



LONDON BOROUGH OF BRENT

**Minutes of the ORDINARY MEETING OF THE COUNCIL
held on Monday, 13 September 2010 at 7.00 pm**

PRESENT:

The Worshipful the Mayor
Councillor Harbhajan Singh

The Deputy Mayor
Councillor M Aslam Choudry

COUNCILLORS:

Aden	Adeyeye
Allie	Arnold
Mrs Bacchus	Baker
Beck	Beckman
Beswick	Brown
Butt	Cheese
Chohan	S Choudhary
Colwill	Crane
Cummins	Daly
Denselow	Gladbaum
Green	Harrison
Hector	Hirani
Hossain	Hunter
John	Jones
Kabir	Kataria
Long	Lorber
Mashari	McLennan
Mistry	J Moher
R Moher	Moloney
Naheerathan	Ogunro
Oladapo	BM Patel
CJ Patel	HB Patel
HM Patel	RS Patel
Powney	Ms Shaw
Sheth	Sneddon
Thomas	Van Kalwala

Apologies for absence

Apologies were received from: Councillors Al-Ebadi, Ashraf, Castle, Clues, Hashmi, Leaman, Matthews, Mitchell Murray and Steel

1. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 12 July 2010 be approved as an accurate record of the meeting.

2. **Declarations of personal and prejudicial interests**

Councillor Powney declared a personal interest by reference to his membership of the West London Waste Authority.

3. **Mayor's announcements**

The Mayor announced that the Council had exceeded all expectations at the annual London in Bloom Awards ceremony by achieving three individual 'Gold Standard' awards for Roundwood Park, Mapesbury Dell and Fryent Country Park and an individual 'Silver Gilt' award for Gladstone Park. But the crowning glory had been that Brent was the overall winner and won the 'Best in Category' for the 'Large City Award'.

The Mayor congratulated Councillor Ann John OBE on celebrating her 70th birthday on 9 September and passed on the Council's best wishes.

The Mayor was sorry to report the death of Councillor Al- Ebadi's brother in Iraq and on behalf of the Council conveyed sincere condolences to him and his family.

The Mayor was also sorry to report the recent death of former Labour councillor K J Patel. On behalf of the Council he conveyed sincere condolences to his family.

Councillors John and HB Patel spoke in memory of Mr KJ Patel.

The Mayor reported that Councillor Castle had recently been in hospital for an operation, but was pleased to say he was now back home and recovering well and that he wished to thank everyone for their best wishes.

The Mayor informed the Council that Duncan McLeod, Director of Finance and Corporate Resources, was attending his last Council meeting having worked in Brent for 23 years and served as the Council's senior finance professional since 2004. Members placed on record their gratitude and appreciation for his work and wished him well for the future.

The Mayor referred to the list of current petitions showing progress on dealing with them which had been circulated around the chamber.

4. **Procedural motion**

Councillor Moloney moved a procedural motion proposing a change in the order of business.

RESOLVED:-

that the order of business listed on the summons be amended to allow for Item 8 - Debate on crime and community safety - to be brought forward and taken immediately following item 5 - Appointments to Committees/Appointment of Chairs/Vice Chairs (if any) - after which the order shall be as listed on the summons.

5. **Changes to the Constitution**

The report before Council set out the proposed changes to the Council's constitution in relation to the overview and scrutiny structure, the operation of full council, the arrangements for the Annual Council meeting and other miscellaneous matters.

Councillor John introduced the report by explaining that the constitutional working group had submitted the proposals in an effort to improve the way council worked so that it became more participative and to re-align the work of overview and scrutiny to provide greater opportunity for non-executive members to scrutinise the development and implementation of the council's improvement and efficiency programme. Councillor John stated she would welcome feedback from members on what they thought about the new arrangements.

Councillor HB Patel stated that the constitution needed to move with the times and that whilst the previous arrangements now seemed ineffective they were right for the time and had operated with cross party support.

RESOLVED:

- (i) that the changes to the constitution set out in appendices A to E of the report be agreed, including the cancellation of the meeting of the Council scheduled in October 2010;
- (ii) that the Borough Solicitor be authorised to make such changes to the constitution as are incidental to the changes agreed above;
- (iii) that pursuant to Section 31 of the Local Democracy, Economic Development and Construction Act 2009, the Director of Policy and Regeneration be appointed as the Council's Scrutiny Officer.

