

London Borough of Brent - Summary of decisions taken by Council on Monday 26 November 2018

PRESENT: Councillors Mahmood (Mayor), Abdirazak, Aden, Agha, Ahmed, Allie, S.Butt, Chan, Chappell, Chohan, S.Choudhary, A.Choudry, Colwill, Daly, Dar, Dixon, Donnelly-Jackson, Ethapemi, Farah, Gbajumo, Gill, Hassan, Hector, Hirani, Hylton, Johnson, Kabir, Kansagra, Kelcher, Kennelly, Knight, Long, Mashari, Maurice, McLeish, McLennan, Miller, Mitchell-Murray, Murray, Naheerathan, Nerva, M.Patel, R.Patel, Patterson, Perrin, Sangani, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stephens, Tatler, Thakkar.

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1	Apologies for Absence	Apologies received from Councillors Afzal, M.Butt, Colacicco, Conneely, Crane, Denselow, Ezeajughi and Lo.
2	Minutes of the Previous Meeting	Minutes of the Council meeting held on 17 September 2018 agreed as a correct record.
3	Declarations of Interest	No interests declared.
4	Mayor's Announcements (including any petitions received)	<p>NOTED the announcements from the Mayor in relation to:</p> <ul style="list-style-type: none"> • Death of former Councillor Carol Shaw – with tributes paid by Councillors Colwill, McLennan and Maurice. • Kristallnacht • Hate attacks in Brent • Remembrance Sunday • Pride of Brent Awards • 100th birthday celebration • United Albanian Community National Day • World Aids Day • Mayors Gala Fundraising Dinner • St Joseph's Roman Catholic Primary School • Petitions
5	Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)	AGREED the appointments to Committees and Outside Bodies, as detailed in the supplementary paper.
6	Reports from the Leader and Cabinet	NOTED the report and accompanying updates provided by the Deputy Leader of the Council

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		<p>(on behalf of the Leader) in relation to the impact of Brexit on the borough; Lead Member for Regeneration, Highways and Planning in relation to the consultation on the Draft Borough Local Plan and encouraging support for Small Business Saturday on 1st December 18 and Lead Member for Housing & Welfare Reform on progress with the roll-out of Universal Credit across Brent and consultation currently being undertaken on the Housing Allocation Policy.</p> <p>Responses were also provided by the relevant Lead Members on the following questions raised during the open session of this part of the meeting:</p> <ul style="list-style-type: none"> • Councillor Knight seeking details on plans to include all parts of the borough (including Stonebridge) within the programme of activities being developed for the Borough of Culture. • Councillor Kansagra seeking support for the provision of free parking across all local high streets in order to support local businesses during the Christmas period. • Councillor Long requesting confirmation of the Council’s “no fault evictions policy in relation to housing rent arrears created as a result of delays in Universal Credit payments being made. • Councillor Choudhary regarding the parking and travel difficulties caused for local residents as a result of the traffic management measures in place during event days at Wembley Stadium. • Councillor Kennelly requesting support for the USDAWs Freedom from Fear campaign seeking to prevent violence, threats and abuse against shopworkers. • Councillor Daly seeking further details on the action being taken (including enforcement activity) by the Council to hold landlords and leaseholders to account in cases where properties leased to them by the Council are being poorly maintained. The Lead Member for Housing and Welfare Reform advised that she would provide a written response on the action plan being developed in relation to leaseholder services.
7	Deputations (if any)	None received.

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8	Questions from Members of the Public & the Youth Parliament	<p>NOTED</p> <ul style="list-style-type: none"> i. The written responses provided by the Lead Member for Environment to a question submitted from a member of the public relating to parking in the Wembley area. No supplementary question was received. ii. The written responses provided by the Lead Member for Environment to a question submitted from a member of the public relating to the policy on removal of textile clothing banks. No supplementary question was received. iii. The written and supplementary verbal response from the Lead Member for Schools, Employment and Skills in relation to a question submitted from the Brent Youth Parliament regarding the promotion and monitoring of quality work experience opportunities for young people. iv. The written and supplementary verbal response provided by the Lead Member for Children's Safeguarding, Early Help and Social Care in relation to a question submitted from the Brent Youth Parliament regarding the alternative measures being developed to respond to budget reductions in the Youth Service.
9	Petitions (if any)	No petitions for debate.
10	Non Cabinet Members' Debate	<p>The following motion was agreed as an outcome of the non-cabinet member debate:</p> <p>This Council notes:</p> <p>The important work carried out by the Private Housing Enforcement team:</p> <ul style="list-style-type: none"> • Brent has an estimated 36,000 privately rented properties. The Private Housing Enforcement team carry out between 30-40 planned inspections per week, plus an

