

LONDON BOROUGH OF BRENT

Minutes of the ORDINARY MEETING OF THE COUNCIL held on Monday, 14th September, 2009 at 7.15 pm

PRESENT:

The Worshipful the Mayor
Councillor James O'Sullivan

COUNCILLORS:

Ahmed	Allie
Anwar	Arnold
Mrs Bacchus	Baker
Bessong	Beswick
Blackman	Brown
V Brown	Butt
Castle	Chavda
Clues	Colwill
Corcoran	Crane
Cummins	Detre
Dunn	Dunwell
Eniola	Farrell
Fernandes	Fox
Green	Gupta
Hashmi	Hirani
Jackson	John
Jones	Joseph
Kansagra	Long
Lorber	Mendoza
Mistry	J Moher
R Moher	Moloney
Motley	Pagnamenta
CJ Patel	HB Patel
HM Patel	Pervez
Powney	Shaw
Sneddon	Steel
Tancred	Thomas
VanColle	VanKalwala
	Wharton

Apologies for absence

Apologies were received from: Councillors Singh (Deputy Mayor), Coughlin, Leaman, Malik and Matthews

1. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 13th July 2009 be approved as an accurate record of the meeting, subject to recording that Councillor J Moher referred to an issue raised at the previous meeting relating to the constitutional position held by the Executive but a motion to amend the minutes was put to the vote and declared lost.

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

Councillor Joseph declared an interest in the items on the summons concerning school places because she was a governor of Furness Primary School.

3. **Mayor's Announcements**

The Mayor reported with sadness the death of former councillor, Mrs Betty Igbokwe. Mrs Igbokwe was a labour councillor in Kensal Rise from 1990 to 1994 and the Council's sympathies went out to her family and friends. Councillors paid tribute to Mrs Igbokwe.

As a mark of respect the Council stood for one minute in silent memory of Mrs Betty Igbokwe.

The Mayor pointed out that the result of the recent Wembley Central by election had been circulated and welcomed Councillor Afifa Pervez to her first Council meeting.

The Mayor announced that on 6th September 2009 Councillor Peter Corcoran took part in one of Europe's toughest sporting challenges to raise money for a local charity, St Luke's Hospice. The Monaco Ironman Challenge was a triathlon endurance event entailing 1.9km of swimming, 90km of biking and 21.1km of running and Councillor Corcoran completed it in 8 hours, 46 minutes and 50 seconds.

The Mayor informed members that on Friday 11th September, he attended the prestigious London In Bloom (London Parks Oscars) awards held at Twickenham rugby stadium. This year Brent Council was entered into the Large City Category and was successful in achieving a 'Silver Gilt' standard for its parks, gardens and open spaces. The Silver Gilt Standard is the highest standard and award achievable for Brent in this category and one rightly deserved. In addition to this prestigious award, Gladstone park was singled out as being one of London's most beautiful parks and it was awarded a Silver Gilt award for the high levels of horticultural in its floral displays, nature and wildlife conservation areas and its ongoing commitment to environmental best practice. The Mayor stated that this was a great accolade for Brent and further evidence of its commitment to its residents and visitors in providing, beautiful, safe and well managed public open space for everyone.

The Mayor announced that following the success of the boys' football team in the 2009 London Youth Games, team manager Abdi Farah had been nominated by Brent Sports Service for "Team Manager of the Year Award" for the London Youth Games Annual presentation, on 15th September. On behalf of the Council, the Mayor wished him good luck.

The Mayor reminded members that the Brent Countryside Day would take place on Sunday 20th September at Fryent Country Park. He encouraged everyone to attend.

The Mayor reminded members that the "Not Another Drop Peace March" was taking place on Saturday 26th September starting from Roundwood Park in Harlesden at 11.30am. He stated that it would be encouraging to see as many members as possible supporting this event.

The Mayor announced that Richard Cotton was this year again organising a sponsored walk on Sunday 18th October from Brent to Richmond in aid of the Paul Daisley Trust and his Mayoral charity.

In accordance with Standing Orders the Mayor drew attention to the list of current petitions showing progress on dealing with them circulated around the chamber.

