



Brent

SUMMONS TO ATTEND THE ANNUAL COUNCIL MEETING

Thursday 29 April 2021 at 2.00 pm

This will be held as a virtual online meeting

The link to view this meeting via the live webcast is available [HERE](#)

Please note the earlier start time for the meeting.

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the ANNUAL MEETING OF THE COUNCIL of this Borough.

A handwritten signature in black ink, appearing to read 'Carolyn Downs'.

CAROLYN DOWNS
Chief Executive

Dated: Wednesday 21 April 2021 & republished on Thursday 29 April 2021

For further information contact: James Kinsella, Governance Manager
Tel: 020 8937 2063; Email: james.kinsella@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
democracy.brent.gov.uk

The press and public are welcome to attend this as an online virtual meeting. The link to view the meeting live is available [HERE](#)

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above

Agenda

1 Apologies for Absence

To receive any apologies for absence notified by Members.

2 To elect the Mayor of the Borough for the Municipal Year 2021/2022

For the Council to elect a Mayor for the 2021/2022 Municipal Year, in accordance with Standing Order 27(a).

3 To appoint a Councillor of the Borough to be Deputy Mayor

An intimation will be received from the Mayor regarding the appointment of a Councillor of the Borough to be Deputy Mayor, in accordance with Standing Order 27(b).

4 Vote of thanks to the outgoing Mayor

To invite a vote of thanks to the outgoing Mayor, in accordance with Standing Order 27(c).

5 Declarations of Interest

In accordance with the Members' Code of Conduct and Standing Order 27(e), Members are invited to declare, at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in relation to any matter to be considered at the meeting.

6 Minutes of the Previous Meeting

1 - 26

To confirm as a correct record, the minutes of the previous meeting of the Council held on Monday 22 February 2021.

7 Mayor's Announcements

To receive any announcements from the Mayor.

8 Constitution Changes & Pay Policy Statement

27 - 66

To receive, in accordance with Standing Order 27(g), a report from the Director of Legal, HR, Audit & Investigations outlining changes identified to the Constitution following its annual review alongside amendments to the Council's Pay Policy Statement 2021-22 following withdrawal of the Regulations concerning public sector employee exit payments.

Ward Affected:
All Wards

Contact Officer: Debra Norman, Director of
Legal, HR, Audit & Investigations
Tel: 020 8937 1578
Email: debra.norman@brent.gov.uk

9 Representation of Political Groups on Committees

67 - 74

To receive a report from the Chief Executive asking Members to review and determine, under Section 15 of the Local Government and Housing Act 1989, the allocation of seats on Council committees and other relevant bodies, in accordance with Standing Order 27(h).

Ward Affected:
All Wards

Contact Officer: Katie Smith, Head of Executive
& Member Services
Tel: 020 8937 1399
Email: katie.smith@brent.gov.uk

10 Appointment to Committees and Outside Bodies & Appointment of Chairs & Vice-Chairs

75 - 96

To receive a report from the Chief Executive seeking Council's approval to the appointment of Chairs and Vice-Chairs, membership and substitute members of Council committees and Joint Committees and other relevant bodies, forums and panels, in accordance with Standing Order 27(i).

Members are asked to note that the full lists of appointments have now been attached as part of the republished agenda on 29 April 2021.

Appointments that are not constitutionally made by Full Council (including the notification of appointment(s) of the Deputy Leader and to Cabinet and any Cabinet Committees) will also be circulated prior to the meeting, for Members to note.

Ward Affected:
All Wards

Contact Officer: Katie Smith, Head of Executive
& Member Services
Tel: 020 8937 1399
Email: katie.smith@brent.gov.uk

11 Calendar of Council Meetings for the 2021/2022 Municipal Year

97 - 114

To receive a report from the Chief Executive seeking approval to the final calendar of Council meetings to take place following the Annual Council meeting for 2021/2022 municipal year, in accordance with Standing Order 27(j & k).

Ward Affected:
All Wards

Contact Officer: Katie Smith, Head of Executive
& Member Services

Tel: 020 8937 1399
Email: katie.smith@brent.gov.uk

12 Urgent Business

At the discretion of the Mayor to consider any urgent business, in accordance with Standing Order 27 (m).

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LONDON BOROUGH OF BRENT

Minutes of the ORDINARY MEETING OF THE COUNCIL
held as an online meeting on Monday 22 February 2021 at 4.00 pm

PRESENT (in remote attendance):

The Worshipful the Mayor
Councillor Ernest Ezeajughi

The Deputy Mayor
Councillor Lia Colacicco

COUNCILLORS:

Abdi	Afzal
Agha	Ahmed
Akram	M Butt
S Butt	Chan
Chappell	Chohan
S Choudhary	A Choudry
Colwill	Crane
Daly	Dar
Denselow	Dixon
Donnelly-Jackson	Ethapemi
Farah	Gbajumo
Georgiou	Gill
Hassan	Hector
Hirani	Hylton
Johnson	Kabir
Kansagra	Kelcher
Kennelly	Knight
Lloyd	Lo
Long	Mahmood
Mashari	Maurice
McLennan	Miller
Murray	Mitchell-Murray
Naheerathan	Nerva
M Patel	RS Patel
Perrin	Sangani
Shah	Shahzad
Ketan Sheth	Krupa Sheth
Southwood	Stephens
Tatler	Thakkar

1. **Welcoming Statement**

Prior to formally opening the meeting, the Mayor took the opportunity to welcome everyone and invited Carolyn Downs, as Chief Executive, to run through the guidance issued in relation to conduct of the online meeting. Having noted the guidance, the Mayor then moved on to the formal agenda for the meeting.

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. Given the recommendation in the budget report on the establishment of a Council Tax Setting Committee, he intended to move the order of items so that the Appointments to Committees and Other Bodies followed on from Agenda Item 6 (Budget & Council Tax 2021-2022).

It was therefore **RESOLVED** that:

- (1) The business to be considered at the meeting be re-arranged in the following order:
 - Agenda Item 7 – Appointment to Committees and Other Bodies
- (2) The remaining items of business to follow in the same order as listed in the agenda.

3. **Procedural Motion - Conduct of Business**

The Mayor advised that as this meeting had been designated as the Council's formal budget and Council Tax setting meeting he would be inviting Councillor Kabir (as the Majority Group Chief Whip) to move a procedural motion, in accordance with Standing Orders, relating to the conduct of the debate on the budget report.

RESOLVED that the following procedural motion be agreed:

- (1) That the Leader of the Council be permitted to speak for up to 15 minutes in presenting the report to the meeting and setting out the Cabinet's proposals for the budget, after which, the following arrangements be agreed for the purpose of debating and voting upon the Budget and Council Tax:
 - (a) The Leader of the Conservative Group (or their nominated representative) be permitted to speak for up to 15 minutes;
 - (b) The Deputy Leader and Cabinet Member for Resources of the Council be permitted to speak for up to 10 minutes;
 - (c) The Chair of the Resources and Public Realm Scrutiny Committee be permitted to speak for up to 10 minutes;
 - (d) A general debate follow, during which the usual rules for debate will apply as set out in Standing Orders (save as set out in this procedural motion);

- (2) At the end of the general debate, the Leader of the Council be permitted to speak for up to 5 minutes to submit his closing remarks;
- (3) Following the close of the debate, voting on each Group's budget proposals shall be taken *en bloc*.

4. **Apologies for Absence**

The Mayor advised that apologies for absence had been received from Councillors Aden and Conneely.

5. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on 23 November 2020 be approved as a correct record.

6. **Declarations of Interest**

It was noted that Councillor Hirani had a personal (non-pecuniary) interest in relation to Item 6 (Budget & Council Tax 2021-2022) as he had recently been appointed as Chair of the Metroland Cultures Trust.

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

The Mayor made the following announcements:

(i) Barnhill By-Election Result

The Mayor began by informing members that the election petition issued on 4 February 2020, which had sought to challenge the result of the by-election held on 23 January 2020 in the Barnhill ward, had been dismissed by the High Court on 19 February 2021.

He explained that as a result of the High Court ruling, Mansoor Akram and Gaynor Lloyd had been confirmed as being duly elected and correctly returned as councillors of Barnhill ward. Members were advised that in reaching their judgement the High Court had ordered the petitioners to pay the legal costs of the respondents, namely the Returning Officer and the duly elected candidates, in the total sum of £68,000.

Following a request to speak from Councillor Kansagra, the Mayor ruled that he would not be willing to accept any further comments on this matter as part of his announcements.

(ii) Queen's New Year's Honours List 2021

Moving on, the Mayor advised it was his pleasure to be able to announce that the following Brent residents and staff had received awards as part of the Queen's New Year's Honours List:

- Lisa Knight - MBE for services to nursing during the pandemic.

- Martine Clark (former Executive Head Teacher of Byron Court Primary School) - MBE for services to education.
- Sasi Srinivasan (Early Years Manager at Brent Council) – MBE for services to education.
- Sanjay Kara (Trustee at BAPS Shri Swaminarayan Mandir) - British Empire Award for his voluntary work at the temple.
- Sandra St Louis-Kandapah - British Empire Award for services to diversity, inclusion and charity work.

Members congratulated all those who had been honoured for their awards.

(iii) 100th Birthday Celebrations

The Mayor then took the opportunity to pass on belated congratulations to two Brent residents who had recently celebrated their 100th birthdays - Keith Routley, who had served in World War Two and Norman Mitchell MBE, who was the founder of the West Indian Citizens Organisation.

With the permission of the Mayor, Councillor Kansagra also took the opportunity to congratulate a further resident Santokben Patel who had also recently celebrated their 100th birthday.

(iv) Holocaust and Genocide Memorial Day 2021

The Mayor advised he had been honoured to attend an online event commemorating the Holocaust and Genocide Memorial Day, the theme of which had been “Be the Light in the Darkness”. He urged everyone when remembering the victims to consider how they could stand against hate and discrimination today and “be the light in the darkness”. Thanks were extended to all those involved in organising the event.

(v) Former Councillor Lawrie Nerva

The Mayor announced it was with much sadness he had to announce that former Councillor Lawrie Nerva had recently passed away. Members were reminded that Lawrie had served as a councillor in Brent in the 1970’s and 80’s and had also helped to found the Brent Council for Community Relations. He had also received a Merit Award from the Labour Party in 2012 for over 50 years of campaigning with his autobiography, ‘A Campaigning Life’ also having been published earlier in the year.

The Mayor advised he was pleased to see Lawrie’s son, Councillor Neil Nerva, continuing his father’s legacy of public service as a member of the Council and in his role as Cabinet Member for Public Health, Culture and Leisure.

The Mayor then invited attendees to observe a minute’s silence in memory of Lawrie.

The online meeting was then paused to observe a minute’s silence.

(vi) NHS Vaccination Centre

The Mayor advised he was pleased to be able to report the opening of the large-scale NHS Covid vaccination site in Wembley, which had delivered its first jabs to residents on 18 January 2021. It was pride that he drew members attention to the support provided for the NHS by the Council, local businesses, the local community and Network Homes in establishing the site, which was seen by all members as a positive step forward in tackling the pandemic.

The Mayor encouraged all residents to take up the offer of a vaccination when they were called upon as it would protect them, their friends, work colleagues, family and the wider community from the effects of Covid-19. He then thanked all staff within Brent for their hard work during the pandemic, especially those who had needed to adapt to temporary roles or been working on the front line in order to deliver the Council's response.

(vii) Petitions

The Mayor ended his announcements by drawing 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.

8. Budget and Council Tax 2021/22

The Council received a report from the Director of Finance setting out the Council's budget proposals for 2021/22. Included within the report were the results of the budget consultation, scrutiny and equalities processes along with a summary of the overall financial position, risks, issues and uncertainties facing the Council over the medium term.

In accordance with the procedural motion agreed at the start of the meeting, the Mayor invited Councillor M Butt, Leader of the Council, to introduce the report.

Councillor M Butt began by outlining how he intended to structure his introduction across three interconnected themes - the impact of the pandemic, the prudent approach towards managing the budget and mitigating the challenges created as a result of the pandemic and lastly the plans being delivered to shape the borough as a place of empathy, opportunity and prosperity ensuring everyone had the opportunity to succeed. Beginning with the impact of the pandemic he highlighted the personal cost and expressed his sadness for those who had lost family and loved ones over the last year. The pandemic, he felt, had also served to highlight wider inequalities which successive Government's had failed to address not only in terms of levels of poverty, deprivation and opportunity but also in relation to race and culture. Whilst proud of the boroughs diversity, the pandemic had provided a reminder of the difference in life chances experienced specifically amongst the Black and also other Minority Ethnic communities. As a result, he pointed out, the Council had developed the Black Community Action Plan, which had been designed to address the concerns highlighted through active interventions designed, built and delivered by the community. It was intended these interventions would be enabled and embraced by the Council, with a public commitment to enshrining and investing in them over the long-term having recognised the need to focus on putting things right.

This was also the approach being developed in relation to tackling the climate emergency, with Councillor M Butt highlighting various initiatives such as insulating homes, incentivising green modes of transport and discouraging wasteful behaviour as a means of delivering tangible improvements and addressing the impact on the environment. Turning then to poverty, Councillor M. Butt expressed frustration at the lack of progress being made nationally to tackle the issue and highlighted the Administration's commitment to delivering the poverty reduction strategies recommended by Brent's Poverty Commission.

Councillor M Butt felt these actions could only achieve their desired impact if they had a clear purpose, quantifiable goals and a means of delivery, accompanied by a willingness to adapt in the face of change. He praised residents for the determination shown prior to and throughout the pandemic, and called on them to harness the same energy, passion and determination to help the borough reach its potential.

Turning to the budget proposals, Councillor M Butt advised that he recognised the concerns expressed by residents in relation to the proposed increase in Council Tax of 4.99% which had been recommended within the budget report. There was, however, he felt a need to understand the context within which the proposal had needed to be developed. This had related to the Government's refusal to allocate central funding to support the ongoing delivery of essential services and which, in effect, had imposed the need on Council's to seek a near mandatory maximum uplift in their Council Tax. The whole system of Council Tax, he felt, was deeply unfair outdated and badly in need of fundamental reform.

Councillor M Butt went on to highlight the difficult decisions which the Council had needed to make in developing the budget for the financial year ahead, which had needed to balance between the damage to already fragile and austerity-ravaged services relied on by the most vulnerable and the additional pressure on household finances. On the basis that it was felt essential services would struggle to cope with any further reductions in funding along with the support available through the Council Tax Support scheme, it had been felt that the Council could better mitigate against an increase in Council Tax than in further budget reductions for essential services.

Councillor M Butt then took the opportunity to thank the opposition councillors for submitting their alternative approaches towards the budget and advised he looked forward to them expanding on their ideas and the rationale behind the proposals. Having listened carefully, he assured them that he would respond more fully to the points raised at the close of the debate. Regret was however expressed that despite the time provided to develop these proposals they had not been submitted in time to allow detailed scrutiny as part of the extensive budget consultation process in advance of the meeting.

Councillor M Butt recognised that members were accountable primarily to their constituents, however, he felt it was important to acknowledge that members also had a wider set of responsibilities and obligations in relation to the borough, which he then took the opportunity to focus on. The first issue obligation he highlighted was in relation to tackling the climate emergency, which he pointed out included a range of mitigations many of which would not be popular in the short-term. He felt that members should not shy away from difficult or controversial decisions, as these

obligations often extended beyond the present day and included the hard fought global commitments made in Kyoto, Doha, Paris and expected later during year in Glasgow.

A further example of issues impacting on the borough were housing and homelessness. Given the pressures on what he felt was an increasingly broken housing market there was a need to focus on tackling the increasing dependence on a low quality, high cost private rental market and a troubling rise in homelessness. In response to the housing crisis, Councillor M Butt explained that the Council, as reflected in the budget, was doing everything in its power to increase and improve the quantity and quality of housing supply within the borough, whilst striving to better regulate and, through the likes of i4B and First Wave Housing, directly own and ethically manage an expanded private rental portfolio. He recognised that there was a need to strike a balance between the strategic need to build housing and the personal preferences of those who lived around new developments, but encouraged members to be courageous in striking such a balance.

Before summing up, Councillor M Butt also took the opportunity to remind members of the ability to challenge and scrutinise all decisions made by the Council. In this respect he advised he had written to the Leader of the Opposition, the Chair of the Audit and Standards Committee and the Chairs of the Scrutiny Committees reminding them of their long-standing invitation to attend Cabinet meetings and speak as required on any agenda item. This offer, he pointed out, had also been extended to Councillor Georgiou, as the sole Liberal Democrat member on the Council whom he advised would be welcome to attend on the same basis.

In summing up, Councillor M Butt advised that the Administration in presenting its budget proposals had recognised the difficult need to strike a balance between the delivery of longer term more strategic aims and more immediate priorities/demands on the Council as a result of the pandemic. He thanked all officers, as well as the staff and contractors involved in the provision of such essential services, for their hard work over the last year and praised their dedication and commitment during the pandemic. Highlighting his pride in working alongside these colleagues and his fellow members he ended by formally commending and moving the recommendations within the report.

The Mayor then invited Councillor Kansagra, as Leader of the Conservative Group, to respond to the budget proposals.

Councillor Kansagra began by highlighting what he felt was the unfair nature of the proposal to increase Council Tax by 4.99%. He felt that the increase would be an unnecessary financial burden on residents who had seen their finances negatively impacted by the pandemic. As a result he advised that the Conservative Group were proposing an increase of only 2.99%, designed to reflect the permitted precept ring fenced for Adult Social Care. In recognising the impact of this proposal on the budget position he outlined a number of the alternative budget proposals being recommended by the Conservative Group in order to produce a balanced budget. These included:

- Removing the proposed growth to support the London Living Wage (LLW), which the Conservative Group believed could be mitigated through application of the National Minimum Wage;
- Removal of the proposed landlord incentive scheme and allocation of a proportion of the New Homes Bonus to the base budget;
- Reducing the Special Responsibility Allowance (SRA) payable to the Leader and Deputy Leader, including the level of basic allowances, and removing two Cabinet posts.

In concluding, Councillor Kansagra advised that whilst the Conservative Group had recognised the officer advice provided in relation to potential financial risks associated with their alternative budget proposals they did provide the basis for a balanced budget. On this basis, the alternative budget proposals were formally moved and commended to Council. Prior to ending his response, Councillor Kansagra also took the opportunity to comment on the court judgement relating to the outcome of the petition on the Barnhill by-election, highlighting what he felt was the need to ensure appropriate resources were available to manage the conduct of future elections.

The Mayor then thanked Councillor Kansagra for his comments and moved on to invite Councillor McLennan, as Deputy Leader and Lead Member for Resources, to speak as the next stage in the budget debate.

Councillor McLennan began by thanking the Council's Chief Executive and Finance Team along with all other officers involved in preparing the budget for their hard work, innovation, support and effort. She recognised the difficulty in undertaking such a process, and commended the collaboration between the Administration, councillors and members of the public. She then thanked the Budget Scrutiny Task Group for their efforts in reviewing and monitoring the development and delivery of the proposals, recognising the important role it had in the budget setting process.

In response to the key findings and recommendations of the Budget Scrutiny Task Group, Councillor McLennan assured members that the Council would be seeking to undertake cumulative equality impact assessments on key budget proposals to understand their medium and long-term impacts. Whilst supportive of the proposal to undertake a full and independent economic analysis of the borough ahead of the budget setting process, members were assured that the Council did utilise its access to real time economic data and as such all decisions were well informed. The benefits of setting financial proposals focussed over the medium term as well as shorter term were also recognised, however, members were reminded of the requirement on the Council to be able to set a balanced budget and provide a review of its financial outlook on an annual basis. Finally, in light of the financial difficulties experienced elsewhere with local authority owned housing companies, she took the opportunity to assure members about the performance and role of the Council's own housing companies and to highlight how these were being used for the purpose of tackling homelessness and to provide permanent, high quality housing through a reliable landlord.

Councillor McLennan then moved on to reflect on the alternative budget proposals moved by the Conservative Group. She highlighted the current pressures being caused as a direct result of the ongoing reduction in government funding for public services, which meant that local authorities increasingly needed to rely on Council

Tax as a means of income. Concerns were expressed at the proposal to remove growth to support the LLW, given its impact on the most vulnerable residents in the borough. Members were also advised of the aim behind the Landlords Incentive Scheme and New Homes Bonus, which had been designed to support local landlords in providing affordable and high quality housing as part of the Council's commitment to addressing the housing crisis.

In summing up, Councillor McLennan felt it was important to highlight the prudent approach adopted by the Council and commitment shown in the budget setting process to protecting public services, which she felt had proved to be of vital importance during the course of the pandemic, and to ensuring the needs of residents were met. Whilst recognising the challenging nature of the budget proposals, Councillor McLennan felt it was important to recognise the difficult choices that had needed to be made in order to protect essential services for those most in need. On this basis, she endorsed and commended the budget proposals to members for approval.

Before moving on, the Mayor agreed to allow a point of order requested by Councillor M. Butt in relation to the closing comments made by Councillor Kansagra in responding to the budget report. The point of order related to the comments made on the outcome of the election petition for the Barnhill by-election. Councillor M Butt clarified that the challenge to the by-election result had been dismissed with no criticism of the Returning Officer or Council contained in the final judgement and as a result the legal costs of all respondents having been awarded against the petitioners.

The Mayor then thanked Councillor McLennan for her comments and invited Councillor Mashari, as Chair of the Resources and Public Realm Scrutiny Committee and Budget Scrutiny Task Group, to present the findings of the Budget Scrutiny Task Group.

Councillor Mashari began by thanking the officers, members and residents who had been involved in the budget scrutiny process. She then outlined the challenging context in which it was recognised the budget had needed to be set, highlighting the consecutive and unprecedented reductions made to public services by the government coupled with the sustained growth in demand for such services. She felt it important to recognise that, despite commitments made during the pandemic to cover any extra costs incurred, central government had not done so and had instead forced councils to increase Council Tax and enforce the Adult Social Care precept. She was pleased that the Council recognised that increasing Council Tax would be difficult for some households through its efforts to resource the Council Tax Support scheme as a means of limiting the impact on the most vulnerable households.

She then advised that whilst supportive of the overall budget proposals, the Budget Scrutiny Task Group had identified a number of key findings and recommendations. These included what the Task Group had considered the need:

- to more clearly demonstrate within the budget how funding followed the democratically agreed strategic priorities for the borough;
- to outline how the £1m funding allocated for implementation of the Borough Plan objectives would be spent;

- to ensure a cumulative equality impact assessment of the final decisions made within the budget was undertaken reflecting the severe impact of the pandemic;
- for an in-depth analysis and modelling to be undertaken in order to identify the impact of the UK leaving the EU on residents, funding streams and the local economy; and
- to undertake a full and independent economic analysis of the borough ahead of future budget setting processes in order to better inform decisions.

In summing up, Councillor Mashari expressed her broad support for the budget proposals. In doing so, she ended by highlighting the Budget Scrutiny Task Group's desire to seek further assessments of the budget's impact on frontline services, to hold Budget Scrutiny Task Group meetings in public as a means of ensuring transparency and accountability and for the budget setting process to begin earlier with more focus on how spending would be allocated across the organisation.

The Mayor thanked Councillor Mashari for her comments and advised that as the opening statements had now concluded he would open up the budget proposals for general debate by other Members.

