

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, 25th June 2007 at 7.15 pm**

PRESENT:

The Worshipful the Mayor
Councillor H B Patel

The Deputy Mayor
Councillor R Fox

COUNCILLORS:

Ahmed	Gupta
Anwar	Hashmi
Arnold	Hirani
Mrs Bacchus	Jackson
Baker	John
Bessong	Jones
Beswick	Kansagra
Blackman	J Long
D Brown	Lorber
V Brown	Matthews
Butt	Mendoza
Castle	Mistry
Chavda	J Moher
Clues	R Moher
Colwill	Moloney
Corcoran	O'Sullivan
Crane	Pagnamenta
Cummins	CJ Patel
Detre	Powney
Dunn	Sneddon
Dunwell	Steel
Eniola	Thomas
Farrell	Van Colle
Mrs U Fernandes	Wharton

1. **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Allie, Coughlin, Leaman, Joseph, D Long, Malik, H Patel, Singh, Ms Shaw and Tullett.

2. **Minutes of Previous Meeting**

RESOLVED:-

that the minutes of the meetings of full Council held on 23rd April, 16th May and 21st May 2007 be confirmed as true and accurate records.

3. **Declarations of Interests**

Councillor Blackman and Councillor Jones - governors at Preston Manor High School.

Councillor J Long Board member of BHP and of Fortunegate Community Housing.

4. **Mayor's Announcements**

The Mayor announced the result of the by-election in Dudden Hill Ward on 24th May 2007. A record of the votes cast had been circulated around the chamber and is attached to these minutes. The Mayor welcomed Councillor Gupta to his first Full Council meeting since his election.

The Mayor announced with sadness the death of Mrs Phyliss Jackson. Mr Dennis Jackson and his wife Phyliss were Mayor and Mayoress of Brent in 1970-71.

The Mayor reminded Members that Brent's Respect Festival would be is taking place on Sunday 8th July at Roundwood Park. He expressed the hope that all Members would support the event.

The Mayor announced that he would be holding his Civic Service on Sunday 22nd July at the Shri Swaminarayan Temple. Invitations had been issued and he urged Members to let his office know if they would be attending.

The Mayor drew attention to the progress of petitions received under standing order 68 as listed in the schedule circulated and which could also be found on the local democracy web site.

The Mayor reported on the launch event of the new Wembley Vision .

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

RESOLVED:-

- (i) that Councillor Gupta replace Councillor Hirani and Councillor Shaw replace Councillor CJ Patel as members of the Alcohol and Entertainment Licensing Committee;
- (ii) that Councillor V Brown be appointed vice chair of the Alcohol and Entertainment Licensing Committee (in place of Councillor CJ Patel);
- (iii) that the following alternate members be appointed to the Audit Committee:

Member	1st alternate	2nd alternate
Councillor J Moher	Councillor John	Councillor Beswick
Councillor HM Patel	Councillor Mendoza	Councillor Detre

6. **Best Value Performance Plan**

Members considered a report which presented the Performance Plan for 2007/08 which outlined performance data against a set of national indicators for the 2006/07 financial year.

Attention was drawn to the Council's generally good performance in the lead up to the latest set of figures but also to a number of indicators that were now showing a dip in performance. The view was expressed that many of the indicators were incomprehensible and those connected to the maintenance of roads and pavements, litter and street cleansing were those that needed to be improved. The Council had taken action to achieve this. The outcome would be analysed by the Performance and Finance Select Committee and the Executive expected targets to be met. In addition it was put to the meeting that the views of local residents made it clear that they wanted to see cleaner streets, better maintained roads and increased recycling. It was pointed out that many of the areas that were performing less well were impacted by the actions of the Primary Care Trust.

RESOLVED:-

that the Best Value Performance Plan 2007-08 showing performance against key national performance indicators be noted.

7. **Question time**

The selected questions submitted under the provisions of standing order 39 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.

Event Day Parking Scheme

The question from Councillor Ahmed had asked if in future the Event Day Parking signs could be displayed overnight and not on the previous day as at present. Councillor Ahmed felt it was not sensible to display the signs the day before and asked why they had to be displayed 17 hours before the event day.