4. **Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)**

RESOLVED:-

that the following appointments be made:

Body	Appointment
Planning Committee	Councillor Pervez to replace Councillor Pagnamenta as 1 st alternate to Councillor Cummins Councillor Mendoza to replace Councillor HB Patel as 1 st alternate to Councillor Baker
School Admission Forum	Councillor Pervez to replace Councillor Bessong

5. **Question time**

The selected questions submitted under the provisions of standing order 38 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.

Brent's transport fleet – alternative fuel vehicles

The question from Councillor Powney had asked if alternative fuel vehicles would be considered when replacing the Council's transport fleet, how much this would contribute to cutting the Council's carbon emissions and if the current contract with North Kendrick Ash would permit it. Councillor Powney referred to the answer given by Councillor Wharton to the question from Councillor Cummins referred to below which stated that electric vehicles did not reduce carbon emissions because they used energy from fossil fuels. He also referred to an item Councillor Cummins raised at a past Council meeting about alternative fuels for the Mayor's car. If it was worth considering alternative fuels it would clearly be worth including in that consideration the Council's fleet of 120 minibuses. As his supplementary question, Councillor Powney asked if before committing to a new contract, the Executive would commit to finding out the effect on costs and carbon emissions of switching to a variety of alternative fuel vehicles.

Councillor Wharton (Lead Member for Children and Families) replied that electric vehicles would not solve the problem and so the most practical way forward was proposed. There was no commercial hybrid vehicle, the Government had reduced the subsidy on the use of LPG and left only methane which required a big tank which could not be accommodated on the vehicles and anyway methane was a potent greenhouse gas. The approach had been to look at the practical options available and this was already under consideration.

Council expenditure on combating gun and knife crime

The question from Councillor Van Kalwala had asked how much of the Council's budget was spent on combating gun and knife crime. Councillor Van Kalwala claimed that the work outlined in the answer he had received was funded from external sources and so stated that the Council did not spend any of its mainstream money on this issue. No supplementary question was asked.

Alternative education for excluded pupils

The question from Councillor Moloney had asked what was being done to find alternative education for students excluded from school. He expressed surprise at the answer he had received in light of the M Power training programme being withdrawn with no consultation because no-one was prepared to take the responsibility for running it. As a supplementary question, Councillor Moloney asked why 54 children were abandoned by the Council when M Power was closed with no proper notice given.

Councillor Wharton (Lead Member for Children and Families) replied that he had answered the original question put by Councillor Moloney. As regards the running of M Power, this was the responsibility of the John Kelly schools. Following a review it was concluded that the scheme was not achieving value for money and that the young people could be better educated and trained. The head of the Pupil Referral Unit was looking into how improved support could be provided.

Advice to the Mayor at Council meetings

The question from Councillor J Moher had asked how the Chief Executive advised the Mayor on procedural issues at Council meetings. He felt that the Mayor should

have to give reasons for decisions made on directing the meetings of Full Council. Councillor Moher asked where in standing orders it gave power to the officers to advise the Mayor on voting.

Councillor Sneddon (Lead Member for Human Resources and Diversity, Local Democracy and Consultation) replied that it was clear that Councillor Moher was disappointed with a decision taken at the last meeting of Full Council. He reiterated that advice was given to the Mayor and that it was for the Mayor to take the final decision as set out in standing order 4(a).

School places

The question from Councillor Arnold had asked how many children in Brent did not have school places for the start of the school year and how many primary school classes had more than 30 children. Councillor Arnold added that following gaining some of the highest increases per pupil in Government funding and benefiting from the primary capital funding it was hard to see how the Council could loom from crisis to catastrophe in the provision of school places. She stated that it appeared that the planning strategy was simply reactive to numbers and was in some key stage 1 classes breaching the 30 children limit. Councillor Arnold asked as her supplementary question if any guarantee could be given that the Council was performing its statutory duty both to provide every Brent child with a school place and stay within class size limits and, if so, whether when planning and projecting both the Council's schools and the child's placement needs were being prioritised and how this was being demonstrated.

