



## LONDON BOROUGH OF BRENT

Minutes of the ORDINARY MEETING OF THE COUNCIL  
held on Monday 26 November 2018 at 6.00 pm

### PRESENT:

**The Worshipful the Mayor**  
Councillor Arshad Mahmood

### COUNCILLORS:

|             |                   |
|-------------|-------------------|
| 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            |
| Murray      | W Mitchell Murray |
| Naheerathan | Nerva             |
| M Patel     | RS Patel          |
| Patterson   | Perrin            |
| Sangani     | Shahzad           |
| Ketan Sheth | Krupa Sheth       |
| Southwood   | Stephens          |
| Tatler      | Thakkar           |

#### 1. **Apologies for Absence**

The Mayor advised that direct apologies for absence had been received from Councillors Afzal, M. Butt, Colacicco, Conneely, Crane, Denselow, Ezeajughi and Lo.

Apologies for lateness were received from Councillors Hassan, Mashari and Thakkar.

## 2. **Mayor's Statement - Order of Business**

Before consideration of the formal agenda, the Mayor informed members of a change to the order of business set out on the original summons. As representatives of Brent Youth Parliament were present for the public question session, the Mayor advised that in accordance with Standing Order 30, he was intending to move that item forward on the agenda for consideration following the Mayor's Announcements.

In addition, as there were two items relating to Brexit he advised that he was intending to change the order of items on the agenda so these could be considered together.

It was therefore **RESOLVED** that:

(1) The business to be considered at the meeting be re-arranged in the following order:

- Agenda Item 5 – Questions from Members of the Public & Youth Parliament
- Agenda Item 14 – Changes to the Constitution
- Agenda Item 16 – Report from the Director of Performance , Policy and Partnerships considering the Impact of Brexit

(2) The remaining items of business follow in the same order as listed on the agenda

## 3. **Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the Council meeting held on Monday 17 September 2018 be approved as a correct record.

## 4. **Declarations of Interest**

No interests were declared by Members at the meeting.

## 5. **Mayor's Announcements (including any petitions received)**

The Mayor made the following announcements:

(i) Death of former Councillor Carol Shaw

The Mayor advised that it was with sadness he had to announce the death of former Councillor Carol Shaw who had passed away on 20 September.

He reminded Members that Carol had served the people of Brent for over 25 years, most recently as ward councillor for Brondesbury Park where she had been a passionate and dedicated Councillor. In remembering Carol he stated that the

Council's thoughts were with her friends, family and former colleagues and as a mark of respect asked all those present to stand in order to observe a minutes silence in her memory.

*A minutes silence was observed.*

As a number of Members had indicated they wished to formally pay tribute to Carol Shaw he then opened up the meeting to invite contributions.

Councillor Colwill opened the tributes by highlighting the support and guidance Carol had provided when he had first been elected to the Council and the friendship they had gone on to develop over the years. He highlighted the way in which she had always stood up for her local residents and said she would be sorely missed.

The following members also spoke in tribute:

- Councillor Long advised she had first encountered Carol back in 1990. Whilst always a formidable character, she highlighted Carol's dedication to her local residents and the respect in which she had been held by them. She would therefore be missed by councillors and residents alike.
- Councillor Gbajumo also highlighted the dedication Carol had shown to her local residents and how much she was missed by those she had previously served as ward councillor. As a tribute, Councillor Gbajumo advised that she, along with the other newly elected councillors in Brondesbury Park ward, hoped to be able to follow on her good work in representing the local area.
- Councillor McLeish also highlighted the local support and respect for Carol he had experienced ward when campaigning within Brondesbury Park during the most recent local elections.
- Councillor Maurice who advised that whilst only knowing Carol for a relatively short period, had also been impressed by her formidable character and hard work as a ward councillor, with her residents always coming first.

The Mayor thanked everyone for their kind and touching tributes.

(ii) Kristallnacht

The Mayor reminded Members that November marked the 80th anniversary of the Kristallnacht. In remembering the anniversary he felt it was important to never forget the upset caused and victims of such attacks.

(iii) Hate Crime in Brent

The Mayor was sad to report a recent incident experienced outside a Mosque in the Borough, involving racist insults being shouted to people leaving the building.

The Mayor advised that he, along with the Leader and Chief Executive, had joined people immediately after the incident to show solidarity with worshippers and felt it important to demonstrate how such attacks and abuse should never be tolerated.

(iv) Remembrance Sunday

The Mayor thanked all those who had attended the Borough's Remembrance Sunday services on 11 November. The morning service had been followed by the Annual Remembrance Day Parade in Barham Park.

He was pleased to announce that attendance at the Borough Remembrance services was excellent with hundreds of people coming along to remember the agreement to end fighting of the First World War, in 1918.

Tribute was paid to all those who had taken part and marched for making the service so special. The Mayor also took the opportunity to thank the outgoing Borough Dean, Graham Noyce, for his service to the Borough over the years and also for presiding over the Borough's remembrance service.

Members were also advised that the Mayor was honoured to have been invited by a representative from the British Legion to lay a wreath at the memorial at the old Town Hall and was enormously grateful to the Lycée for allowing everyone to come together to mark the centenary of the Armistice in order to remember the fallen of all conflicts.

(v) Pride of Brent Awards

The Mayor advised that he, along with the Chief Executive & Deputy Leader, were pleased to have been able to host the recent annual Pride of Brent awards in the Civic Centre.

This had provided an opportunity for Brent employees and community members to come together in order to celebrate the Pride of Brent and for the second year had involved the ceremony merging the community awards with the Council's employee recognition and Long Service Awards.

The Mayor informed Members that a full list of winners was available on the Council's website, and congratulated all those who had been nominated and received an award.

(vi) 100<sup>th</sup> Birthday celebrations

The Mayor advised that one of the many highlights of his office was the opportunity to meet so many of the Borough's residents. With this in mind, he announced that he would have the honour on 17<sup>th</sup> December of visiting Mrs Pearl Slater to celebrate her 100<sup>th</sup> birthday and all Members were asked to join him in wishing her a happy birthday.

(vii) United Albanian Community

The Mayor advised he was honoured to have been invited to attend a flag raising ceremony at the civic centre on Sunday 25 November hosted by the united Albanian Community to celebrate their National Day.

(viii) World Aids Day

The Mayor reminded Members that this year marked 30 years since the first World Aids Day on the 1<sup>st</sup> of December 1988. In remembering the significance of this day, he felt it was important to acknowledge how far advances in medicine had come and the dramatic difference these had made to the lives of people living with HIV.

At the same time he felt it also important to remember that people living with HIV still faced prejudice and stigma in their workplace, communities and relationships. For these reasons he highlighted the need to remember that HIV had not gone away and that there was still a vital need to raise money, increase awareness, fight prejudice and improve education.

(ix) Mayor's Gala Fundraising Dinner

The Mayor took the opportunity to remind Members that he would be hosting his first Gala Fundraising dinner on the Sunday 2 December at Sattavis Patidar Centre. The evening would consist of a meal, entertainment along with an auction, with tickets available to purchase through the Mayor's Office.

(x) St Joseph's Roman Catholic Primary School

The Mayor was pleased to announce that according to The Sunday Times School Guide 2019, published on 18 November 2018, St Joseph's Willesden had been ranked as the 2<sup>nd</sup> best state primary school in the country and the top state Catholic primary school in England.

Members joined the Mayor in congratulating the whole school community who he pointed out had continued to aspire to excellence despite the circumstances experienced over the last three years in recovering from the fire at the school in September 2015.

(xi) Petitions

Finally, the Mayor drew members' attention to the list of current petitions along with action being taken to deal with them, which had been tabled at the meeting, in accordance with Standing Order 66.

## 6. **Questions from Members of the Public & the Youth Parliament**

The Mayor advised that in accordance with Standing Order 33 two questions had been received from the members of the public:

Question 1 from Mr Jean Bernard to Councillor Krupa Sheth, Lead Member for Environment relating parking concerns in the Wembley area.

