option for 2007-08 would not be taken. Councillor Long added that the condition of Craven Park Road was no longer enhanced by the four pieces of art work and asked that they be removed.

Councillor CJ Patel asked for a pedestrian pelican crossing on The Harrow Road Wembley sorting office in light of the children who crossed the road at this point going to Barham Park and the bus stops in the area that created pedestrian movement.

Councillor Hashmi spoke of his concern over the provision of school places and urged the Council to do all it could to make places available for all Brent children.

Councillor Fox referred to a letter sent to staff at Carlyon Print setting out options for its future. The Council was going to have to take a

decision on this matter and he urged that sufficient funds be made available to ensure the employees of Carlyon Print were supported, having due regard to the many years of service they had given in the borough. It was important that the Council recognised its responsibilities under the Disability Discrimination Act.

Councillor J Moher referred to the huge gap between income and expenditure in the budget projections shown in Appendix 1 to the report of the Director of Finance and Corporate Resources but submitted that this was not unusual at this stage of the budget deliberations and that the gap would close as time went on. Although recognising the importance of the proposals of the PCT, Councillor Moher felt the Council should avoid a blame culture developing and continue to discuss the issues with the PCT.

Councillor Moloney raised the issue of the relocation of residents in Melrose House. He stated that the residents and their families were upset at the proposals because the residents tended to get on well with each other and had access to a park across the road all of which would be lost if they were moved. He urged that further discussions with the residents and their families take place and the possible redevelopment of the Melrose House site be considered. Councillor Moloney also asked for CCTV to be provided on the Stonebridge estate now that the redevelopment had created a wider estate. He suggested that a partnership approach to this could be pursued.

Councillor Lorber acknowledged the importance of some of the issues raised. Whilst noting the individual contributions of Members he spoke further on the funding issue with the PCT. If it was the case that the Council owed the PCT money he asked why there had been no provision made for this in past budgets. He re-iterated the Council's resolve to recover the money owed to it by the PCT. He pointed out that a lot of the cuts proposed by the PCT were to services provided jointly with the Council. The PCT had a responsibility for joint working as well as the Council. The effects on services would be felt by the people of the borough who would not understand the funding issues between the Council and the PCT. Councillor Lorber stated that if the PCT were minded to cut services and shunt costs on to other health providers or the Council then he would call into question the existence of the PCT. Finally, Councillor Lorber stated that there was not a budget for Dollis Hill House and he pointed out that the offer of financial assistance from the Mayor of London was itself dependent on the production of a viable business plan.

RESOLVED:-

that the reports from the Executive and the Director of Finance and Corporate Resources on the 1<sup>st</sup> Reading of the 2007/08 Budget be noted and that the views submitted by Members during the course of

the 1<sup>st</sup> Reading Debate be referred to the Executive to determine those to which it wishes to give further consideration.

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At 10.30pm the Council voted on suspending standing order 48 in order to allow the debate on the first reading of the budget to be concluded.

RESOLVED:-

That standing order 48 be suspended to allow the debate on the first reading of the budget to be concluded within the time permitted by the procedural motion passed earlier in the meeting .

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The meeting ended at 11.20pm.

B JOSEPH  
Mayor