Councillor Wharton (Lead Member for Children and Families) replied by stating that the requirement for the Council to meet its statutory responsibilities for providing school places had for many years been open to challenge because of the large numbers of places it was having to find. Nevertheless he stated that the Council would meet its statutory responsibilities in the current year. All secondary school pupils had received offers but not all had accepted them and it was usual for some primary school children not to take up their places which would allow further offers to be made.

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

Compulsory recycling

The question from Councillor Leaman had asked if more waste was being recycled following the introduction of compulsory recycling and if this had allowed the Council to save money. In the absence of Councillor Leaman, Councillor Bessong stated that it was good to see the saving of £100,000 that had been achieved. On behalf of Councillor Leaman, Councillor Bessong asked as a supplementary question whether it would be better if councils like Brent who had improved their recycling performance did not face huge hikes in Landfill Tax every year leading to increases in Council Tax and if there were any signs that the Government would invest the money taken from this tax back into recycling facilities.

Councillor Lorber (Leader of the Council) replied that the introduction of compulsory recycling had been a resounding success for local people. He stated that the

Landfill Tax was a stealth tax which would not be so bad if the Government had kept its promise to re-invest the monies it received into recycling. There existed insufficient capacity in the British recycling industry which needed to be addressed. On behalf of the Administration, Councillor Lorber thanked all residents in the borough who recycled.

Granville New Homes programme

The question from Councillor Dunn had asked for an update on the Granville New Homes programme and what role the Council had in the project. He congratulated the Council on its work in this area and as a supplementary question asked if it would have been better if about 10 years ago the Government had reversed the changes made by the previous Conservative government so that the Council could have built homes earlier without the need for an ALMO.

Councillor Allie (Lead Member for Housing and Customer Services) agreed that the Government had been late to allow Councils to build housing. The reason why the Council had been able to deliver the homes in the Granville new homes programme despite the economic crisis within the country was that it had made the regeneration of South Kilburn a priority.

Free parking permits

The question from Councillor Cummins had asked how many residents had applied for free parking permits following the decision to incentivise the use of vehicles with smaller engine sizes. He added that present arrangements favoured small 'second' cars but did not extend to gas guzzling second vehicle permits which did not encourage smaller more fuel efficient vehicles in two car households. As a supplementary question, Councillor Cummins asked when this might be addressed.

Councillor D Brown (Lead Member for Highways and Transportation) pointed out that over 1000 free permits had been issued for cars under 1100cc against none issued by the previous administration. Under the scheme 203 permits had been issued prior to 2001 for cars under 1200cc and a further 58 permits had been issued since 2001 for cars falling within DVLA bands A, B and C. Councillor Brown stated that the Administration was always looking to improve the scheme so he thanked Councillor Cummins for his suggestion.

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

Wembley event day parking

The question from Councillor HB Patel had asked for the number of PCNs and tow aways for each Wembley event day to be itemised and what the policy was for towing away vehicles. He added that he considered the scheme to be a bad scheme that primarily punished local residents and tax payers rather than concentrated on ensuring the free flow of traffic. Councillor Patel felt the scheme was not working properly and that income from it was down. He asked as a supplementary question if the scheme would be reviewed for the benefit of local residents.

Councillor D Brown (Lead Member for Highways and Transportation) pointed out that the scheme had already been reviewed and that during the time of the present Administration the number of tow aways had been halved.

Water mains renewal in the Blackbird Hill/Salmon Lane area

The question from Councillor Kansagra had asked what action was to be taken regarding the extensive delays in carrying out the replacement of water pipes in the Blackbird Hill/Salmon Street area. Councillor Kansagra stated that delays should be avoided and that vigilance by the Council was needed to ensure works did not run over time and cause unnecessary delays. As a supplementary question he asked what factors the Council took into account when permitting schemes under the new arrangements referred to in the answer by the Lead Member.

Councillor D Brown (Lead Member for Highways and Transportation) replied that the timing of the scheme in question was agreed in advance and because the programme was a complex one it had a longer duration. The legislation required Councils to allow the statutory undertakers to carry out necessary works and in this case the works had started on time and were due to be completed on time so there was no action to be taken against the utility company. However action would be taken in situations where works did overrun. The new permitting scheme would provide a further tool to enable efficient management of works being carried out and Brent was leading on this.