Question 2 from Mr Jose Baladron to Councillor Krupa Sheth, Lead Member for Environment regarding the policy on removal of textile clothing banks.

Members noted the written responses to the questions, circulated with the agenda. The Mayor advised that both members of the public had been invited to attend the meeting in order to ask a supplementary question. Whilst neither were present, the Mayor informed Members that Mr Baladron had confirmed he was satisfied with the

written response provided on the basis of further discussions with Members. No supplementary questions were therefore received.

Following on from the public question session the Mayor then moved on to deal with the questions received from representatives of Brent Youth Parliament. He advised that the following two questions had been received from members of the Youth Parliament:

Question 1 to Councillor Agha, Lead Member for Schools, Employment and Skills, requesting details on action being taken by the Council to provide and promote effective work experience opportunities for young people.

Question 2 to Councillor Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care regarding measures being developed to respond to budget reductions in the Youth Service.

Members noted the written responses to the questions, circulated with the agenda and the Mayor advised that he was pleased to welcome Jai Patel and Sara Bokrugji on behalf of the Youth Parliament who were attending in order to ask supplementary questions on both issues.

#### **Supplementary Question 1 from Jai Patel to Councillor Agha, Lead Member for Schools, Employment and Skills**

Jai Patel began by thanking the Mayor for the welcome extended to the Youth Parliament. Having noted that the provision of work related learning had now been decentralised and removed as a statutory role, details were sought on the oversight by the Council in relation to the quality and provision of work related learning across schools and colleges in the borough in order to ensure equality of opportunity in relation to access.

In response, Councillor Agha highlighted that in addition to the action outlined in his written response to support work based learning opportunities and apprenticeships, a range of other activity was being undertaken to extend and promote the range of opportunities available. He advised he would be able to provide a more detailed written response on these following the meeting. As examples, reference was made to the opportunities and support available through Brent Start and to the recent job fair held in Brent which had attracted over 70 employers and been attended by over 1700 local people providing access to a range of opportunities. Although in its early stages, work had also commenced to examine opportunities within the school curriculum to promote local apprenticeships (particularly in the construction industry) with negotiations also underway with small business enterprises and the Local Government Association around the development of an Apprenticeship Fair.

Councillor Agha ended by advising he had also recently attended a Skills Fair in London where the Mayor for London had pledged a £1.3m boost to the London Scheme designed to promote access to apprenticeships for young people in the hospitality and construction sectors. He also felt it was important to note the work being undertaken with the Mayor for London to support use of the Apprenticeship Levy.

## **Supplementary Question 2 from Sara Bokrugji to Councillor Mili Patel, Lead Member for Children’s Safeguarding, Early Help and Social Care**

Sara Bokrugji again thanked the Lead Member for her response and having noted the focus of broader youth service provision now coming from within the voluntary sector asked whether this provision was felt to provide similar outcomes to other Council led initiatives and, if so, how these outcomes were measured.

In response, Councillor Mili Patel advised she was pleased to see how engaged young people in Brent were in terms of participation in local democracy. In terms of the specific question raised, whilst aware of the frustration she felt it was important to start by noting the impact of funding reductions imposed on the Council by Government, resulting in an additional £40m of savings needing to be identified over the next four years. Against this background, and recognising the concerns raised around service provision, Councillor Patel felt it was important to highlight the Council’s involvement in the provision of youth services through initiatives such as the Brent Youth Zone and Roundwood Youth Centre. Outcomes being achieved were measured with recent examples including the Ofsted inspection. Councillor Patel finished by highlighting the importance of young people, who were keen to protect and improve services, ensuring they continued to engage in the wider democratic process to ensure their voice was heard in relation to issues such as funding and service priorities.

Having noted the responses to the questions raised, the Mayor again thanked Jai Patel and Sara Bokrugji for attending the meeting and advised that this now concluded the public question session.

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

The Mayor referred Members to the supplementary pack circulated in advance of the meeting, which contained a list of changes to appointments on Council Committees, Sub Committees and other bodies.

It was **RESOLVED** that:

- (1)** the following appointments be approved:
  - (a)** Councillor Naheerathan to replace Councillor Lo and Councillor Donnelly-Jackson to replace Councillor Mashari as full members of the Audit & Standards Advisory Committee and Audit & Standards Committee.
  - (b)** Councillor Lo to replace Councillor S.Butt as a substitute member of the Audit & Standards Advisory Committee and Audit & Standards Committee.
  - (c)** Councillor S.Butt to replace Councillor Lo as a full member of the Planning Committee.
  - (d)** Councillor Kennelly to replace Councillor Abdirazak and Councillor Lo to replace Councillor S.Butt as substitute members of the Planning Committee.

- (e) Councillor Miller to replace Councillor Dar as a full member of the Trading Standards Joint Advisory Board.
- (f) Councillor Dar to replace Councillor Daly as a substitute member of the Trading Standards Joint Advisory Board.
- (g) Councillor Ketan Sheth to replace Councillor Denselow as a full member of the Old Oak and Park Royal Development Corporation (OPDC) Planning Committee.
- (2) In addition to the changes in (1) above, to note that the following membership changes were being recommended to General Purposes Committee for approval:
  - (a) Councillor Kabir to replace Councillor Choudhary as a full member of the Pension Board.
  - (b) Councillor R.Patel to replace Councillor Aden and Councillor Marquis to replace Councillor Perrin as substitute members of the Pension Board.

## 8. Reports from the Leader and Cabinet

The Mayor referred Members to the written report which had been circulated with the agenda providing updates from the Leader and Cabinet Members in relation to their portfolios. He then invited the Deputy Leader and other Cabinet Members to provide updates on any significant issues to be highlighted. Once these updates had been provided, he reminded Members that the remaining time available would be opened up for any non-Cabinet members to question (without the need for advance notice) Cabinet Members on matters relating to their portfolios.

The following updates were provided by the Deputy Leader and Cabinet Members:

### (a) Councillor Margaret McLennan, Deputy Leader

Councillor McLennan began by taking the opportunity to remind Members of Brent's unique history, cultural diversity, unity and reputation as an iconic destination. Whilst these were all to be celebrated she felt there were still many issues to overcome, particularly in relation to the potential impact and divisions arising from Brexit. Welcoming the opportunity provided later in the meeting to debate these issues, Councillor McLennan recognised the efforts being made in Brent to ensure that everyone had the same opportunity to succeed alongside the hard work that was still required to achieve such an aim.

In accordance with Standing Order 14 (f) Councillor McLennan also reported that there had been no use of the Key Decision and Forward Plan urgency procedures since the last Council meeting.

Having completed her update, the Deputy Leader then invited Councillors Tatler (Lead Member for Regeneration, Highways and Planning) and Southwood (Lead Member for Housing and Welfare Reform) to present additional updates in relation to their portfolios.



(b) Councillor Tatler (Lead Member for Regeneration, Highways and Planning)

Councillor Tatler took the opportunity to remind Members of the consultation which had recently commenced on the draft Local Plan which she advised provided an opportunity to help shape the future landscape of Brent and guide planning policy over the next 20 years. Members and residents were encouraged to participate in the consultation process.

In addition Members were advised of the various activities planned to support Small Business Saturday on 1<sup>st</sup> December 18. Again all members were encouraged to support the event in their local area.

(c) Councillor Southwood (Lead Member for Housing & Welfare Reform)

Councillor Southwood advised members that implementation of the new Universal Credit regime had now gone live in Brent commencing at Harlesden Job Centre and shortly to be rolled-out at Wembley Job Centre. Given the difficulties with its implementation elsewhere, Members were reminded that residents experiencing problems with payments should initially be referred to the Department for Work & Pensions for advice. The Council would also be able to provide support, with Members asked to ensure the Housing Department was involved should it become apparent that tenants were experiencing difficulties in terms of maintaining rent payments as a result of the roll-out.

In addition, Members were also reminded of the consultation currently underway in relation to a review of the Council's Housing Allocations Policy. Given the limited options available and difficult choices needing to be made all members were encouraged to participate in the consultation process.