Councillor Shahzad opened the debate by praising the Council's response to the pandemic, feeling that it had set an example to other local authorities across the country. He was pleased to see that the budget included provisions to support those with mental health issues, recognising the increase demand on mental health services as a result of the pandemic. He congratulated all members and officers who had worked tirelessly throughout the year to support vulnerable residents, as well as those within the community who had also provided invaluable aid and advised that he fully supported the budget proposals.

Other members who spoke on the budget proposals were as follows:

Councillor Georgiou took the opportunity to thank those who had supported the rollout of Covid-19 vaccinations, and encouraged residents to take up the vaccine when offered. He advised that he would not be supporting the budget proposals, as he felt the proposal to increase Council Tax by 4.99% was unfair at a time in which many residents were struggling financially due to the pandemic. Referring to the alternative Liberal Democrat budget proposals which, although not included as part of the agenda pack had been circulated separately to all members in advance of the meeting, he highlighted the proposal to reduce the Council Tax increase being recommended by half whilst still funding urgent road safety repairs, enhancing the Council's enforcement capabilities and providing affordable and accessible Wi-Fi across the borough. Councillor Georgiou explained that in order to achieve a balanced budget these proposals would be funded by resourcing:

- the LLW growth from the existing LLW reserve;
- the additional spend on Personal Protective Equipment from the Public Health reserve;
- homelessness measures from the Homelessness Grant reserve;
- road safety repairs and accessible WIFI from Community Infrastructure Levy (CIL) reserves.

Although not formally submitted in advance of the meeting, the Mayor advised Councillor Georgiou that should he wish to do so, he would be permitted to move his alternative budget proposals as a further amendment to the budget report without notice at the meeting. The alternative budget proposals were not moved as a formal amendment at this stage of the meeting.

Councillor Johnson then spoke, praising the work of members and officers throughout the pandemic whilst recognising how the pandemic had impacted on the way the Council had needed to operate. He highlighted the additional resources that the Council had committed to the response, whilst expressing his disappointment that central government had failed to reimburse local authorities as promised. He felt that this, as well as years of centrally imposed austerity measures, had made the pandemic worse. Moving onto the housing crisis, he expressed concern about the shortfall in quality and affordable housing as well as the rise in homelessness and supported the action being taken by the Council to increase the housing supply and better regulate the private market. Support was also expressed for the commitment towards the LLW and on this basis he advised he would be supporting the budget proposals moved by the Leader.

Councillor Kabir, in also highlighting her support for the budget proposals, focussed on the disproportionate affect that the pandemic had had on disabled people, and criticised central government for cutting funding for related services in recent years. She appreciated the need to increase the allocation for the High Needs Schools Block and praised the proposed increase in employment support for adults with special educational needs.

Councillor Kennelly began by thanking the Leader of the Council, Lead Member for Community Engagement and Safety and the Metropolitan Police for their response to a recent incident in Preston ward and appealed for witnesses to come forward should they have any information. He felt that such instances served to highlight the impact which the Government's austerity measures were having not only on the police but also rehabilitation and mental health services. Turning to the budget proposals, Councillor Kennelly advised he would also be supporting the recommendations given the support they provided for the most vulnerable and lower paid residents within the borough and ended by condemning the actions of major companies in relation to their tax and employment practices and governments failure to address these.

Councillor Kelcher felt it was important to highlight the challenging nature of the budget, in light of a decade of the Government's austerity measures and impact of the pandemic. Concern was also expressed at the Government's failure to fulfil their promises to meet all additional expenditure costs incurred by local authorities arising from the response to pandemic and impact this had on the Council's budget position during 2021 and beyond. This had left local authorities with little choice but to consider raising Council Tax in order to continue supporting the essential services they were responsible for delivering with, as part of the same approach, the Council's well established Council Tax Support scheme designed to reduce the burden on those most vulnerable. Addressing the alternative budget proposals outlined by Councillor Georgiou, he felt that it would be irresponsible for the Council to use its reserves in the way that had been suggested given the financial impact and risks this would create over future years. He therefore felt that the prudent

approach recommended within the budget report was the right one to take and, on this basis advised he would also be supporting the budget proposals moved by the Leader.

Councillor Tatler, Lead Member for Environment, Planning and Property, felt it was important to highlight the excellent work of the Council and public sector in general during a challenging year. She expressed her pride at being a local councillor and in what had been achieved in response to the pandemic. In supporting the budget proposals, she outlined the Council's continued prudent and financially responsible approach despite the unfulfilled promises from Government to cover additional costs incurred due to the pandemic. She was confident that the budget would allow the Council to continue to support its high streets, provide affordable housing, support local businesses and provide affordable workspaces. She also highlighted the use of the Neighbourhood Community Infrastructure Levy (CIL), Strategic CIL and Section 106 funding in support of key investment in infrastructure and improving the lives of residents. It was for these reasons, Councillor Tatler advised that she would also be supporting the budget proposals moved by the Leader.

Councillor Nerva, Lead Member for Public Health, Culture and Leisure, began by thanking members for their kind words about his late father Lawrie. He then thanked all those within the community who had provided support to the most vulnerable during the pandemic, and those officers who had responded so well in challenging circumstances. He felt that the pandemic had further exposed existing health inequalities across the country and in so doing highlighted the Council's response to tackling these issues. These had included the Health Matters Programme, the Health and Wellbeing Strategy, the New Council Homes Programme and the use of the LLW. Concern was expressed at the lack of additional funding provided by central government to support local public health teams, however despite this he remained encouraged by the resilience and way in which local services had responded to the pandemic and continued to deliver wider improvements in public health. He also ended by highlighting his support for the budget proposals, as moved by the Leader.

Councillor Naheerathan, in response to the alternative budget proposals moved by the Conservative Group, highlighted his support for the Council seeking to extend the LLW, acknowledging its impact on those lower paid and more vulnerable local residents. He felt that the Council had no choice but to increase Council Tax in the current financial circumstances, given the vital need to support the continuation of essential services. In supporting the budget proposals, he praised the hard work of members, recognising that many had juggled a range of competing priorities whilst delivering for their residents over the last year.

Councillor Afzal began by criticising the Government for not fulfilling its promise to compensate local authorities for the additional expenditure incurred in leading on the response to the pandemic. He praised local residents for the assistance they had provided within their communities during the pandemic and expressed concern at what he felt had been the Government's failings in this respect. In supporting the budget proposals, he recognised the achievement of the Council during the pandemic which had culminated in Brent achieving the Local Government Chronicle 'Council of Year' award. He felt that the budget proposals continued to support the most vulnerable in society, and that the rise in Council Tax was unfortunately

necessary as a consequence of continued government underfunding for public services.

Councillor Stephens, as Lead member for Schools, Employment and Skills, also felt it was important to recognise how the Council had stepped up to support its residents during the pandemic. This included the provision of food and utility vouchers to disadvantaged children over school holidays, the provision of stable internet connections to ensure disadvantaged children could study from home, Kick-start employment placements for young people, employment-related advice for those who had lost their job during the pandemic, business support grants, works to establish a state-of-the-art adult education centre and targeted employment support for some of the most vulnerable residents in the borough. He felt that these actions should be recognised collectively and reflected the sacrifices across the borough that people had made to ensure an economic recovery was possible. He felt that the tough choices made within the budget were a reflection of central government's refusal to fulfil its promise to financially compensate local authorities for their pandemic-related costs, and showed that the Council was willing to do whatever it took to support residents. It was, he advised, for these reasons he would have no hesitation in supporting the budget proposals moved by the Leader.

Councillor S. Choudhary also spoke in support of the budget proposals, highlighting the need to recognise the unique circumstances in which they were having to be brought forward. There was a need, he identified, to take account of the budget having to be set amidst a worldwide pandemic and also against a decade of government austerity, both of which had greatly impacted the finances of the Council. Despite these concerns he also took the opportunity, as Chair of the Brent Pension Fund Sub Committee to highlight the ongoing positive performance of the Pension Fund given its importance to past and current Council employees. Speaking on the alternative budget proposals which had been put forward, he reminded members of the need to recognise that the financial fallout from the pandemic would be felt well into future years and commended the budget proposals moved by the Leader for having sought to take that into consideration as part of a prudent and well planned approach.

Councillor M Patel, Lead Member for Children's Safeguarding, Early Help and Social Care, felt that previous comments had shown the very different approaches of the political groups on the Council, especially in relation to the way they would impact on support for the borough's young people. She felt that the alternative budget proposals which had been put forward were economically unrealistic and did little to support young people. In contrast, the Administration's proposals had been designed to deliver investment in the future of young people. As specific examples, she highlighted how the proposals would enable an expansion of provision at the Gordon Brown Centre, a commitment to work more closely with the NHS to deliver integrated health services and an offer of wraparound support for Brent families through the Wellbeing Centres. She then expressed her commitment to continuing to seek additional sources of funding to support services for young people in the borough, such as through CIL. Councillor M.Patel advised that for these reasons she was also fully supportive of the budget proposals moved by the Leader and highlighting the level of support that they would provide to residents whilst retaining a financially responsible and prudent approach.

In order to enable Councillor Georgiou to clarify the position on the alternative budget proposals he had introduced earlier in the debate, the Mayor then allowed him to raise a point of order. As a result, Councillor Georgiou took the opportunity to formally move (without notice) his alternative budget proposals as he had circulated separately to all members prior to the meeting.

The Mayor then moved on to continue with the debate by inviting Councillor Mahmood to speak, who began by expressing his condolences to those residents who had lost loved ones during the pandemic. He also took the opportunity to thank all council staff who had worked so tirelessly to support those in the community hardest hit by the pandemic and also criticised central government for its handling of the pandemic, specifically highlighting its approach to the procurement of personal protective equipment and its refusal to fulfil its promise to reimburse local authorities for their additional pandemic-related costs. In supporting the budget proposals, he thanked officers and members for their hard-work in bringing them forward and expressed his pride in being part of a Council which he felt always put its residents first.

Councillor Krupa Sheth, Lead Member for Environment, also speaking in support of the budget proposals moved by the Leader, felt it was important to highlight the ongoing work of the Environment team throughout the year, which included pothole, highway and footway repairs along with completing Phase 1 of the footway programme, tackling enforcement and anti-social issues including fly-tipping as well as supporting businesses to ensure they were Covid compliant. She commended officers for the efforts made to continue providing essential services during the pandemic, with specific reference to the borough's mortuary facility. Following on from the comments made by the Leader in opening the debate she also took the opportunity to highlight the importance of the work being led by the Council in terms of development and delivery of the Climate Emergency Strategy, which also served as an example of the joined up working across the Council in order to support residents and commended the budget proposals to members.

Councillor Hylton then spoke and began by highlighting how she felt that the pandemic had exposed a range of inequalities present in society and the gradual erosion of the welfare system. She outlined the additional costs that the Council had incurred to support its vulnerable residents during the pandemic and also criticised the government for its failure to fulfil its promise to cover additional costs incurred by local authorities in leading on the response to the pandemic. With this in mind, she felt the government had not given the Council any choice and had effectively imposed the need for local authorities to seek an increase in Council Tax. She remained pleased, however, that the Council had recognised the regressive nature of Council Tax and in order to mitigate the impact on those more vulnerable residents was also seeking to provide additional resources for its Council Tax Support scheme. In view of the concerns expressed at the alternative budget proposals moved at the meeting she urged members of the Conservative Group to raise these issues with their counterparts in Government to ensure the necessary action was taken to support local authorities in protecting residents moving forward from the full financial impact of the pandemic.

Councillor Ahmed then spoke and began by taking the opportunity to thank the Mayor for his service over the past year, recognising his commitment to the borough and its residents. Moving on to the budget proposals, he felt that it was

important to recognise that the budget was being brought forward in exceptional circumstances. He felt that the Council had acted with speed and decisiveness in preparing the proposals and in its wider response to the pandemic. Councillor Ahmed also commended the Council for their efforts to distribute grants to local businesses and to ensure that essential services remained open throughout the pandemic. He thanked council staff for their hard work, and supported the additional staff payment which had been proposed. On this basis, he advised he would also be supporting the budget proposals moved by the Leader and urged all members to do the same.

Reflecting on the comments already made, Councillor Chohan also took the opportunity to criticise the Government for the budget reductions imposed on public services over the past decade, and what he felt was its failure to deliver on a string of promises to the borough's residents. In supporting the budget proposals, he felt that the Council had done well to reduce costs whilst ensuring essential services remained in place. He also praised the local support to maintain the mortuary facility within his ward and also provided by the Council for local businesses throughout the pandemic, as well as in supporting the development and capacity of Residents' Associations across the borough. He recognised the impact that the pandemic had had on residents, and in commending the budget proposals to Council praised council staff and the community for their support for the most vulnerable.

Councillor Knight, Lead Member for Community Engagement and Safety, also expressed her support for the budget proposals noting that the Administration had chosen not to propose any reduction in services provided within the Community Engagement and Safety team, despite the pressing financial challenges the Council faced. She explained that this meant that the Council would continue to deploy its Neighbourhood Patrol and Enforcement teams to areas of high crime and anti-social behaviour and deliver on key programmes to assist vulnerable residents and ensure holistic support services. In also commending the budget proposals moved by the Leader, she felt they demonstrated that the safety of the community remained a high priority for the Council.

Councillor Maurice was then invited to speak, who began by recognising the challenging time that many local residents had faced throughout the pandemic. Given the pressures created as a result, he felt that it was incumbent on local authorities to mitigate the impact any proposed increase in Council Tax would have on residents' finances. He reminded members that the maximum increase in Council Tax was an upper limit and that local authorities were not compelled to increase it by the full amount. Focussing on the Conservative Groups alternative budget proposals he felt that it would be more sensible to use the Council's financial reserves to pay for essential services rather than increase Council Tax and was pleased the Council had supported the suggestion to freeze members' allowances, which he felt was the right thing to do in light of the financial impact of the pandemic on council staff and residents. Rather than criticise, Councillor Maurice felt there was a need to praise the Government for the grant funding they had provided to support local businesses and those in financial hardship. He also felt there was a need to recognise the level of funding which had been directly provided to the Council by central government to support the response to the pandemic. For these reasons he advised that he was unable to support the budget

proposals moved by the Leader and would be supporting the alternative budget proposals moved on behalf of the Conservative Group.

Councillor Lo spoke next and in response to the comments made by Councillor Maurice felt it was important to remind members that it had been the Conservative Government who had introduced the Council Tax and failed to fulfil its promise to cover any additional costs incurred by local authorities in leading on the response to the pandemic. He also expressed regret at the approach adopted by the Conservative Group within their alternative budget proposals towards the LLW. Following Councillor Georgiou having also moved his alternative budget proposals he also highlighted disappointed at the late notification and limited ability this provided to fully scrutinise and consider their impact when compared to the work undertaken by members and officers to develop and consult on the Administration's proposals over a much longer period. On the basis of an initial review, he felt that Councillor Georgiou's alternative budget proposals were short-sighted and did not appear to be based on sound or prudent financial judgement. Councillor Lo ended by therefore urging all members to reject the alternative budget proposals which had been put forward and to support the budget proposals moved by the Leader.

Councillor Southwood, Lead Member for Housing and Welfare Reform, was then invited to speak and began by recognising the challenging and uncertain circumstances under which the budget proposals had needed to developed and thanked officers for their efforts to bring them forward. Focussing on her portfolio she criticised the Government for its response in addressing the concerns identified in relation to cladding and for the support being provided for leaseholders in this respect. She also highlighted the positive work being undertaken by the Council to bring empty homes back into use and to increase affordable and social housing supply across the borough. In terms of welfare support, she also took the opportunity to highlight the grant funding being made available to those in financial hardship and the efforts to tackle digital exclusion amongst the most vulnerable residents. She then moved on to address the issue of Council Tax. Whilst outlining what she felt was its regressive nature, Councillor Southwood recognised its importance as one of the main sources of funding for local authorities and at the same time praised the Council Tax Support Scheme, which had been introduced and designed by the Council to mitigate the impact of any increase and support those more vulnerable residents. In summing up, she also thanked the Mayor for his work during what had been such a difficult year and also expressed her support for the budget proposals moved by the Leader which she felt showed the Council's commitment towards supporting its residents.

Councillor Dar then spoke, taking the opportunity to praise the volunteers throughout the borough who had supported vulnerable residents during the pandemic, in particular those who had been working to support food banks. He felt that these people had put themselves at risk in order to help those within their community that had been most affected by the pandemic. In supporting the budget proposals, he also ended by thanking all council staff and members for their hard work during what had been such a challenging year.

Councillor Long, also speaking in support of the budget proposals felt there was a need (as highlighted in previous comments during the debate) to recognise the increase being recommended in Council Tax had been required out of necessity. Recognising the regressive nature of the tax, which was not based on an ability to

pay but rather the value of property, she felt there was a need for the Government to consider a more progressive funding system for local authorities which would not financially burden the most vulnerable residents.

Councillor Choudry was then invited to speak. Expressing concern at the alternative budget proposals which had been moved at the meeting he felt neither had presented a meaningful or credible approach to the delivery of a balanced budget, with both failing to address the true issues faced by residents, such as cuts to public services, poverty and inequality. Responding to comments made by the Conservative Group regarding the proposed increase in Council Tax, he highlighted the Council Tax Support scheme as a means of limiting the financial burden on the most vulnerable residents. He reminded members that the Council's reserves were earmarked for specific projects or to mitigate future funding risks, and so felt it would be irresponsible to use them as proposed in Councillor Georgiou's alternative budget proposals. He felt that the Council needed to be prudent in its financial arrangements, and for this reason he advised he would be supporting the budget proposals moved by the Leader.

Continuing the debate, Councillor Chan also highlighted the impact of the Government's programme of austerity on public services over the previous decade, which he felt needed to be recognised as the context within which the budget proposals had been brought forward. He criticised the Government's decision to freeze public sector pay, whilst praising the Council for pursuing the LLW as a standard and at a time when there was a need to encourage a fairer and socially equitable approach to fund the interventions made to provide support throughout the pandemic. In supporting the budget proposals, he ended by highlighting the importance in members continuing to push for the provision of adequate funding from the Government in order to support the most vulnerable in society.

Councillor S Butt was then invited to speak and also took the opportunity to thank all council staff and healthcare workers for their response throughout the pandemic, recognising that many had needed to be reassigned to unfamiliar roles. He outlined how the budget proposals had been developed involving members, officers and residents and criticised the alternative budget proposals put forward at the meeting for not going through a similarly rigorous process. As with previous comments Councillor S. Butt advised he was saddened to note the Conservative Group's opposition to the proposal to pursue the LLW as standard at a time in which many were struggling financially. In summing up, he again expressed support for the budget proposals and commended the Council's response throughout the pandemic which had gained national recognition and, in doing so, paid tribute to the Leader of the Council and Chief Executive for the leadership they had shown.

Following on, Councillor Sangani also took the opportunity to thank members, particularly within her ward, for the help and support provided for local residents during the pandemic along with those residents who had also stepped forward to support one another. She encouraged members to remember how many residents were struggling financially in the borough, and felt saddened to note that the Conservative Group had proposed to remove the growth for the LLW. In supporting the budget proposals, she outlined the Council's commitment to supporting residents through difficult times whilst recognising the scale of the task ahead, and thanked all those involved for the Council's response to the pandemic.

Councillor Mitchell-Murray then spoke and took the opportunity to highlight specific examples of the positive use of Neighbourhood CIL to fund initiatives across the borough, with a particular focus on support for young people. She praised the positive culture that had been fostered between council staff and members, and in commending the budget proposals expressed her pride in the work that the Council was undertaking on behalf of its residents.

As a final contribution to the debate, Councillor Hirani felt it was important to highlight the pressure faced by many local authorities as a result of the impact of the pandemic and also the Governments' programme of austerity over the last decade. Given these challenges, he pointed out that most local authorities were having to consider an increase in Council Tax as a means of securing the funding that would be required to enable the continued provision of essential services. Whilst recognising the impact of this, he also commended the Council Tax Support scheme which had been established and supported by the Council as a means of being able to support those more vulnerable residents and highlighted that a majority of the proposed increase would be ring fenced for adult social care. In concluding his statement, Councillor Hirani felt it was important (prior to any votes being taken) to also seek clarification from the Director of Finance as to whether the alternative budget proposals moved by Councillor Georgiou at the meeting were legal, and would result in a balanced budget for the 2021/22 financial year. This request for further advice was also supported by Councillor Kelcher.

Having been invited by the Mayor to respond, the Director of Finance advised that that whilst the proposed amendments would provide a legally balanced budget for 2021-22 there was also a need to note they would carry a significant ongoing financial risk.

In response to a further request by the Mayor for clarification on the alternative budget proposals being moved, Councillor Georgiou advised that these would only relate to the revenue and not capital proposals he had circulated in advance of the meeting.

Prior to inviting the Leader to sum up and close the debate, the Mayor permitted the following comments to be made on the clarification provided by Councillor Georgiou regarding the alternative budget proposals he had moved.

Councillor M Butt felt it was important to recognise that any claimed reduction in the level of Council Tax would not be entirely within the control of the Council given the need to include the precept set by the Mayor for London.

Councillor Maurice, also felt this element of the alternative budget proposals moved by Councillor Georgiou had been unrealistic, with concern also expressed by Councillor Choudry that the alternative budget proposals were not financially coherent and would carry significant future financial risk.

Having concluded the debate the Mayor thanked all members for their contributions and then invited Councillor M Butt to sum up and respond to the points raised.

In response to the debate, Councillor M Butt began by thanking all members for their contributions at the meeting. In terms of the alternative budget proposals moved at the meeting he expressed concern at the approach adopted by the

Conservative Group towards removal of the proposed growth to support extending the LLW as standard and also at their failure to support the landlord incentive scheme. Moving on to Councillor Georgiou's alternative budget proposals, concern was expressed at their late submission and what was felt to be a lack of understanding regarding the workings of local government finance, use of reserves and ongoing impact they would have on the Council's ongoing financial position.

In contrast, he felt the Administration's budget proposals showed a commitment to protecting and supporting residents in the borough by delivering affordable housing and community spaces and tackling climate change, inequalities and poverty. Whilst recognising the difficult nature of the choices to be made given their impact on local residents and the borough he remained proud that the Labour Administration were seeking to continue defending, protecting and where possible enhancing services for local residents and those most in need and reminded members that the budget proposals had been designed to provide stability following a year of challenge. On this basis he ended by once again commending the budget to Council.

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 30 minutes and enable the conclusion of the budget report and remaining items on the agenda. In accordance with Standing Order 42 (d) the procedural motion was put to the vote without further discussion and **AGREED**.

The Mayor then advised that this now concluded the debate on the budget and he would therefore be moving to the vote on the alternative budget proposals and then (subject to any amendments agreed) the recommended budget moved by Councillor M.Butt. As the recommendations to be considered related to the budget setting process he reminded Members that, in accordance with Standing Order 43, these would all need to be subject to a recorded vote.

On a recorded vote being taken the budget proposals, as moved by Councillor M.Butt were declared **CARRIED**.

Accordingly it was **RESOLVED** to:

- (1) Agree an overall 4.99% increase in the Council's element of Council Tax for 2020/21, with 3% as a precept for Adult Social Care and a 1.99% general increase.
- (2) Agree the General Fund revenue budget for 2021/22, as summarised in Appendix A of the report.
- (3) Agree the cost pressures and technical adjustments detailed in Appendix B of the report.
- (4) Agree the budget savings proposals detailed in Appendix C of the report.
- (5) Note the report from the Budget Scrutiny Panel in Appendix D of the report.
- (6) Agree the HRA budget for 2021/22, as set out in section seven of this report.