6. Items Selected by Non-Executive Members

(i) Jubilee Line week-end closures.

Councillor Clues introduced the item he had raised which asked that while the unpredictable week-end closures on the Jubilee Line continued would the Executive lobby the Mayor of London and Transport for London to have the Metropolitan Line trains stop at Willesden Green and Neasden. Councillor Clues emphasised the benefit to local people of his proposal which he felt would be simple to implement.

Councillor D Brown (Lead Member for Transport and Highways) responded by explaining that bus replacement services did operate on those days when the Jubilee Line was closed but he also referred to when large events took place in the borough and the local rail services were suspended. He could only agree that it appeared a simple arrangement to facilitate the Metropolitan Line trains stopping at Willesden Green and Neasden but he had been informed by London Transport that the platforms were not suitable to allow this.

(ii) Keeping Wembley Clean

Councillor Pervez introduced the item she had raised which asked that ways of stopping the spitting of paan and chewing gum be explored. She drew attention to the detrimental effect the spitting of paan was having on the area of Wembley when at the same time the area was being turned into a national landmark.

Councillor D Brown (Lead Member for Transport and Highways) acknowledged the importance of the item raised by Councillor Pervez and that paan spitting was a

problem in some areas. The Council had recently spent £85,000 steam cleaning areas of the borough and a decision had recently been taken to increase the visits made to the Wembley are. He added that any ban on the use of paan would require legislation. In the meantime the council was doing what it could but it was very staff intensive.

7. Reports from:

7.1 the Executive

(i) Improvement and Efficiency programme

Councillor Lorber stated that everybody was aware of the Improvement and Efficiency Strategy the prime objective of which was to continue to provide the best services to local people and respond to the tough economic times ahead. He added that some departments were already undertaking transformation programmes and the new civic centre would be at the heart of the efficiency agenda. He asked all members to support the strategy.

(ii) Council's response to the recession in Brent

Councillor Lorber reported that work was underway on assessing the impact of the recession on local people. The biggest challenge in the borough was rising unemployment. Although there had been talk of the recession being over, he stated that unemployment would continue to rise. The primary objective of the Council was to assist people to equip themselves with new skills so that they were equipped to face the challenges ahead.

(iii) Not Another Drop march

Councillor Lorber referred to the Mayor's announcement that the 'Not Another Drop' march was due to take place on 26th September. He stated that it was important to get the campaign across to the community and that over 500 organisations had been contacted requesting they support the march.

(iv) Recycling update

Councillor Van Colle referred to the question answered by Councillor Lorber at the meeting concerning the success of the compulsory recycling scheme and added that this had resulted a reduction in waste of over 4,500 tonnes. He urged everybody to continue to reduce their waste and increase the amount recycled. Audited figures now showed a recycling rate in the borough of 28.2% although the rolling monthly figure was estimated at 30% with a figure for the last 3 months closer to 35%.

(v) School places

Councillor Wharton referred to the question he answered at the meeting regarding school places. He reported that the expansion of Claremont and Preston High schools had helped meet the demand for places at Years 7 and 8 but that Years 9 to 11 still had pressure on places. As for primary

places he stated that in 2007 the reception year had about 3000 pupils a year which had now risen to 3,300 and was forecast to continue to rise to 3,600 by 2012, which represented a 20% increase over 5 years. The increase appeared to be largely down to an increasing birth rate. An additional 200 places had been provided but another 400 would have to be found by 2012. This would mean a capital cost of £15M with £11M coming to the borough over the next few years meaning that a considerable funding gap existed. An application had been made to the Government by way of the basic needs safety valve but Councillor Wharton submitted that the government had not yet grasped the scale of the problem facing the borough.

(vi) *The Treasury Management Annual Report 2008/09*

Councillor Blackman introduced the Treasury Management Annual Report 2008/09 and urged members to read it. He pointed out the good work undertaken by Council officers and the Council's external investment managers in converting long term debt into shorter term debt to the financial advantage of the Council. The report showed that investment activity had outperformed the market, capital finance charges were below budget and all prudential indicators had been met. Councillor Blackman reported that following the collapse of the Icelandic banks the list of investment bodies had been reviewed which had resulted in a more limited list. Finally, Councillor Blackman reported that the money owed to the Council by the Icelandic banks was beginning to be returned.