6. **Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)**

RESOLVED:

that the following appointments be made:

Committee	member	1st alternate	2nd alternate
One Council Overview and Scrutiny Committee	Beckman Chohan McLennan Sheth	<i>Long</i> <i>Hirani</i> <i>Harrison</i> <i>Kabir</i>	<i>Mashari</i> <i>Hossain</i> <i>Hector</i> <i>Kataria</i>

(replaces Overview and Scrutiny Cttee)	Van Kalwala Castle (C) Lorber Colwill (VC)	<i>Denselow Brown Matthews</i> -	<i>Gladbaum Beck Brown</i> -
Partnership and Place Overview and Scrutiny Committee (replaces Performance and Finance Select Cttee)	Bacchus Hirani Naheerathan Ogunro Van Kalwala (C) Brown Clues (VC) HB Patel	<i>Oladapo Aden Al-Ebadi Chohan Mistry Lorber Matthews</i> -	<i>Sheth Adeyeye Beckman Choudhary Daly Leaman Allie</i> -
Health Partnerships Overview and Scrutiny Committee (replaces Health Select Cttee)	Adeyeye Daly Hector Kabir Ogunro (C) Beck Hunter (VC) Colwill	<i>Naheerathan Sheth Aden Mitchell Murray McLennan Clues Leaman</i> -	<i>Oladapo Van Kalwala Al-Ebadi Moloney Mistry Cheese Straw</i> -
Children and Young People Overview and Scrutiny Committee (replaces Children and Families O & S Cttee)	Aden Gladbaum (C) Harrison Hector Oladapo Hunter Matthews (VC) HM Patel	<i>Mistry Choudry Hirani Daly Long Sneddon Clues</i> -	<i>Mitchell Murray Choudry Hossain Denselow Mashari Ashraf Allie</i> -
Budget and Finance Overview and Scrutiny Committee (replaces Budget Panel)	Choudry (VC) Long Mashari Sheth Van Kalwala Ashraf Allie (C) Vacancy	<i>Chohan McLennan Harrison Denselow Choudhary Brown Green</i> -	<i>Moloney Mistry Hector Gladbaum Daly Lorber Cummins</i> -
Call-in Overview and Scrutiny Committee (replaces Forward Plan Select Cttee)	Denselow Kabir Long Mashari Mistry Castle (C) Clues BM Patel	<i>Beckman Bacchus Van Kalwala McLennan Adeyeye Lorber Matthews</i> -	<i>Hossain Chohan Sheth Aden Al-Ebadi Brown Allie</i> -

7. Debate - Crime and community safety

The Chief Executive introduced Matt Gardner, the Borough Commander, to the meeting. He thanked councillors for inviting him to speak and introduced Superintendent Alisdair Ferguson who had accompanied him to the meeting.

Matt Gardner reported on the position in the borough with regard to the main areas of crime that were of concern to people. The incidence of robbery was up on the previous year and he outlined why he thought this might be. There had been a good reduction in the number of burglaries but he warned that the winter months usually saw an increase. A lot of work had gone into reducing the amount of violent crime and in the last two months 20 firearms had been taken off the streets. He referred to three recent murders in the borough and that all suspects had been arrested and charged.

The Commander referred to the anticipated cuts in public expenditure and that he and his colleagues were concerned that this would lead to a cut in the number of police on the streets. The police worked very much in partnership with local councils and this was shown in the council's contribution of 16 police community safety officers. The two organisations were having a healthy debate over how performance could be maintained and any overlaps eliminated. It was clear that the Metropolitan Police would need to be a leaner and more effective organisation and any under performers would have to leave the service.

Matt Gardner sought councillors support and input to organising the safer neighbourhood teams which would need to work more across boundaries. Any proposed rationalisation of police stations would need to be supported. The choice would be maintaining levels of police on the streets or keeping open front offices that attracted only a small footfall. He had attended a meeting of the Brent Youth Parliament that had presented a good opportunity to work with young people on stop and search. There were challenges to deal with on sickness levels although he pointed out this had been wrongly reported in the local newspaper.