Councillor D Brown replied that his written answer stated that the procedure would be reviewed and he could not add to that reply.

Executive voting arrangements

The question from Councillor Powney had asked if the Conservative/Liberal Democrat agreement on voting at the Executive was still in force. He suggested that the partnership document submitted by the two parties in June 2006 could no longer be valid and asked if the Executive would be publishing a new version similar to what Camden had done, indicating what the decision making processes are. In particular he asked if the Conservative Members of the Executive were bound by the majority vote of the Executive and how this applied to the proposed City Academy.

Councillor Lorber replied that the Executive had made a decision on the Academy. He added that the current Executive had made around 200 decisions of which 199 had the support of all members. The Executive intended to continue to concentrate on issues of concern to local people and he pointed out that the collection rate for Council Tax was already improving.

Redevelopment of Barham Park

The question from Councillor Thomas had asked if the Council would meet the Government's target of Decent Homes by 2010 given the delays in the redevelopment of Barham Park. He acknowledged the reply he had received but pointed out the difficult decisions that were needed if Barham Park estate was to be improved. He asked at what point in time would all the available options have been explored and recognition paid to the only viable option involving higher density housing with some put up for sale. He felt it was unfair on residents to be expected to live in the current conditions on the estate.

Councillor Lorber replied that it was the Labour Administration that had decided to leave Barham Park estate out of the Decent Homes

programme. There were now proposals to replace 214 homes with 300 units with half being affordable homes and the other half being for sale or offered on an equity share basis. This already represented the sort of mixed redevelopment referred to but still left a £6M funding gap. Councillor Lorber stated that the Council now challenged the Chancellor to come up with the funding the Council needed.

Penalty Charge Notices

The question from Councillor Butt had asked what the criteria for issuing Penalty Charge Notices (PCNs) was and whether it was applied consistently. He expressed concern regarding the enforcement of the Event Day Parking scheme and as a supplementary question asked what the Council was going to do to help the residents of Brent who were being penalised with event day PCNs at 8 o'clock in the morning on the day of an event before they had time or had woken up to place permits in their vehicles.

Councillor D Brown replied that the event day parking scheme had been inherited from the last Administration and it was now down to the present Administration to sort out any problems. As he had said in answer to an earlier question, the scheme would be subject to a full review.

Tenancy Deposit Scheme Protection Schemes

The question from Councillor J Long had asked what the impact had been of the Tenancy Deposit Scheme Protection Scheme on the Deposit Guarantee scheme run by the Private Housing Information Unit. As a supplementary question, Councillor Long asked, given that most Houses in Multiple Occupation (HMOs) now registered were already known and already met the required standards, what were the plans of the Council to apply for a discretionary license so all HMOs were licensed? She added that HMOs in extended semi detached houses, often rented to migrant workers, were often overcrowded and substandard and generated more complaints from neighbours. Given that staff were not being replaced in Private Housing Services, she asked would it provide just a basic, mandatory service and not provide discretionary services that enforce standards in all HMOs and other rented accommodation.

In the absence of Councillor Allie (Lead Member for Housing and Customer Services), Councillor Lorber replied that, given the detailed nature of the supplementary question, he would get Councillor Allie to reply direct to Councillor Long.

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

Brent libraries budget

The question from Councillor Gupta asked if it could be confirmed that the previous Labour Administration had cut the Libraries budget by over £300,000 and what steps had been taken to reverse this position and improve the library service in Brent. Councillor Gupta was pleased to see the action taken so far to reverse this position. He stated that there had been recent scare stories that there were plans to close Neasden Library. He asked if the Lead Member was aware that the previous Labour administration had agreed a Best Value review proposing the closure of four libraries and that four other libraries had subsequently been identified for closure. He asked for confirmation that there were no plans to close Neasden Library and in fact it would be improved.