- (7) Agree the Dedicated Schools' Grant as set out in section eight of this report.
- (8) Agree the Capital Programme as set out in Appendix E of the report.
- (9) Agree the Capital Strategy, the Investment Strategy, the Treasury Management Strategy and the Minimum Revenue Provision Statement as set out in Appendices G, H, I and J of the report.
- (10) Agree the schedule of reserves, as set out in Appendix K of the report.
- (11) Agree the schedule of fees and charges as set out in Appendix L of the report.
- (12) Note the results of the budget consultation as set out in section six and detailed in Appendix M of the report.
- (13) Note the advice of the Director of Legal, HR, Audit and Investigations as set out in Appendix N of the report.
- (14) Agree the Pay Policy Statement for 2021/22 as set out in Appendix O of the report (including the additional wording set out in paragraph 9.2 of the report) and the payments to which it refers.

Council Tax recommendations

These recommendations only include a provisional Council Tax level for the GLA as its final budget was not agreed when this report was despatched. This means that the statutory calculation of the total amount of Council Tax under Section 30(2) of the Local Government Finance Act 1992 cannot be carried out until the final GLA precept has been received.

- (15) In relation to the Council Tax for 2021/22 we resolve:

That the following amounts be now calculated as the Council's element by the Council for the year 2021/22 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

- (a) £1,036,468,015 being the aggregate of the amount that the Council estimates for the items set out in Section 31A(2) of the Act.
- (b) £900,778,354 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £135,689,697 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.
- (d) £1,378.26 being the amount at (c) above, divided by the amount for the tax base of 98,450, agreed by the General Purposes Committee on the 7 December 2020, calculated by the

Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

(e) Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
918.84	1,071.98	1,225.12	1,378.26	1,684.54	1,990.82	2,297.10	2,756.52

being the amounts given by multiplying the amount at (d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (16) That it be noted that for the year 2021/22 the proposed GLA precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, in respect of the GLA, for each of the categories of dwellings are as shown below. The GLA intends to agree its precept on 25 February 2021.

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
242.44	282.85	323.25	363.66	444.47	525.29	606.10	727.32

- (17) That the Council establishes a Council Tax setting committee, to set the Council Tax for the year 2021/22, in accordance with section 67(3) of the Local Government Finance Act 1992, and agrees the terms of reference, size and political composition as set out in Appendix P of the report.
- (18) That the Council appoints Councillors to serve on the Council Tax setting committee and appoints a chair and vice-chair of the Council Tax setting committee (please refer to Minute *** below).
- (19) That the special Council Tax setting committee meet as soon as possible after 25 February 2021 to allow Council Tax notices to be issued in line with the normal statutory timetable.
- (20) That it be noted that the Director of Finance has determined that the Council element of the basic amount of Council Tax for 2021/22 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

- (a) That the Director of Finance be and is hereby authorised to give due notice of the said Council Tax in the manner provided by Section 38(2) of the 1992 Act.
- (b) That the Director of Finance be and is hereby authorised when necessary to apply for a summons against any Council Tax payer or non-domestic ratepayer on whom an account for the said tax or rate and any arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.
- (c) That the Director of Finance be and is hereby authorised to collect revenues and distribute monies from the Collection Fund and is authorised to borrow or to lend money in accordance with the regulations to the maximum benefit of each fund.

Prior to the above recommendations being approved, the two alternative budget proposals moved as amendments to the budget report by firstly the Conservative Group and secondly Councillor Georgiou, were put to the vote and declared **LOST**.

The voting recorded on the first amendment moved by the Conservative Group in the form of their alternative budget proposals was as follows:

For the Amendment (3): Councillors Colwill, Kansagra and Maurice

Against the Amendment (54): Councillors Abdi, Afzal, Agha, Ahmed, Akram, M. Butt, S. Butt, Chan, Chappell, Chohan, S Choudhary, Choudry, Crane, Daly, Dar, Denselow, Dixon, Donnelly-Jackson, Ethapemi, Farah, Gbajumo, Georgiou, Gill, Hassan, Hector, Hirani, Hylton, Johnson, Kabir, Kelcher, Kennelly, Knight, Lloyd, Lo, Long, Mahmood, Mashari, McLennan, Miller, Mitchell-Murray, Murray, Naheerathan, Nerva, M. Patel, Perrin, Sangani, Shah, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stephens, Tatler and Thakkar

Post meeting note: Councillor R. Patel has subsequently confirmed he also intended to vote against this amendment but was unable to do so due to technical issues experienced on the night.

Abstentions to the Amendment (2): Councillors Ezeajughi (Mayor) and Colacicco (Deputy Mayor)

Having been moved by Councillor Georgiou without notice at the meeting, Council agreed to accept a second amendment for consideration in the form of the alternative revenue budget proposals he had circulated in advance of the meeting. In considering the amendment Council also noted the advice from the Director of Finance that whilst the proposed amendments would provide a legally balanced budget for 2021-22 they would also carry significant ongoing financial risk. The voting recorded on the second amendment was as follows:

For the Amendment (1): Councillor Georgiou.

Against the Amendment (54): Councillors Abdi, Afzal, Agha, Ahmed, Akram, M. Butt, S. Butt, Chan, Chappell, Chohan, S Choudhary, Choudry, Colwill, Crane, Daly, Dar, Denselow, Dixon, Donnelly-Jackson, Ethapemi, Farah, Gbajumo, Gill, Hassan,

Hirani, Hylton, Johnson, Kabir, Kansagra, Kelcher, Kennelly, Knight, Lo, Long, Mahmood, Mashari, Maurice, McLennan, Miller, Mitchell-Murray, Murray, Naheerathan, Nerva, M.Patel, Perrin, Sangani, Shah, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stephens, Tatler and Thakkar

Post meeting note: Councillors Hector, Lloyd and R.Patel have subsequently confirmed that they also intended to vote against the amendment but were unable to do so due to technical issues experienced on the night.

Abstentions to the Amendment (2): Councillors Ezeajughi (Mayor) and Colacicco (Deputy Mayor)

The substantive recommendations, as detailed above, were then put to the vote and declared **CARRIED**. The voting recorded was as follows:

For (51): Councillors Abdi, Afzal, Agha, Ahmed, Akram, M.Butt, S.Butt, Chan, Chappell, Chohan, S Choudhary, Choudry, Crane, Daly, Dar, Denselow, Dixon, Donnelly-Jackson, Ethapemi, Farah, Gbajumo, Hassan, Hector, Hirani, Hylton, Johnson, Kabir, Kelcher, Kennelly, Knight, Lo, Long, Mahmood, Mashari, McLennan, Miller, Mitchell-Murray, Murray, Naheerathan, Nerva, M.Patel, Perrin, Sangani, Shah, Shahzad, Ketan Sheth, Krupa Sheth, Southwood, Stephens, Tatler and Thakkar

Post meeting note: Councillors Lloyd and R.Patel have subsequently confirmed that they also intended to vote for the substantive recommendations but were unable to do so due to technical issues experienced on the night.

Against (4): Councillors Colwill, Georgiou, Kansagra and Maurice

Abstain (3): Councillors Ezeajughi (Mayor), Colacicco (Deputy Mayor) and Gill.

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

In accordance with the change in the order of business agreed at the start of the meeting, the Mayor then referred members to the list of changes to be considered in relation to appointments on Council Committees, Sub Committees and other bodies.

As a result, it was **RESOLVED** to approve the appointment of the following members to the newly established Council Tax Setting Committee:

Labour Group: Councillors M Butt, McLennan Krupa Sheth and Stephens to be appointed as full members

Councillor Nerva to be appointed as substitute member

Conservative Group: Councillor Kansagra to be appointed as full member

Councillors Colwill and Maurice to be appointed as substitute members

10. **Borough Plan 2021-2022**

The Mayor then moved on to deal with the remaining items on the agenda and started by inviting Councillor McLennan, Deputy Leader and Lead Member for Resources, to introduce the report from the Assistant Chief Executive presenting a refresh of the Borough Plan.

In introducing the item, Councillor McLennan advised that the report outlined a refocussed set of strategic priorities and actions against the key objectives and vision originally agreed as part of the Borough Plan. These refocussed priorities reflected the work delivered on each of the priority areas and objectives over the previous year as well as setting out the priorities for the next year. The refresh had also sought to draw on the experience of tackling the challenges over the last year and included actions to address key cross-cutting issues such as homelessness, reducing health inequalities, providing youth opportunities, the climate emergency and delivery of training and support. She also advised that the refreshed plan reflected the draft Equality Strategy Action Plan 2021-22 which had been updated following consultation.

As no other members indicated they wished to speak, the Mayor then put the recommendations in the report to the vote and they were declared **CARRIED**.

Accordingly, Council **RESOLVED**:

- (1) To adopt the Borough Plan attached as Appendix 1 of the report and note the Equality Strategy Action Plan attached as Appendix 2 of the report.
- (2) To refer the Borough Plan to Cabinet for monitoring.

11. **Treasury Management Mid-Year Report 2020-2021**

The Mayor then invited Councillor McLennan, Deputy Leader and Lead Member for Resources, to introduce the report from the Director of Finance updating members on Treasury Management activity for the first half of the 2020/21 financial year. Members noted that the report had also been considered and agreed by the Audit and Standards Advisory Committee on 8 December and Cabinet on 7 December 2020 who had agreed to refer it on to Council for consideration in compliance with the CIPFA Code of Practice on Treasury Management.

As part of her introduction, Councillor McLennan drew members' attention to the policy announcement which had been included within the Chancellor's recent Budget statement regarding changes to the Housing Revenue Account borrowing rates. Members were advised this supported the overall approach outlined within the report in terms of the Council seeking to take advantage of lower cost borrowing solutions as part of its strategy in relation to Treasury and Debt management.

As no other members indicated they wished to speak, the Mayor then put the recommendations in the report to the vote and they were unanimously declared **CARRIED**.

It was therefore **RESOLVED** to note the 2020-21 Mid-Year Treasury report in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

12. **Members Allowance Scheme - Annual Review**

Moving on, the Mayor then invited Councillor M Butt, Leader of the Council, to introduce the report from the Assistant Chief Executive which sought approval to the proposed Members Allowance Scheme for the 2021/22 financial year.

In introducing the report, Councillor M Butt advised that in view of the public sector pay freeze announced by the Government for 2021/22 it had been recommended that no annual uplift be applied to the level of basic, special responsibility or civic allowances contained within the Members Allowance Scheme for 2021/22. As a result of the decisions made on the budget, he also reminded members that the Council had now agreed to provide staff with an additional one-off payment of £500 (pro-rata for part time staff) in recognition of their hard work throughout the pandemic.

Having noted that no changes were being recommended to the level of Special Responsibility Allowances (SRAs) during 2021/22 Councillor Kansagra, in responding to the report on behalf of the Conservative Group, was keen to ensure that a further review of SRAs was undertaken by the Constitution Working Group in advance of the next review and Borough elections in May 2022.

As no further members indicated they wished to speak, the Mayor then put the recommendations in the report to the vote and they were unanimously declared **CARRIED**.

It was therefore **RESOLVED**:

- (1) To make a Members' Allowance Scheme in the proposed terms set out in the report for the financial year 2021/22.
- (2) To authorise the Director of Legal, HR Audit & Investigations to comply with the statutory requirements to publicise the Council's Members' Allowance Scheme.

13. **Changes to the Constitution**

As the final item of business listed on the agenda, the Mayor then invited Councillor M Butt, Leader of the Council to introduce the report from the Director of Legal, HR Audit and Investigations detailing minor changes to the Council's Constitution. Councillor M. Butt in introducing the report advised the changes related to the requisitioning of Extraordinary Council meetings and provisions within the Code of Conduct.

As no other members indicated they wished to speak, the Mayor then put the recommendations in the report to the vote and they were declared **CARRIED**.

It was therefore **RESOLVED**:

- (1) To approve the changes to the Constitution as set out within the report which related to the introduction of a protocol for the requisitioning of Extraordinary Council meetings and minor changes to the Members Code of Conduct.

- (2) To authorise the Director of Legal and HR Services to amend the Constitution accordingly, including making any necessary incidental or consequential changes.

14. **Urgent Business**

The Mayor advised Members there were no urgent items of business for consideration.

As this was his final Council business meeting as Mayor, Councillor Ezeajughi thanked members for their support and cooperation throughout his time as Mayor and particularly over what had been such a challenging and unprecedented last year for the borough. He also paid tribute to the Deputy Mayor, Councillor Colacicco for her mayoral support and advised that the next meeting would be the Annual Council meeting. He then closed the meeting and urged all members to take care and stay safe.

The meeting closed at 7:20pm

COUNCILLOR ERNEST EZEAJUGHI
Mayor

	Annual Meeting of the Council 29 April 2021
	Report from the Director of Legal, HR, Audit & Investigations
Changes to the Constitution and Pay Policy Statement	
Wards Affected:	N/A
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Four Appendix 1: Delegations agreed by the Leader of the Council in respect of executive functions Appendix 2: Delegation changes proposed in respect of non-executive functions Appendix 3: Changes to Contract Standing Orders Appendix 4: General changes and updates to the Constitution
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Director of Legal, HR, Audit and Investigations Tel: 0208 937 1578 Email: debra.norman@brent.gov.uk

1.0 Summary

- 1.1 Regulations made under the Coronavirus Act 2020 have permitted Local Authority meetings to be held on a remote or hybrid basis during most of the pandemic period. The Regulations expire on 6 May 2021 and it is the government's view that meetings after that date cannot be held on that basis.
- 1.2 This report explains a legal challenge being made to this position and considers steps that can be taken if that challenge is unsuccessful to minimise and manage face to face council, Cabinet and committee meetings while the pandemic continues.
- 1.3 The report also proposes changes to the council's Contract Standing Orders to bring them up to date and to enhance the role of the Procurement Service and some general changes to the Constitution following the annual review of its provisions.

- 1.4 In addition, changes are proposed to the Council's Pay Policy Statement 2021-22 following the withdrawal of Regulations concerning public sector employee exit payments.

2.0 Recommendations

Full Council is asked:

- 2.1 To note the current legal position in respect of remote meetings.
- 2.2 To note changes to officer and Cabinet Member delegated powers agreed by the Leader of the Council set out in Appendix 1.
- 2.3 To agree the changes to officer delegated powers set out in Appendix 2
- 2.4 To agree the arrangements for review of the changes to officer delegated powers referred to at 2.2 and 2.3 set out a paragraph 3.8 of the report.
- 2.5 To agree the changes to contract standing orders set out in Appendix 3
- 2.6 To agree the general changes and updates to the Constitution set out in Appendix 4.
- 2.7 To authorise the Director of Legal, HR, Audit and Investigations to amend the Constitution to remove changes previously made to permit remote attendance at meetings in the event that the judicial review claim currently in progress is unsuccessful.
- 2.8 To note that, to the extent that the changes set out in this report relate to executive functions of the Council, they have been approved by the Leader.
- 2.9 To authorise the Director of Legal, HR, Audit & Investigations to amend the Constitution accordingly, including making any necessary incidental or consequential changes.
- 2.10 To agree the changes to the Pay Policy Statement for 2021-22 set out at paragraph 3.12 of the report.

3.0 Background

- 3.1 **Cessation of remote and hybrid meetings:** Section 8 of the Coronavirus Act 2020 (CA 2020) gave the Secretary of State power to make regulations in respect of various requirements relating to the holding of Local Authority meetings, including in particular provision for persons to attend, speak at, vote in, or otherwise participate in, local authority meetings without all or any of them being together in the same place. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations ("the Regulations") were duly made and had the effect of permitting local authority meetings before 7th May 2021 to be held remotely or as hybrid meetings. The Government position is that the existing Regulations cannot be extended under the CA 2020.

- 3.2 The Lawyers in Local Government (LLG) and Association of Democratic Services Officers (ADSO) (along with Hertfordshire County Council) have issued judicial review proceedings against the Government. They are seeking in particular a declaration that the Local Government Act 1972 Act does not prevent remote or hybrid meetings and that these can therefore continue notwithstanding the expiry of the Regulations.
- 3.3 It is anticipated the matter will be heard on or around 21 April 2021 although the outcome may not be immediately available. In the meantime plans have been made to manage the situation when the Regulations expire on the assumption that there may not be clear legal authority to continue with remote or hybrid meetings. This report requests in that event that the Director of Legal, HR, Audit & Investigation be authorised to amend the Constitution to remove the provisions specifically introduced to facilitate the holding of remote or hybrid meetings.
- 3.4 **Extending use of officer and member powers:** Luke Hall MP Minister of State for Regional Growth and Local Government wrote to Leaders and Principal Councils on 25 March 2021 giving advice to council's about the position once the Regulations expire. This included recommending that council's use existing powers to delegate decision making to officers or Cabinet members to reduce the number of meetings required.
- 3.5 The Leader of the Council has agreed the changes to delegated powers set out in Appendix 1, which the Council is asked to note.
- 3.6 Council is asked to approve the additional delegations to officers in respect of non-executive functions set out in Appendix 2.
- 3.7 The changes in Appendix 1 are not time limited other than those described at item 4.
- 3.8 It is proposed that the changes at item 4 referred to at 3.7 and the changes set out in Appendix 2 are agreed for a limited period and will cease to apply from such date, if any, on which it becomes possible to resume remote or hybrid meetings and are subject to review in any event at the next full council meeting.
- 3.9 **Contract standing orders** -. A general review of the Contract Standing Orders (CSOs) was undertaken to ensure the CSO's are in line with existing procurement processes and reflect changes in the light of Brexit. The proposed changes cover, for example:
- a) clarification of the defined CSO's terms, to ensure they accurately reflect the current position. For example, that the procurement team is now referred to as the Procurement Service, Dynamic Purchasing System is now a defined term and the E-auction facility and Electronic Tender facility are now to be approved by the Head of Procurement.
 - b) clarification of when approval or advice should be sought from the Head of Procurement as opposed the Director of Legal, HR and Investigations (the Monitoring Officer). For example, cases of extreme urgency are to be agreed between the Head of Procurement and the Monitoring Officer (para 86 (f) (ii)).

The Head of Procurement to be involved in Small Works and Services, Approved Lists of contractors and Online Marketplace (in place of the Director of Finance) (para 97); and the Online Market Place (i.e., contracts set up by Procurement and Framework Agreements) shall be approved by the Monitoring Officer in consultation with the Head of Procurement (para 97 (f)) as well as clarifications around pre-tender considerations.

- c) clarification of the defined CSO's terms, to ensure they accurately reflect the current position. For example, that the procurement team is now referred to as the Procurement Service, Dynamic Purchasing System is now a defined term and the E-auction facility and Electronic Tender facility are now to be approved by the Head of Procurement.
- d) clarification of when approval or advice should be sought from the Head of Procurement as opposed to the Director of Legal, HR and Investigations (the Monitoring Officer). For example, cases of extreme urgency are to be agreed between the Head of Procurement and the Monitoring Officer (para 86 (f) (ii)). The Head of Procurement to be involved in Small Works and Services, Approved Lists of contractors and Online Marketplace (in place of the Director of Finance) (para 97); and the Online Market Place (i.e., contracts set up by Procurement and Framework Agreements) shall be approved by the Monitoring Officer in consultation with the Head of Procurement (para 97 (f)) as well as clarifications around pre-tender considerations.

3.10 The proposed changes to the contract standing orders are set out in Appendix 3 and include proposed changes to reflect extending the use of officer and member power referred to in paragraph 3.4 above

3.11 **Annual Review of the Constitution** - Proposed changes have been made to the Responsibility of Functions pertaining to the Director of Finance and Director of Legal, HR and Audit and Investigations in order to clarify the audit and risk responsibilities; in addition it is proposed to change the Planning Committee terms of reference by removing the exclusion at 1 vi. (c) certificates of lawful use and development and d) prior approvals, as they are not applications for planning permission and so are not relevant to that part of the terms of reference. Further, it is proposed to update the Local Code of Corporate Governance to reflect changes arising from the Borough Plan and Brent 2020.

3.12 **Pay Policy Statement** – The Council's Pay Policy Statement for 2021-22 was adopted with changes to reflect The Restriction of Public Sector Exit Payments Regulations 2020. Those Regulations have now been rescinded. It is therefore proposed that the Pay Policy Statement be amended to reinstate the previous provisions to reflect the legislation and guidance which predated the Regulations and which remain in force. The proposed amendment to achieve this is set out below:

Payments on Termination of Employment

In the event that the council terminates the employment of an employee on the grounds of redundancy the terms of the council's redundancy and early retirement arrangements will apply. Termination payments are also subject to any caps and/or repayment requirements introduced by government legislation.

It is anticipated that regulations on capping payments and repayment of severance will be introduced although the timescale is unclear. Where practicable, and unless the Chief Executive agrees otherwise, termination payments which exceed £100k will normally be agreed by full council or a committee of the council.

4.0 Legal implications

4.1 These are contained in the body of the report

5.0 Financial Implications

5.1 No specific financial implications arise from this report.

6.0 Diversity Implications

6.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need:

- to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- advance equality of opportunity; and
- foster good relations between those who share a "protected characteristic" and those who do not.

This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation

6.2 An Equality Impact Assessment (EIA) was prepared at the time use of remote meetings commenced indicated that this would increase access for some groups but be potentially more difficult for some other groups. This is now being reviewed in respect of the proposals to return to face to face meetings. This EIA will be finalised upon the outcome of the Judicial Review case referred to in paragraph 3.3.

7 Background Papers

7.1 None

Report sign off:

Debra Norman

Director of Legal, HR, Audit &
Investigations

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Appendix 1

Delegations agreed by the Leader of the Council in respect of executive functions with effect from 30 April 2021

1. Procurement: Cabinet Members to have delegated power to award contracts valued over £2m spend on services or supplies or £5m spend on works and contracts with a lower value where referred to them by officers.
2. Grants: Officers to have delegated authority to agree grants or other financial assistance up to a value of £25k per annum and Cabinet Members to have delegated authority to agree such grants or other financial assistance up to a value of £50k per annum, other than in the case of the Voluntary Sector Initiative Fund which will continue to be the responsibility of Cabinet.
3. Cabinet Members to have delegated authority in respect of the following property matters:

To acquire or dispose of leases, licences, and easements in respect of land or buildings where:

- the annual rental value (excluding other outgoings) exceeds £500k (or does not exceed this figure but is referred by the relevant officer); and
 - if acquired or disposed of at a premium the value would in the reasonable opinion of the Director of Strategic Regeneration and Environment exceed £2m in value (or would not exceed this figure but Director of Strategic Regeneration and Environment has decided to refer the decision to the Cabinet Member) and
 - the leasehold term does not exceed 125 years
4. The Chief Executive to have delegated authority until the next Full Council meeting (or such other date as may be determined by the Leader), in consultation with the Leader or relevant Cabinet Member, in respect of decisions meeting the following criteria which are normally reserved to Cabinet:
 - The exercise of that function or the making of that decision would or would be likely to conflict with or result in a change or departure from any decision or policy agreed by the Council or the Cabinet or relevant Cabinet Member
 - The exercise of that function or the making of that decision would or would be likely in the opinion of the relevant Strategic Director or the Chief Executive to result in a very significant change in the model of service delivery.
 - The exercise of that function or the making of that decision would or would be likely to expose the Council to a significant or unusual level of risk, financial or otherwise, as determined by the Chief Executive, the Director of Finance or the Director of Legal, HR, Audit & Investigations.
 - The exercise of that function or the making of that decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public.