RESOLVED:

- (i) that the Treasury Management Annual report and Annual Investment Strategy report be approved;
- (ii) that the outturn for prudential indicators be noted.

7.2 **Chair of Overview and Scrutiny Committee**

Councillor Jones introduced her report. She added that there remained a lot of work being undertaken in support of the task groups and more could be done if the resources to support it were available. She again emphasised the importance of members attending the meetings so that a cross section of views could be considered.

8. **Motions selected by the Group Leaders**

8.1 **Motion selected by the Leader of the Labour Group**

Councillor John moved the motion in her name which asked the Council to seek an urgent meeting with Government Ministers to see if the Government could help the Council to purchase land adjoining the John Kelly Schools to avoid building the new academies in a way that it was claimed would be unfit for purpose. Councillor John stated that the failure to buy the land was a result of not getting it together in time to follow the plans of her previous administration. Buying the land would have reduced construction time and

provided outdoor sports facilities. With restricted access to the site during the four year construction period she claimed most parents would think twice before applying for their children to attend the schools. There were health and safety implications which meant that there was a higher risk of accidents. A separate access and the purchase of the adjoining land would have avoided these concerns. Instead a change of approach had been adopted with no discussion with interested parties.

It was stated that the previous administration had prioritised the rebuilding of the John Kelly Schools because they were good schools but the decision taken now to save the £5M on land purchase jeopardised the future of the schools. It was submitted that the two Principals of the CREST academies would do all they could to make the schools a success but they had been undermined by the failure of the Council to acquire the land that had previously been promised. During a period of inaction and delay the value of the land had risen and there was now to be a period of disruption to the provision of education while the new schools were built. The view was added that delays around progressing the development of the ARK academy had caused problems and a similar situation had arisen with the CREST academies. This would lead to a serious position on the supply of school places if the borough had two schools which parents did not want to send their children to.

In opposition to the motion, it was pointed out that the real issue was that the owner of the land had managed to get planning permission for a change of use for the land which had increased its value greatly. The Council therefore had the choice to continue pursuing the compulsory acquisition of the land which could have taken up to 5 years during which no new school would have been built or seek additional money from the Government during a time of financial difficulties with no guarantee the money would be forthcoming. In the circumstances the Council had taken the only sensible option and obtained funding necessary for the re-building of the schools now. Additionally it was pointed out that the legal procedure for compulsory purchase of land allowed the owner the object to the acquisition and thereby delay the proceedings. Studies had shown that it would be possible to build the new schools on the existing site with 50% more floorspace and some play space. It was submitted that there needed to be recognition that the Council was never going to get the adjacent land given the price being asked for it and so a workable solution was needed if the two schools were to be re-built. It was stated that there should not be the assumption that the Government money currently available to re-build the schools would always be available and that the rebuilding of the schools should proceed now and thereby create extra capacity.

The motion in the name of the Leader of the Labour Group was put to the vote and declared LOST.

8.2 Motion selected by the Leader of the Liberal Democrat Group

Councillor Bessong moved the motion in Councillor Lorber's name which sought to put pressure on the Government to abolish air passenger duty and replace it with a fairer tax. He added that people were deeply concerned

over climate change and the effect it was having on their lives. There were a significant proportion of people in Brent with friends and families living in the Caribbean that would be affected by the duty and the proposal set out in the motion was a more viable approach.

It was disputed whether the Governments of the Caribbean supported the terms of the motion and if it would lead to a fairer approach for those travelling to the Caribbean. Councillor Van Kalwala moved an amendment to the motion which sought to request that any duty should be based on the level of carbon emissions produced by flights and welcomed the actions of Dawn Butler, MP in seeking to include the Caribbean islands in the same banding area as the east coast of the United States of America. This was put to the vote and declared LOST.

The motion in the name of the Leader of the Liberal Democrat Group was put to the vote and declared CARRIED.