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		<p>additional 10-15 unannounced inspection raids.</p> <ul style="list-style-type: none"> • Brent Council has won 140 landmark prosecution cases against rogue landlords, agents and sub-letters since 2016. The convictions have resulted in more than £1.1m in court fines and costs. • A total of 901 PRS Properties have been improved as a consequence of their interventions, since January 2018. • Brent Council is registered with, and a member of the Housing Ombudsman Service. We also contribute to the renters' advice service: Advice 4 Renters, and enforcement officers give A4R's advice leaflets to tenants when they visit. They also signpost tenants to A4R's website, or SSP Law (solicitor firm contracted by Brent Council to advise tenants). <p>This despite the Council operating against a backdrop of prolonged austerity. We therefore also note:</p> <ul style="list-style-type: none"> • The average price paid for property in Brent in the last year stands at nearly half a million pounds. Consequently it is no small wonder that the proportion of people renting privately has doubled since 2004; half of 18-35s, 1 in 4 families with children, and growing numbers of older people now live in privately rented homes [1]. • That most of England's 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants with just two months' notice, without giving them a reason. These 'no fault evictions' were introduced under Section 21 of the 1988 Housing Act; before this, renters had much greater security and it was difficult for landlords to evict tenants who paid the rent on time and looked after the property. • Evictions are the number one cause of homelessness with 80% of evictions on no-fault grounds, and 63% of private renters who were forced to move in 2016 evicted not due to any fault of their own but because the landlord wanted to sell or use the property [2,3,4]. • The recent Guardian and ITV investigation into rogue landlords operating in Brent, and note how a number of these criminals wilfully exploit loopholes within existing legislation.

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		<ul style="list-style-type: none"> • The London Mayor’s online “rogue landlord checker” is available to all Londoners and has received more than 1,000 entries from local authorities. • That Karen Buck MP’s private members bill on “Homes (fitness for human habitation)”, which seeks to require that residential rented accommodation is provided and maintained in a state of fitness for human habitation. We also welcome the progress of the tenants’ fees bill through Parliament. <p>This Council believes:</p> <ul style="list-style-type: none"> • That housing is intrinsically linked to poverty and life chances. Children need secure homes from which to excel in their schooling. Adults need a secure home in order to work, flourish, and take part in society to their fullest potential. • The Government has been forced into a U-turn after a Guardian and ITV News investigation revealed that not a single name had been entered into the government’s new rogue landlord database system in more than six months since its launch – and that even when landlords’ names were listed, the public would not be allowed to see them. [5] • Landlord licensing is not fit for purpose until universally implemented, and the problem of rogue landlords is far-reaching beyond borough boundaries. We need an effective scheme, local authorities that are properly resourced and improved tenants’ rights. A national regulatory framework would ensure consistent regulation for all landlords across the country and stop the rogues from switching local authorities. • To fix this broken system, we need a complete rebalancing of the power relationship between landlords and tenants. The underlying issues of the housing crisis will only be solved by the construction of social and genuinely affordable housing on an unprecedented scale, with legislative teeth to punish rogue landlords. • Mass homelessness is a national disgrace, and removing its leading causes should be a priority. • Alongside tackling homelessness, abolishing Section 21 no-fault evictions would help to make renting more secure, improve standards, increase tenant confidence and ultimately

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		<p>contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either.</p> <ul style="list-style-type: none"> • Renters Unions would make it easier for tenants to defend their rights, and for existing unions like the London Renters Union to defend their members. <p>This Council resolves:</p> <ul style="list-style-type: none"> • To support the abolition of Section 21 no fault evictions. • To note that the Council will continue to serve improvement notices and emergency remedial action notices on landlords where private rented homes fail physical inspection, which can restrict the scope of private landlords to serve retaliatory section 21 notices. • To call for the tightening of legislation so landlords can't use property agents to hop from borough to borough. • To support new renters' unions to allow renters to organise and defend their rights, and to make the housing market fairer.
11	Questions from the Opposition and other Non-Cabinet Members	<p>NOTED</p> <ul style="list-style-type: none"> i. The written and supplementary verbal response provided by the Lead Member for Regeneration, Highways and Planning to a question submitted by Councillor Stephens regarding lobbying action to secure a more regular rail service from Sudbury & Harrow Road Station. ii. The written and supplementary verbal response provided by the Lead Member for Regeneration, Highways and Planning to a question submitted by Councillor Hector regarding the information available and way in which local residents are able to submit requests or influence decisions regarding the installation or removal of street furniture.