The following changes to the Constitution have been agreed to give effect to these delegations:

PART 3 - RESPONSIBILITY FOR FUNCTIONS

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9.5 In addition to those powers specified in the Tables and elsewhere in this Constitution, the officers specified above have delegated to them by the Council or the Leader, or Cabinet (as the case may be) all and any of the powers of the Council and the executive as may be necessary or desirable to enable them to effectively manage and operate their Department or to carry out the roles and responsibilities required of them from time to time (not necessarily restricted to those roles and responsibilities specified above). These powers are subject to the exemptions, restrictions and limitations specified in paragraph 10 below or elsewhere in this Constitution. These powers include (but are not limited to) the powers set out in the following table which are also, subject to any exemption, restriction or limitation specified in respect of them in that table:-

Power	Exception, restriction or limitation
<p>3(a) to invite expressions of interest, agree shortlists, invite tenders, negotiate, award, enter into and terminate contracts, agreements, deeds or other transactions; to purchase supplies and services; to appoint external consultants; to make minor or consequential changes to any of the documents mentioned above which were previously agreed by the Cabinet or the Council or their committees or sub-committees.</p>	<p>Provided that:</p> <p>(a) In the case of a contract, agreement, deed or transaction where the Council would be in receipt of works, services or supplies (other than the supply of energy through the Local Authority Energy Buying Group administered by Kent County Council (“Laser”)) if the value of the contract, agreement, deed, transaction, supply, service, work or consultancy would or would be likely or is estimated at the commencement of any procurement process to exceed £2 million in respect of services, supplies or £5 million in respect of works, such value to be aggregated over the life of the contract (including any possible extension) then:-</p> <p>(i) no expressions of interest shall be invited without the prior approval of <u>either the relevant Cabinet Member in respect of contracts relating to executive functions (where the Cabinet Member has power to make the decision) or alternatively</u> Cabinet (or in the appropriate cases the General Purposes Committee);</p>

	<p>(ii) no contract, agreement, deed or transaction shall be awarded, entered into or terminated without the prior approval of either the relevant Cabinet Member in respect of contracts relating to executive functions (where the Cabinet Member has power to make the decision) or alternatively Cabinet (or in appropriate cases the General Purposes Committee); and</p> <p>(iii) shortlists may only be drawn up and tenders may only be evaluated in accordance with the basis of the evaluation criteria approved by either the relevant Cabinet Member (in respect of contracts relating to executive functions where the Cabinet Member has power to make the decision) or alternatively the Cabinet (or in appropriate cases the General Purposes Committee) in accordance with Standing Orders 88(b) and 89(vi).</p> <p>(b)</p>
<p>9. to make grants or give other financial or other assistance to organisations.</p>	<p>(a) Provided that if the grant or other financial assistance involves the grant of funds from Council's own resources</p> <p>(i) the relevant Director is satisfied that no adverse capital finance or other negative implications would arise, unless written consent of the Director of Finance is obtained.</p> <p>(ii) no grant shall be made by officers if it amounts to more than £25k per annum except in the case of the Edward Harvist Trust where a grant not exceeding £7k per annum may be made and in the case of the Brent Advice Fund Grant where a grant not exceeding £20k per annum may be madeNeighbourhood Infrastructure Level grants which may be made</p>

	<p>by the Assistant Chief Executive up to the value of £100k.</p> <p>(iii) no grant shall be withdrawn or reduced by officers if the receiving body has received a grant from the Council for each of the last five years for the same purpose unless such withdrawal is due to the fact that the body no longer meets the relevant grant criteria or conditions of grant.</p> <p>(iv) the grant criteria has been approved by the Cabinet other appropriate body or person with appropriate authority.</p> <p>(v) no grant shall be made by officers from the council's Voluntary Sector Initiative Fund except with the prior approval of the Cabinet.</p> <p>(b) Provided that where the grant or other financial assistance involves the distribution of funds received from a third party the grant or other financial assistance complies with the conditions under which the funds have been received by the Council.</p>
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10. Exemptions, Restrictions and Limitations on Powers Delegated to Officers

10.1 Chief Officers exercising delegated authority ([other than the Chief Executive in the case of \(a\), \(k\), \(l\) or \(m\) below](#)) shall take all reasonable steps (including the taking of financial, legal and other similar advice) to ensure that no function is exercised or decision taken if, in their reasonable opinion:-

(a) **Policy:**

The exercise of that function or the making of that decision would or would be likely to conflict with or result in a change or departure from any decision or policy agreed by the Council or the Cabinet, other than the determination of planning applications where the departure from the development plan is determined in accordance with section 54A of the Town and Country Planning Act 1990.

(b)

(k) **Change in service delivery:**

The exercise of that function or the making of that decision would or would be likely in the opinion of the relevant Strategic Director or the Chief Executive to result in a very significant change in the model of service delivery.

(l) **Significant or unusual risk:**

The exercise of that function or the making of that decision would or would be likely to expose the Council to a significant or unusual level of risk, financial or otherwise, as determined by the Chief Executive, the Director of Finance or the Director of Legal, HR, Audit & Investigations.

(m) **Closure of a facility or reduction in services:**

The exercise of that function or the making of that decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public other than where such closure or reduction in service is considered necessary by the relevant Strategic Director or the Chief Executive for reasons of health and safety.

(n) **Charges and Fees:**

The decision relates to the setting, levying or increase of any fees or charges to any member of the public in respect of a Council service (other than room lettings and copying charges) unless it is authorised by the Council's Fees and Charges Policy and related guidance.

11. Acquiring, managing and disposing of land and buildings

11.1 Only the Strategic Director Regeneration and Environment or the Operational Director of Property and Assets may acquire or dispose of an interest in land or buildings. The restrictions placed upon such acquisitions or disposals are set out in paragraphs 11.2, 11.3 and 11.6 below. The Strategic Director Regeneration and Environment or the Operational Director of Property and Assets shall refer all other acquisitions and disposals including matters where the disposal or acquisition value or the length of lease are over and above the restrictions set out in 11.2, or 11.3 but below the amounts set out in section 13 below to the Cabinet Member with delegated authority or to the Cabinet.

13. Decisions by individual Members

The Leader has delegated the following functions to Cabinet members to be exercised within their portfolio area and in consultation with the Leader.

Categories of decisions for individual Cabinet Members, to be taken in consultation with the Leader.

CATEGORY	INDIVIDUAL MEMBER DELEGATED DECISIONS (in relation to their portfolio area)
Contracts and procurement	<u>Agreement to invite expressions of interest, agree pre-tender considerations, agree shortlists, invite tenders, negotiate, award, enter into and terminate contracts, deeds, agreements and other transactions; to purchase supplies and services and to appoint external consultants if:</u> <u>(a) the value of the contract, supply, service, work or consultancy would or would be likely or is estimated at the commencement of any procurement process to exceed the value at which officers may take the decision, but does not exceed £5 million in respect of services or supplies or £10 million in respect of works, such value to</u>

	<p><u>be aggregated over the life of the contract (including any possible extension); or</u></p> <p><u>(b) the likely or estimated value does not exceed the value at which officers may take the decision but the decision is referred by the relevant officer to the relevant Cabinet Member.</u></p>
<u>Grants</u>	<p><u>Agreement to make grants or give other financial assistance to organisations (other than from the Voluntary Sector Initiative Fund) provided that:</u></p> <p><u>(a) if the grant or other financial assistance involves the grant of funds from Council's own resources the grant or other financial assistance shall not exceed £50k per annum (and shall exceed £25k per annum unless specifically referred to the Cabinet Member by the relevant officer)</u></p> <p><u>(b) if the grant or other financial assistance involves the distribution of funds received from a third party, where this is specifically referred to the Cabinet Member by the relevant officer with delegated power, the grant or other financial assistance complies with the conditions under which the funds have been received by the Council.</u></p>
<u>Property</u>	<p><u>Agreement to acquire or dispose of leases, licences, and easements in respect of land or buildings where:</u></p> <ul style="list-style-type: none"> • <u>the annual rental value (excluding other outgoings) exceeds £500k (or does not exceed this figure but is referred by the relevant officer); and</u> • <u>if acquired or disposed of at a premium the value would in the reasonable opinion of the Director of Strategic Regeneration and Environment exceed £2m in value (or would not exceed this figure but Director of Strategic Regeneration and Environment has decided to refer the decision to the Cabinet Member); and</u> • <u>the leasehold term does not exceed 125 years.</u> • <u>if the lease, easement or, licence or other interest in land is otherwise disposed of at less than the best price that can reasonably be obtained this is and is not covered by a general consent, this is subject to obtaining any specific consent required from the Secretary of State</u>

Appendix 2

Delegation changes proposed in respect of non-executive functions

1. The Chief Executive to have delegated authority until the next Full Council meeting (or such other date as may be determined by the Leader), in consultation with the Leader or relevant Cabinet Member, in respect of decisions meeting the following criteria which are normally reserved to Cabinet:
 - The exercise of that function or the making of that decision would or would be likely to conflict with or result in a change or departure from any decision or policy agreed by the Council or the Cabinet or relevant Cabinet Member
 - The exercise of that function or the making of that decision would or would be likely in the opinion of the relevant Strategic Director or the Chief Executive to result in a very significant change in the model of service delivery.
 - The exercise of that function or the making of that decision would or would be likely to expose the Council to a significant or unusual level of risk, financial or otherwise, as determined by the Chief Executive, the Director of Finance or the Director of Legal, HR, Audit & Investigations.
 - The exercise of that function or the making of that decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public.
2. The Chief Executive to have delegated authority until the next Full Council meeting to make decisions usually reserved to the General Purposes Committee in respect of staff related matters in consultation with the Chair of the committee

The following changes to the Constitution are proposed to give effect to these delegations:

PART 3 - RESPONSIBILITY FOR FUNCTIONS

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9.3.4 The Chief Executive shall have authority to:

- To determine the terms and conditions on which staff appointed by the Senior Staff Appointments Sub-Committee shall hold office, including procedures for their dismissal, and to determine the grading structure to be applied to posts appointed by the Senior Staff Appointments Sub-Committee.
- To determine the overall framework of terms and conditions of service for employees.

.....

10. Exemptions, Restrictions and Limitations on Powers Delegated to Officers

- 10.1 Chief Officers exercising delegated authority (other than the Chief Executive in the case of (a), (k), (l) or (m) below) shall take all reasonable steps (including the taking of financial, legal and other similar advice) to ensure that no function is exercised or decision taken if, in their reasonable opinion:-

- (a) **Policy:**

The exercise of that function or the making of that decision would or would be likely to conflict with or result in a change or departure from any decision or policy agreed by the Council or the Cabinet, other than the determination of planning applications where the departure from the development plan is determined in accordance with section 54A of the Town and Country Planning Act 1990.

(b)

(k) **Change in service delivery:**

The exercise of that function or the making of that decision would or would be likely in the opinion of the relevant Strategic Director or the Chief Executive to result in a very significant change in the model of service delivery.

(l) **Significant or unusual risk:**

The exercise of that function or the making of that decision would or would be likely to expose the Council to a significant or unusual level of risk, financial or otherwise, as determined by the Chief Executive, the Director of Finance or the Director of Legal, HR, Audit & Investigations.

(m) **Closure of a facility or reduction in services:**

The exercise of that function or the making of that decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public other than where such closure or reduction in service is considered necessary by the relevant Strategic Director or the Chief Executive for reasons of health and safety.

(n) **Charges and Fees:**

The decision relates to the setting, levying or increase of any fees or charges to any member of the public in respect of a Council service (other than room lettings and copying charges) unless it is authorised by the Council's Fees and Charges Policy and related guidance.

PART 4 – TERMS OF REFERENCE

GENERAL PURPOSES COMMITTEE

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Terms of Reference

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5. If referred to the committee by the Chief Executive to determine the terms and conditions on which staff appointed by the Senior Staff Appointments Sub-Committee shall hold office, including procedures for their dismissal, and to determine the grading structure to be applied to posts appointed by the Senior Staff Appointments Sub-Committee.

6. If referred to the committee by the Chief Executive to determine the overall framework of terms and conditions of service for employees.

APPENDIX 3 – Changes to Contract Standing Orders

CONTRACT STANDING ORDERS

82. Definitions

The following definitions shall apply throughout these Contract Standing Orders (in alphabetical order):

<u>DEFINED TERM</u>	<u>DEFINITION</u>
Approved List	A list of contractors that meet the Council's minimum financial and technical criteria for specified types of supplies or works contracts.
Chief Officer	The Chief Executive and Strategic Directors.
Collaborative Procurement	Any arrangement between the Council and any other body under which the Council or the other body undertakes a procurement process with or on behalf of the other.
<u>Contract Value</u>	<u>The contract value or estimated contract value sum for the contract term (including extensions) that the Council believes is required to deliver the service or project, excluding VAT but including extensions.</u>
Contracts Finder	A web -based facility operated by or on behalf of the Cabinet Office for advertising tenders.
Contracts Register	The electronic register of contracts awarded by the Council and overseen by the Corporate Procurement Centre <u>Department Service</u> .
<u>Dynamic Purchasing System</u>	<u>A purchasing system operated electronically through which commonly used services, supplies or works may be purchased from providers that may at any time apply to join the system.</u>
Contract Value or Estimated Value	The contract's value or estimated value for the contract term excluding VAT.

<u>DEFINED TERM</u>	<u>DEFINITION</u>
E-Auction Facility	A web-based facility approved by the <u>Head of Procurement</u> Director of Legal, HR, Audit & Investigations which enables the electronic submission of prices for a Tender.
Electronic Tender Facility	A web-based facility approved by the <u>Head of Procurement</u> Director of Legal, HR, Audit & Investigations which enables the electronic despatch and receipt of Tender documents.
Electronic Tender Time Box	The feature within an Electronic Tender Facility which stores received Tenders and prevents viewing of them until after the appointed closing date and time.
European Procurement Legislation	The relevant EU Directives and corresponding UK Regulations as amended or replaced from time to time including the Public Contracts Regulations 2015 and the Concession Contracts Regulations 2016.
EU Thresholds	<p>The current EU thresholds under European Procurement Legislation for the following types of contracts are:</p> <ul style="list-style-type: none"> • in the case of contracts for public works, £4,733,252 • in the case of contracts for services or supplies, £189,330 • in the case of contracts for Schedule 3 Services, £663,540 • in the case of contracts for public works or services concession contracts, £4,733,252
<u>Evaluation Panel</u>	<u>The individuals officers who are tasked with reviewing tenders in accordance with the criteria for award.</u>
<u>Find a Tender / FTS</u>	<u>The UK e-notification service where notices in relation to procurements of contracts over relevant Thresholds commencing on or after 1 January 2021 are required to be published in place of notices in OJEU.</u>

<u>DEFINED TERM</u>	<u>DEFINITION</u>
Framework Agreement	An agreement for a specified term under which contracts for the provision of particular services, supplies or works can be entered into (" called <u>called-off</u> ") on agreed terms.
High Value Contract	Any contract <u>with a Contract Value of and over the that exceeds the following values stated for Medium Value Contracts.:</u> <u>for services or supplies contracts £2,000,000; and</u> <u>for Works contracts £5,000,000.</u>
<u>Local Brent Supplier Provider</u>	<u>A part that providers of services, supplies or works and that is based or has a local office situated within the London Borough of Brent.</u>
Low Value Contract	In the case of contracts for services (including Schedule 3 Services) or supplies: a contract with an estimated value over the life of the contract (including any period of extension(s) anticipated by the contract) <u>a Contract Value of between £25,000 and up to the amount which is and the current EU Threshold for services and supplies contracts (which is currently £189,330).</u> <u>In the case of a contract for construction or works: a contract with a Contract Value of between £25,000 and £250,000, provided that the contract is classified as a contract for works by Procurement Legislation.</u> In the case of a contract for construction or works: a contract with an estimated value over the life of the contract (including any period of extension(s) anticipated by the contract) of between £25,000 and up to £250,000, provided that the contract is classified as a contract for works and not services by the European Procurement Legislation.
Local Brent Provider	A party that provides services, supplies or works and that is based or has a local office situate in a postcode area falling within the London Borough of Brent.
Medium Value Contract	In the case of contracts for services (including Schedule 3 Services) or supplies: a contract with <u>a Contract Value an estimated value over the life of the contract (including any period of extension(s) anticipated by the contract) of</u>

<u>DEFINED TERM</u>	<u>DEFINITION</u>
	<p>between the amount which is the relevant EU Threshold for services or supplies contracts (which is currently £189,330) and £2m.</p> <p>In the case of a contract for construction or works, a contract with an estimated Contract V value of between £250,000 and £5m <u>£5,000,000</u>, provided that the contract is classified as a contract for works and not by European Procurement Legislation.</p>
Member	An elected member of Brent Council.
Monitoring Officer	<u>The</u> Director of Legal, HR-, Audit & Investigations.
<u>OJEU</u>	<u>The Official Journal of the European Union.</u>
Official Order	An order for services, supplies or works to the Council issued by an authorised officer using the Council's official order form.
OJEU	The Official Journal of the European Union.
Online Market Place	A web-based facility approved by the <u>Head of Procurement</u> Director of Legal, HR, Audit & Investigations which enables the procurement of specified types of services, supplies or works contracts.
<u>Procurement Legislation</u>	<u>The relevant (where applicable) UK Regulations as amended or replaced from time to time including The Public Contracts Regulations 2015 and The Concession Contracts Regulations 2016.</u>
<u>Purchase Order</u>	<u>An order for services, supplies or works to the Council issued by an authorised officer using the Council's official order form.</u>

<u>DEFINED TERM</u>	<u>DEFINITION</u>
Schedule 3 Services	Those social and other specific services listed in Schedule 3 of the <u>The</u> Public Contracts Regulations 2015.
Tender	An offer or bid or tender from a party to provide services, supplies or works to the Council including any offer, bid or tender which is subject to negotiation.
Tender Acceptance	An acceptance in writing <u>or electronically</u> of a Tender.
<u>Threshold(s)</u>	<p><u>The current thresholds under Procurement Legislation for the following types of contracts are:</u></p> <ul style="list-style-type: none"> • <u>in the case of contracts for Works, £4,733,252;</u> • <u>in the case of contracts for services or supplies, £189,330;</u> • <u>in the case of contracts for Schedule 3 Services, £663,540; and</u> • <u>in the case of contracts for public works or services concession contracts, £4,733,252.</u>
Very Low Value Contract	A contract or commitment with a value from £0 to £25,000.
<u>Works</u>	<u>The activities listed in Schedule 2 of The Public Contracts Regulations 2015.</u>

~~83.~~ 83. Contracts exempt from Contract Standing Orders

~~—~~ The following contracts are exempt from Contract Standing Orders:-

- (a) individual agency contracts for the provision of temporary staff (although it is mandatory to place such contracts through the Council's corporate agency staff arrangements);
- (b) ~~(b)~~ employment contracts; and
- ~~(c)~~ ~~(e)~~ contracts relating to an interest in land or property.
- ~~(e)~~.

84. General Requirements

- (a) ~~(a)~~—Every contract entered into by the Council shall be entered into pursuant to or in connection with the Council's functions AND shall be procured in accordance with ~~all relevant domestic and European~~ Procurement ~~Legislation~~ and unless for good operational and/or financial reasons the Cabinet or individual Cabinet member (or, if appropriate, the General Purposes Committee) agrees otherwise, with these Contract Standing Orders and the Council's Financial Regulations.
- (b) ~~(b)~~—In addition to the powers of the Cabinet, individual Cabinet member and the General Purposes Committee in paragraph 84(a) to grant an exemption from the requirement to procure in accordance with these Contract Standing Orders, the Director of Finance is also able to grant such exemptions:
- (i)- on grounds of extreme urgency; or
 - (ii)- where the exemption sought is in relation to the requirement to obtain ~~3~~ three written ~~quotes-quotations~~ under Standing Order 86(c).

The Director of Finance shall only exercise his / her authority under this ~~paragraph~~ paragraph:

- ~~(i)~~ (i) following legal advice that there is no breach of Procurement Legislation ~~domestic or EU law~~ or the Council's own procedures in the exercise of the ~~authority~~ authority; or
 - ~~(ii)~~ (ii) where there are good operational and / or financial reasons for doing so, after taking advice from the Head of Procurement.
- (c) Chief Officers shall ensure, in undertaking any contract procurement, that:-
- (i) ~~(i)~~—fair, transparent and auditable processes are followed at all stages;
 - (ii) ~~(ii)~~—tender exercises are conducted appropriate to the nature of the contract being procured;
 - (iii) ~~(iii)~~—all tenderers are treated equally and fairly;
 - (iv) ~~(iv)~~—these Contract Standing Orders are complied with;
 - (v) the Contracts Register is kept updated at all times as set out in Standing Order 110; and
 - (vi) appropriate steps are taken to prevent, identify and remedy any conflicts of interest.
- (d) Contract tendering procedures are contained in the Council's Contract Procurement and Management Guidelines which shall be updated and amended from time to time to comply with these Contract Standing Orders. ~~Advice on any of the requirements of these Contract Standing Orders shall be sought from the~~ Head of Procurement in the first instance and the Director of Legal, HR, Audit & Investigations Monitoring Officer or Director of Finance as appropriate.
- (e) For the avoidance of doubt these Contract Standing Orders apply to:-
- (i) the appointment of consultants; and

- (ii) the establishment of Framework Agreements and Dynamic Purchasing Systems.
- (f) Subject to paragraph (a) and (b) above, Standing Order 97 (mandatory Approved List and Online Market Place), all ~~medium~~ Medium and ~~high~~ High Value ~~contracts~~ Contracts shall be entered into and procured in accordance with the formal tendering procedures set out in these Standing Orders.

85. Partnership Arrangements and Collaborative Procurement

- (a) No Partnership Arrangements may be entered into unless they are approved by the Director of Finance and a formal agreement covering the arrangements is signed by the parties.
- (b) Any Partnership Arrangement or Collaborative Procurement which includes delegation of powers shall be approved by the Cabinet (or, where relevant, Full Council).
- (c) Any Collaborative Procurement shall comply with these Standing Orders and Financial Regulations unless:
 - (i) agreed otherwise in consultation with the Head of Procurement and in writing by ~~the~~ Director of Finance and the Monitoring Officer ~~Director of Legal, HR, Audit & Investigations~~; or
 - (ii) in the case of a High Value Contract, the agreement of the Cabinet or individual Cabinet member is obtained under Standing Order 84(a).

For the purposes of this Standing Order the ~~contract~~ Contract value ~~Value~~ shall be calculated on the estimated value of the Council's part of the contract only.

- (d) Any agreement between the Council and one or more other body which includes any payment by the Council in respect of the costs of carrying out a Collaborative Procurement shall comply with these Standing Orders unless agreed otherwise in writing by the Director of Finance ~~and the~~ Monitoring Officer ~~Director of Legal, HR, Audit & Investigations~~.