Following the updates provided, the Mayor advised that the remainder of time available during this session of the meeting would be open for questions from non-cabinet members to the Deputy Leader and Cabinet. The following questions were raised and responses provided:

(i) Councillor Knight sought assurance that the plans being developed for the programme of activities relating to the London Borough of Culture would involve as much of the borough as possible, including the Stonebridge area.

In response Councillor Hirani (Lead Member for Public Health, Culture & Leisure) assured Members that he was keen to ensure the programme reached all parts of the borough. In terms of progress, recruitment was underway for dedicated Borough of Culture posts and the Brent Community Fund for the Borough of Culture was also due to open in January 2019. This would provide an opportunity for community groups to submit funding bids for events linked to borough of culture activities. If it appeared that any area(s) were underrepresented in terms of bids received then more proactive work would be undertaken to encourage submissions from groups in these areas. Given that the focus of the Borough of Culture bid had been on young people, work was also underway to ensure all schools (including those from the south of the borough and Stonebridge) were engaged in development of the

programme and also that the Youth and Cultural Ambassadors were also as reflective of the borough as possible.

- (ii) Councillor Kansagra, commenting on plans to provide free parking for local high streets over the Christmas period, requested that consideration be given to providing a 30 minute – 1 hour free parking period on all local high streets on a permanent basis in order to better support small local businesses.

In response, Councillor Tatler (Lead Member for Regeneration, Highways & Planning) felt it was not parking charges which were having the most negative impact on local business on the high street but the Government's current Business Rates regime. In relation to parking concerns she highlighted the parking review currently being undertaken, with Councillor Krupa Sheth (Lead Member for Environment) also commenting that if business had concerns regarding specific locations these could be raised direct with local ward councillors, officers or by submitting a petition.

- (iii) Referring to the update provided on the roll-out of Universal Credit, Councillor Long sought confirmation on 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.

In response, Councillor Southwood (Lead Member for Housing & Welfare Reform) advised that these concerns were the reason she had identified the need to ensure that support was sought as soon as possible in cases where tenants fell into arrears as a result of delays in Universal Credit direct payments. Support would be easier to provide for Council tenants in this position, which it was felt would assist in managing any arrears and therefore preventing evictions.

- (iv) Councillor Choudhary took the opportunity to highlight concerns regarding the parking and travel difficulties caused for those needing to undertake business or visit the Wembley area on event days, particularly for those non-residents unable to directly purchase parking permits.

In response Councillor Krupa Sheth (Lead Member for Environment) confirmed that she, along with the Leader, had received details of the specific concerns raised by Councillor Choudhary and would be looking at how best these could be addressed moving forward.

- (v) Councillor Kennelly took the opportunity to highlight and seek support for the current Freedom from Fear campaign being led by USDAW seeking to prevent violence, threats and abuse against shopworkers.

In response, Councillor Miller (Lead Member for Community Safety) confirmed his support for the campaign, recognising the right for everyone to feel protected and safe in their place of work. He advised he would also be willing to meet Councillor Kennelly to consider what further action could be taken to support the campaign and in lobbying for Government support.

- (vi) Councillor Daly requesting further details on the action being taken (including enforcement activity) by the Council to hold leaseholders to account in cases where properties leased to them by the Council were being poorly maintained.

In response, Councillor Southwood (Lead Member for Housing & Welfare Reform) advised of the work currently being undertaken to review the services being provided by the Council to leaseholders and action plan being developed in response, which included a clear definition of responsibilities. In view of time constraints at the meeting, she advised she would be willing to provide further details as a written response.

Following on from the above response, the Mayor advised that the time available for this item had expired and thanked Members for their contributions.

**9. Deputations (if any)**

The Mayor informed Members that no requests for any deputations had been received for this meeting.

**10. Petitions (if any)**

The Mayor informed Members that there were no petitions to be debated in accordance with the Council's petition procedure and Standing Order 66.

**11. Non Cabinet Members' Debate**

In accordance with Standing Order 34, the Mayor advised that the subject chosen for the Non Cabinet Member debate was on the Private Rented Housing Sector.

Members were advised that the motion submitted as the basis for the debate had been circulated with the supplementary agenda for the meeting and that the time available for the debate was 30 minutes. The Mayor then invited Councillor Donnelly-Jackson to introduce the motion. As context for the debate, Councillor Donnelly-Jackson highlighted there were an estimated 36,000 privately rented properties in Brent. Whilst the Private Housing Enforcement Team was undertaking important work in carrying out inspections and had recently secured a number of significant prosecutions against rogue landlords which had attracted national media attention, their resources were increasingly stretched as a result of the Government's current climate of austerity. Highlighting her personal experiences of living in private rented accommodation within the borough, which she pointed out were experiences shared by many others, Councillor Donnelly-Jackson was keen to seek the Council's support in ensuring private rented sector tenants had access to appropriate advice alongside the promotion of renters unions. In addition she was keen for local MPs to be encouraged to support Karen Buck MP in the House of Commons debate she was sponsoring on 6 December 18 regarding the use of section 21 evictions in the private rented sector. She therefore urged all members to support the motion put forward for debate.

The Mayor then opened up the debate to other Members, with the following comments made during the discussion that followed.

Councillor Johnson, speaking in support of the motion, advised that he had also been responsible for raising a number of concerns direct with the Mayor for London, as a member of Citizens UK, regarding the operation of rogue landlords in the private rented sector. A number of these concerns had been recognised by the Mayor of London who as a result had established an online “rogue landlord checker” system. Councillor Johnson was also supportive of the need for more consistent regulation of landlords. Whilst noting the efforts made in Brent with the introduction of the mandatory licensing scheme for HMOs and selective landlord licensing in certain wards he was keen to ensure this was rolled-out across the whole borough in order to ensure landlords could be properly held to account. Alongside these initiatives he highlighted the importance in addressing the demand for the supply of genuinely affordable housing as another means of mitigating the concerns highlighted for action.

Councillor Long, also spoke in support of the motion, highlighting concerns around the support available to tenants particularly those renting without any form of tenancy agreement. Whilst the Council had introduced a landlord licensing scheme she pointed out that the focus of the scheme was in managing the physical standard of properties rather than on how tenants were being treated. As with Councillor Donnelly-Jackson she also highlighted a number of specific examples in terms of practices operated by rogue landlords and how difficult it was for tenants to seek support, guidance and advice on their rights. As a result of a recommendation made by the Housing Scrutiny Committee the information on the Council’s website had been updated but Councillor Long felt still required further improvement. The support available from the Citizens Advice Bureau was recognised, but concerns were raised about the extent of additional support beyond that. Whilst the Council had engaged a firm to provide assistance to tenants facing difficulties with their landlords this contract was shortly due to end with interim arrangements in place from January 19 onwards and it was hoped the new arrangements would include the necessary resource to gather evidence and support prosecution of rogue landlords.

Councillor Kansagra then spoke advising that whilst broadly supportive of the motion there was a need to recognise that the problem of rogue landlords had unfortunately been one experienced for many years and not created as a result of austerity. Whilst the examples provided had highlighted significant issues he also felt it was important to recognise that not all landlords operated in this way. There were, he felt, many examples of decent landlords who had also had to deal with problems created by tenants including non-payment of rent and damage to property. Whilst supportive of the motion he therefore felt there was a need for a balanced debate.

Councillor Dixon then took the opportunity to highlight the timeliness of the motion given the work being undertaken by Karen Buck MP in relation to the promotion of her Homes (Fitness for Human Habitation) Private Members Bill. The Bill was seeking to amend relevant sections of the Landlord and Tenant Act 1985 by extending its obligations to cover almost all landlords and to modernise the fitness for habitation test. Under the proposals within the Bill, if a landlord failed to maintain their property to the required standard tenants would have the right to take legal action against them. Having highlighted the extent of work being undertaken in relation to promotion of the Bill, Councillor Dixon advised she welcomed the focus on the issues highlighted within the motion.