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		<p>iii. The written response provided by the Lead Member for Regeneration, Highways and Planning in relation to a question submitted by Councillor Colacicco on the promotion of sustainable construction methods and green technology in new homes. No supplementary question was asked.</p> <p>iv. The written and supplementary verbal response provided by the Lead Member for Regeneration, Highways and Planning to a question submitted by Councillor Colwill on the timetable for works being undertaken to repair damaged pavements and potholes across the borough.</p> <p>Responses were also provided by the relevant Lead Members on the following additional questions raised during the open session of this part of the meeting:</p> <ul style="list-style-type: none"> • Councillor Chan seeking confirmation of the Cabinet’s position in relation to the policy on Academisation and support for teachers in opposing the process at Village School. • Councillor Kabir requesting an update on the contingency measures in place to ensure the continuation of social care for those adults whose packages are currently being delivered by Allied Healthcare, given the ongoing concerns regarding their financial position. • Councillor Nerva on the potential to introduce a community toilet facility scheme and free access to water fountains as part of plans to promote and support local high streets and businesses. • Councillor Kelcher on whether it would be possible to apply an amnesty in relation to penalty charge notices issued for vehicles making a right turn from Harvest Road into Chamberlain Road in Kensal Green, given problems experienced with illumination of the “No Right Turn” warning sign. Whilst not able to provide any commitment in terms of an amnesty the Lead Member for Environment advised she would look at the issue in order to come back with a response. • Councillor Hassan seeking support for the Council’s participation in the “It’s our Turn”

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		<p>campaign being run by Safe Passage.</p> <ul style="list-style-type: none"> • Councillor Ethapemi highlighting concerns regarding the potential closure of GP practices within the borough. • Councillor Kennelly raising concerns regarding the limited publicity and consultation undertaken by TfL on planned alterations to the 223 bus service given the impact on residents within his ward who relied on the service. • Councillor Ketan Sheth regarding the potential financial impact on Brent arising from the recent Court of Appeal decision in relation to the location of ATMs given its relevance to business rates. The Deputy Leader advised she would need to come back with further details on the response currently being developed. • Councillor Long on the need to update the Brent Connect webpage to ensure access as available to all minutes and agenda. • Councillor Long on the problems being caused for residents in Willesden Green as a result of burst water mains in the area and requesting that these issues be raised with Thames Water, which the Lead Member for Regeneration, Highways and Planning advised she would willing to raise and provide a written response on. • Councillor Kennelly seeking an update on progress with proposals for development of the Preston Road Community Centre following the recent consultation event with the local community. • Councillor Donnelly-Jackson on action being taken to review and address concerns regarding the safety and structure of shop frontages in the Willesden Green area. • Councillor Choudhary on the need to review the state of repair of local roads and the traffic management plan for event days at Wembley Stadium given the impact of increased traffic and congestion for local residents in the Wembley and Neasden area. • Councillor Daly on the disruption, pollution and noise being caused for local residents living adjacent to the current bus terminus locations on the No.18 route created by TfLs current fleet of diesel buses and measures which could be taken to prioritise the switch of these to electric as soon as possible, which the Lead Member for Regeneration, Highways and Planning advised she would take back in order to review with TfL and