86. Contracts not subject to full tendering requirements

- (a) Certain contracts as set out in this Standing Order listed below, are not subject to the full tendering requirements of these Contract Standing Orders but are subject to any other relevant parts thereof.
- (b) No formal procurement procedures apply to **Very Low Value Contracts** apart from a requirement to secure best value. For Very Low Value Contracts, the best way to demonstrate best value is by seeking three quotes quotations or using an Approved List (where one exists) or the Online Market Place, ~~however this is not mandatory and it is open to a duly authorised officer to approve~~ another procurement route. As with all Council procurement, there is a mandatory requirement to keep an auditable record to demonstrate compliance and value for money.
- (c) ~~Save where required by~~ Under ~~European~~ Procurement Legislation, ~~no formal tendering procedures apply to, for~~ **Low Value Contracts** ~~except that~~ at least three written ~~quotes quotations should be~~ must be sought ~~and the quotes sought and/or obtained shall be recorded or alternatively the contract is procured through the Online Market Place. Where quotes are sought, a~~ Advice must be sought from the

~~Council's procurement~~ Procurement officers ~~Department~~ Service about how to select the three organisations to be invited to quote and how to structure the quotation process. Unless the Council's procurement officers advise that it is not necessary or appropriate, all ~~quotes~~ quotations shall be sought using the Electronic Tender Facility and at least one of the ~~quotes~~ quotations shall be sought from a Local Brent Provider, where possible.⁴ ~~Low Value Contracts do however~~ require formal approval for award according to Standing Order 88(a) from a duly authorised officer ~~w~~, where applicable, within the relevant Council Department.

- (d) Contracts which are procured using an Approved List or the Online Market Place in accordance with the rules prescribed pursuant to Standing Order 97, are not subject to full tendering requirements.
- (e) Subject to the proviso below, no formal tendering procedures apply where contracts are called off under:
- (i)- a Framework Agreement established pursuant to these Standing Orders or otherwise established pursuant to a joint procurement involving the Council; or
 - (ii)- a Framework Agreement or Dynamic Purchasing System established by another contracting authority, where ~~call~~ call-off under the Framework Agreement or Dynamic Purchasing System is approved by the relevant Chief Officer to include confirmation that there is budgetary provision for the proposed call-off contract PROVIDED that the Director of Legal, HR-, Audit & Investigations has advised that participation in the Framework Agreement or Dynamic Purchasing System is legally permissible. Advice from the Director of Legal, HR, Audit & Investigations must be obtained each and every time a call off under another contracting authority's Framework Agreement is recommended by the relevant Chief Officer.
 - (iii) the Online Market Place (as detailed in Standing Order 97), where the ~~call~~ call-off is approved ~~by~~ the relevant Chief Officer to include confirmation that there is budgetary provision for the proposed call-off contract.

SAVE THAT any High Value Contract may only be awarded on the approval of the Cabinet or individual Cabinet member as required by paragraph 9.5 of Part 3 of the Constitution.

- (f) Subject to complying with any relevant parts of ~~the European~~ Procurement Legislation, Tenders need not be invited nor ~~quotes~~ quotations sought:
- (i) where for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the services, supplies or works may only be provided by a particular provider or where there is only one provider who would be able to provide the services, supplies or works required PROVIDED that advice is sought from the Director of Legal, HR-, Audit & Investigations and Head of Procurement and in the case of High Value Contracts, approval is sought from the Cabinet or individual Cabinet member (or, if appropriate, the General Purposes Committee); or
 - (ii) in cases of extreme urgency where there is an immediate danger to life or limb or property and only to the extent necessary to procure services, supplies or works necessary to deal with the immediate urgent situation PROVIDED

that advice is sought from the Director of Legal, HR, Audit & Investigations and Head of Procurement; or

- (iii) for contracts providing individual personal services such as individual care arrangements or individual special educational needs provision and for the avoidance of doubt this exemption does not apply to any framework agreements or call off contracts that will facilitate the award of individual contracts providing such personal personnel.

87. Provision of goods, services and works by the Council

- (a) The Local Authorities (Goods and Services) Act 1970 (“the 1970 Act”) provides that local authorities may enter into contracts to provide goods and services to public bodies defined as such by the 1970 Act. —Section 96 of the Local Government Act 2003 provides that local authorities may do for a commercial purpose anything which they are authorised to do for the purpose of carrying on any of their ordinary functions provided this power is exercised through a company within the meaning of Part 5 of the Local Government Act 1989. The general power of competence in the Localism Act 2011 may also authorise the provision of goods, works and services by the Council.
- (b) Before entering into arrangements under any of these provisions, officers must comply with the relevant requirements of Financial Regulation in Part 2 of the Constitution.
- (c) Authority to enter into arrangements under any of these provisions must be agreed by the Cabinet (or if appropriate the General Purposes Committee) where:
 - (i) the ~~C~~contract ~~value-Value~~ would exceed £1m *per annum*; or
 - (ii) the gross cost to the Council of providing the relevant goods, services or works under the contract is estimated to exceed £1m *per annum* calculating the full costs over the term of the contract (including any period of extension(s) anticipated by the contract); ~~or~~
 - ~~(iii) (iii) —~~ where a company is to be set up for the purposes of the arrangements.
- (d) In all cases advice shall be sought from the Director of Legal, HR, Audit & Investigations and the Director of Finance prior to entering into any such arrangement and/or prior to seeking approval by the Cabinet.

88. Authority to go out to tender and enter into contracts

- (a) Chief Officers have delegated to them power to invite expressions of interest, agree shortlists, invite Tenders, negotiate, award, and terminate contracts in accordance with paragraph 9.5, of Part 3 of this Constitution. ~~No individual Member may enter into a contract on the Council's behalf.~~
- (b) Where approval to invite expressions of interest is required from the Cabinet (or if appropriate the General Purposes Committee or Pension Fund Sub-Committee) ~~or individual Cabinet member,~~ the Cabinet, the General Purposes Committee, ~~or the Pension Fund Sub-Committee~~ or individual Cabinet member as the case may be, shall receive and consider a report setting out the pre-tender considerations specified in Standing Order 89 and shall give such approval or approvals as it considers necessary.

- (c) Where approval to award or terminate a contract is required to be obtained or is in any event sought from the Cabinet (or the General Purposes Committee or Pension Fund Sub-Committee) or individual Cabinet member, the Cabinet, the General Purposes Committee, ~~or the Pension Fund Sub-Committee~~ or individual Cabinet member as the case may be, shall receive and consider a report setting out all relevant information necessary to enable it to give such approval or approvals as it considers necessary.
- (d) Chief Officers are responsible for ensuring that the relevant category manager in the ~~Corporate Procurement Centre~~ Procurement Department Service is notified of all proposed procurements of or exceeding £25,000 in value. The role of the ~~category~~ Category manager Manager under this Standing Order 88 is to advise on appropriate procurement routes, ensuring that the Service Area takes legal advice as necessary.

89. Pre-Tender Considerations

In procuring any contract, Chief Officers (or the Cabinet or individual Cabinet member for High Value ~~contracts~~ Contracts) shall, where appropriate, consider the following matters prior to inviting Tenders:

- ~~(i)~~ (i) — the nature of the services, supplies or works contract to be tendered;
- ~~(ii)~~ (ii) — the ~~estimated value~~ Contract Value;
- ~~(iii)~~ (iii) — the contract term and any period of extension(s) anticipated by the contract;
- ~~(iv)~~ (iv) — the tender procedure to be adopted including whether any part of the procedure will be conducted otherwise than by electronic means and whether there will be an e-auction;
- ~~(v)~~ (v) — the procurement timetable;
- ~~(vi)~~ (vi) — the evaluation criteria and process;
- ~~(vii)~~ (vii) — any business risks associated with entering the contract;
- ~~(viii)~~ (viii) the Council's Best Value duties;
- ~~(ix)~~ (ix) ~~The~~ the Council's duty under the Public Services (Social Value) Act 2012 (~~the~~ duty applies only to Medium and High Value Contracts for services but should be considered for all contracts with a Contract Value above £100,000);
- ~~(x)~~ (x) — any staffing implications including TUPE and pensions; ~~and~~
- ~~(xi)~~ (xi) — ~~the~~ relevant financial, legal and other considerations; ~~;~~
- (xii) Sustainability
- (xiii) Key Performance Indicators / outcomes; ;
- (xiv) London Living Wage; and
- (xv) Contract Management.

90. Contract Value

Chief Officers shall ensure that a Contract Value is prepared and recorded prior to the commencement of a tender exercise. Such estimate shall be calculated on the basis of the value of the contract over the life of the contract including any period of extension(s) anticipated by the contract whether or not a one-off service, supply or work. Where a contract has no fixed term, the value of the contract shall be calculated as if the term of that contract were 48 months.

910. Lots

Chief Officers in consultation with Procurement shall consider whether a contract should be subdivided into lots and if a decision is taken not to sub-divide into lots, shall record the reason for such decision in writing. Contracts must not, however, be sub-divided into lots to avoid competitive tendering or compliance with these Contract Standing Orders. The estimated value of contracts split into lots shall be calculated using the total value of all lots, to determine what threshold applies and the procurement process to be undertaken.

91. Estimated contract value

~~Chief Officers shall ensure that an estimated contract value is prepared and recorded prior to commencement of a tender exercise. Such estimate shall be calculated on the basis of the value of the contract over the life of the contract including any period of extension(s) anticipated by the contract whether or not a one-off service, supply or work. Where a contract has no fixed term the value of the contract shall be calculated as if the term of that contract was 48 months.~~

91. Lots

~~Chief Officers shall consider whether a contract should be subdivided into lots and if a decision is decided not to subdivide into lots, shall record the reason for such decision in writing. Contracts must not however be subdivided into lots to avoid competitive tendering. The estimated value of contracts split into lots shall be calculated using the total value of all lots, to determine what threshold and procurement process will be undertaken.~~

92. Procurement by consultants

Where consultants are appointed to undertake tendering on the Council's behalf they shall be instructed to comply with Contract Standing Orders and to ~~refer to~~ consult with the Head of Procurement and the Contract Procurement and Management Guidelines as appropriate. No consultant shall make a decision ~~as to whom to~~ about the award of a contract nor enter into contracts on the Council's behalf. Appropriate arrangements shall be implemented to monitor any procurement managed by consultants.

93. Appointment to the Evaluation Panel

For High Value Contracts the Director of Legal, HR , Audit & Investigations Services and the Director of Finance shall, if he/she considers it appropriate, be part of or appoint a representative to the ~~evaluation~~ Evaluation panel ~~Panel~~ or shall advise the ~~panel~~ Panel as he/she sees fit.

94. Prior Information Notice (PINs)

~~Chief Officers should ensure that a Prior Information Notice is published in OJEU as soon as possible after the commencement of each financial year detailing the intended total procurement for the year for services, supplies and works contracts to be tendered which are subject to European Procurement Legislation. Notwithstanding PINs being issued in Find a Tender prior to a tender process, Procurement will endeavour to advise the market on an annual basis by the issue of a PIN of forthcoming opportunities that may transpire during the forthcoming financial year.~~

95. Inviting Tenders for Contracts ~~at or over~~ EU-Thresholds

~~(a)~~ (a) — Where a services, supplies or works contract has ~~an estimated~~ Contract value ~~Value~~ in excess of the EU-Threshold(s), then Tenders shall be invited in accordance with European Procurement Legislation using the ~~open~~ Open, Rrestricted, competitive ~~Competitive~~ procedure ~~Procedure~~ with negotiation ~~Negotiation~~, competitive ~~Competitive~~ dialogue ~~Dialogue~~, innovative ~~Innovative~~ partnership ~~Partnership~~ or negotiated ~~Negotiated~~ (applicable to concession contracts only) procedure by placing a ~~notice~~ Notice in Find a Tender in accordance with Procurement Legislation in OJEU no later than any other advertisement placed in any other publication.

~~(a)(b)~~ An advertisement ~~A~~ Notice for such Tender will also be placed on Contracts Finder following the placing of the ~~notice~~ Notice in Find a Tender ~~on~~ in accordance with Procurement Legislation ~~OJEU~~.

~~(b)(c)~~ (b) — Where a contract for Schedule 3 Services has a ~~an estimated~~ Contract value ~~Value~~ in excess of the EU-Threshold, then Tenders may be invited using procedures outlined in paragraph (a) ~~(a)~~ above or such additional procedures as are consistent with European Procurement Legislation.

96. Inviting Tenders for Contracts below EU-Thresholds

(a) Where a ~~contract~~ Contract Value is below the relevant EU-Threshold, then Tenders shall be invited in accordance with:-

- (i) ~~any~~ all requirements in ~~the European~~ Procurement Legislation relating to below EU-Threshold contracts, ~~if as~~ appropriate;
- (ii) these Contract Standing Orders; and
- (iii) the requirements of either (b) or (c) below:-

(b) Single Stage Tenders

~~(i)~~ (i) — Tenders ~~shall~~ be invited by way of a public notice published on Contracts Finder, ~~on~~ the Electronic Tender Facility ~~London Tenders Portal~~ and by such other additional means as is considered appropriate, stating

the nature of the contract being tendered and stating the last date when Tenders will be accepted, which shall not normally be less than 21 days after the date that the ~~notice-Notice~~ was first published.- The ~~estimated value of the contract~~Contract Value may also be included.

~~(i)~~ ~~(ii)~~—Where relevant to the subject matter of the procurement and proportionate, suitability assessment questions may be asked in order to ensure that the person or body meets the Council's requirements or minimum standards of suitability, capability, legal status or financial standing~~g~~.

(c) **Two-Stage Tenders**

For Medium Value Contracts and High Value Contracts for works or Schedule 3 Services that are below the appropriate EU-Thresholds, in addition to a Single Stage Tender process, tenders may also be invited as follows:

~~(i)~~ ~~(i)~~—Expressions of interest shall be invited by public notice published ~~on~~ on Contracts Finder, the Electronic Tender Facility~~London Tenders Portal~~ and by such other additional means as is considered appropriate, stating the nature of the contract being tendered ~~stating and~~ the last date when expressions of interest will be accepted which shall not normally be less than 21 days after the date that the ~~notice-Notice~~ was first published~~:-~~.

~~(i)~~~~(ii)~~—Information about the tender shall also be placed on Contracts Finder.

~~(ii)~~~~(iii)~~ ~~(ii)~~—Persons or bodies wishing to express an interest shall be ~~sent~~ directed to a selection questionnaire to be completed and ~~returned~~ submitted to the Council by the date specified in the ~~notice-Notice~~:-

~~(iii)~~~~(iv)~~ ~~(iii)~~—The response to the ~~selection~~ Selection questionnaire Questionnaire shall be used to evaluate whether the person or body meets the Council's minimum technical capacity and financial standing requirements ~~and~~, has relevant experience, and ~~whether they~~ should be included in a shortlist~~; and~~.

~~(v)~~ ~~(iv)~~—Tenders shall be invited from those persons or bodies who have been included in the shortlist.

97. Approved Lists and Online Market Place

(a) ~~(a)~~—The Council has agreed the use of a corporate Approved List. The Director of Legal, HR, Audit & Investigations in consultation with the Head of Procurement ~~in consultation with the Director of Finance~~ may prescribe the rules on how the ~~Corporate~~ corporate Approved List shall be compiled, used, monitored and reviewed and may amend such rules periodically.

(b) The use of the corporate Approved List shall be mandatory for all Low Value Contracts for services and supplies and for all Low and Medium Value contracts for works where a relevant corporate Approved List category exists, unless an exemption is granted pursuant to the rules prescribed under (a) above.

(c) ~~(e)~~—The Council has agreed the use of a Small Works and Services Approved List. The Head of Procurement in consultation with the Director of Legal, HR, Audit & Investigations may prescribe the rules on how the Small Works and Services

Approved List shall be compiled, used, monitored and reviewed and may amend such rules periodically.

| (d) ~~(e)~~—The use of the Small Works and Services Approved List shall be mandatory
| for all Low Value Contracts for services supplies and works where a relevant Small
| Works and Services Approved List category exists, unless an exemption is granted
| pursuant to the rules prescribed under (c) above.

~~(e)~~(e) ~~(e)~~—The Council has agreed the use of an Online Market Place. The Head of Procurement~~Director of Legal, HR, Audit & Investigations in consultation with the Director of Finance~~ may prescribe the internal rules ~~on as to~~ how the Online Market Place shall be used, monitored and reviewed and may amend such rules periodically.

~~(e)~~(f) ~~(f)~~—The Online Market Place shall consist of:

- (i) a contract or Framework Agreement established pursuant to these Standing Orders; or
- (ii) a Dynamic Purchasing System or Framework Agreement established by another contracting authority, PROVIDED that the Monitoring Officer, in consultation with the Head of Procurement, has advised that participation in the Dynamic Purchasing System or Framework Agreement and inclusion on the Online Market Place is legally permissible.

98. The Invitation to Tender

(a) The invitation to tender shall include the following details:-

- (i) a description of the services, supplies or works being procured;
- (ii) whether the Council is of the view that TUPE will apply;
- (iii) the tender timetable including the tender return date and time, which must allow a reasonable period for applicants to prepare their Tenders;
- (iv) a specification and instructions on whether any variants are permissible;
- (v) the Council's terms and conditions of contract;
- (vi) the evaluation criteria including either weightings or the order of importance;
- (vii) pricing schedules, if appropriate, and instructions for completion;
- (viii) whether the tenderer is required to price separately if the tenderer were required to offer appropriate pension provision and/or parent company guarantee and/or a performance bond;
- (ix) form and contents of method statements, if any, to be provided;
- (x) confirmation that Tenders are to be submitted electronically unless this is not possible or inappropriate;
- (xi) the rules and method for submitting Tenders;
- (xii) where Tenders are to be received electronically via the Electronic Tender Facility, a requirement that tenderers submit a signed hard copy of the form of tender, undertakings and any other original documentation upon request;
- ~~(xiii)~~ (xiii) whether ~~or not~~ an e-auction will be conducted;

~~(xiii)~~(xiv) information about Social Value, London Living Wage and Lots (where appropriate); and

- (xiv) any further information which will inform or assist applicants in preparing their Tenders.

~~(b) Except in the case of electronic tendering the invitation to tender shall state that no Tender will be considered unless contained in a plain sealed envelope and endorsed "Tender" followed by the subject to which it relates. In all cases the invitation to tender shall specify whether and if so to what extent, the terms of the contract or any part specified will be subject to negotiation between the parties.~~

99. Form of Tender

- (a) All Tenders shall be required to be submitted on the Council's form of tender which shall include the following details:

- (i) a statement that the Council will not be bound to accept any Tender;
- (ii) a section where the tenderer shall state whether ~~their~~its Tender is priced on the basis of TUPE applying or not;
- (iii) except where permitted by ~~European~~ Procurement Legislation, a statement that formal acceptance of the Tender by the Council will, until such time as a written contract can be executed, bind the parties into a contractual relationship; and
- (iv) except in the case of an e-auction, the price and whether this would be different if the tenderer were to offer a comparable pension and/or a parent company guarantee and/or a performance bond.

- (b) ~~Except in the case of electronic tendering, no Tender shall be considered unless it is contained in a plain sealed envelope and endorsed "Tender" followed by the subject to which it relates. In the case of electronic tendering, Tenders must be submitted and opened in accordance with the requirements of Standing Orders ~~404~~100 and 101.~~

100. E-Tendering and E-Auctions

The following rules apply to the use of an Electronic Tender Facility and/or an E-Auction Facility regardless of the value of the contract being procured:

- (a) Invitations to Tender should be submitted and Tenders received by electronic means via an Electronic Tender Facility. Except in the case of e-auctions no other form of electronic tendering shall be permissible. All e-tendering must comply with Procurement Legislation where applicable.
- (b) Tenders received electronically via the Electronic Tender Facility must be held securely until after the closing date and time.
- (c) Tenders securely held must all be opened at the same time by an authorised officer and the Tender details recorded.
- (e) In appropriate cases the submission of prices or values of quantifiable elements for a Tender may be conducted by e-auction using an E-Auction Facility. An E-Auction Facility may be used in conjunction with an Electronic Tender Facility.
- (f) Tenders conducted by e-auction must comply with Procurement Legislation where applicable and unless used in conjunction with an Electronic Tender

Facility, must follow the usual process for the invitation, submission and evaluation of Tenders (including this Standing Order 100) except that the submission of prices and/or values may occur via an online auction.

- (g) Except with the prior written approval of the Director of Finance, electronic tendering shall only be undertaken using the Council's Electronic Tender Facility or E-Auction Facility operated by the Procurement Department Service.

1001. Receipt and Opening of Tenders

In the event that tenders are submitted in hard copy, ~~the Head of Procurement Except in the case of electronic tendering via an Electronic Tendering Facility for which the rules in Standing Order 101 shall apply,~~ the receipt and openings of Tenders shall be conducted as follows:

- (a) All High Value Contract Tenders shall be addressed to the Council's Democratic Services Manager and the Tender shall remain in the custody of the Democratic Services Manager until the time appointed for its opening~~:-~~
- (b) High Value Contract Tenders shall be opened and Tender details recorded by an authorised representative of the Democratic Services Manager and at least one other officer~~:-~~
- (c) Medium Value Contract Tenders shall be addressed to the relevant Chief Officer and the Tender shall remain in the custody of the Chief Officer until the time appointed for its opening; and~~-~~
- (d) ~~Chief Officers and t~~he Head of Executive and Member Services shall make appropriate arrangements for the receipt, storage and opening of Tenders by an officer of appropriate seniority which ensures that each tenderer is treated fairly and equally and ensures probity.

101. E-Tendering and E-Auctions

~~The following rules apply to the use of an Electronic Tender Facility and/or an E-Auction Facility regardless of the value of the contract being procured:~~

- ~~(a) Invitations to tender may be despatched and Tenders received by electronic means via an Electronic Tender Facility. Except in the case of e-auctions no other form of electronic tendering shall be permissible. All e-tendering must comply with European Procurement Legislation where applicable.~~
- ~~(b) Tenders received electronically via the Electronic Tender Facility must be held in an Electronic Tender Time-Box until after the appointed closing date and time.~~
- ~~(c) Tenders held in an Electronic Tender Time-Box must all be opened at the same time by an authorised officer in the Procurement team after the appointed closing date and time for the Electronic Tender Time-Box has passed and the Tender details recorded.~~
- ~~(d) Where any original Tender documentation is to be submitted in hard copy instead of electronically as part of the tender process using an Electronic Tender Facility, such documentation shall be addressed to the Head of Procurement and the Tender documentation shall remain in the custody of the Head of Procurement until the time appointed for its opening. At the time appointed for the opening of Tenders held in the Electronic Tender Time-Box, the hard copy Tender documentation shall be opened and~~

~~the details recorded by an authorised representative of the Head of Procurement and at least one other officer.~~

~~(e) — In appropriate cases the submission of prices or values of quantifiable elements for a Tender may be conducted by e-auction using an E-Auction Facility. An E-Auction Facility may be used in conjunction with an Electronic Tender Facility.~~

~~(f) — Tenders conducted by e-auction must comply with any specific European Procurement Legislation where applicable and unless used in conjunction with an Electronic Tender Facility, must follow the usual process for the invitation, submission and evaluation of Tenders (including Standing Order 100) except that the submission of prices and/or values may occur via an online auction.~~

~~(g) — Except with the prior written approval of the Director of Finance, electronic tendering may only be undertaken using the Council's Electronic Tender Facility or E-Auction Facility operated by the Procurement team.~~

~~(h) — Where tendering has been conducted by electronic means, Chief Officers shall ensure that signed hard copies of the form of tender, and where appropriate, the parent company guarantee undertakings and performance bond undertakings are obtained from the successful tenderer prior to award of contract.~~

102. Late Tenders

(a) Late Tenders shall not be considered except in special circumstances and only then if no other Tenders have been opened and only with the prior written approval of the Chief Executive or the Monitoring Officer on receipt of a written request specifying the special circumstances and why acceptance of a late Tender is justified. – A record of any such approval shall be kept with the record of Tenders received.