As further examples of the type of housing problems being experienced Councillor Choudhary, in support of the motion, briefly outlined two issues he had recently been supporting tenants in his ward seeking to resolve. Whilst the issues had required different responses he advised he was grateful to officers for their support in dealing with them.

Councillor Stephens spoke in support of seeking an extension to the landlord selective licensing scheme across the borough, as a means of addressing problems also being experienced by tenants in his ward. He was keen to ensure as clear a message as possible was provided for tenants in relation to their rights and how they could access appropriate advice and guidance including, as a suggestion, considering the role Estate and Letting Agents may be able to play alongside other services such as Trading Standards with as wide a range of options considered as possible.

Councillor Mashari also took the opportunity to highlight the significant problems being experienced in the Welsh Harp and Neasden areas by the operation of rogue landlords. Whilst grateful to officers for their efforts in securing the high profile prosecution against a particular landlord operating in that area, which had attracted national media attention, she remained concerned at the way in which some landlords were operating in certain key areas of the borough as a form of micro-economy. It was therefore felt that the issues being identified needed to be tackled on a strategic basis by the Council with support being expressed for the motion and also the further extension of the landlord selective licensing scheme across the borough.

Councillor Maurice advised that he also shared the concerns being expressed about the operation of rogue landlords in the borough, given their exploitation and impact on the more vulnerable members of society. Whilst recognising this as a problem experienced for many years, he supported the efforts being made to identify and prosecute these individuals highlighting, as an example, the vast majority of decent landlords and also efforts he made with local residents to report HMOs causing concern.

As a final contribution to the debate, Councillor Murray felt it was also important to highlight the impact which the provision of affordable and secure housing had in relation to providing a stable background for children and young people. He therefore urged all members to support the motion with the Council, he felt having a duty to continue using all powers available to prevent and prosecute rogue landlords.

As no other members had indicated they wished to speak the Mayor then invited Councillor Southwood, as Lead Member for Housing & Welfare Reform, to sum up and close the debate.

Councillor Southwood began by thanking Councillor Donnelly-Jackson for bringing the motion forward for debate which she felt had highlighted a number of key issues. The experiences highlighted were unfortunately not dissimilar to ones shared with her during a recent visit to Advice for Renters with people appearing to feel they had no choice but to put up with such poor conditions due to fear of losing their accommodation in such difficult economic circumstances. In terms of

responding to the issues highlighted, Councillor Southwood outlined two key areas for action which she was pleased had also been identified during the debate and within the motion. The first of these was a need to increase the supply of affordable social housing, which the Council was continuing to address and the second was extension of the selective landlord licensing scheme across the borough. Plans were being developed to apply for the extension of the scheme on a borough wide basis, despite the Government having originally declined such an application. In the meantime she assured members that the Council would continue to make use of its full range of investigative and enforcement powers to assist in protecting those living in the private rented sector from sub-standard property conditions and rogue landlords. She concluded by advising that as Lead Member for Housing she wholeheartedly supported the motion and would be willing to write to local MPs urging their support for the Private Members Bill and House of Commons debate regarding the use of section 21 evictions in the private rented sector.

As an outcome of the debate Members therefore unanimously **RESOLVED** to approve the motion (as set out below):

“This Council notes:

The important work carried out by the Private Housing Enforcement team:

- 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 additional 10-15 unannounced inspection raids.
- 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).

This despite the Council operating against a backdrop of prolonged austerity. We therefore also note:

- The average price paid for property in Brent in the last year stands at nearly half a million pounds. Thus 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.
- 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]
- 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.

This Council believes:

- 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.
- 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 contribute towards making renting a viable long-term alternative to home ownership or social rent for the millions who currently cannot access either.
- 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.

This Council resolves:

- To support the abolition of Section 21 no fault evictions.
- To intervene to suspend Section 21 notices when private rented homes fail physical inspection.

- 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."

## 12. Questions from the Opposition and other Non-Cabinet Members

Before moving on to consider the questions submitted by non-Cabinet members, the Mayor reminded Members that a total of 30 minutes had been set aside to deal with this item which would begin with consideration of the written questions submitted in advance of the meeting along with any supplementary question. Once these had been dealt with, the remaining time available would then be opened up for any other non-Cabinet members to question Cabinet Members (without the need for advance notice) on matters relating to their portfolio.

The Mayor advised that four written questions had been submitted in advance for response by the relevant Cabinet Member. The written responses supplied had been circulated with the Council agenda. The following supplementary questions were then received:

12.1 Cllr Stephens thanked Councillor Tatler (Lead Member for Regeneration, Highways & Planning) for the response which he had been encouraged to note included a commitment to the issue being raised as part of the consultation response on the Local Implementation Plan (LIP3). Given the concerns raised regarding the frequency of rail services being provided by the current transport provider from Sudbury and Harrow Road Station he asked the Lead Member if she would be willing to support continued lobbying (working with ward councillors and the Sudbury Town Residents Association), as part of the upcoming franchise renewal, in order to secure a more regular service from the station.

In response, Councillor Tatler advised that she fully supported the concerns raised regarding the current level of service available, given the attempts being made to encourage greater use of public transport and less reliance on cars and confirmed she would be willing to support ward councillors and the local Residents Association in raising this issue as part of the consultation process on the franchise review. In addition, Councillor Tatler advised that the matter had been raised at the Public Transport Forum held earlier in the day who also shared the concerns raised and would be seeking to take these forward.

12.2 Having thanked Councillor Tatler for her response, Councillor Hector asked the Lead Member if it would be possible for the Council to provide clearer information and guidance for local residents about how they could request or seek to influence/support decisions regarding the installation or removal of street furniture. As background in support of the question she highlighted the experience of local residents in her ward who were seeking the installation of bike hangers at various locations and also those who were seeking the removal of benches in the Hazel Road area due to associated problems of anti-social behaviour.



In response Councillor Tatler (Lead Member for Regeneration, Highways & Planning) advised that the Highways Team when considering the redesign of any street scene provision would include considerations around decluttering. Recent examples of improvements made following consultation with local residents and businesses, included changes made to the street scene on the High Street in Kingsbury. In terms of the supplementary question, Councillor Tatler advised she would be willing to undertake further discussions with ward councillors from Kensal Green on the changes being sought in their area and if necessary provide a more detailed written response once these had taken place.

12.3 As Councillor Colacicco had submitted her apologies for absence no supplementary question was asked in relation to her question on the promotion of sustainable construction methods and green technology in new homes.

12.4 Having noted the written response provided to his question, Councillor Colwill asked Councillor Tatler (Lead Member for Regeneration, Highways and Planning) if it would be possible to provide a clear date as to when the repairs to the damaged pavements and potholes would be undertaken.

In response, Councillor Tatler (Lead Member for Regeneration, Highways and Planning) advised that a programme of winter repair works had been developed and was now in the process of being delivered, details of which she would share with Councillor Colwill. In addition Councillor Tatler took the opportunity to report that the Council had also been successful in securing additional funding of £600k from the Government to support the programme of repairs, which there was a requirement to have implemented by March 2019.

The Mayor thanked Members for their supplementary questions and Cabinet Members for the responses provided and then advised that the remainder of time available would be used for an open question time session to the Leader and Cabinet. The following issues were raised and responses provided:

(i) Highlighting concerns regarding the impact on staff as a result of the Academisation process at Village School, Councillor Chan sought confirmation of the Cabinet's position in relation to opposing the policy on Academisation and support for teachers in their ongoing opposition to the process at Village School also highlighting concerns raised by the ESFA regarding the funding of the Woodfield -Village Multi Academy Trust.

In response, Councillor Agha (Lead Member for Schools, Employment and Skills) advised that as the decision on whether to seek Academy status was reserved for the Governing Body at each school he did not feel it was appropriate to intervene in the process at individual schools. He had, however, recently visited the Village school and met with the headteacher, which had resulted in a number of other issues being identified that he confirmed he had offered the Council's support in seeking to address.