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		provide a response on.
12	Report from Chairs of Scrutiny Committees	<p>NOTED the update reports provided by the Chairs of the Community and Wellbeing, Housing and Resources & Public Realm Scrutiny Committees along with the responses provided by:</p> <ul style="list-style-type: none"> • Lead Member for Children’s Safeguarding, Early Help and Social Care in relation to the issues raised under the Community and Wellbeing update around the funding and restructure of Local Children’s Safeguarding arrangements as a result of the recent legislative changes and how these would be expected to drive forward further improvements and mitigate issues such as the impact of child poverty, on which the Lead Member advised she would provide a written response. • Lead Member for Adult Social Care in relation to an issue raised under the Community and Wellbeing update around the monitoring and quality of care providers. • Lead Member for Housing & Welfare in relation to issues raised under the Housing update regarding renewal of the contract for tenancy advice, decision taken in relation to the landlord licensing fee and update on the programme for installation of fire sprinkler systems in Council high rise blocks (on which the Lead Member advised she would write to the Committee with further details). • Deputy Leader in relation to issues raised under the Resources and Public Realm update regarding the classification of savings proposals under the budget consultation process and anticipated outcome of the consultation exercise. <p>Responses were also provided by the relevant Scrutiny Chairs on the following additional questions raised during the open session for this part of the meeting:</p> <ul style="list-style-type: none"> • Councillor Ethapemi regarding the funding and review of street cleansing activities. • Councillor Choudhary regarding the review of funding for Adult Social Care as part of the budget consultation process • Councillor Nerva regarding the impact of proposed budget reductions in relation to the

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		<p>effective operation of the scrutiny function.</p> <ul style="list-style-type: none"> • Councillor Chan on the need to ensure, as an outcome of the budget consultation process, that detailed impact assessments were provided for all savings proposals.
13	Report from the Vice-Chair of the Audit and Standards Advisory Committee	NOTED the update report provided by the Vice Chair of the Audit & Standards Advisory Committee.
14	Implications of Brexit	NOTED the content of the report providing an overview of the implications arising from the UKs departure from the European Union.
15	Statement of Gambling Principles 2019-2022	AGREED that Council approve the revised Statement of Gambling Principles 2019-2022 as detailed within Appendix 1 of the report.
16	Changes to the Constitution	<p>AGREED</p> <p>(1) To approve the changes to the Constitution as detailed within Appendices 1 – 5 of the report relating to:</p> <ul style="list-style-type: none"> (a) Terms of Reference for the North West London Joint Health Overview & Scrutiny Committee (Appendix 1); (b) Members Allowance Scheme – Dependent Carers Allowance (Appendix 2); (c) Property Scheme of Delegation (Appendix 3); (d) Standing Order 41 – Motions (Appendix 4); and (e) Standing Order 15 – Developing proposals for the budget and capital programme (Appendix 5). <p>(2) To authorise the Director of Legal and HR Services to amend the Constitution accordingly, including the making of any necessary incidental or consequential changes.</p> <p>(3) To note that, to the extent that the changes relate to executive functions of the Council,</p>

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		they have been approved by the Leader.
17	Motions	<p>17.1 The following motion submitted by the Labour Group was approved:</p> <p>This Council notes:</p> <ul style="list-style-type: none"> • It is now twenty-eight months since the referendum in which 72,523 Brent residents voted by a clear majority, to maintain the current benefits Britons enjoy, by staying in the European Union. • In the months since, the “Vote Leave” campaign has been fined by the Electoral Commission, and, the Chancellor has conceded that leaving the EU without a deal would blast an £80bn black hole in the creaking public finances. • Those that voted to leave, did not vote to be poorer. But it is some of our poorest residents that will be hardest hit; with a squeeze in living standards brought on by increased inflation and the depreciation of the pound. • That, despite promises to the contrary, Government engagement of local political leaders has been virtually non-existent. • That the London Assembly, the neighbouring boroughs of Camden, Ealing, Hammersmith and Fulham have all passed motions that back a “People’s Vote” on the final deal and an option to stay within the European Union. <p>This Council believes:</p> <ul style="list-style-type: none"> • That Brent is better off together. And put simply, we are a global borough, united in opposition to any form of Brexit that has deleterious effects on our residents. • That leaving the EU will disproportionately impact Brent, not least because Brent has the second highest number of European residents in London. Moreover, many of the public services our residents rely upon, from their GP to their waste collection, are provided by dedicated European citizens. • That any deal which undermines the principles of the hard-fought “Good Friday Agreement” should face wholesale rejection.