~~(b) — Where a late Tender is received in paper form, or partly in paper form, it will be opened for the sole purpose of identifying the applicant and will be returned to them immediately save where the late tender is accepted in accordance with Standing Order 102(a) above~~

(~~eb~~) If Tenders are received electronically via ~~an the~~ Electronic Tender Facility or by an E-Auction Facility, then if the Facility will still accept the submission of tenders after the appointed closing date and time for the submission of Tenders it will automatically flag late Tenders as “late”. Late Tenders flagged as such may only be accepted in accordance with Standing Order 102 (a) above. However, ~~once other tenders Tenders~~ have been opened on the Facility ~~then~~, no late Tenders can be accepted.

103. Record of Tenders and Contracts

(a) The ~~relevant Strategic or Operational Director~~ Procurement Department Service shall maintain a record of all Tenders invited and received by ~~it them~~, of all contracts entered into and Framework Agreements concluded on behalf of the Council. ~~Service and The Procurement Department Service~~ shall also record the reasons for awarding the contract to or concluding a Framework Agreement with a tenderer and the reasons for non-acceptance of a Tender or the rejection of a contractor who has not been included in a Tender short-list or Approved List.

(b) For contract award procedures conducted by electronic means, appropriate information shall be kept to document the progress of the procedure.

104. Tender Evaluation

- (a) Tenders subject to ~~European~~ Procurement Legislation shall be evaluated in accordance with the relevant regulations and the invitation instructions to tender. All other Tenders shall be evaluated in accordance with the criteria and procedures set out in the invitation to tender. - In both cases Tenders shall be evaluated in accordance with these Standing Orders save where there is a conflict with ~~any European~~ Procurement Legislation in which case ~~that the~~ legislation shall prevail.
- (b) Tenders for all contracts shall be evaluated and awarded on the basis of the most economically advantageous offer to the Council. The most economically advantageous offer to the Council will be determined using a combination of both quality and price evaluation criteria (except for certain works, supplies or energy supply contracts where price alone may be the sole evaluation criterion).

105. Departure from Tender Documents

- (a) Subject to paragraph (b) below where the Council has included non-negotiable terms and conditions with its instructions to tenderers then Tenders may only be accepted on those terms unless any revisions are notified to all tenderers prior to the tender return date.
- (b) Where contract terms and conditions are non-negotiable then no variations to them may be made after Tenders are received without the prior written approval of the ~~Director of Legal, HR, Audit & Investigations~~ Monitoring Officer.
- (c) Post-tender negotiations are only permissible where the ~~instructions-Invitation to tender-Tender~~ specified the areas to be subject to negotiation and where this is permitted by ~~European~~ Procurement Legislation. In all other cases, only clarification points or ambiguities may be raised with tenderers.

106. Bonds and Guarantees

Chief Officers shall ensure that sufficient security for the due performance of High Value Contracts is taken and for other contracts where such security is considered to be in the best interests of the Council.

107. Notification of Tender Decision, Standstill Period, Debriefing and Acceptance

- (a) Subject to the specific exceptions in ~~the European~~ Procurement Legislation, where the Contract is subject to the full application of ~~the European~~ Procurement Legislation (being a services contract, public works contract, public supplies contract, concession contract or Framework Agreement above the relevant EU Threshold) a mandatory standstill period of at least 10 calendar days must be observed between notifying all tenderers in writing of the award decision and the actual-planned award of contract. -The standstill period shall commence on the day after the written award notification is sent to all tenderers and the written notification must comply with the requirements of ~~the European~~ Procurement Legislation. -If an unsuccessful tenderer requests further information, such information must be provided in accordance with ~~the European~~ Procurement Legislation.
- (b) If a legal challenge to the procurement process or award decision is brought during a mandatory standstill period, the contract must not be awarded and tender acceptance must not be communicated to the successful tenderer without the prior written approval of the Monitoring Officer in consultation with the Head of Procurement ~~Director of Legal, HR, Audit & Investigations~~.

(c) Tender acceptance must not be communicated to the successful tenderer until after the expiry of any mandatory standstill period. -Where Standing Order 107(a) does not apply, tender acceptance shall be communicated to the successful tenderer as soon as possible but subject to any relevant call-in provisions. -Tender acceptance must be in writing and as a minimum must detail the date of the decision and the decision-maker.

108. Contract Award Notices

Chief Officers shall ensure that a contract award notice is published in [OJEU for procurements commenced on or before 31 December 2020 and in Find a Tender for procurements commenced on or after 1 January 2021](#), ~~OJEU and Contracts Finder~~ within 30 days of the award of any contract where required by ~~European~~ Procurement Legislation or, ~~alternatively~~ in the case of ~~dynamic~~ ~~Dynamic purchasing~~ ~~Purchasing systems~~ ~~Systems~~, ~~alternatively~~ ensure that grouped notices are sent within 30 days of the end of each quarter. [Officers shall ensure that relevant information is published on Contracts Finder where required by Procurement Legislation.](#)

109. Letters of Intent

Letters of ~~intent~~ Intent shall only be used as follows:

- (a) where the Council's form of tender has not included a statement that until such time as a formal contract is executed the Council's written acceptance of a Tender shall bind the parties into a contractual relationship; or
- (b) exceptionally where a contractor is required to provide services, supplies or works prior to written acceptance by the Council and only then with the prior written approval of the Monitoring Officer.

110. Contracts Register

- (a) Chief Officers shall ensure that all contracts awarded by the Council to the value of £25,000 or more over the term of the contract shall be entered on the Contracts Register.- The Contracts Register shall for each contract specify the name of the relevant Council's Service Area, the contractor, the services, supplies or works to be provided, the ~~contract~~ Contract value ~~Value~~ and contract term and, where relevant, any provisions for extension. Details of all such contracts awarded must be sent to the Procurement Department ~~Service~~ -entered on the Contracts Register within two weeks of award and in the required format.
- (b) Chief Officers shall also ensure that for all contracts on the Contracts Register, all contract extensions and variations, early terminations, assignments and novations are entered on the Contracts Register and notified to the relevant category manager in the ~~Corporate Procurement Centre~~ Procurement Department ~~Service~~.

111. Contract Terms and Conditions

Chief Officers shall ensure that contracts are drafted as appropriate to the nature of the services, supplies or works to be provided and contain provisions to protect the Council's overall interest.- Advice shall be sought from the Monitoring Officer ~~Director of Legal, HR, Audit & Investigations~~ as appropriate.

112. Extension and Variation of Contract

- (a) ~~(a)~~—Contracts subject to ~~European~~ Procurement Legislation may be extended in compliance with relevant legislative provisions. – Contracts may be extended in accordance with the provisions for extension contained in the contract if the parties agree and if the relevant Chief Officer is satisfied that the extension will achieve best value and is reasonable in all the circumstances. – Any such extension that will last for more than one year shall be notified to the ~~Monitoring Officer~~~~Director of Legal, HR, Audit & Investigations~~ and the Director of Finance. –All extensions (of any duration) shall be notified to the ~~Contracts Register Officer~~~~Procurement Department~~~~Service~~.
- (b) ~~(b)~~—Retendering of contracts shall be timetabled to ensure handovers can be effected at the end of the contract term. Where any retendering is delayed or is unsuccessful then temporary arrangements may be agreed by the relevant Chief Officer.
- (c) ~~(c)~~—Any temporary contractual arrangements necessary to cover periods between a contract expiring and a new contract commencing shall be kept to a minimum term possible and retendering shall be commenced or re-commenced as soon as is reasonably possible.
- (d) ~~(d)~~—Chief Officers have delegated to them power to extend, vary or renegotiate contracts in accordance with paragraph 9.5 of Part 3 of this Constitution. –Where approval to extend, vary or renegotiate a contract is required to be obtained or is in any event sought from the Cabinet (or the General Purposes Committee or Pension Fund Sub-Committee) ~~or individual Cabinet member~~ the Cabinet, the General Purposes Committee, ~~or the Pension Fund Sub-Committee~~ ~~or individual Cabinet member~~ as the case may be shall receive and consider a report setting out all relevant information necessary to give such approval or approvals as it considers necessary.

113. Early Termination of Contract

High Value Contracts may only be terminated by the Cabinet, the General Purposes Committee, ~~or the Pension Fund Sub-Committee~~ ~~or individual Cabinet member~~ as appropriate.

~~High Value and~~ Medium Value Contracts may only be terminated:

- (a) by agreement between the Council and the Contractor; or
- (b) in accordance with the termination conditions of the contract

and provided that in either case the financial and legal implications or other relevant circumstances have been taken into account.

114 Assignment and Novation of Contract

- (a) Contracts may be novated or assigned provided that the novation or assignment would not breach ~~European~~ Procurement Legislation. Chief Officers have delegated to them the power to novate or assign contracts pursuant paragraph 9.5, of Part 3 of this Constitution provided that the novation or assignment does not substantially alter the terms and conditions of the contract and provided that the relevant Chief Officer is satisfied that the new contractor meets certain standards.

(b) ~~(b)~~—Where approval to novate or assign a contract is required to be obtained or is in any event sought from the Cabinet (or the General Purposes Committee or Pension Fund Sub-Committee) or individual Cabinet member, the Cabinet, the General Purposes Committee, ~~the or~~ Pension Fund Sub-Committee or individual Cabinet member as the case may be shall receive and consider a report setting out all relevant information necessary to give such approval or approvals as it considers necessary.

Appendix 4 - general changes and updates to the Constitution

Part 3

9.9 The following officers have delegated to them the following powers in relation to all of the Council's services and areas of responsibility:-

(a) Director of Finance

To undertake the S151 statutory role:

.....

- **Administration of financial affairs**

The Director of Finance will have responsibility for the administration of the financial affairs of the Council.

To be responsible for providing financial advice to Members and officers in their respective roles in order to further effective decision making by the Council, and to be the professional lead for the finance function of the Authority. To ~~operate and~~ advise and ~~assure him/herself there is~~ an effective system of internal control for the Authority, including the provision of an effective internal audit service ~~and an overall framework for insurance~~ and risk management. ~~To operate and advise on an effective overall framework for insurance.~~ To be responsible for advising on the investment strategy for the Council's treasury and pensions assets and to manage these accordingly. Power to incur or prevent any expenditure and to authorise borrowing within any limits approved by Full Council, write off debts, issue instructions on any matter relating to budget preparation, budget monitoring or budget control, power to set and monitor accounting standards, power to specify the format of returns, to require any officer to furnish him or her with any information and to answer any question relevant to the financial management of the authority.

(b) Director of Legal, HR, Audit & Investigations

To undertake the statutory role of and exercise the powers of the Monitoring Officer, including standards and probity:

.....

- Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Standards Advisory Committee and the Audit and Standards Committee. The Monitoring Officer will conduct investigations into matters referred to him or her by the Audit and Standards Committee (or arrange for such investigations to be conducted) and make reports or recommendations in respect of them to the Audit and Standards Committee.

~~To operate and advise on an effective system of internal control for the Authority, including the provision of an effective internal audit and risk management.~~

.....

Part 4

PLANNING COMMITTEE

....

Terms of Reference

- vi. 8 or more written objections or a petition containing at least 51 signatures have been received, in accordance with the criteria set out below but only if the application does not relate to:
- a. alterations to residential buildings including extensions, outbuildings (including garages), walls, vehicular accesses, hardstandings, porches, aerials;
 - b. satellite television dishes or aerials;
 - ~~c. certificates of lawful use of development; or~~
 - ~~d. prior approvals.~~

LOCAL CODE OF CORPORATE GOVERNANCE

3. DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL AND ENVIRONMENTAL BENEFITS

- The Council has a Borough Plan for the period of ~~2015 to 2019~~2021-19-22 agreed by the Cabinet, Partners for Brent and Full Council. This document includes the corporate objectives of the Council and our shared partnerships priorities with other public agencies. The Borough Plan has been refreshed for 2021/22, and it updates the five priority areas and sets out actions to realise them, refocused in the light of progress since the original plan was agreed. The Borough Plan (refreshed) 2021/22 has been agreed by Cabinet and Full Council. Key performance indicators which relate to the priorities in the plan are monitored on a quarterly basis and reported to CMT and the Cabinet. The Borough Plan references other key relevant documents, including the following:
 - Health and Wellbeing Strategy,
 - ~~Equality Strategy~~Property & Assets Strategy;
 - Climate and Ecological Emergency Strategy
 - ~~Employment, Skills & Enterprise Strategy~~;
 - ~~Safer Brent Strategy~~
 - the Black Community Action Plan, and
 - the Poverty Commission Delivery Plan.
- The priorities of the Borough Plan are regularly set out in The Brent Magazine, its website, press releases and targeted campaigns. Service priorities are extensively

consulted on with users and other relevant stakeholders. Departmental Service Plans are discussed annually with Lead Members prior to finalisation.

6. MANAGING RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT

- Decision making arrangements are set out in the Constitution. The Council operates a Leader and Cabinet model of decision making. Although some decisions are reserved for Full Council, most are made by the Cabinet, individual cabinet members or by committees, sub-committees or officers. ~~There are currently no decision making powers delegated to individual Members.~~

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 <p>Brent</p>	<p>Annual Meeting of the Council</p> <p>29 April 2021</p>
	<p>Report from the Chief Executive</p>
<p>Representation of Political Groups on Committees</p>	

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1: Political Balance Rules
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	<p>Katie Smith, Head of Executive and Member Services Tel: 0208 937 1399 katie.smith@brent.gov.uk</p> <p>James Kinsella, Governance Manager, Executive & Members Services Tel: 020 8937 2063 james.kinsella@brent.gov.uk or</p>

1.0 Summary

- 1.1 This report fulfils the Council's duty to review and determine the representation of different political groups on certain committees at its Annual Meeting or as soon as practicable thereafter.
- 1.2 Given there is a current vacancy on the Council, as a result of the by-election taking place in Brondesbury Park Ward on 6 May 2021, this review has been based on a Council membership totalling 62 rather than 63 councillors. A further review will need to be undertaken at the July Council meeting to reflect the outcome of the by-election. Having undertaken this annual review, the Council then has a duty to make appointments (where necessary) to those

committees giving effect to the wishes of the political group allocated the seats.

2.0 Recommendations

Full Council is asked:

- (1) To agree the size of each committee;
- (2) To agree (where the rules of political balance apply) the allocation of seats on committees to each of the Council's political groups as set out in the report;
- (3) To make appointments to those committees giving effect to the wishes of the political group allocated the seats; and
- (4) To note that the political balance on sub-committees will be reviewed at the first meeting of the General Purposes Committee and the Licensing Committee held following the Annual Meeting.

3.0 Detail

Representation of Political Groups

- 3.1 The Council is required to review and determine the representation of different political groups on certain committees at, or as soon as practicable, after its Annual Meeting.
- 3.2 As soon as practicable after the review, the Council then has a duty to determine the allocation to the different political groups of all seats on the relevant committees. The allocation is determined by applying the "political balance rules" prescribed by the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990. These rules are set out in Appendix 1 to this report and are designed to ensure that the political composition of the Council's decision-making and deliberative committees, as far as possible, replicates the political composition of Full Council. Subsequently, the Council has a duty to make appointments to those committees giving effect to the wishes of the political group allocated the seats.
- 3.3 The Committees that the political balance rules apply to have similar duties in relation to any sub-committees they may have.
- 3.4 On the basis that the overall membership of the Council currently stands at 62, the composition of political groups as a percentage of this is as follows:

58 Labour Group councillors (93.54%) and three Conservative Group councillors (4.84%).
- 3.5 According to the political balance rules, a political group for this purpose is a group of two or more members. The Council's membership also includes one Liberal Democrat councillor, representing 1.62% of the total composition of the Council. In light of the rules relating to political balance, it will not,

however, be possible to treat this single member as having formed a political group for the purposes of the review.

- 3.6 The table below sets out the 5 ordinary committees of the Council which the political balance rules apply to; the size of each committee (excluding any non-voting co-opted committee members in accordance with the political balance rules); the total number of seats required to be allocated; the number of seats each political group is strictly entitled to based on the number of group members and any adjustments required by the political balance rules.
- 3.7 There are a total of **38** ordinary committee seats to which the political balance requirements will formally apply. Whilst the membership of the Labour Group (as a result of the current vacancy) now stands at 58 (which constitutes 93.54% of the total membership of the Council), the proportion of seats the group is strictly entitled to remains at **36**. However, as the political balance rules do not allow all the seats on a committee to be allocated to the same political group, at least **5** seats have to be allocated to the other political group. This will result in a final allocation of **33** seats to the Labour Group.
- 3.8 The Conservative Group are strictly entitled (based on the size of the group) to an allocation of **2** seats. However, as the Labour Group can only be allocated **33** and not 36 seats, the **3** remaining seats (as with the previous review undertaken in September 2020) have to be allocated to the opposition group.

Ordinary Committees	Size	Labour Group 58 93.54%	Conservative Group 3 4.84%	Liberal Democrat 1 1.62%
General Purposes Committee	8	7	1	0
Planning Committee	8	7	1	0
Audit & Standards Committee	7	6	1	0
Corporate Parenting Committee	5	4	1	0
Licensing Committee	10	9	1	0
Total seats	38	33	5	0

Strict Entitlement (based on a proportion of total members)		36	2	0
Final Allocation (based on the political balance rules)		33 (-3)	5 (+3)	0

3.9 There are other committees which the political balance rules apply to but only principles (a), (b) and (d) (see Appendix 1, paragraph 3). Namely, the existing Scrutiny Committees and the Audit & Standards Advisory Committee.

3.10 The table below confirms the size and make-up of these Committees. The Conservative Group is entitled to be allocated the single opposition group seat on all three Committees.

Other Committees	Size	Labour Group 58 93.54%	Conservative Group 3 4.84%	Liberal Democrat 1 1.62%
Community and Wellbeing Scrutiny Committee	11 (plus 4 voting co-opted members and 2 non-voting co-opted members)	10	1	0
Resources and Public Realm Scrutiny Committee	11	10	1	0
Audit & Standards Advisory Committee	7 (plus up to 5 voting co-opted members)	6	1	0

3.11 Subsequent to allocating seats, the Council has a duty to make appointments to the specified committees giving effect to the wishes of the political group allocated the seats. This review has not lead to any change in the overall allocation of seats on Committees following the last review undertaken at the

previous Annual Council meeting in September 2020. The appointments to each committee being made by the respective political groups will be set out within the report to be considered as Agenda Item 10 on the Council summons).

- 3.12 The political balance rules do not apply to the Health and Wellbeing Board but it has been previously agreed that this Board comprise four Cabinet Members and one opposition Member and this will continue following this review.

4.0 Financial Implications

- 4.1 There are no financial implications arising directly from this report.

5.0 Legal Implications

- 5.1 These are addressed in the body of the report.

6.0 Equality Implications

- 6.1 The s149 public sector equality duty requires public bodies to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 There are no direct equalities implications arising from this report at this stage.

Background Papers

None.

Report sign off:

Debra Norman

Director of Legal, HR, Audit & Investigations

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Appendix 1

The political balance rules prescribed by the Local Government and Housing Act 1989 ('the Act') and the Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations')

1. The rules are that seats on relevant committees must be allocated to different political groups so far as reasonably practicable in accordance with the following four principles:
 - (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
 - (c) subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the Council that belong to that group; and
 - (d) subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the Council that belong to that group.
2. Principle (c) refers to "ordinary committees" which under the Act means those appointed under section 102(1)(a) of the Local Government Act 1972, namely General Purposes Committee, Audit & Standards Committee, Corporate Parenting Committee, Planning Committee and Licensing Committee.
3. Principles (a), (b) and (d) apply to a "body" to which the Council makes appointments. The Act provides that the bodies to which this principle applies include ordinary committees (as defined above) and ordinary sub committees, advisory committees and sub-committees, and joint committees where at least 3 seats are filled by appointments made by the Council.
4. Principles (a), (b) and (d) therefore apply to the Audit and Standards Advisory Committee. Strictly speaking, according to principle (b), the Labour Group is entitled to a majority of the seats on the Committee. However, to maintain the current size of the Committee, Full Council can depart from the rules provided no member votes against the proposal.
5. By virtue of the Local Government Act 2000, principles (a), (b) and (d) also apply to the Scrutiny Committees.
6. According to principle (c) above, the General Purposes Committee, Audit & Standards Committee, Corporate Parenting Committee, Planning Committee and Licensing Committee first have to be taken together to determine the *number* of seats that should be allocated to each group. Then, in accordance with paragraph (d) above, the number of seats each political group is entitled to has to be allocated proportionately to individual committees so far as possible.
7. The political balance principles do not apply to the London Councils' Joint Committees or the Joint Health Overview and Scrutiny Committee because only one appointment on each Committee is made by the Council.

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 <p>Brent</p>	<p>Annual Meeting of the Council</p> <p>29 April 2021</p>
	<p>Report from the Chief Executive</p>
<p>Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs</p>	

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt:	Open
No. of Appendices:	<p>Four</p> <p>Please note these appendices are now attached following republication of the Council agenda on 29 April 21:</p> <p>Appendix 1 – Appointments to Committees & Outside bodies</p> <p>Appendix 2 - Cabinet Appointments</p> <p>Appendix 3 - Appointments to be confirmed by General Purposes Committee</p> <p>Appendix 4 - Appointments to be confirmed by Licensing Committee</p>
Background Papers:	None
Contact Officers:	<p>Katie Smith Head of Executive and Member Services Tel: 0208 937 1399 katie.smith@brent.gov.uk</p> <p>James Kinsella Governance Manager Tel: 0208 937 2063 james.kinsella@brent.gov.uk</p>

1.0 Purpose of the Report

- 1.1 The purpose of this report is to outline the proposed appointment of members and co-opted members to allocated positions on the Council's Committees, and Outside Bodies for the 2021-2022 municipal year. The positions are allocated according to the political balance of the Council and in accordance with rules on proportionality, which are the subject of a separate report listed as Agenda Item 9 on the summons for this meeting.

1.2 The recommendations below set out where, in line with the Council's Constitution, Full Council approval for an appointment is needed, and which appointments are subject to confirmation by a separate body, with these presented for information purposes.

1.3 It also sets out the proposed appointments of Chairs/Vice Chairs for these bodies for the 2021-2022 municipal year, including the appointment of independent chairs where necessary.

2.0 Recommendations

2.1 For Full Council to agree, or confirm (as appropriate) the proposed appointments of Members, Co-Opted Members and substitutes to Council Committees and Outside Bodies as set out in Appendix 1.

2.2 For Full Council to agree the proposed appointment of Chairs/Vice Chairs to Council Committees as set out in Appendix 1 for the 2021-2022 municipal year.