RESOLVED:

This Council:

- notes the Government's plans to introduce a new banding system for air passenger duty;
- believes that any duty should be based on the level of carbon emissions produced by flights, rather than arbitrary zones based on location of a country's capital city;
- notes that actual distance travelled is a good approximation for carbon emissions;
- further notes that the new banding system will result in flights to the Caribbean incurring a higher tax than flights to the West Coast of the United States, despite being closer in distance to the UK.

Brent Council is concerned that the proposed new banding system will disadvantage many residents in the area who have friends and family in the Caribbean while doing nothing to effectively curb carbon emissions.

Council therefore instructs the Leader of the Council to write to Brent's three Members of Parliament outlining our concerns in this area, and urging them to sign Early Day Motion 1761 which calls on the Government to abolish the air passenger duty and replace this with a per plane tax based on the actual distance travelled, which would be fairer for passengers flying on busy routes.

8.3 **Motion selected by the Leader of the Conservative Group**

Councillor Van Colle moved the motion in Councillor Blackman's name which sought to oppose the attempt by the Government to transfer the costs of free bus travel for the elderly and infirm to Brent Council taxpayers. In so doing he declared that he held a Freedom Pass. Councillor Van Colle pointed out that the Council stood to lose £2M if the Government proceeded with its proposals and London Councils was asking all London MPs to oppose this move.

It was submitted that the proposal by the Government was an attempt to redistribute money away from London to the rest of the country. The Leader stated that he had already written to Brent's three MPs for their support but to date he had only received a reply from Sarah Teather, MP. He felt it was an issue all MPs and councillors should stand up to.

It was submitted that if the intention was to get all party agreement, the motion as submitted was not the way to go about it. It was felt more discreet routes would be better used to influence the decisions to be taken, including calling on the Council to guarantee protection of future funding. Councillor R Moher moved an amendment to the motion which sought to widen responsibility for protecting the funding of the Freedom Pass and reaffirm support for the Freedom Pass as a universal non means tested benefit. This was put to the vote and declared LOST.

The motion in the name of the Leader of the Conservative Group was put to the vote and declared CARRIED.

RESOLVED:

This Council notes the threats from the Labour Government to reduce public expenditure to compensate for their complete failure to handle the public finances properly.

This Council further notes that Gordon Brown has claimed to have ended boom and bust, but Britain went into one of the deepest recessions in the developed world. Over the last year, 2,000 people have lost their job every day. The Bank of England has warned that we face a difficult and protracted recovery and, even when the recession ends, Britain will be left with a massive debt crisis. Under Labour we have the largest budget deficit of any large economy and the highest debt level since World War Two.

In particular, this Council notes that the Labour Government has threatened to remove £52 million in funding of free bus travel in London for the elderly and infirm. This Council believes that this will result in this cost falling on the Brent Council Taxpayer.

This Council resolves to support London Councils and the Greater London Authority in outright opposition to this unwarranted and unfair attempt by the Labour Government to transfer these costs to Brent Council taxpayers.

9. **Urgent Business**

Harrow Central Mosque

A motion in the names Councillors Blackman, Lorber and John was proposed by the Mayor and CARRIED unanimously.

RESOLVED:

that the Council re-affirms its commitment to ensure that all residents have the right to practise the religion of their choice in peace and harmony;

that the events at the Harrow Central Mosque be noted and the police be congratulated for the way that they carried out their activities, the mosque and the mosque leaders be congratulated for exercising appropriate restraint and also all political parties on Harrow Council be congratulated for acting to promote community cohesion;

that the Council condemns the ignorant, pointless and misguided attempts by extreme anti-Islamic elements to carry out a demonstration against the Islamic faith outside the mosque during Friday prayers and during the period of Ramadan, and also condemns outsiders within the counter demonstration who refused to respond to the restraint called for by mosque leaders, and who resorted to attacks on the police;

that any similar types of demonstrations in this borough will be opposed and the Council will work with the police and leaders of the mosques to prepare suitable plans to combat this threat, should it ever unfortunately occur in Brent. Brent Council remains committed to tolerant, peaceful expression of religious and racial freedom.

The meeting closed at 9.45 pm

COUNCILLOR JAMES O'SULLIVAN
Mayor