(i) Councillor Kabir sought details on the contingency measures in place to ensure the continuation of social care for those adults whose care packages

were currently being delivered by Allied Healthcare, given ongoing concerns regarding the company's financial position.

In response, Councillor Farah (Lead Member for Adult Social Care) began by reassuring Members that the concerns raised had not related to the quality of care being provided by Allied Healthcare and were instead focussed on their overall financial sustainability. There were currently 94 individuals for whom Allied Healthcare were commissioned to provide care packages within Brent (84 through the Council, 4 self-funded and 6 funded through Brent Clinical Commissioning Group). Given the concerns regarding their ongoing financial viability, the Council would be implementing a robust contingency plan designed to ensure that should the company cease trading there would be a very low risk of any disruption to the ongoing provision of care.

- (ii) Councillor Nerva asked whether it would be possible for the Council to consider the potential introduction of a community toilet facility scheme along with free access to water fountains as part of plans to promote and support local high streets and businesses, highlighting examples of similar schemes operating in Camden, Lewisham and the City of London.

In responding to the question, Councillor Tatler (Lead Member for Regeneration, Highways & Planning) outlined the significant work being undertaken to reinvigorate and support Town Centres across the borough being led by the Town Centre Managers. Referring to the specific examples provided she advised that she would be willing to look at alternative schemes or initiatives that may support this process.

- (iii) Councillor Kelcher, highlighting a specific traffic management issues affecting residents in Kensal Green ward, asked whether it would be possible to apply an amnesty in relation to penalty charge notices issued for vehicles making a prohibited right turn from Harvest Road into Chamberlain Road, given problems experienced with illumination of the "No Right Turn" warning sign.

Whilst not able to provide any commitment in terms of an amnesty, Councillor Krupa Sheth (Lead Member for Environment) advised she would be willing to look at the specific issue highlighted in order to come back with a response.

- (iv) Highlighting the UKs legacy in accepting and offering safe passage for refugees including children, Councillor Hassan asked if the Council would consider supporting participation in the "It's our Turn" campaign being run by Safe Passage.

In response, Councillor Mili Patel (Lead Member for Children's Safeguarding, Early Help and Social Care) advised that the Council's approach would usually be to accept any child under 18 presenting themselves as a refugee. Having spoken at previous meetings on support available, she urged any Members to let her know about specific cases causing concern.

- (vi) Councillor Ethapemi asked if the Lead Member for Adult Social Care had been made aware of any proposals for the potential closure of up to four or five GP practices across the borough and, if so, whether this could be linked in any

way to the recent CQC inspection of the London North West University Healthcare NHS Trust.

In response, Councillor Farah (Lead Member for Adult Social Care) advised that the commissioning of GP practices would usually be a matter within the remit of Brent Clinical Commissioning Group (CCG). Whilst he had been made aware of proposals for the closure of one practice, the chair of Brent CCG had not highlighted any further planned closures. He therefore asked Councillor Ethapemi if he could provide details on which he would be willing to seek an update from the CCG.

- (vii) Councillor Kennelly, highlighting concerns regarding the limited publicity and consultation undertaken by Transport for London on planned alterations to the 223 bus service asked if the Council would be willing to support the local campaign against the planned changes.

Councillor Tatler (Lead Member for Regeneration, Highways and Planning) highlighting her discussions with TfL regarding various bus routes across the borough, advised that she would be willing to include these concerns as part of her ongoing dialogue. As part of more general discussions due to shortly be undertaken with TfL, she had already planned to highlight the wider concerns expressed regarding a lack of visible public consultation on changes to bus services so would also include the comments highlighted by Councillor Kennelly as a further example.

- (viii) Councillor Ketan Sheth referring to a recent Court of Appeal decision in relation to the location of ATMs and their impact on business rates asked if it would be possible for an update to be provided in relation to the potential financial effect on Brent.

In response, Councillor McLennan (Deputy Leader) advised that she would provide a detailed response on the potential impact of this ruling after the meeting as officers were currently in the process of considering the Council's position.

- (ix) Referring to the Brent Connects webpage, Councillor Long asked if it would be possible to ensure the content and minutes available from previous meetings were regularly updated as the current content was out of date.

In response, Councillor McLennan (Deputy Leader) advised that she would ensure these comments were referred back to the relevant officers for action.

- (x) Having advised of a further issue, Councillor Long then moved on to highlight problems being caused for residents in Willesden Green as a result of burst water mains in the area and asked if these issues could be raised on behalf of local residents direct with Thames Water.

In response, Councillor Tatler (Lead Member for Regeneration, Highways and Planning) advised that she would be willing to raise these issues as part of her planned programme of meetings with utilities companies and come back with a written response.

- (xi) Councillor Kennelly, referring to a recent community consultation event on proposals for development of the Preston Community Centre highlighted concerns raised by local residents at the lack of information that had subsequently been provided clarifying funding for the proposed scheme and the way in which concerns regarding congestion and pollution were planned to be addressed. Given the sensitivity of the proposed scheme he felt that a more proactive approach was required by the Council in addressing the issues raised and asked if an update could be provided on development of the proposals.

In response, Councillor Hirani (Lead Member for Public Health, Culture & Leisure) advised that the scheme was a joint regeneration project that would also impact on Preston Community Library. As part of a proactive consultation process with local residents an open day at been held at the Centre in order to seek views on the proposed development. The event had been well attended with feedback received on many aspects including parking and congestion. The feedback received was currently being reviewed in advance of a revised plan being issued and this was the current status of the development proposals with no progression made in terms of the formal planning process.

- (xii) Councillor Donnelly-Jackson sought an update on action being taken to review and address concerns regarding the safety and structure of shop frontages in the Willesden Green area.

As the matter raised cut across two different portfolios, the Mayor firstly invited Councillor Tatler (Lead Member for Regeneration, Highways and Planning) to respond who highlighted the current priority being given to shop frontages by Town Centre Managers including along Willesden High Road. This work was supported by Statutory Planning Guidance and where necessary Planning Enforcement action, as evidenced by recent activity in the Neasden area involving premises owners who were not properly maintaining the frontages of their shops.

Councillor Miller (Lead Member for Community Safety) was then invited to comment, who highlighted the recent visit he had undertaken with the Planning Enforcement Team to survey the frontages of shop premises along Willesden High Road in need of maintenance. The results were currently being reviewed by the Planning Enforcement Team to identify any follow up action required with the team willing to undertake similar reviews in other areas, if requested.

- (xiii) Councillor Choudhary took the opportunity to highlight a number of concerns relating to the state of repair of local roads and the traffic management plan for event days around Wembley Stadium, given the impact of increased traffic and congestion for local residents in the Wembley and Neasden area.

In response, Councillor Tatler (Lead Member for Regeneration, Highways & Planning) outlined how the Council's Highways Team were working with the Stadium's Safety Advisory Group in order to anticipate, review and manage traffic plans for Stadium events. She assured Members that whilst regarding the Stadium as an asset, the Council was committed to managing its impact in

relation to traffic flow, access and parking for local residents and would therefore ensure the concerns raised were fed through to the Advisory Group.

In terms of repairs to local roads, Councillor Tatler advised that she would be willing to review the locations raised if Councillor Choudhary was able to provide further details and also highlighted the additional funding secured by the Council towards a more proactive programme of winter maintenance work that was shortly due to commence.

- (xiv) Councillor Daly highlighting concerns regarding the disruption, pollution and noise being caused for local residents living adjacent to the current bus terminus on the No. 245 and 18 bus routes was keen to explore what action the Council might be able to take in order to encourage the Mayor for London to prioritise the upgrade of vehicles on these routes for diesel to electric as soon as possible.

In response, Councillor Tatler (Lead Member for Regeneration, Highways and Planning) advised of the work being undertaken through the Public Transport Forum to review bus services across the borough, In terms of the specific concerns raised she advised these would be fed back to TfL in order to see what action could be taken to prioritise any change in the fleet operating on these routes and at the locations identified and would come back to advise of any response once received.

At this stage in proceedings the Mayor advised that the time available for the open session had now expired and ended by thanking all Members for their contributions.