Councillor Van Colle replied that it was clear that action had to be taken to redress an identified funding shortfall and the budget had been stabilised for the current year. Decisions on the future of the Library Service had yet to be taken but there was no intention to close Neasden Library with plans already to move it to a more accessible floor level. He wanted to see the Library Service improved from the position inherited from the previous administration.

South Kilburn redevelopment

The question from Councillor Dunn asked if the Lead Member would condemn the time it was taking to get a decision from the Government to fund the rebuilding of the South Kilburn area. He added that it was now likely that the decision would slip into 2008. Councillor Dunn expressed concern over articles in the local press making allegations and asked what could be done about them and to reassure residents that the plans for the area could be brought back on track.

Councillor O'Sullivan replied that he had asked for an inquiry into the issues raised by the press. He stated that the previous Labour Administration had failed to give any indication of the problems in South Kilburn. Councillor O'Sullivan undertook to do all he could to restore the project.

Cold Calling and Distraction Burglaries in Brent

The question from Councillor V Brown had asked what the Council had done to reduce the instances of 'cold calling' and distraction burglaries in Brent and how the number of such instances compared to one year ago. Councillor Brown welcomed the answer she had received and asked if the big fall in distraction burglaries would be publicised so that people were made aware of the good advice being given out and to help them feel safer in their homes. She asked what else the Executive was doing to improve people's safety and security.

Councillor Matthews confirmed that there would be publicity to reassure people in the borough and that this was part of the Executive's commitment to improve the safety and security of local people. She replied that other activities included £135,000 invested in extra CCTV to cover known crime hot spots; sixteen extra Police Community Support Officers deployed into the areas of greatest need; a road show including the Borough Commander; the views of the Youth Parliament sought; the Anti Social Behaviour Team working hard which had all led to a reduction in crime levels in Brent and the Executive was committed to maintain the trend.

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

Highways Committee

The question from Councillor Detre asked if the structure of the Highways Committee could be reviewed to allow members of the public to speak on measures that affected them. Councillor Detre added that he regularly drove and parked in the borough and came across measures that made it harder to get around the borough. Despite planning and consulting on highway improvements it seemed that matters were made worse. He asked as a supplementary question whether the Lead Member thought the borough had democracy in matters relating to traffic.

Councillor D Brown replied that the structure of the Highways Committee was one agreed by members following the introduction of the new decision making arrangements coming out of the Local Government Act 2000. If Councillor Detre had concerns about particular measures introduced in the borough Councillor Brown suggested that he take them up with the officers. Councillor Brown stated that he had already discussed a particular scheme in Councillor Detre's ward and he nothing further to add.

Event Day Parking – Penalty Charge Notices

The question from Councillor Mendoza asked if a detailed breakdown of the number of Penalty Charge Notices (PCNs) issued and the number of cars towed away on stadium event days could be provided and why the penalties were higher than elsewhere in the borough. Councillor Mendoza stated that the scheme was supposed to protect local residents but instead penalised them. He claimed the Council was introducing a two tier penalty charge system. As a supplementary question he asked for a breakdown of the number of cars that received PCNs and had been towed away on event days for the whole of the area of the scheme and, given the arbitrary division of parking fines in Brent now, and widespread concern about the scheme's hours, if an immediate review of the scheme would be carried out.

Councillor D Brown replied that for the last event day 3,618 tickets were issued. He reminded Members that the scheme cost £2.5M to implement which had to be considered when the level of the fine was set. However, he pointed out that he did not want anyone to make themselves liable for a fine and it was his hope that people would not park illegally. It was the Council's wish to make the operation of the stadium work for everybody, including local people. He felt that this had been achieved and that people visiting the stadium recognised that they needed to travel in by public transport. Councillor Brown added that the number of PCNs issued were not that many per event and included existing Controlled Parking Zones within the area of the scheme.

8. **Items Selected by Non-Executive Members**

(i) Litter in streets around Claremont and St Gregory Schools

Councillor Mrs Fernandes introduced the item she had raised which concerned the littering of streets around Claremont and St Gregory's Schools mainly by schoolchildren at lunchtime. She added that she was aware that this was a problem around many other schools. There was associated vandalism taking place and she felt more work and resources were needed to combat this problem.