In summary, the Borough Commander stated that there were 700 police officers and 270 support staff under his command all of which need to do their jobs to the best of their ability with a smile on their faces.

Councillor Beswick, Lead Member for Crime and Community Safety, thanked the Borough Commander for his contribution. He condemned the talk of cuts to the police service. He acknowledged that all areas of public service would have to find savings and the challenge was how to do this in the most effective way. He was keen to find an effective way of alerting ward councillors to issues within their areas. Things would need to be done differently and it would take leadership and the involvement of all to achieve this.

Councillors made individual contributions to the debate and asked questions of the Borough Commander. Issues raised covered stop and search, the value of the safer neighbourhood teams, the effects of drug related crime, how to raise the confidence that local residents had in the police, the effect cuts in public expenditure might have, views on the effectiveness of anti social behaviour orders and the role of police community safety officers in dealing with enviro-crime.

In response the Borough Commander confirmed his position on making data available relating to stop and search and would welcome direct approaches on this.

Cross borough working was proving effective in tackling gang crime. He emphasised that he was not proposing to cut the safer neighbourhood teams but they would be asked to work more flexibly so that they could be more easily moved to where the crime was happening. A lot of work had been undertaken by the drug squad over the last 18 months but this was very resource intensive. Matt Gardner acknowledged that drugs were often the root of evil and that suppliers needed to be targeted. The issue of raising the public's confidence in the work of the police was under active consideration by Superintendent Ferguson. The Borough Commander felt that anti social behaviour orders had their place but they were not an answer on their own. The police community safety officers did not have the powers to deal with enviro-crime but they could apprehend culprits and hold them until the police arrived. Matt Gardner again thanked the meeting for the opportunity to speak and stated that he saw his job as taking the bureaucracy away from police officers so they could concentrate on working the streets.

The Mayor thanked the Borough Commander for his contribution and also Superintendent Ferguson for his attendance.

8. Report from the Leader or members of the Executive

(a) Items reported by the Executive

Crest Academies

The Leader reported that, following a meeting with the Secretary of State for Education, funding for the development of the Crest Academies had been secured.

Voluntary sector grants

Councillor R Moher reported that consideration of this year's grants had resulted in a reduction in the funding to the Citizen Advice Bureau and the Law Centres but that they would continue to be able to deliver services. Councillor Moher referred to discussions taking place about the grant funding held by London Councils. Although it was easy to recognise the benefit to local councils if this money was distributed back to them, it would have implications. She felt more information was needed on those organisations that currently benefited from London Councils funding.

Day centres

Councillor R Moher stated that consultation was ongoing and a report was due back to the Executive at the end of the year.

Parking permits

Councillor J Moher reported on the increased charges and pointed out these were the first increases since 1999. There would be higher increases for larger cars. The new charges would come into effect on 1 April 2011 and this was in line with what other councils were doing.

Abolition of £25 charge for bulky refuse collection

Councillor Powney confirmed the abolition of the £25 charge from 1 October 2010.

Waste management

Councillor Powney explained that proposals were currently out for consultation and that changes were needed.

Elms Gardens Allotments

The Leader reported that a decision on this matter had been postponed and so it would come forward for further consideration in due course.

Coniston Gardens scout hut

Councillor J Moher reported that it had been decided to retain the scout hut for school and community purposes.

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

RESOLVED:

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

Proposed removal of a street tree outside 148 Purves Road

9. Questions from the Opposition and other Non- Executive Members

Councillor Shaw asked what representations were made to Transport for London when bus stops and pedestrian crossings were moved. Councillor J Moher replied that when proposals to move bus stops were made, the Council regularly made representations but these were often met with reluctance on the part of bus companies to change their plans. Councillor Shaw responded by referring to meetings of the Transport Liaison Committee and pointed out that the last meeting of this committee was arranged on an important religious date. She referred to a bus stop in Watford Road and a bus stop in Willesden Lane both of which had been moved with no consultation. She felt Transport for London's approach to this was shoddy and hoped the Executive would take the matter up and insist that proper consultation was carried out.

Councillor Long asked when a credit union would be established. Councillor Butt replied that nothing had yet been arranged but that he would look into it and respond to Councillor Long. Councillor Long responded by stating that Brent Housing Partnership would soon be introducing a credit union with the consequence that this would help stop loan sharks from operating in the borough. She felt the Council had been backward on looking at this matter and that it showed the benefit of Brent Housing Partnership being independent of the Council.