### **13. Report from Chairs of Scrutiny Committees**

Before being presented with the updates from each Scrutiny Chair, the Mayor reminded Members that the time set aside for this item was now 20 minutes, with each Chair having up to three minutes in which to highlight any significant issues arising from the work of their Committees on which they would like the relevant Cabinet Member to respond. Once these updates had been provided, the remaining time available would then be opened up for any other non-Cabinet members to question (without the need for advance notice) the Scrutiny Chairs on matters relating to the work of their Committees.

The following updates were provided by each of the Scrutiny Chairs:

#### **13.1 Community & Wellbeing Scrutiny Committee**

Councillor Ketan Sheth introduced the report from his Committee, with the following issues identified for response by the relevant Lead Members:

- a. Given the recent review undertaken by the Committee in relation to the Annual Reports from the Safeguarding Adults and Safeguarding Children Boards further details were requested on the impact of the legislative changes being introduced to the future structure of safeguarding arrangements for children in terms of:
  - what improvements the new system had been designed to deliver;

- the role of the current independent chair under the new arrangements and any change in funding formula; and
- how the new arrangements had been designed to mitigate the negative impact of poverty on children and their families.

Councillor Mili Patel (responding as Lead Member for Children's Safeguarding, Early Help and Social Care) advised that she would provide a detailed written response on the first two bullet points raised. In relation to poverty, she highlighted the complex and varied nature of the issues needing to be addressed and additional impact likely to be caused by the roll out of Universal Credit. The Council was, however, continually looking to review provision and support available in order to mitigate the issues in relation to children as far as possible.

- b. Moving on to then focus on Adult Safeguarding arrangements, details were sought on how effective the arrangements for monitoring the quality of care providers were felt to be.

In response, Councillor Farah (Lead Member for Adult Social Care) assured the Chair that he was confident with the current quality of monitoring being undertaken, which was led through an independent review process involving the Care Quality Commission.

### **13.2 Housing Scrutiny Committee**

Councillor Long introduced the report from her Committee, and began by highlighting that amongst the items to be considered at their next meeting, the Committee would be reviewing:

- the proposed change to the Housing Allocation Policy, currently on consultation involving provision for residents in Temporary Accommodation within Regeneration Areas;
- the impact of changes to administration of the Selective Landlord Licensing fee.

The following were then raised as issues for response by the relevant Lead Member in relation to the work of the Committee:

- a. reassurance was sought that as part of the award of the interim contract for provision of tenancy advice there would be a requirement for the new provider to ensure the necessary equipment was available to support the gathering of evidence for use in legal proceedings.

Councillor Southwood (responding as Lead Member for Housing and Welfare Reform) advised Members that as part of the change in contract provision she would ensure the opportunity was taken to review the quality of support available, including the type of facilities to support any evidence gathering process. Councillor Southwood also took the opportunity to assure Members that the change in arrangements for administration of the selective landlord licensing fee whilst affecting cash flow would have no impact on the overall level of income available to support ongoing enforcement activity.

- b. Whilst the Committee was due, at their next meeting, to receive an update on the response to their review on fire safety in low rise properties the Chair advised that she had been disappointed with the focus to date on only Council housing stock. Clarification was also sought on proposals she understood were now being developed for a programme of fire sprinkler installations in Council high rise blocks, which had not been referred to in the update provided for the Committee.

In response, Councillor Southwood (Lead Member for Housing & Welfare Reform) advised that reference to the programme for installation of fire sprinkler systems had not been included in the latest update provided for the Committee, given their focus on low rise properties. In terms of the sprinkler installation programme, she confirmed this had been included as part of the £10m package of Capital funding pledged for refurbishment works to high rise blocks across the borough. She advised that further details on the programme and timescales could be provided in writing for all members of the Committee.

### 13.3 Resources and Public Realm Scrutiny Committee

Councillor Kelcher (as Chair of the Scrutiny Committee) introduced the report from his Committee with the following issues identified for response by the relevant Lead Members.

Referring to the start of the budget scrutiny process, Councillor Kelcher highlighted the progress made to date by the Scrutiny Task Group established to undertake the review. The Task Group's initial report was due to be presented to the Resources and Public Realm Committee in January 19 prior to being finalised for consideration as part of the final budget setting process in February. In terms of issues identified to date through the review process, the following items were raised for response by the relevant Lead Member:

- Having recognised that the budget consultation proposals included a number of policy driven as well as cost reduction proposals feedback was sought on the suggestion made that these proposals be more clearly categorised to assist understanding around the options being presented for consultation.

Responding to the issue raised, Councillor McLennan (Deputy Leader) advised that she also recognised the benefits of the suggestion and would be willing to consider the proposal as part of the development of the consultation process. At the same time, she felt it important to recognise the improvements made to the consultation process and communication with local residents on the budget involving a range of different approaches and events.

- Moving on to refer in more detail to the budget consultation proposals, Councillor Kelcher then highlighted the overall level of savings required (totalling £20m). Whilst savings proposals of £26m had been identified within the budget consultation document £6m of these had been included in the list of those with the "most severe" impact and he therefore queried the scope for genuine consultation on these proposals.

In response, Councillor McLennan (Deputy Leader) advised that care was being taken not to prejudge the outcome of what she felt to be a genuine consultation process. As an example, she pointed out that comments had been received in support of proposals with the most severe impacts and against those identified with less impact, with no final decisions having been made on final options pending the outcome of the consultation process.

The Mayor thanked each of the Scrutiny Chairs for their updates and it was **RESOLVED** that the content of each of their reports be noted.

Following the updates provided, the Mayor advised that the remainder of time available would be open for questions from non-cabinet members to the Scrutiny Chairs. In opening this item, the Mayor reminded Members of the guidance recently issued and of the need to ensure that questions raised were focussed on the updates provided or work being undertaken by each Committee.

As a result of the update provided in relation to the review of the budget being undertaken by the Budget Scrutiny Task Group the following questions were raised and responses provided:

- (i) Councillor Ethapemi highlighted concerns regarding the funding and programme of street cleansing activities, which he felt also required review.

Whilst responsibility for the provision and funding of street cleansing services were matters that fell within the remit of the relevant Lead Member, Councillor Kelcher advised that the Resources & Public Realm Scrutiny Committee had regularly been involved in reviewing environmental issues including street cleansing with, as an example, their next meeting due to consider how environmental issues were tackled on private sector and non-council owned land. The next session of the Scrutiny Budget Task Group had also been set aside to focus on environmental proposals so he would ensure the concerns highlighted were fed through as part of this process.

- (ii) Referring to the recent announcement by the Government of additional funding being made available for Adult Social Care, Councillor Choudhary sought details (linked to the budget consultation process) on how it was proposed the proportion of funding allocated to Brent would be used to support Adult Social Care provision.

Referring to the guidance provided by the Mayor at the start of the open question session, Councillor Ketan Sheth advised that as this was a matter that fell within the Executive's remit it would be an issue on which the Lead Member would need to respond. As a general principle he reminded members that each Committee had their own scrutiny work programme and if members had items they would like to recommend for review he would welcome them attending any meeting to discuss.

- (iii) Highlighting the extent of work being undertaken by each Scrutiny Committee and the budget proposal to reduce the number of Committee's by one, Councillor Nerva highlighted what he felt to be the importance of ensuring all Members were involved in discussions on the future structure and effective operation of the scrutiny function from 2019/20 onwards.



In response, Councillor Long highlighted what she felt was a need to consider how scrutiny was currently operating within Brent as part of the review of any proposed change, with Councillor Kelcher also supporting the need for full member engagement in the development of any final proposal.

- (iv) As a final issue, Councillor Chan highlighted what he felt was a need to ensure, as an outcome of the budget consultation process, that detailed equality impact assessments were provided for all savings proposals being considered.

In response, Councillor Kelcher advised that he understood these were being provided as part of the ongoing consultation process.

As no further questions were raised, the Mayor advised he would move on to the next item and thanked all Members for their contributions.