Councillor D Brown (Lead Member for Highways and Transport) replied that Streetcare had a team that worked with schools. He encouraged school governors to persuade head teachers to allow the team into schools to get the children to understand the problems they caused. Councillor Brown also referred to the park by St Gregory school which was often in a poor condition. He undertook to get officers to look further into this matter.

(ii) Event Day Parking

In the absence of Councillor HM Patel, Councillor Detre introduced the item Councillor Patel had raised which asked the next meeting of the Highways Committee to review the operation of the Event Day Parking Scheme.

In support of the item it was put that the situation had been predicted once the parking provision for the stadium had been restricted within the planning permission granted. On an event day the parking bays and the road side were empty and people could park but were not allowed to. In other areas there was not enough bays. There was a social impact from this with local shops suffering. It was asked what the point was of restricting parking all day when an event took place in the evening or all night after a football match had finished. It was agreed that the event day parking scheme had worked well with regard to stopping visitors using their cars but it showed a callous disregard for

local residents. It was suggested that the scheme needed to be changed. Residents could make a mistake in parking where they should not but it was asked why they should have to pay West End rates in fines. The increase in the level of penalty charge had been passed without any discussion by the Council. It was submitted that when the old stadium was in operation there were no such problems. The economy of the Wembley High Road was suffering because of the parking restrictions. The big name firms needed to be encouraged back into the area but they would not come if there was no parking provision.

Councillor D Brown (Lead Member for Highways and Transport) replied that it was important that the Council listened to the views of local people and he stated that in due course they would be consulted. Highways Committee had already asked to receive an update report on the Wembley Event Day Protective Parking Scheme. Councillor Brown reiterated the view he expressed earlier in the meeting in response to the Member's question from Councillor Mendoza that he did not want anyone subjecting themselves to fines but at the same time the Council needed to protect the interests of local residents.

(iii) Welsh Harp

Councillor Farrell introduced the item she had raised which drew attention to the Welsh Harp open space as a beautiful natural resource in the borough. Unfortunately a small minority of people did not show respect for the area and misused it, including holding 'raves' in it. Councillor Farrell wished to publicly thank officers from Environment and Culture for the way they handled the raves that took place last year but she stated that the park needed more wardens, particularly at the week-ends. She asked for a commitment to maintain the area as a haven for wildlife and as a site of special scientific interest.

In support of the item, Members drew attention to its potential attraction as a tourist destination and the improved access to it which had opened it up to many more people. Unfortunately this had also had the effect of opening it to those who held barbeques and raves within the park. Members supported the value of the park and felt that a greater level of investment was needed to protect the park by establishing permanent wardens especially during the summer months.

Councillor Van Colle (Lead Member for Environment, Planning and Culture) stated that all of Brent's parks were to be proud off. However, he could not remember the issue being raised during last year's budget discussions. There had been a number of pressing issues concerning reaching an agreed budget for the year and it had not been possible to provide additional funding for the parks warden service. He stated that the Executive would be agreeable to reviewing the matter but no guarantee of extra funding being found could be given for this year or next. Councillor Van Colle agreed that there were not enough park

wardens but pointed out that neither did the Council have the resources to increase the service.

RESOLVED:-

that the responses from the Executive on the above items be accepted.

9. Report from the Executive

(i) *Carbon Management – cutting Brent's share*

This item had been considered by the Executive on 18th June 2007.

(ii) *Wembley Regeneration – from vision to reality*

A new vision for Wembley had been launched by the Council.

(iii) *Brent Youth Parliament*

(iv) *Children's Centres*

Phase 2 of the children's centres capital programme had been agreed by the Executive on 29th May 2007 for submission to the Government.

(v) *CCTV strategy*

The Brent CCTV strategy had been agreed by the Executive on 29th May 2007.

(vi) *Extension of Hay Lane and Grove Park Schools – contract approval*

(vii) *Preston Manor expansion – contract process approved*

(viii) *Combined Chalkhill Youth & Community Centre/Pupil Referral Unit – contract approved*

Councillor Lorber reported that the Executive had taken decisions to let contracts for development at the above schools and that the Executive wanted to do more to allow local schools to expand.