Councillor Beck asked for a fairer deal for motorists in the light of the proposed increase in charges for parking permits. Councillor J Moher replied that the proposals represented a fair deal for the borough on the environment. It was proposed to tackle carbon emissions in a serious way. The increase represented income to the Council of £7M over four years. Given the Government was about to cut the transport budget it was right to increase the fees. Councillor Beck responded that he agreed on the point about the environment but he referred to a leaflet handed out before the local elections which alleged that the Liberal Democrats would hike up prices if they were returned to power and that Labour would ensure motorists got a fairer deal. Now after the election the Labour Party had backed out of its promise.

Councillor HB Patel referred to parking charges and asked if an analysis had been carried out on how many cars there were in each zone and what effect increasing charges would have on people. Councillor J Moher replied that there had been no increase since 1999 and that if the charge had been linked to an inflation rate the charge should have gone up by £75. Consultation was being carried out and he assured the meeting that the outcome would be heard. However, he expressed surprise that the environmental considerations were not being shared by the other political parties on the Council. Councillor HB Patel responded that it was contradictory to increase the charges and be environmentally friendly. Owners of big cars would be those most likely to be able to afford the charge or would have their own garages. A greater effect would be felt by those less able to afford the charges and would lead to an increase in people paving their front gardens to create parking meaning the policy would turn out to be less environmentally friendly. He submitted it was just a scheme to make money.

Councillor Brown asked that arrangements be made for the planting of a tree to mark Holocaust Day. Councillor Butt replied that he would be open to suggestions on where to plant such a tree and would look into it himself. He asked Councillor Brown if he had approached the Parks Service on this matter. Councillor Brown responded that, whilst welcoming the reply that it would be looked into, he was sorry that agreement could not be given immediately and included as part of the Council's holocaust memorial event. He did not feel it was a matter for referral to the Parks Service.

Councillor Green referred to the increase in controlled parking zones (CPZ) permits and asked if consideration had been given to an opt out for some people given the 300% increase agreed. Councillor J Moher replied that the reference to a 300% increase was only for 'gas guzzlers'. The increases for smaller and medium size cars were relatively small when taken over the year. Councillor Green responded that he found it typical that a scheme should be introduced initially as a way of permitting people to park closer to their home and then get twisted into a scheme to generate more income. He felt it was unreasonable to charge up to £150 per year as this was not made clear before the election. He stated that it would be right to provide an opt out.

Councillor Cheese asked if the decision for the Executive members and chief officers to stay in an out of borough hotel would be reconsidered and the booking for the October away-days cancelled. Councillor John replied that the amount of money it cost the council was not as high as it was being reported. Also it was not a hotel but a training centre. She submitted that the previous administration had hardly made a coherent decision and did not view the away days as being important. She stated that it was cheaper to stay out of borough than in the borough. Also if people stayed in borough there would be more coming and going, less time spent together and a less coherent outcome. Councillor John added that every large business made similar arrangements and whilst causing controversy it was the responsibility of the Executive to look at the best ways for lead members and officers to work together. Councillor Cheese responded that he had heard the argument put that it was less expensive to use a facility outside the borough but comparisons were only made with expensive venues within the borough. He felt it was ridiculous to need to organise team bonding events. He asked for acceptance that it was not necessary to go on an away day event to set a budget and that Bridge Park or the Council's training centre could be used instead. He urged the Executive to reconsider the arrangements and avoid an ongoing scandal.

Councillor Moloney asked when the Council was going to get back the £15M the Liberals gave to the Icelandic banks. Councillor Butt answered that he was working with the authorities to recover the money and that about a third had been recovered. Work was continuing to recover the rest but some may be lost. Councillor Moloney responded that losing the money was a disgraceful waste.

10. Reports from the Chairs of Overview and Scrutiny Committees

Because the new overview and scrutiny structure had only been introduced in September 2010 it was noted that there was nothing to report to this meeting of Full Council.