2.3 For Full Council to agree:

(a) the re-appointment (as detailed in section 3.4 of the report) of the following three Independent Persons with effect from 1 May 2021:

- William Goh and Keir Hopley for a four year term of office, subject to confirmation by Full Council each year; and
- Nigel Shock for a one year term of office;

(b) the appointment of the following two new Independent co-opted members on the Audit & Standards Advisory Committee – Javid Ansari & Mark Mills for a four year term of office, subject to confirmation by Full Council each year, with effect from 1 May 2021 (as detailed in section 3.5 of the report);

(c) the re-appointment of Mr David Ewart as independent chair of both the Audit & Standards Advisory Committee and Pension Board for a two-year term of office ending on 31 July 2023.

2.4 For Full Council to note the appointments:

(a) notified by the Leader of the Council in relation to Cabinet and Cabinet Committees and their respective Chairs/Vice Chairs, as set out in Appendix 2 for the 2021-2022 municipal year.

(b) to be confirmed by General Purposes Committee as set out in Appendix 3 for the 2021-2022 municipal year.

(c) to be confirmed by Licensing Committee as set out in Appendix 4 for the 2021-2022 municipal year.

3.0 Detail

3.1 In accordance with Standing Order 27 (i) of the Council's Constitution, the membership of Council Committees, Joint Committees and other relevant

bodies, forums and panels plus the appointment of Chairs/Vice Chairs and substitute Members for these are matters requiring agreement by the Annual Meeting of the Council for the upcoming municipal year.

- 3.2 The appointments to Council Committees are to be made in line with the provisions of the Local Government and Housing Act 1989 ('the Act') and the Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations') which set out how Committees must be constituted when a Council is divided into one or more political groups. Further details on the political balance of the Council on Committees to meet these provisions are detailed in the report 'Representation of Political Groups on Committees' which has been listed as Agenda Item 9 on the summons for this meeting.
- 3.3 The appendices setting out the proposed appointment of councillors to relevant Committees and Outside Bodies will be circulated in advance of the meeting, once confirmed by both political groups on the Council.
- 3.4 At the Annual Council meeting in September 2020, approval was given to extend the appointment of the Council's three Independent Persons (IPs) to the Annual Meeting in 2021. The Independent Persons fulfil a statutory role and are appointed for the purpose of being consulted by the Monitoring Officer, the Audit & Standards Committee and members in relation to any Code of Conduct complaints. They would also form the Panel, should one need to be convened, in respect of the dismissal of one of the council's three statutory officers (Head of Paid Service, Monitoring Officer and s151 Officer). The extension in September 2020 was agreed to allow sufficient time for a full recruitment process (delayed as a result of the focus on the Covid-19 response) to be undertaken. It has now been possible to complete the recruitment process, and as a result Council is being asked to confirm the formal re-appointment of Mr William Goh and Mr Keir Hopley for a further four year term of office and Mr Nigel Shock for a one year term of office, commencing on 1 May 2021.
- 3.5 It was also agreed at the Annual Council meeting in September 2020, for the same reason as stated in 3.4 above, to extend the appointment of the term of office for the independent co-opted member on the Audit & Standards Advisory Committee (Margaret Bruce) to the Council's Annual Meeting in 2021. Following completion of the recruitment process for the independent co-opted member positions, Council is also now being asked to confirm the appointment of the following two new independent co-opted members, again for a four year term of office commencing on 1 May 2021 - Javed Ansari & Mark Mills
- 3.6 Finally, the Council also has a long-standing arrangement for its Audit & Standards Advisory Committee and Pensions Board to be chaired independently, in order to enhance its governance arrangements. These arrangements are considered to operate effectively, with the independent chair of both bodies Mr David Ewart. Members of both the Audit & Standards Advisory Committee and of the Pensions Board are content that the current independent chair has fulfilled his respective roles effectively, as are senior officers. As the term of office for the independent chair's current appointment on both bodies is due to expire on 11 July 2021 it is recommended, given the views expressed, that the independent Chair be re-appointed to both roles for a further two-year term of office, ending on 31 July 2021. As these are not

decision making meetings there are no significant conflicts in appointing the same person to chair each body.

3.7 As per Standing Order 51 (a) the Council may also appoint a pool of substitute members from which a member may be selected to speak and vote in the absence of a member of the Committee, provided that the substitute member is not already a member of the Committee. This Standing Order states that each pool shall be up to the number of members comprising membership of the Committee and be divided according to the political balance on the Committee, save that where a group has only one member on the Committee up to two members may be appointed to the pool. The list of appointments also include details of the substitute pool of members nominated.

3.8 For information purposes only:

- the appointments made by the Leader to the Cabinet and Cabinet Committees have been set out in Appendix 2 (marked as "To Follow").
- the appointments to be confirmed by General Purposes and Licensing Committee have been detailed in Appendices 3 & 4 respectively (again both marked as "To Follow").

4.0 Financial Implications

4.1 Certain positions to which Members are appointed will attract a Special Responsibility Allowance, the costs of which are met from within the existing Members Allowance budget.

4.2 There are no other financial implications arising directly from this report.

5.0 Legal Implications

5.1 As aforementioned, the appointments are due to be made in line with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

6.0 Equality Implications

6.1 The s149 public sector equality duty requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

6.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.3 There are no direct equalities implications arising from this report at this stage. However, equalities implications from the individual recommendations will continue to be considered and assessed during the decision-making process.

7.0 Consultation with Ward Members and Stakeholders

7.1 The nominations for appointments detailed within the appendices to the report have been submitted directly by each political group.

8.0 Human Resources/Property Implications (if appropriate)

8.1 There are no direct human resources or property implications that relate to this report.

Report sign off:

Debra Norman

Director of Legal, HR, Audit & Investigations,

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APPENDIX 1: Full Council Appointments - For approval by Annual Council

Council Committees

AUDIT & STANDARDS ADVISORY COMMITTEE (7 Full Members)	
FULL Members Nominated	
Independent Chair	David Ewart (31.07.23 - subject to confirmation)
Labour	Lo (Vice-Chair)
Labour	Akram
Labour	Donnelly-Jackson
Labour	Johnson
Labour	Long
Labour	Naheerathan
Conservative	Kansangra
Independent Co-opted Members (Voting)	Javed Ansari (01.05.23 - subject to confirmation)
	Mark Mills (01.05.23 - subject to confirmation)
Substitute Members Nominated	
Labour	Kabir
Labour	S Choudhary
Labour	Afzal
Labour	Colacicco
Labour	Gbajumo
Labour	Mitchell-Murray
Conservative	Colwill
Conservative	Maurice

AUDIT & STANDARDS COMMITTEE (7 Full Members)	
FULL Members Nominated	
Labour	Lo (Vice-Chair)
Labour	Akram
Labour	Donnelly-Jackson
Labour	Johnson
Labour	Long
Labour	Naheerathan
Conservative	Kansagra
Substitute Members Nominated	
Labour	Kabir
Labour	S Choudhary
Labour	Afzal
Labour	Colacicco
Labour	Gbajumo
Labour	Mitchell-Murray
Conservative	Colwill
Conservative	Maurice

COMMUNITY AND WELLBEING SCRUTINY COMMITTEE (11 Full Members)	
FULL Members Nominated	
Labour	Ketan Sheth (Chair)
Labour	Aden
Labour	Afzal
Labour	Daly
Labour	Ethampemi
Labour	Hector
Labour	Lloyd
Labour	Sangani
Labour	Shahzad
Labour	Thakkar
Conservative	Colwill (Vice-Chair)
Education Statutory Co-optees (Voting-Education matters only)	Dinah Walker (Parent Governor - Primary) (1.05.22)
	Vacant (Parent Governor - Secondary)
	Alloysius Frederick (Roman Catholic Diocese)
	Rev. Helen Askwith (CoE Diocese)
Non-Voting Co-optees	Sayed Jaffar Milani
	Simon Goulden
Substitute Members Nominated	
Labour	Choudhary
Labour	Conneely
Labour	Hassan
Labour	Hylton
Labour	Johnson
Labour	Kabir
Labour	Long
Labour	Miller
Labour	Shah
Conservative	Kansagra
Conservative	Maurice

CORPORATE PARENTING COMMITTEE (5 Full Members)	
FULL Members Nominated	
Labour	M.Patel (Chair)
Labour	Conneely
Labour	Gbajumo
Labour	Thakkar
Conservative	Maurice
Substitute Members Nominated	
Labour	Agha
Labour	Mitchell Murray
Labour	Lloyd
Labour	Sangani
Conservative	Colwill
Conservative	Kansagra

Council Tax Setting Committee (5 Full Members)	
Full Members Nominated	
Labour	M.Butt (Chair)
Labour	McLennan
Labour	Krupa Sheth
Labour	Stephens
Conservative	Kansagra
Substitute Members Nominated	
Labour	Nerva
Conservative	Colwill
Conservative	Maurice

GENERAL PURPOSES COMMITTEE COMMITTEE (8 Full Members)	
FULL Members Nominated	
Labour	M.Butt (Chair)
Labour	McLennan (Vice-Chair)
Labour	Farah
Labour	Nerva
Labour	Mili Patel
Labour	Krupa Sheth
Labour	Tatler
Conservative	Colwill
Substitute Members Nominated	
Labour	Afzal
Labour	Choudhary
Labour	Dixon
Labour	Kabir
Labour	Knight
Labour	Stephens
Labour	Southwood
Conservative	Maurice
Conservative	Kansagra

HEALTH AND WELLBEING BOARD (5 Cllrs to be nominated)	
FULL Members Nominated	
Labour	Farah (Chair)
Labour	McLennan
Labour	Nerva
Labour	Mili Patel
Conservative	Kansagra
Full Voting Members (Voting)	Sheikh Auladin (Brent CCG)
	Dr M.C.Patel (Brent CCG) (Vice-Chair)
	Dr Ketana Halai (Brent CCG)
	Johnathan Turner (CCG)
	Judith Davey (Healthwatch Brent)
Full Members (Non-Voting)	Carolyn Downs (Chief Executive - Brent Council)
	Phil Porter (Strategic Director Community Wellbeing - Brent Council)
	Gail Tolley (Strategic Director Children & Young People - Brent Council)
	Dr Melaine Smith (Director of Public Health - Brent Council)
	Basu Lamichaane (Brent Nursing & Residential Care Sector)
	Simon Crawford (London NW Healthcare NHS Trust)
Substitute Members Nominated	
Labour	Knight
Labour	Krupa Sheth
Labour	Southwood
Labour	Stephens
Conservative	Colwill
Conservative	Maurice
Full Members (Voting)	Dr Shazia Siddiqi (Brent CCG)
	Dr Jahan Mahmoodi (Brent CCG)
	Vacancy (Brent CCG)
	Vacancy (Brent CCG)

LICENSING COMMITTEE (10 Full Members)	
FULL Members Nominated	
Labour	Denselow (Chair)
Labour	Long (Vice-Chair)
Labour	Ahmed
Labour	Chohan
Labour	Hector
Labour	Hylton
Labour	Kennelly
Labour	McLeish
Labour	Shahzad
Conservative	Maurice

PLANNING COMMITTEE (8 Full Members)	
FULL Members Nominated	
Labour	Kelcher (Chair)
Labour	Johnson (Vice-Chair)
Labour	S.Butt
Labour	Chappell
Labour	Dixon
Labour	Donnelly-Jackson
Labour	Kennelly
Conservative	Maurice
Substitute Members Nominated	
Labour	Ahmed
Labour	Akram
Labour	Ethapemi
Labour	Dar
Labour	Kabir
Labour	Lo
Labour	Sangani
Labour	Shahzad
Conservative	Kansagra
Conservative	Colwill

RESOURCES AND PUBLIC REALM COMMITTEE (11 Full Members)	
FULL Members Nominated	
Labour	Mashari (Chair)
Labour	Choudhary
Labour	Conneely
Labour	Hassan
Labour	Hylton
Labour	Johnson
Labour	Kabir
Labour	Long
Labour	Miller
Labour	Shah
Conservative	Kansagra (Vice- Chair)
Substitute Members Nominated	
Labour	Aden
Labour	Afzal
Labour	Daly
Labour	Ethampemi
Labour	Hector
Labour	Lloyd
Labour	Sangani
Labour	Shahzad
Labour	Thakkar
Conservative	Colwill
Conservative	Maurice

Council Joint Committees

NORTH WEST LONDON JOINT HEALTH AND OVERVIEW SCRUTINY COMMITTEE	
FULL Members Nominated	
Labour	Ketan Sheth
Substitute Members Nominated	
Labour	Lloyd

LONDON COUNCILS LEADERS' COMMITTEE (s101 Joint Committee)	
FULL Members Nominated	
Labour	M. Butt
Labour	McLennan (Deputy)

LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE (Associated Joint Committee)	
Full Members Nominated	
Labour	Krupa Sheth
Labour	Tatler (Deputy)
Labour	Knight (additional deputy)
Labour	Nerva (additional deputy)
Labour	Stephens (additional deputy)

OTHER BODIES AND PANELS

FOSTERING PANEL	
FULL Members Nominated	
Labour	Thakkar

EMPLOYEES JOINT CONSULTATIVE COMMITTEE	
FULL Members Nominated (Employers Side)	
Labour	Choudhary (Chair)
Labour	Choudry
Labour	Hector
Labour	Hylton
Labour	Lo
Labour	Mashari
Labour	Perrin
Labour	Vacancy
Employees Side Members	
George Fraser (GMB)	
Euton Stewart (GMB)	
Zakia Durrani (GMB)	
Bola George (UNISON)	
Phil O'Reilly (UNISON)	
Barbara Powell (UNISON)	
Francesca Hammond (UNISON)	
Substitute Members Nominated	
Labour	Conneely
Labour	Daly
Labour	Johnson
Labour	McLeish
Labour	Nerva
Labour	Shahzad
Labour	Vacancy
Labour	Vacancy

TRADING STANDARDS JOINT ADVISORY BOARD	
FULL Members Nominated	
Labour	Kennelly
Labour	Knight
Labour	Long
Substitute Members Nominated	
Labour	Choudhary
Labour	Chohan
Labour	Dar

WELSH HARP JOINT CONSULTATIVE COMMITTEE	
FULL Members Nominated	
Labour	Ahmed
Labour	Crane
Labour	Lo
Labour	Mashari
Substitute Members Nominated	
Labour	Agha
Labour	Dixon
Labour	Farah
Labour	Tatler

BRENT CONNECTS - HARLES DEN	
FULL Members Nominated	
Labour	Aden (Chair)
Labour	McLeish (Vice-Chair)

BRENT CONNECTS - KILBURN	
FULL Members Nominated	
Labour	Dar (Chair)
Labour	Gbajumo (Vice-Chair)

BRENT CONNECTS - KINGSBURY AND KENTON	
FULL Members Nominated	
Labour	Choudhary (Chair)
Labour	Kabir (Vice-Chair)

BRENT CONNECTS - WEMBLEY	
FULL Members Nominated	
Labour	Shah (Chair)
Labour	Afzal (Vice-Chair)

BRENT CONNECTS - WILLESDEN	
FULL Members Nominated	
Labour	Agha (Chair)
Labour	Donnelly Jackson (Vice-Chair)

BRENT YOUTH PARLIAMENT	
FULL Members Nominated	
Labour	Afzal (Co-Chair)
Labour	Hassan (Co-Chair)

SERVICE USER CONSULTATIVE FORUM - EQUALITY	
FULL Member Nominated	
Labour	Vacancy

SERVICE USER CONSULTATIVE FORUM - DISABILITY	
FULL Member Nominated	
Labour	Donnelly-Jackson

SERVICE USER CONSULTATIVE FORUM - PENSIONERS	
FULL Member Nominated	
Labour	Perrin

SERVICE USER CONSULTATIVE FORUM - PRIVATE SECTOR HOUSING	
FULL Member Nominated	
Labour	Southwood

SERVICE USER CONSULTATIVE FORUM - VOLUNTARY SECTOR	
FULL Member Nominated	
Labour	Knight

BRENT ACTIVE TRAVEL FORUM	
FULL Member Nominated	
Labour	Chappell

OUTSIDE BODIES

Open to Non-Cabinet

All Majority Party Only

Positive Ageing in London (formerly appointed to Age UK London)	Crane Ethapemi
Agreed Syllabus Conference (usually same membership as SACRE)	Dar Hylton Nerva
Brent Sports Council	Afzal Hassan Kelcher
Central and North West London NHS Foundation Trust	Ketan Sheth Farah (Deputy)
Chalkhill Community Centre	Akram
Chalkhill Community Trust Fund	Mansoor Choudhary
Edward Harvist Trust	Daly (14.05.2022)
First Wave Housing Board	S Butt
Newable Ltd (Greater London Enterprise Board)	Tatler
Hillside Housing Trust	Knight
Historic Environment Champion (English Heritage)	To be advised
I4B Board	S Butt
Lee Valley Regional Park	Hirani (term of office to expire May 2021)
Local Government Information Unit Members' Assembly	Nerva Tatler (Deputy)
London Road Safety Council	Krupa Sheth Tatler (alternate)
Museums Association	Vacancy
Queen's Park Joint Consultative Group	Nerva Southwood Denselow
Reserve Forces and Cadets Association for Greater London	Kennelly
Standing Advisory Council for Religious Education (SACRE)	Dar Hylton Nerva
Wembley Educational Foundation	Mitchell Murray Shah
Wembley Eleemosynary Charities	Daly Stephens
Willesden Consolidated Charities	Long (14.05.2022) Chappell Donnelly-Jackson Miller
Old Oak and Park Royal Development Corporation (OPDC) Planning Committee	Kelcher
Willesden District Scout Committee (new body)	Chappell Donnelly Jackson Miller
Young Brent Foundation	Mili Patel

OUTSIDE BODIES

Open to Cabinet Only

All Majority Party Only

	FULL Members Nominated
Local Government Association General Assembly	M.Butt
	McLennan
	Krupa Sheth
	Tatler
London Councils Greater London Employment Forum	McLennan
	Tatler (Deputy)
Partners for Brent (Local Strategic Partnership)	M.Butt
Kiln Theatre	M.Butt
	Conneely
West London Alliance	M.Butt
West London Partnership	M.Butt
West London Waste Authority	Krupa Sheth
Old Oak and Park Royal Development Corporation (OPDC)	M.Butt
	Stephens



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APPENDIX 2: For noting by Annual Council - Cabinet/Cabinet Committee/Executive Joint Committees Appointments

CABINET (Between 1-10 Full Members)	
Appointed by the Leader	
M. Butt	Leader
McLennan	Deputy Leader + Resources
Farah	Adult Social Care
Knight	Community Safety & engagement
Nerva	Public Health, Culture & Leisure
M. Patel	Children's Safeguarding, Early Help and Social Care
Krupa Sheth	Environment
Southwood	Housing & Welfare Reform
Stephens	Schools, Employment & Skills
Tatler	Regeneration, Property & Planning
BARHAM PARK TRUST COMMITTEE (Currently 5 Full Members)	
Nominations by the Leader for approval by Cabinet.	
Butt (Chair)	
Farah	
McLennan	
Krupa Sheth	
Stephens	
Substitute Members nominated by the Leader for approval by Cabinet	
Knight	
Mili Patel	
Southwood	
Tatler	

JOINT COMMITTEE OF THE LONDON BOROUGHS OF BRENT, LEWISHAM AND SOUTHWARK (Currently 2 Full Members)	
Appointed by the Leader	
McLennan (Alternating Chair)	
Stephens	
Substitute Members Appointed by the Leader	
Krupa Sheth	
Nerva	

WEST LONDON ECONOMIC PROSPERITY BOARD (Currently 1 Full Member)	
Appointed by Cabinet	
Tatler	
Substitute Members Appointed by the Leader	
M Butt	

LONDON COUNCILS GRANTS COMMITTEE	
Appointed by the Leader	
McLennan	
Knight (Deputy)	

LONDON LGPS CIV LTD	
Appointed by the Leader	
Choudhary (as Pension Fund Sub Committee Chair)	
McLennan (Deputy)	

LONDON HOUSING CONSORTIUM	
Appointed by the Leader	
Southwood	
Tatler (additional member)	

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APPENDIX 3: For noting by Annual Council - Appointments to be made by General Purposes Committee

SENIOR STAFF APPOINTMENTS SUB-COMMITTEE (5 Full Members)	
FULL Members Nominated	
Labour	M.Butt (Chair)
Labour	McLennan (Vice-Chair)
Labour	Krupa Sheth
Labour	Tatler
Conservative	Kansagra
Substitute Members Nominated	
Labour	Farah
Labour	Knight
Labour	Nerva
Labour	Mili Patel
Labour	Stephens
Labour	Southwood
Conservative	Colwill
Conservative	Maurice

SENIOR STAFF APPEALS SUB-COMMITTEE (5 Full Members)	
FULL Members Nominated	
Labour	M.Butt (Chair)
Labour	McLennan (Vice-Chair)
Labour	Nerva
Labour	Krupa Sheth
Conservative	Kansagra
Substitute Members Nominated	
Labour	Farah
Labour	Knight
Labour	Mili Patel
Labour	Southwood
Labour	Stephens
Conservative	Maurice
Conservative	Colwill

BRENT PENSION FUND SUB-COMMITTEE (7 Full Members)	
FULL Members Nominated	
Labour	Choudhary (Chair)
Labour	Aden (Vice-Chair)
Labour	Daly
Labour	Donnelly-Jackson
Labour	Perrin
Labour	Mitchell-Murray
Conservative	Kansagra
Independent Co-Opted Members (Non-Voting)	Elizabeth Bankole (UNISON)
Substitute Members Nominated	
Labour	Choudry
Labour	Kabir
Labour	McLeish
Labour	Naheerathan
Conservative	Colwill
Conservative	Maurice

BRENT PENSION BOARD (2 Full Members)	
FULL Members Nominated	
Labour	Crane
Labour	Kabir
Independent Chair	David Ewart (31.07.2023 - subject to confirmation)
Full Members	Chris Bola (Pension Scheme Member)
	Bola George (Trade Union Member UNISON)
	Robert Wheeler (Trade Union Member GMB)
	Sebastian Steer (Employer Member - Non Brent Council)
Substitute Members Nominated	
Labour	R.Patel
Labour	Colacicco


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APPENDIX 4: For noting by Annual Council - Appointments to be made by Licensing Committee

ALCOHOL & ENTERTAINMENT SUB COMMITTEE (3 Full Members)	
FULL Members Nominated	
Labour	Denselow (Chair)
Labour	Long
Labour	Chohan
Substitute Members to be drawn from remaining pool of Licensing Committee Members	

REGULATORY SUB-COMMITTEE (5 Full Members)	
FULL Members Nominated	
Labour	Denselow (Chair)
Labour	Ahmed
Labour	Chohan
Labour	Long
Conservative	Maurice
Substitute Members to be drawn from remaining pool of Licensing Committee Members	

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	<p align="center">Annual Meeting of the Council</p> <p align="center">29 April 2021</p>
	<p align="center">Report from the Assistant Chief Executive</p>
<p>Municipal Calendar of Meetings 2021/2022</p>	

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: Please note this has been attached as part of the republished Council agenda on 29 April 21. Appendix A: Annual Calendar of Meetings 2021/22
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	James Kinsella Governance Manager Tel: 020 8937 2063 Email: james.kinsella@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report presents a final calendar of meetings for the 2021/2022 Municipal Year (Appendix 1 – to be circulated in advance of the meeting as a “To Follow” paper).