(ix) *Smoke free policy*

A smoke free policy had been agreed at the Executive on 29th May 2007.

(x) *Meeting with PCT*

Councillor Lorber reported on a meeting with the Government Minister for Health in London to discuss the situation the Council was faced with in the light of significant cuts being made by the Primary Care Trust (PCT). A detailed dossier had been prepared for the meeting. Councillor Lorber felt that it was clear that whilst the Government recognised there had been a failure of governance within the PCT it did not propose to do anything about it. Instead the Government was urging the Council to continue to work with the PCT in delivering local health care services. Councillor Lorber felt that it was a worrying time for health services in Brent with the PCT in the hands of a succession of temporary managers all financially attacking local preventative services.

RESOLVED:

that the report from the Executive on the above items be noted.

(xi) *Decisions taken by the Executive under the Council's urgency provisions*

NOTED

(Councillors Blackman and Jones declared a personal interest in the above item in as much as it related to Preston Manor school by virtue of being on the school governing body).

10. **Report from the Chair of Overview and Scrutiny Committee**

In the continuing absence of Councillor D Long, the vice chair of Overview and Scrutiny Committee, Councillor Castle, presented the report circulated with the Summons. He wished Councillor Long a speedy recovery. Councillor John added that Councillor Long was happy to receive visitors. Councillor Castle drew attention to a correction in the report where in the third paragraph it should have referred to the site on the corner of Rucklidge Avenue and Park Parade, not Park Road.

Councillor Castle stated that overview and scrutiny was concerned at the situation with the PCT as referred to in the report from the Executive. He referred to the work of the task groups.

11. **Motions Selected by the Group Leaders**

(i) *Scrap the Dumpers' Charter*

Councillor John introduced her motion by stating that under her Council leadership she resisted introducing a charge for removal of bulky

waste. This was a service much valued by residents and it was clear that by introducing a charge an increase in fly tipping could be anticipated. Councillor John added that it was also clear that the Council had not ruled out increasing the charge. She felt that despite the allowances made for waiving the charge for pensioners and those on benefits, the introduction of this charge was a big mistake.

In response to the motion it was pointed out that there was immense pressure on local government budgets, with the outcome of the Comprehensive Spending Review still awaited. It was claimed that the old scheme had not been properly advertised and it was felt that £25 was not an excessive charge. Reference was made to proposals requiring electricity companies to use recycled materials and for retailers to introduce schemes for the collection of unwanted items so the question was posed as to why the Council should meet such costs. Concern was expressed that the imposition of a charge would see a deterioration in the condition of housing estates with the Registered Social Landlords having to meet the cost of clearing away fly tipping. For those that qualified for a free service proof of their status had to be provided and this would delay the provision of the service. There was also the danger of people fraudulently claiming a free service. It was felt that for many who paid their Council Tax they would end up paying for removal of their rubbish and for the removal of rubbish illegally dumped. This last point was countered by reference to the fact that under the previous arrangements everybody bore the cost of removal and the introduction of a charge would mean those using the service would pay for it. Concern was expressed that by raising the item in this way the danger existed of people being encouraged to fly tip. There was provision in the waste management contract for the removal of fly tipping but it was hoped that this part of the contract would under spend. In adding to the belief that charging would increase the incidence of fly tipping it was pointed out that the amount raised in charges was not expected to meet the cost of removal and therefore the service would still be funded with a heavy subsidy. It was acknowledged that the previous service had been good but because it was free the Council had not been able to properly advertise it and so fly tipping continued to take place. The Council was pursuing a number of ideas to increase recycling and clean up the borough and the introduction of this charge was reasonable and protected those people on low incomes. With reference to the point made about the threat to housing estates from fly tipping it was pointed out that 80% of tenants were on benefit and so would not have to pay the charge. It was stated that anybody found cheating the system or dumping rubbish would be fined.

The motion submitted by Councillor John was put to the vote and declared LOST.