#### 14. **Report from the Vice-Chair of the Audit and Standards Advisory Committee**

The Mayor invited Councillor Choudry (as Vice-Chair of the Audit & Standards Advisory Committee) to introduce his report updating members on the work of the Audit & Standards Advisory Committee.

As part of the report, Councillor Choudry updated Members on the successful outcome of two recent counter fraud cases.

Whilst pointing out that it was not unusual for organisations as large and complex as the Council to experience various types of fraud and not being complacent, he was keen to once again reassure Members about the robust nature of the Council's anti-fraud and corruption strategy and work being undertaken by the Internal Audit function to combat fraud and ensure the necessary controls were in place, which he advised he would also continue to work closely with the Chief Finance Officer in supporting.

As a final issue, Councillor Choudry highlighted the ongoing efforts being made to recruit to recent vacancies in the Internal Audit staffing structure, which he was confident would be resolved shortly.

The Mayor thanked Councillor Choudry for his update and it was **RESOLVED** that the content of the report be noted.

#### 15. **Changes to the Constitution**

Councillor Margaret McLennan (as Deputy Leader) introduced the report from the Director of Legal and HR Services which she advised proposed a number of changes to the Constitution.

As no other members indicated they wanted to speak on the report, the Mayor put the recommendations to the vote by a show of hands and they were declared **CARRIED**.

It was therefore **RESOLVED**:

- (1) To approve the following changes to the Constitution as set out in the report and appendices, with the changes in relation to the procedure for dealing with Motions becoming effective with immediate effect:
  - (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).
- (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;
- (3) To note, to the extent that the changes relate to executive functions of the Council, they have been approved by the Leader.

16. **Statement of Gambling Principles 2019-2022**

Councillor Tom Miller (Cabinet Member for Stronger Communities) introduced the report from the Strategic Director of Regeneration and Environment seeking approval of the revised Statement of Gambling Principles 2019-2022 following its consideration and referral by Cabinet on 12 November 18.

Introducing the report, he highlighted that the Statement was intended to set out the Council’s (as Licensing Authority) policy for dealing with applications and regulating gambling premises within the Borough. As required under the Gambling Act 2005 the Statement had been subject to a three year review, with the outcome of the consultation process detailed within Appendix 2 of the report. Whilst comments received from representatives of the gambling industry as part of the consultation had been critical of the reference within the Executive Summary to the potential harm and costs associated with gambling, he felt these had been justified in terms of the restrictions on the Council being able to set its own policy. The comments, he felt, had provided a wider context to the Council’s policy whilst still adhering to the regulations and Gambling Commission’s Guidance.

Councillor Miller felt that Council’s needed to be given more flexibility in setting their policy around the licensing and regulation of gambling premises, especially where there were concerns relating to anti-social behaviour, minors or public health but advised he was supportive of the Government’s recent U-turn in respect of the policy on fixed odd betting terminals.

Subject to members approving the revised Statement, he advised the Statement would then be published for a final four week period of public inspection.

The Mayor then invited opened up the debate for other members to speak on the report.

Councillor Kelcher, whilst not opposed to the approach outlined, felt there was also a need to consider the disparity in the way gambling on the high street was treated when compared to premises, for example, selling alcohol when problems were experienced. Whilst the policy was focussed around gambling operators on the high street he felt there were similar, if not more, issues needing to be tackled from a public health perspective in relation to advertising and online gambling.

Councillor Choudhary, whilst also supportive of the revised Statement, highlighted the need to ensure consistent enforcement of the policy in relation to the three objectives of the Gambling Act 2005, as detailed within section 3.7 of the report.

As a final comment, Councillor Nerva felt it would be helpful if the Council had the power to seek financial contributions, in a similar way to the operation of s106 agreements within planning, from gambling operators seeking a licence as a contribution towards related public health work and felt lobbying of the Government would be required to ensure the necessary legislative changes were made.

As no other Members indicated they wished to speak, the Mayor then invited Councillor Miller to sum up and close the debate. Thanking Members for their contributions he began by highlighting a need to recognise the clear distinction between Licensing and Planning powers. Whilst these did not currently include the ability for Licensing Authorities to levy a surcharge in relation to gambling applications this was something he felt the Government should consider enabling Councils to utilise as an option, if required. Referring to enforcement, he highlighted the more extensive powers available in relation to regulating the sale of alcohol on which he advised members a further policy review was also planned. In terms of the focus relating to on-line gambling he highlighted the difficulties in individual Licensing Authorities being able to regulate on-line provision compared to local high street gambling operators where problems relating to anti-social behaviour, street drinking and minors were more readily identifiable. Nevertheless he recognised the important role the Council had in relation to public health and in tackling issues related to the risk of gambling related harm, which was a key issue the revised Statement had been designed to address and on which further discussions around wider preventative action would continue within Cabinet.

The Mayor then put the recommendations to the vote by a show of hands and they were unanimously **CARRIED**.

It was therefore **RESOLVED** to approve the revised Statement of Gambling Principles 2019-2022 as detailed within Appendix 1 of the report.

## 17. **Implications of Brexit**

Councillor McLennan (Deputy Leader) introduced the report from the Director of Performance, Policy and Partnerships which she advised provided an overview of the implications arising from the UK's departure from the European Union (EU) assessed at both a national and borough wide level. Whilst the report had provided a detailed assessment of the impact arising from the current position it was recognised that there were still many uncertainties regarding the final deal and its associated impact. These would continue to be kept under review, with Councillor McLennan taking the opportunity to highlight that despite the uncertainty Brent still remained open for business and welcoming to all communities.

The Mayor then opened up the debate for other members to speak on the report, with Councillor Choudhary referring to the potential impact identified on Council services should significant numbers of European residents currently residing in the Borough decide to leave.

Councillor Kelcher, highlighting his support for a People's Vote, felt it was important to recognise the clear impact it was now possible to identify in relation to the economic implications arising from Brexit and on future generations in terms of seeking an end to austerity. Given there appeared to be no political consensus on the way forward in terms of the current deal and way in which the campaign on the original Referendum had been conducted (both in terms of information provide and funding) he felt it was now acceptable to seek a second vote particularly given the impact of the final decision on future generations to come.

Also speaking in support of a People's Vote, Councillor Shahzad highlighted what he felt to be the significant economic difficulties arising from Brexit both national and more locally on businesses and in the ongoing attempts to tackle poverty across the borough. The views expressed by Councillors Kelcher and Shahzad were also supported by Councillor Ethapemi who, highlighting the lack of support from all sides for the current deal, misinformation provided as part of the original campaign and non-static nature of democracy felt the logical position would be to seek another vote on the final deal including the option to remain.

In terms of a People's Vote, Councillor Kansagra felt it was important to recognise that the decision to leave the EU had been taken with it now being a matter for Parliament to agree on the terms of any final deal. Whilst there was a need to prepare for a range of options he was of the view that Brexit would end up having relatively little impact on EU citizens currently being able to remain in the UK and on employment.

Councillor Perrin felt there was a need for a fundamental review of the way the EU operated and was of the opinion that a change of Government was needed rather than a People's Vote in order to seek a better deal that would enable the required changes to be made to both the current Brexit deal and EU in general.

As a final contribution, Councillor Maurice felt that the Government had looked to secure the best deal possible that would honour the results of the Referendum whilst securing the rights of EU citizens already residing in the UK. As with the Deputy Leader he was keen to ensure Brent was seen as being open for business to all. At the same time he felt there was a need to recognise the original basis on which the UK had joined the EU as a means of accessing the common market and not as part of a United States of Europe. He also supported the need for change in terms of the way the EU currently operated but whilst recognising the uncertainties he felt that the future economic predications were not as clear as those opposing Brexit believed. On this basis he also opposed the principle of a People's Vote, regarding such a move as undemocratic given the outcome of the original Referendum.

As no other Members indicated they wished to speak, the Mayor then invited Councillor McLennan to sum up and close the debate. Thanking members for their contributions, Councillor McLennan advised she was keen to encourage all views to

be heard as part of the debate and assured members that the Council would continue to monitor and assess the impact of any final deal as preparation for the UK leaving the EU were progressed.