2.0 Recommendations

- 2.1 That Members approve the dates for Full Council and other meetings to take place during the 2021/22 Municipal Year, as attached in Appendix 1.
- 2.2 That the Head of Executive and Member Services be authorised to make any alterations deemed necessary to the Municipal Calendar during the course of the Municipal Year having consulted the Leader of the Council; the Leader of the Opposition Group; and the Chair of the affected meeting.

3.0 Detail

- 3.1 Attached as Appendix 1 is draft calendar of meetings prepared for the 2021/2022 Municipal Year, which lists the dates proposed for Council, and its committee/sub-

committee meetings, meetings of the Cabinet and other bodies. These will continue to be kept under review as the Municipal Year progresses.

- 3.2 In line with the powers contained within The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authorities and Police and Crime Panel Meeting) (England and Wales) Regulations 2020 introduced as a result of the Covid-19 restrictions, the Council since April 2020 has been hosting meetings of its various Committees and Sub-Committees (including Full Council & Cabinet meetings) virtually. These regulations will expire on 6 May 2021 and it is the government's current view that meetings after that date cannot be held on that basis. At this stage that will mean all statutory formal meetings, with effect from 7 May 2021, having to be held on a socially distanced physical basis.
- 3.3 Legal proceedings have, however, been launched by Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) (along with Hertfordshire County Council) seeking a declaration from the High Court that primary legislation contained in the 1972 Local Government Act does not prevent remote meetings from taking place. The High Court hearing to determine this issue is due to take place on 21 April 2021, with a judgement expected in advance of the current regulations expiring in May 2021. At this stage, plans are therefore being made for a return to face to face physical meetings for those statutory meetings where these will be required, including the necessary equalities assessment. Once the outcome of the High Court judgement is known a further assessment will then be undertaken on the detailed arrangements, moving forward.
- 3.4 As a basis for compiling the calendar, attempts will be made, wherever possible, to avoid clashes of meetings for Members, based on a review of committee membership.
- 3.5 Religious holidays have been included on the calendar and meetings have been avoided on dates where it has been deemed inappropriate to hold them due to the importance associated with any particular religious holiday.
- 3.6 For information purposes, the calendar also includes principal civic events and has been designed to take account of the Local Borough elections in May 2022.
- 3.7 The dates of the Full Council meetings for the 2021/22 Municipal year are scheduled as follows:
 - Monday 12 July 2021
 - Monday 20 September 2021
 - Monday 22 November 2021
 - Thursday 24 February 2022 (Council Tax and Budget Setting)
 - Wednesday 25 May 2022 (Annual Council Meeting and Mayor Making)
- 3.8 Provision has also been made for Member Learning and Development sessions throughout the Municipal Year.
- 3.9 Meetings of the following bodies have been agreed jointly with the other authorities listed:

- Welsh Harp Joint Consultative Committee (London Borough of Barnet)
- Trading Standards Joint Advisory Board (London Borough of Harrow)
- Joint Committee of the London Boroughs of Brent Lewisham and Southwark (London Boroughs of Lewisham and Southwark)

3.10 Following the decision taken by Full Council at its meeting held on 11 July 2016, each Member is responsible for submitting his or her apologies for absence from meetings for Full Council. Such notifications shall be in writing and sent to the Head of Executive and Member Services or their representative in good time and in any event, before the commencement of the meeting in question. If such notification is not received, the Member(s) apologies will not be recorded in the minutes of the meeting.

4.0 Financial Implications

4.1 There are none specific to this report.

5.0 Legal Implications

5.1 Section 85 (1) of the Local Government Act 1972 requires Members of a Local Authority to attend at least one meeting of that Authority within a six-month consecutive period, in order to avoid being disqualified as a Councillor, unless they meet the criteria for the waiver agreed in relation to non-attendance due to Covid-19 agreed at the Council meeting on 13 July 2020. The calendar of meetings has been developed to ensure that membership clashes between meetings are avoided but members will still be responsible for managing their attendance in order to comply with this requirement.

5.2 There are no other legal implications relating to this report.

6.0 Equality Implications

6.1 In accordance with s 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.2 The s149 Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances

6.4 As outlined above, religious holidays have been included on the calendar and meetings have not been arranged on evenings where it has been deemed inappropriate to hold meetings because of the importance associated with any particular religious holiday.

6.5 An Equality Analysis is being prepared to assess the impact of moving back to face to face meetings.

7.0 Consultation with Ward Members and Stakeholders

7.1 The draft Annual Calendar of Meetings has been subject to consultation with officers and both political Groups.

Report sign off:

Shazia Hussain

Assistant Chief Executive

Day	Committee Meetings (Public version)	Time
Friday 30 April		
MAY 2021		
Day	Committee Meeting	Time
Saturday 1 May		
Sunday 2 May		
Monday 3 May	May Bank Holiday	
Tuesday 4 May	Full Licensing Committee followed by Member Learning & Development - Licensing	4.00pm
Wednesday 5 May		
Thursday 6 May	Greater London Assembly Elections	
Friday 7 May		
Saturday 8 May		
Sunday 9 May		
Monday 10 May	Cabinet (agreed as part of 2020-21 calendar)	10.00am
	Resources and Public Realm Scrutiny Committee (agreed as part of 2020-21 calendar)	6.00 pm
Tuesday 11 May	Audit and Standards Advisory Committee (agreed as part of 2020-21 calendar)	6.00 pm
Wednesday 12 May	Ramadan Ends / Eid-al-Fitr	
	Member Learning & Development - Planning Committee	6.00pm
Thursday 13 May	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	I4B/ FWH board meetings (agreed as part of 2020-21 calendar)	2.00 pm
Friday 14 May		
Saturday 15 May		
Sunday 16 May		
Monday 17 May	Shavout starts	
Tuesday 18 May	Shavout Finishes	
Wednesday 19 May		
Thursday 20 May		
Friday 21 May		
Saturday 22 May		
Sunday 23 May		
Monday 24 May	General Purposes Committee	9.30am
	Planning Committee	6.00pm
Tuesday 25 May	Leaders' Briefing	10.00am
Wednesday 26 May	Brent Connects - All Councillors (Virtual)	11.30am
Thursday 27 May	Brent Connects - All Councillors (Virtual)	6.00pm
Friday 28 May		
Saturday 29 May		
Sunday 30 May		
Monday 31 May	Spring Bank Holiday/Half-term starts	

JUNE 2021

Day	Committee Meeting	Time
Tuesday 1 June	Member Learning & Development - Audit & Standards Advisory Full Committee	6.00pm
Wednesday 2 June	Member Learning & Development - Scrutiny meetings	6.00pm
Thursday 3 June	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Friday 4 June	Half term finishes	
Saturday 5 June		
Sunday 6 June		
Monday 7 June	Labour group meetings	
Tuesday 8 June	Member Learning & Development - Prevent Matters	6.00pm
Wednesday 9 June	Trading Standards Joint Advisory Board (Harrow)	6.00pm
Thursday 10 June		
Friday 11 June		
Saturday 12 June		
Sunday 13 June		
Monday 14 June	Cabinet	10.00am
Tuesday 15 June	Member Learning & Development	
Wednesday 16 June	Planning Committee	6.00pm
Thursday 17 June	Schools Forum	6.00pm
Friday 18 June		
Saturday 19 June		
Sunday 20 June		
Monday 21 June	Labour group meetings SACRE	4.30pm
Tuesday 22 June	Member Learning & Development (TBC)	
Wednesday 23 June	Member Learning & Development	6.00pm
Thursday 24 June	i4B/FWH Board Meetings Brent Pension Fund Sub-Committee	2.00pm 6.00pm
Friday 25 June		
Saturday 26 June	Brent Youth Parliament	10.00am
Sunday 27 June		
Monday 28 June	Leaders' Briefing	10.00am
Tuesday 29 June	Safeguarding Adults Board Member Learning & Development	6.00pm
Wednesday 30 June	Alcohol and Entertainment Licensing Sub-Committee	10.00am

JULY 2021

Day	Committee Meeting	Time
Thursday 1 July		
Friday 2 July		
Saturday 3 July		
Sunday 4 July		
Monday 5 July	Labour group meetings	
Tuesday 6 July	Resources and Public Realm Scrutiny Committee	6.00pm
Wednesday 7 July	Member Learning and Development	6.00pm
Thursday 8 July	Community and Wellbeing Scrutiny Committee	6.00pm
Friday 9 July		
Saturday 10 July		
Sunday 11 July		
Monday 12 July	Full Council	6.00pm
Tuesday 13 July	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	Joint Committee of the London Boroughs of Brent, Lewisham and Southwark	6.00pm
Wednesday 14 July	Health and Wellbeing Board	6.00pm
Thursday 15 July		
Friday 16 July		
Saturday 17 July		
Sunday 18 July		
Monday 19 July	General Purposes Committee	9.30am
	Cabinet	10.00am
Tuesday 20 July	Eid Al-Adha starts	
	Corporate Parenting Committee	5.00pm
Wednesday 21 July	Planning Committee	6.00pm
Thursday 22 July	Pension Board	6.00pm
Friday 23 July	Eid Al-Adha finishes	
Saturday 24 July		
Sunday 25 July		
Monday 26 July	Leaders' Briefing	10.00am
	Audit and Standards Advisory Committee	6.00pm
Tuesday 27 July	Member Learning & Development	6.00pm
Wednesday 28 July	Last day of Summer Term	
	Welsh Harp Joint Consultative Committee	7.00pm
Thursday 29 July	i4B/FWH Board Meetings	2.00pm
	Brent Connects - Wembley	6.00pm
Friday 30 July		
Saturday 31 July	Brent Youth Parliament	10.00am

AUGUST 2021

Day	Committee Meeting	Time
Sunday 1 August		
Monday 2 August		
Tuesday 3 August	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	Brent Connects - Harlesden	6.00pm
Wednesday 4 August	Brent Connects - Willesden	6.00pm
Thursday 5 August		
Friday 6 August		
Saturday 7 August		
Sunday 8 August		
Monday 9 August	Brent Connects - Kingsbury and Kenton	6.00pm
Tuesday 10 August		
Wednesday 11 August	Planning Committee	6.00pm
Thursday 12 August	Brent Connects - Kilburn	6.00pm
Friday 13 August		
Saturday 14 August		
Sunday 15 August		
Monday 16 August	Cabinet	10.00am
Tuesday 17 August		
Wednesday 18 August		
Thursday 19 August		
Friday 20 August		
Saturday 21 August		
Sunday 22 August		
Monday 23 August	Leaders' Briefing	10.00am
Tuesday 24 August		
Wednesday 25 August		
Thursday 26 August		
Friday 27 August		
Saturday 28 August		
Sunday 29 August		
Monday 30 August	Summer Bank holiday	
Tuesday 31 August	Summer Holidays ends	

SEPTEMBER 2021

Day	Committee Meeting	Time
Wednesday 1 September	First day of Autumn Term	
	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	Member Learning and Development	6.00pm
	Barham Park Trust Committee	6.00pm
Thursday 2 September		
Friday 3 September		
Saturday 4 September		
Sunday 5 September		
Monday 6 September	Rosh Hashanah starts	
Tuesday 7 September		
Wednesday 8 September	Rosh Hashanah finishes	
	Planning Committee	6.00pm
Thursday 9 September	Member Learning and Development	6.00pm
Friday 10 September		
Saturday 11 September		
Sunday 12 September		
Monday 13 September	General Purposes Committee	9.30am
	Cabinet	10.00am
Tuesday 14 September	Resources and Public Realm Scrutiny Committee	6.00pm
Wednesday 15 September	Yom Kippur starts	
	Member Learning and Development	6.00pm
Thursday 16 September		
Friday 17 September		
Saturday 18 September		
Sunday 19 September		
Monday 20 September	Full Council	6.00pm
Tuesday 21 September	Leaders' Briefing	10.00am
	Community and Wellbeing Scrutiny Committee	6.00pm
Wednesday 22 September	Audit and Standards Advisory Committee	6.00pm
Thursday 23 September	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	i4B/FWH Board Meetings	2.00pm
Friday 24 September		
Saturday 25 September	Brent Youth Parliament	10.00am
Sunday 26 September	Labour Party Conference starts	
Monday 27 September	Yom Kippur finishes	
Tuesday 28 September	Member Learning & Development	6.00pm
Wednesday 29 September	Labour Party Conference finishes	
Thursday 30 September		

OCTOBER 2021

Day	Committee Meeting	Time
Friday 1 October	Black History Month starts	
Saturday 2 October		
Sunday 3 October	Conservative Party Conference starts	
Monday 4 October	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Tuesday 5 October	Brent Pension Fund Sub-Committee	6.00pm
Wednesday 6 October	Navratri starts	
	Conservative Party Conference finishes	
	Member Learning and Development	6.00pm
Thursday 7 October		
Friday 8 October		
Saturday 9 October		
Sunday 10 October		
Monday 11 October	Cabinet	10.00am
	Brent Connects - Willesden	6.00pm
Tuesday 12 October	Joint Committee of the London Boroughs of Brent, Lewisham and Southwark	6.00pm
Wednesday 13 October	Corporate Parenting Committee	5.00pm
	Trading Standards Joint Advisory Board (Brent)	6.00pm
	Brent Connects - Kilburn	6.00pm
Thursday 14 October	Navratri finishes	
	SACRE	4.30pm
Friday 15 October		
Saturday 16 October		
Sunday 17 October		
Monday 18 October	Leaders' Briefing	10.00am
Tuesday 19 October	Member Learning & Development	6.00pm
	Health and Wellbeing Board	6.00pm
Wednesday 20 October	Brent Connects - Kingsbury & Kenton	6.00pm
	Planning Committee	6.00pm
Thursday 21 October		
Friday 22 October		
Saturday 23 October		
Sunday 24 October		
Monday 25 October	Half term starts	
	Brent Connects - Wembley	6.00pm
Tuesday 26 October	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Wednesday 27 October	Brent Connects - Harlesden	6.00pm
Thursday 28 October	i4B/FWH Board Meetings	2.00pm
Friday 29 October	Half term finishes	
Saturday 30 October	Brent Youth Parliament	10.00am
Sunday 31 October		

NOVEMBER 2021

Day	Committee Meeting	Time
Monday 1 November		
Tuesday 2 November	Pension Board	6.00pm
Wednesday 3 November		
Thursday 4 November	Diwali	
Friday 5 November		
Saturday 6 November		
Sunday 7 November		
Monday 8 November	Cabinet	10.00am
Tuesday 9 November	Member Learning & Development	6.00pm
Wednesday 10 November	Resources and Public Realm Scrutiny Committee	6.00pm
Thursday 11 November	Schools Forum	6.00pm
Friday 12 November		
Saturday 13 November		
Sunday 14 November	Rememberance Sunday	
Monday 15 November	Leaders' Briefing	10.00am
	Community and Wellbeing Scrutiny Committee	6.00pm
Tuesday 16 November		
Wednesday 17 November	Member Learning and Development	6.00pm
	Welsh Harp Joint Consultative Committee	7.00pm
Thursday 18 November		
Friday 19 November		
Saturday 20 November		
Sunday 21 November		
Monday 22 November	Full Council	6.00pm
Tuesday 23 November	i4B/FWH Board Meetings	2.00pm
	Member Learning & Development	6.00pm
Wednesday 24 November	Planning Committee	6.00pm
Thursday 25 November	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Friday 26 November		
Saturday 27 November	Brent Youth Parliament	10.00am
Sunday 28 November	Hanukkah starts	
Monday 29 November		
Tuesday 30 November		

December 2021

Day	Committee Meeting	Time
Wednesday 1 December		
Thursday 2 December		
Friday 3 December		
Saturday 4 December		
Sunday 5 December		
Monday 6 December	Hanukkah finishes	
	General Purposes Committee	9.30am
	Cabinet	10.00am
Tuesday 7 December	Audit and Standards Advisory Committee	6.00pm
Wednesday 8 December	Member Learning & Development	6.00pm
Thursday 9 December	Schools Forum	6.00pm
Friday 10 December		
Saturday 11 December	Brent Youth Parliament	10.00am
Sunday 12 December		
Monday 13 December	Leaders' Briefing	10.00am
	Member Learning & Development	6.00pm
Tuesday 14 December		
Wednesday 15 December	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Thursday 16 December		
Friday 17 December	Last day of Autumn term	
Saturday 18 December		
Sunday 19 December		
Monday 20 December		
Tuesday 21 December	i4B/FWH Board Meetings	2.00pm
Wednesday 22 December	Planning Committee	6.00pm
Thursday 23 December		
Friday 24 December		
Saturday 25 December	Christmas Day	
Sunday 26 December	Boxing Day	
Monday 27 December	Bank Holiday	
Tuesday 28 December	Bank Holiday	
Wednesday 29 December		
Thursday 30 December		
Friday 31 December		

JANUARY 2022

Day	Committee Meeting	Time
Saturday 1 January	New Years Day	
Sunday 2 January		
Monday 3 January	New Years Day - Bank Holiday	
Tuesday 4 January	First day of Spring term	
Wednesday 5 January		
Thursday 6 January		
Friday 7 January		
Saturday 8 January		
Sunday 9 January		
Monday 10 January	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Tuesday 11 January	Member Learning and Development	6.00pm
Wednesday 12 January	Brent Connects - All Councillors (Virtual)	11.30am
Thursday 13 January	Health and Wellbeing Board	6.00pm
Friday 14 January		
Saturday 15 January		
Sunday 16 January		
Monday 17 January	General Purposes Committee	9.30am
	Cabinet	10.00am
	Brent Connects - All Councillors (Virtual)	6.00pm
Tuesday 18 January	Resources and Public Realm Scrutiny Committee	6.00pm
Wednesday 19 January	Leaders' Briefing	10.00am
	Corporate Parenting Committee	5.00pm
Thursday 20 January	School's Forum	6.00pm
Friday 21 January		
Saturday 22 January		
Sunday 23 January		
Monday 24 January	Community and Wellbeing Scrutiny Committee	6.00pm
Tuesday 25 January	Member Learning & Development	6.00pm
Wednesday 26 January	Planning Committee	6.00pm
Thursday 27 January	Holocaust and Genocide Memorial Day	
	i4B/FWH Board Meetings	2.00pm
Friday 28 January		
Saturday 29 January	Brent Youth Parliament	10.00am
Sunday 30 January		
Monday 31 January	Audit and Standards Advisory Committee	6.00pm

FEBRUARY 2022

Day	Committee Meeting	Time
Tuesday 1 February	Chinese New Year	
Wednesday 2 February	Alcohol and Entertainment Licensing Sub-Committee	10.00am
Thursday 3 February		
Friday 4 February		
Saturday 5 February		
Sunday 6 February		
Monday 7 February	Cabinet	10.00am
Tuesday 8 February	Member Learning & Development	6.00pm
Wednesday 9 February	Resources and Public Realm Scrutiny Committee	6.00pm
Thursday 10 February	SACRE	4.30pm
Friday 11 February		
Saturday 12 February		
Sunday 13 February		
Monday 14 February	Half term starts Leaders' Briefing	10.00am
Tuesday 15 February		
Wednesday 16 February		
Thursday 17 February	Schools Forum	6.00pm
Friday 18 February		
Saturday 19 February		
Sunday 20 February		
Monday 21 February	Brent Pension Fund Sub-Committee	6.00pm
Tuesday 22 February	Community and Wellbeing Scrutiny Committee	6.00pm
Wednesday 23 February	Planning Committee	6.00pm
Thursday 24 February	i4B/FWH Board Meetings Full Council	2.00pm 6.00pm
Friday 25 February		
Saturday 26 February	Brent Youth Parliament	10.00am
Sunday 27 February		
Monday 28 February		

MARCH 2022

Day	Committee Meeting	Time
Tuesday 1 March	Alcohol and Entertainment Licensing Sub-Committee	10.00am
	Corporate Parenting Committee	5.00pm
Wednesday 2 March	Trading Standards Joint Advisory Board (Harrow)	6.00pm
Thursday 3 March		
Friday 4 March		
Saturday 5 March		
Sunday 6 March		
Monday 7 March	General Purposes Committee	9.30am
	Cabinet	10.00am
Tuesday 8 March	Member Learning & Development	6.00pm
Wednesday 9 March	Resources and Public Realm Scrutiny Committee	6.00pm
Thursday 10 March	Welsh Harp Joint Consultative Committee	7.00pm
Friday 11 March		
Saturday 12 March		
Sunday 13 March		
Monday 14 March	Community and Wellbeing Scrutiny Committee	6.00pm
Tuesday 15 March	Joint Committee of the London Boroughs of Brent, Lewisham and Southwark	6.00pm
	Audit and Standards Advisory Committee	6.00pm
Wednesday 16 March	Health and Wellbeing Board	6.00pm
Thursday 17 March		
Friday 18 March		
Saturday 19 March		
Sunday 20 March		
Monday 21 March	Leaders' Briefing	10.00am
Tuesday 22 March	Purdah starts	
	Member Learning & Development	6.00pm
Wednesday 23 March	Planning Committee	6.00pm
Thursday 24 March	Pension Board	6.00pm
Friday 25 March		
Saturday 26 March	Brent Youth Parliament	10.00am
Sunday 27 March		
Monday 28 March		
Tuesday 29 March		
Wednesday 30 March		
Thursday 31 March	i4B/FWH Board Meetings	2.00pm

APRIL 2022

Day	Committee Meeting	Time
Friday 1 April	Last day of Spring Term	
Saturday 2 April	Ramadan starts	
Sunday 3 April		
Monday 4 April	Easter school Holidays starts	
Tuesday 5 April		
Wednesday 6 April		
Thursday 7 April		
Friday 8 April		
Saturday 9 April		
Sunday 10 April		
Monday 11 April	Cabinet	10.00am
Tuesday 12 April		
Wednesday 13 April		
Thursday 14 April		
Friday 15 April	Good Friday	
Saturday 16 April		
Sunday 17 April	Easter Sunday	
Monday 18 April	Easter Monday - bank holiday/Last day of easter holidays	
Tuesday 19 April	First day of Summer Term	
Wednesday 20 April	Planning Committee	6.00pm
Thursday 21 April		
Friday 22 April		
Saturday 23 April		
Sunday 24 April		
Monday 25 April		
Tuesday 26 April		
Wednesday 27 April		
Thursday 28 April	i4B/FWH Board Meetings	2.00pm
Friday 29 April		
Saturday 30 April		

MAY 2022

Day	Committee Meeting	Time
Sunday 1 May	Ramadan finishes	
Monday 2 May	Bank holiday	
Tuesday 3 May		
Wednesday 4 May		
Thursday 5 May	Brent Local Elections	
Friday 6 May		
Saturday 7 May		
Sunday 8 May		
Monday 9 May		
Tuesday 10 May		
Wednesday 11 May		
Thursday 12 May		
Friday 13 May		
Saturday 14 May		
Sunday 15 May		
Monday 16 May		
Tuesday 17 May		
Wednesday 18 May		
Thursday 19 May		
Friday 20 May		
Saturday 21 May		
Sunday 22 May		
Monday 23 May		
Tuesday 24 May		
Wednesday 25 May	Annual Council Meeting	
Thursday 26 May		
Friday 27 May		
Saturday 28 May		
Sunday 29 May		
Monday 30 May	Bank holiday/Half term starts	
Tuesday 31 May	Cabinet	10.00am

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