(Councillor J Long declared a personal interest in the above item in as much as it related to the effect it had on housing estates by virtue of

being a board member of Brent Housing Partnership and Fortunegate Community Housing).

(ii) *Let Jamil El Banna return home*

On behalf of the Leader of the Liberal Democrat Group, Councillor Sneddon introduced the motion. He stated that he was sure all Member would welcome the news that Mr El Banna was to be released. But he was dismayed that it was now being suggested that he would not be allowed to return to this country, his home for the last 10 years. Members supported the call to allow Mr El Banna to return home, noting that he had a wife and young family. The view was expressed that there needed to be a strong message sent out that detention without trial was wrong and that Mr El Banna should either have been put on trial or released.

The motion in Councillor Lorber's name was put to the vote and declared CARRIED.

RESOLVED:-

that the news that Brent resident Jamil el Banna has been cleared by the Annual Review Board for release from Guantanamo Bay after four years of detention without trial be welcomed. However this Council is shocked at the prospect of Jamil being released to Jordan where he faces possible torture or death.

Brent Council deplores the long incarceration of any individual without trial, and the denial of basic human rights under any circumstances. The Government is called on to back up its words on this issue with action on the international stage, and live up to the promise by the late Robin Cook MP of an "ethical foreign policy."

It is noted that Mr el Banna was granted refugee status because it was accepted that he had been tortured in Jordan, and the Government be condemned for failing to allow British residents back home from Guantanamo Bay when they have been cleared for release by the US.

That the campaign run by the Willesden and Brent Times, with the backing of Mr El-Banna's MP Sarah Teather, to ensure Jamil's safe return home to his five children in Brent be fully supported.

That the Leader be requested to write to the Prime Minister to call for everything possible to be done to bring Jamil home, and to call on all Brent MPs to publicly pressurise the Government to do so.

(iii) *Violence 'a problem for children'*

On behalf of the Leader of the Conservative Group, Councillor Mrs Fernandes introduced the motion by saying that the Council had done

a lot to improve things and tighten procedures but a lot more was needed and bullying was still a big problem. There was evidence to show that abused children were more likely to become abusers. Systems needed to be in place that allowed children to come forward and be heard.

It was reported that the Children and Families Overview and Scrutiny Committee was already considering the issue of exclusions from school and that there would be support for the sort of investigation being proposed. It was stated that this was a matter at the heart of the Council's Children and Young People's Plan. Reference was made to the Council's regular performance monitoring which showed that there was underperformance on some of the indicators relating to Children's Services. This was impacted by the current situation with the Primary Care Trust and showed how the financial cuts in the Health Service could impact. It was pointed out that the motion was also to show children were valued as citizens of Brent.

RESOLVED:-

This Council expresses its deep concern at the report in the national newspapers recently which said that England is one of the world's worst places for children's safety and security. The Children's Commissioner launched a five year plan recently because of the crisis facing young people which included key issues such as youth justice, anti social behaviour, asylum and trafficking, mental health and education.

This Council believes that so many children's lives are deplorable and that this Council needs to help champion the rights of children, particularly after the tragic and sad disappearance of Madeleine McCann in Portugal. This Council affirms our hope that Madeleine will shortly be reunited with her parents.

This Council's work should be firmly grounded to be aware of children's health and happiness and that there is a crisis in society where children and young people have been failed for some time.

This Council is also aware that one of the biggest fears of children is violence and bullying in schools and records its concerns and hopes for serious improvements in the future. The NSPCC recently said that "children should not have to accept violence as part of growing up and that a survey had shown that children themselves feel that violence invades their lives at school, at home and on the streets". The NSPCC also said recently that one in three children who call Childline say they are suffering from violence and abuse and that bullying has been the main reason for calling the helpline for the past 10 years.

This Council welcomes new initiatives in Children and Families to improve the fostering and adoption services. This Council calls on the

Children and Families Overview and Scrutiny Committee to carry out a review of the extent of the problems in Brent and to propose suitable suggestions for improvements.

The meeting ended at 9:42pm

HB PATEL
Mayor