11. London Borough of Brent petition scheme

The council is required to have a petition scheme which outlines how the council will respond to petitions and the arrangements for a petition to trigger attendance by senior officers at an overview and scrutiny committee and a debate at a meeting of Full Council. There is also a requirement that by 15 December 2010 there should be provision for on-line petitions to be submitted. The report before Council proposed a petition scheme and outlined how the new arrangements will work.

RESOLVED:-

- (i) that the requirements of a petition scheme be noted;
- (ii) that the petition scheme attached as an Appendix A to the report be adopted and the consequential amendments to standing orders attached as Appendix B be agreed;
- (iii) that a review of the operation of the petition scheme be carried out in 6 months' time.

12. The Members' Allowances Scheme

The report before Council set out recommended changes to the Brent Members' Allowances Scheme, following consideration by the Constitutional Working Group.

RESOLVED:-

- (i) that the report from the Independent Remuneration Panel dated May 2010 attached as Appendix 1 to the report be noted;
- (ii) that the allowance for the Chair of the General Purposes Committee be deleted;
- (iii) that the allowance for the Vice Chair of Planning Committee be deleted;
- (iv) that an appropriate allowance be made available for the co opted non voting member of the Audit Committee;

- (v) that the indexation provisions continue to be by reference to the Local Government Pay Settlement for a further 4 years;
- (vi) that the Members' Allowances Scheme be adopted as set out in Appendix 2 to the report;
- (vii) that the amendments take effect from 1 October 2010.

13. **Treasury Management**

Councillor Butt (Lead Member for Corporate Resources) introduced the report before members which provided information on borrowing and investment activity, and performance compared to prudential indicators during 2009/10. It also set out revised requirements in the 2009 Treasury Management Code of Practice.

RESOLVED:-

- (i) that the 2009 Treasury Management Code of Practice as outlined in paragraphs 3.3 to 3.5 be adopted;
- (ii) that the Treasury Management Annual Report as set out in section 3 of the report and the Annual Investment Strategy as set out in section 4 of the report be approved;
- (iii) that the outturn for prudential indicators referred to in section 5 of the report be noted;
- (iv) that the updated position in 2010/11 referred to in paragraph 3.25 of the report be noted.

14. **London Local Authorities Bill**

London Councils on 13 July 2010 agreed to promote a private Bill which would provide flexibility in relation to travel concessions on railways and provide for an arbitration mechanism in relation to the cost of the reserve scheme. Following the decision, London Councils had asked each individual Borough, including Brent, for support. The resolution recommended for adoption was circulated at the meeting.

RESOLVED:-

That the Council approves the inclusion in a bill to be promoted by Westminster City Council of provisions effecting all or some of the following purposes –

- (a) to alter the application of Chapter VIII of Part IV of the Greater London Authority Act 1999 so that different provision may be made for travel concessions in relation to different railway services and journeys on railway services on the London Local Transport Network and so as to make provision for arbitration in cases where London Authorities consider that charges notified by Transport for London under the reserve free travel scheme are excessive;
- (b) to enact any additional, supplemental and consequential provisions that

may appear to be necessary or convenient.

15. **Motions**

Parking charges

Councillor J Moher moved the motion circulated in his name and referred to a letter in the local paper from the Green Party supporting the position taken by the administration on this matter.

Councillor Lorber referred to the time when controlled parking zones (CPZs) were first introduced with the aim of protecting residents living close to stations and shopping areas and the first permit was free. Thereafter charges were levied in order to recover the costs of administration. The intention was not to use them as a means of raising income. He suggested that to be serious about penalising the 'gas guzzlers' a look needed to be taken at the level of tax on petrol. He stated that people had been betrayed when sold the idea of CPZs and they were now easy targets for raising revenue.

Councillor HB Patel submitted that whilst a lot was said about the environment it was more about raising revenue. A car was not a luxury and a visitor's permit was at the same level whatever car was used. Councillor Patel stated that the users of 'gas guzzlers' were charged more in other taxes but the Council still wanted to charge them more as well. He referred to the fact that there had been no increase since 1999 and the reason for this was that it was not intended to be a revenue raising stream. He submitted that this represented a tax burden on residents and that the only way of protecting the environment was to educate the public.

The motion was put to the vote and declared CARRIED.