As an outcome of the debate it was then **RESOLVED** to formally note the content of the report.

## 18. **Motions**

### **18.1 Motion from the Labour Group – People’s Vote**

The Mayor invited Councillor Nerva to move the motion he had submitted on behalf of the Labour Group who began by highlighting, in respect of the 22% of residents currently living in Brent that were EU citizens, how they were regarded by the Council as community makers and not “queue jumpers”. Having reminded members of the background to the original Referendum he felt the biggest challenge remained tackling austerity which Brexit would only make worse. Given that Brent had voted to remain at the original Referendum and that recent research had demonstrated the extent to which a majority of individuals were expected to be worse off financial as a result of Brexit he felt there was a need to demonstrate true leadership in the form of support for a People’s Vote, including remain as an option in order to allow reform from within.

Before moving on to open up the debate, the Mayor reminded Members of the procedure now in operation for Motions as a result of the changes agreed earlier to Standing Orders. A total of 30 minutes was now set aside for dealing with Motions, based on a total of 10 minutes being allocated for debate on each of the three motions received. Within this time, once each Motion had been moved the debate would be opened up for any other Members to speak for which they would each have up to 2 minutes prior to any right of reply. The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Daly, in seconding the motion, made reference to a quote from Tony Blair in 1998 relating to signing of the Good Friday Agreement and to the significance of the peace delivered as a result, which she felt was now at risk as a result of Brexit. Given the greater understanding around the impact of Brexit not only economically, but also in terms of the Union, local communities and on relationships with neighbouring countries she felt people deserved to be given an opportunity to pause and to think again and was therefore supportive of the motion and call for a People’s Vote.

In terms of other contributions, Councillor Naheerathan highlighted a need to consider the impact of the current process on the rights of those EU citizens currently living in the UK whilst Councillor Colwill felt it important to recognise that the overall majority of those who had voted in the Referendum had chosen to leave with the result needing to be honoured.

In view of the remaining time available, the Mayor then invited Councillor Nerva to exercise his right of reply who thanked Members for their contributions and responded by highlighting what he felt had been the cry for help from many communities seeking relief from the impact of austerity, which the vote for Brexit had represented. Given the implications of Brexit were now much clearer than they

had been at the time of the original Referendum he felt people deserved the chance to reconsider the position and therefore commended the motion for approval.

The Mayor then put the motion (as set out below) to a vote, by show of hands, which was declared **CARRIED**:

“This Council notes:

- 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.

This Council believes:

- 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.
- 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.

With this in mind, this Council resolves to:

- 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.”

## **18.2 Motion from the Conservative Group – Pavement Repairs**

The Mayor invited Councillor Colwill to move the motion, submitted on behalf of the Conservative Group, who highlighted what he felt was a duty of care to local residents in terms of addressing the poor quality of repair of many pavements across the borough. As an action arising from the motion he advised Members he was seeking greater transparency in terms of the pavement repair programme and timescales.

The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Long highlighted support for the programme of tarmac rather than block paving being rolled out in parts of the borough.

Councillors Naheerathan and Mitchell Murray, whilst also raising concerns regarding the quality of repair of pavements in their wards advised they could not support the motion in principle given the pressure on funds available as a result of Government funding reductions and the practicality of producing a detailed timetable for the scheduling of all repairs.

Councillor Miller, opposing the motion, advised he was concerned that no indication had been included of costs associated with the proposal which he felt needed to be provided as part of any amendment or change in Council policy being sought.

Councillor Maurice advised that he would be supporting the motion, given what he felt to be the dangerous state of repair of many roads and pavements in the borough and potential implications should any serious injury or death be caused as a result.

Councillor Chan advised that whilst supportive of repairs being undertaken to damaged pavements he was concerned at the priority given to this issue by the Conservative Group when compared to the financial pressures being faced by many other local services such as police, fire and schools as a result of the Governments ongoing programme of austerity.

As no other members indicated they wished to speak, the Mayor then invited Councillor Colwill to exercise his right of reply. In summing up, Councillor Colwill felt sufficient funds were available to complete a programme of repair but felt this needed to be matched by a will to do so in terms of the Council's duty of care for its residents.

Prior to the Mayor then putting the motion to a vote, Councillor Colwill (in accordance with Standing Order 43 (c) and as Leader of the Conservative Group) requested a recorded vote. Having confirmed the request, the Chief Executive therefore undertook a recorded vote and on this being completed the motion (as set out below) was declared **LOST**.

“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.

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.”

Voting on the above Motion was recorded as follows:

**For the Motion** (3)

Councillors Colwill, Kansagra and Maurice

**Against the Motion** (45)

Councillors Abdirazak, Aden, Agha, S.Butt, Chan, Chappell, Chohan, S.Choudhary, A.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, Thakkar.

**Abstentions to the Amendment** (2)

Councillors Johnson and Mitchell Murray.

**18.3 Motion from the Labour Group – Breaking Point**

The Mayor then invited Councillor Patterson to move the second motion submitted on behalf of the Labour Group who began by highlighting what he felt to be the huge damage being caused to local services and Council budgets as a result of the Government’s programme of austerity. As a result of the significant reductions in Government funding, he pointed out that many Councils were now at breaking point with some of the most severe impact being experienced by the most vulnerable members of society – children at risk, disabled adults and the elderly. In terms of Brent, Government funding reductions had meant the Council had £177m less to invest in essential services with its schools having lost out on more than £6k per pupil in funding over the last decade, which equated to the loss of an entire academic year’s funding. With Council’s now faced by a further funding gap of £7.8b nationally by 2025 just to keep services standing still and meet additional demand he urged Members to support the motion seeking an end to austerity and in support of the “Breaking Point” campaign.

The Mayor then invited other Members to speak on the motion, with the following contributions received.

Councillor Chan in seconding the motion felt it was important to recognise the severity of the impact being created by austerity on education and schools highlighting the projected loss nationally of approx. £2.8b worth of funding in real terms in relation to education and schools budgets. Although the Government had recently announced an additional £500m funding for schools he felt that in real



terms this would have minimal impact on the difficulties being experienced by teachers, governors, parents and students in maintaining the level of services and support required. Given the background and damage being caused by the Government's programme of austerity he also urged all members to support the motion.

At this stage in proceedings, the Mayor advised that as the remaining time available for the meeting was shortly due to expire he would be moving the suspension of Standing Order 44 (Council Guillotine Procedure) in order to extend the time of the meeting by 2 minutes and enable the debate on the Motion to be concluded. In accordance with Standing Order 42 (d) the procedural motion was put to the vote without further discussion and **AGREED**.

As a final contribution to the debate Councillor Kansagra was then invited to speak by the Mayor, who felt it important to highlight the increased levels of funding being provided by the Government on education and impact this was having in raising standards and levels of attainment. From his perspective the issue needing to be addressed related to the decisions being made about how the funding available was being prioritised and allocated rather than the levels being received. For these reasons he advised the Conservative Group would not be supporting the motion.

The Mayor then invited Councillor Patterson to close the debate. As Councillor Patterson advised he had no further comments to make in exercising his right of reply the Mayor then put the motion (as set out below) to a vote, by show of hands, which was declared **CARRIED**:

“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.

- 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;
- 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'.

This Council condemns Chief Secretary to the Treasury Liz Truss MP for stating on BBC Newsnight on 1<sup>st</sup> 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.

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:

- 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.

This Council resolves to:

- Support the ‘Breaking Point’ campaign, recognising the devastating impact that austerity has had on our local community.
- 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.”

## 19. **Urgent Business**

The Mayor advised Members there were no urgent items of business for consideration. Before closing the meeting he took the opportunity (as the final Full Council meeting before the Christmas holiday period) to wish all Members a Merry Christmas and Happy New Year.

The meeting was declared closed at 9:02pm

The meeting closed at 9:02pm

COUNCILLOR ARSHAD MAHMOOD  
Mayor