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		<ul style="list-style-type: none"> • It is evident that a calamitous Brexit will hurt all but the very richest, and that it will be our children, for the first time, poorer, less prosperous, with fewer opportunities than the generation before. <p>With this in mind, this Council resolves to:</p> <ul style="list-style-type: none"> • Voice its concern against any arrangement that damages the rights or prospects of EU nationals in this proudly diverse borough. • Work with organisations representing EU nationals to help address the uncertainty that this careless Government has left in its wake. • To liaise with local businesses, public sector partners, trade unions and our colleagues at the West London Alliance to ensure that Brent remains open for business throughout any transition period. • Call upon Parliament to entrust the British people with a meaningful vote on the final deal; with options to remain in the European Union upon the ballot paper. <p>17.2 The following motion submitted by the Conservative Group was not approved: This Council calls upon the Executive to undertake to repair all of the pavements across the Borough within the next 12 months, in light of the increasing numbers of residents being admitted to hospital after tripping on poor quality pavements. Brent Council acknowledges that it has a duty of care to its residents, ensuring that the elderly can walk safely without fear of injury, that children can ride their bikes and scooters without being thrown off by rubbish quality pavements.</p> <p>Brent Council Executive should also commit to opening its transparency, by placing online, the repair schedule for each and every pavement in Brent. The Council commits to ensuring that this schedule is easily accessible, and promoted on the Brent Council social media pages, so that all residents in Brent can hold their elected Council to account, and ensure they are delivering on the works they promised, on time, to schedule, and to budget.</p>

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		<p>The decision not to approve the above motion was subject to a recorded vote with members voting as follows:</p> <p>For (3): Councillors Colwill, Kansagra and Maurice</p> <p>Against (45): Councillors Abdi, Aden, Agha, S.Butt, Chan, Chappell, Chohan, S Choudhary, Choudry, Daly, Dar, Dixon, Donnelly-Jackson, Ethapemi, Farah, Gbajumo, Gill, Hassan, Hector, Hirani, Hylton, Kabir, Kelcher, Kennelly, Knight, Long, Mashari, McLeish, McLennan, Miller, Murray, Naheerathan, Nerva, M.Patel, R.Patel, Patterson, Perrin, Sangani, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stephens, Tatler and Thakkar.</p> <p>Abstain (2): Councillors Johnson and Mitchell Murray.</p> <p>17.3 The following motion submitted by the Labour Group was approved:</p> <p style="padding-left: 40px;">This Council notes that many council budgets are now at Breaking Point. Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people – and the services we all rely on, like clean streets, libraries, and the teachers in our schools.</p> <ul style="list-style-type: none"> • Government cuts mean that Brent has £177m less to invest in essential and much loved public services than under the last Labour government in 2010; • With an aging population and growing demand adult social care faces a gap of £3.5 billion – with only 14% of council staff now confident that vulnerable local residents are safe and cared for; • Government cuts have seen local authorities left with impossible choices, and 80% of council staff now say they have no confidence in the future of local services;

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		<ul style="list-style-type: none"> • Brent schools will have lost out on more than £6k per pupil over the last decade, equating to a loss of an entire academic year’s funding; • Northamptonshire has already gone bust due to Tory incompetence at both national and local level, and more councils are predicted to collapse without immediate emergency funding; • Councils now face a further funding gap of £7.8 billion by 2025 just to keep services ‘standing still’ and meeting additional demand. Even Lord Gary Porter, the Conservative Chair of the Local Government Association, has said ‘Councils can no longer be expected to run our vital local services on a shoestring’. <p>This Council condemns Chief Secretary to the Treasury Liz Truss MP for stating on BBC Newsnight on 1st October 2018 that the government is “not making cuts to local authorities”, when all independent assessments of government spending show that this is entirely false; and that this Council further notes that Prime Minister Theresa May has also claimed that “austerity is over” despite planning a further £1.3bn of cuts to council budgets over the next year.</p> <p>This Council agrees with the aims of the ‘Breaking Point’ petition signed by Brent Labour councillors, in calling for the Prime Minister and Chancellor to truly end austerity in Local Government by:</p> <ul style="list-style-type: none"> • Using the Budget to reverse next years planned £1.3bn cut to council budgets; and • Pledging to use the Spending Review to restore council funding to 2010 levels over the next four years. <p>This Council resolves to:</p> <ul style="list-style-type: none"> • Support the ‘Breaking Point’ campaign, recognising the devastating impact that austerity has had on our local community.

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		<ul style="list-style-type: none"> • Ask the Leader of the Council to write to the Chancellor of the Exchequer and the Secretary of State for Housing, Communities and Local Government setting out the funding pressures faced by Brent Council, and calling on the Government to truly end austerity in Local Government.
18	Urgent Business	None