RESOLVED:-

that this Council notes the breathtaking hypocrisy of Brent Liberal Democrats who are campaigning against Labour's emissions based parking charges having spent the past decade or so putting forward exactly the same policy. This is perhaps not surprising for a party which opposed increases in VAT before May 6 only to embrace a savage Conservative increase immediately after the election; a party which condemned the Conservative's proposals to cut public spending too fast too deeply *before* the election only to enthusiastically do precisely that *after* the election and a party which now finds itself to the right of Boris Johnson who recently condemned the Government for cutting too far too fast thus provoking the risk of a double dip recession. Local voters will know that there are no principles which the Liberal Democrats will not sacrifice for temporary political gain and that only Labour is serious about tackling climate change.

Bulky refuse collection charge

Councillor John moved the motion circulated in her name. The motion was put to the vote and declared CARRIED.

RESOLVED:-

that this Council welcomes the impending abolition of the £25 charge for bulky refuse collection, which proves that Labour keeps its promises.

Members' Allowances

Councillor Gladbaum moved the motion circulated in her name. The motion was put to the vote and declared CARRIED.

RESOLVED:-

that this Council notes that the Independent Remuneration Panel established by London Councils recommends a basic allowance for councillors of £10,597 compared with the figure of £7,974 paid by Brent Council. This Council further notes that special responsibility allowances in Brent are also way below the recommended level including the allowance paid to the Leader of the Opposition. We welcome the fact that Brent Council is saving tens of thousands of pounds by not accepting the recommended allowances and note that this saving significantly outweighs the cost of 'Awaydays'.

Car repair and spray painting garages

Councillor Allie moved the motion circulated in the name of the Liberal Democrat Group. He referred to the residents present at the meeting who were asking that something be done about the problems cause by car repairs and car spraying. The issues had been raised before but without results. The reputation of the Council was being damaged by the failure to deal with this matter. Councillor Allie asked that the Council look at how byelaws could be used to deal with the disruption caused in residential areas by such activity being carried out.

Councillor John agreed that the problem should be investigated and where necessary enforcement action taken against operators causing a nuisance. Councillor HB Patel agreed that the issue needed to be addressed.

The motion was put to the vote and declared CARRIED.

RESOLVED:-

that this Council:

shares the concerns of residents who face disruption from the activities arising from and out of car repair and spray painting garages across Brent, particularly where these are unregulated;

notes that many areas of the Borough, including in particular the Alperton area, are adversely affected by the sometimes inconsiderate activities of these businesses;

recognises that problems caused to local residents have included not being able to park their cars in their streets, being unable to reverse out of driveways, smells from paint fumes, noise at all hours of the day, and abuse from workmen for challenging activity that clogs up local streets;

regrets the impact on safety, where emergency vehicles find it difficult to pass through, and on the overall character of our local communities;

recommends to overview and scrutiny that a panel be established to look into better regulation of car repair/spray painting garages in mainly residential areas, including the possibility of restricting their operating times to 9am to 6pm weekdays, and 10am-5pm on Saturdays, and to investigate how the impact on surrounding streets can best be mitigated and enforced against;

supports efforts to seek the relevant Secretary of State's approval for any appropriate bye-laws which may be thought necessary or desirable to assist towards the objectives of this motion.

Executive awaydays

Councillor Lorber moved the motion circulated in the name of the Liberal Democrat Group which opposed the Executive's practice of having 'awaydays' at venues outside the borough. The motion was put to the vote and declared LOST.

Refuse collection

Councillor Colwill moved the motion circulated in the name of the Conservative Group which deplored the decision to introduce fortnightly bin collections.

Councillor Powney stated that the rationale for the proposal to move to fortnightly collection had been explained a number of times. The Council was committed to increasing recycling in order to minimise the amount of landfill and it could only meet its targets by introducing this sort of measure. He submitted that if the Government was to abolish landfill tax, lower its recycling targets and provide more money to local authorities this measure would not need to be considered but neither would there be any impact on improving the environment.

Councillor Lorber stated that the proposal would have greater credibility if it had not been argued against before the election. He added that it was similar to the position on parking charges where residents were told one thing before the election and then found something else being introduced after the election.

The motion was put to the vote and declared LOST.

16. **Urgent business**

None.

The meeting closed at 9.20 pm

COUNCILLOR HARBHAJAN SINGH
Mayor

