



SUMMONS TO ATTEND COUNCIL MEETING

Monday 22 November 2021 at 6.00 pm

Grand Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Please note that this meeting will be held as a socially distanced physical meeting with all members of the Council required to attend in person.

Guidance on the safe delivery of face-to-face meetings is included at the end of the agenda front sheet.

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 MEETING OF THE COUNCIL of this Borough.

CAROLYN DOWNS
Chief Executive

Dated: 12 November 2021 (republished 17 November 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 attend and 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 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

2 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 20 September 2021.

3 Declarations of Interest

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

4 Mayor's Announcements (including any petitions received)

To receive any announcements from the Mayor.

5 Appointments to Committees and Outside Bodies and Appointment of Chairs/Vice Chairs (if any)

To agree any appointments to Committees, Joint Committees, Forums, Panels and Outside Bodies in accordance with Standing Order 30(g).

6 Deputations (if any)

To hear any deputations requested by members of the public in accordance with Standing Order 32.

7 Questions from Members of the Public & Brent Youth Parliament

27 - 36

7.1 To receive questions submitted by the public to Cabinet Members, in accordance with Standing Order 33.

Members are asked to note that four public questions have been received, which have been attached along with their written response.

7.2 To receive questions submitted from Brent Youth Parliament to Cabinet Members, in accordance with Standing Order 33 (c).

One question has been received under this item, which has been attached along with the written response provided.

8 Petitions (if any)

For Members to consider any petitions with more than 200 signatures on which a debate has been requested, in accordance with the Council's Petition Rules and Standing Order 66.

9 Reports from the Leader and Cabinet 37 - 68

To receive a report from the Leader of the Council in accordance with Standing Order 31 providing an update on any key or significant issues arising from any matter within the responsibility of the Cabinet.

10 Questions from the Opposition and other Non-Cabinet Members 69 - 76

For questions to be put to members of the Cabinet by Opposition and Non-Cabinet Members in accordance with Standing Order 35.

Four advance notice questions have been received under this item, which have been attached along with the written responses provided.

Members are asked to note that this session will also include an opportunity (within the time available) for other Non-Cabinet members and the Opposition to ask questions of Cabinet Members.

11 Report from Chairs of Scrutiny Committees

To receive reports from the Chairs of the Council's Scrutiny Committees in accordance with Standing Order 36. The reports have been attached as follows:

11.1 Resources & Public Realm Scrutiny Committee 77 - 86

11.2 Community & Wellbeing Scrutiny Committee 87 - 98

Members are asked to note that this session will include an opportunity (within the time available) for Non-Cabinet Members to ask questions of relevant Scrutiny Chair's in relation to the remit of their Committees.

12 Report from the Vice-Chair of the Audit & Standards Advisory Committee 99 - 102

To receive a report from the Vice-Chair of the Audit & Standards Advisory Committee, in accordance with Standing Order 37.

13 Non Cabinet Members' Debate 103 - 104

To enable Non Cabinet Members to raise an issue of relevance to Brent for debate on which notice has been provided in accordance with Standing Order 34 and to receive reports from Cabinet members, as required, on any issues previously raised.

Members are asked to note that the subject identified for debate at this meeting is as follows:

Tackling violence against women and girls in Brent

The motion put forward as the basis for this debate has been attached.

14 Brent Black Community Action Plan - Annual Report 105 - 110

To receive a report from the Assistant Chief Executive providing an update on the Brent Black Community Action Plan (BCAP), including activity undertaken during 2021/22 to deliver the priority themes. The report also outlines the challenges identified in delivering the BCAP during its first year along with the approach to overcome these in year two.

Ward Affected:
All Wards

Contact Officer: Lorna Hughes, Head of Strategy and Partnerships
Tel: 020 8937 4458
Email: lorna.hughes@brent.gov.uk

15 Proposed renewal of the Council's Current Gambling Act 2005 Statement of Principles (Policy Statement) 111 - 216

To receive a report from the Strategic Director, Regeneration & Environment seeking approval to renew the council's existing Gambling Policy in its current form for a maximum of a further 24 months until 31st January 2024.

Ward Affected:
All Wards

Contact Officer: Anu Prashar, Senior Regulatory Service Manager
Tel. 0208 937 5515
Email: anu.prashar@brent.gov.uk

16 Motions 217 - 222

To debate the motions submitted in accordance with Standing Order 41.

Members are asked to note that the motions submitted have now been republished with the agenda.

(Agenda republished to include motions on 17 November 2021)

17 Urgent Business

At the discretion of the Mayor to consider any urgent business, in accordance with Standing Order 37 (r).

Guidance on the delivery of safe meetings at The Drum, Brent Civic Centre

- We have revised the capacities and floor plans for event spaces to ensure they are Covid-19 compliant and meet the current social distancing guidelines.
- Attendees will need to maintain the necessary social distancing at all times.
- Signage and reminders, including floor markers for social distancing and one-way flow systems are present throughout The Drum and need to be followed.
- Please note the Civic Centre visitor lifts will have reduced capacity to help with social distancing.
- The use of face coverings is encouraged with hand sanitiser dispensers located at the main entrance to The Drum and within each meeting room.
- Those attending meetings are asked to scan the coronavirus NHS QR code for the Grand Hall upon entry. Posters of the QR code are located in front of the main entrance.
- Although not required, should anyone attending wish to do book a lateral flow test in advance these are also available at the Civic Centre and can be booked via the following link: <https://www.brent.gov.uk/your-community/coronavirus/covid-19-testing/if-you-dont-have-symptoms/>



LONDON BOROUGH OF BRENT

Minutes of the ORDINARY MEETING OF THE COUNCIL

Held in the Grand Hall, Brent Civic Centre on Monday 20 September 2021 at 6.00 pm

PRESENT:

The Worshipful the Mayor

Councillor Lia Colacicco

The Deputy Mayor

Councillor Abdi Aden

COUNCILLORS:

Abdi	Afzal
Agha	Ahmed
Akram	M Butt
S Butt	Chan
Chappell	Chohan
S Choudhary	A Choudry
Colwill	Conneely
Crane	Daly
Dar	Denselow
Dixon	Ethapemi
Ezeajughi	Farah
Gbajumo	Georgiou
Grahl	Hassan
Hector	Hylton
Johnson	Kabir
Kansagra	Kelcher
Kennelly	Knight
Lo	Long
Mahmood	Maurice
McLeish	Miller
Naheerathan	Nerva
M Patel	Sangani
Shah	Shahzad
Ketan Sheth	Krupa Sheth
Southwood	Stephens
Tatler	Thakkar

1. **Mayors Introductory Statement**

The Mayor welcomed all those present to the meeting and thanked everyone for their attendance.

2. **Apologies for Absence**

The Mayor reported that apologies for absence had been received from Councillors Donnelly-Jackson, Hirani, Lloyd, McLennan, Mashari, Mitchell-Murray, Murray, R.Patel & Perrin.

Councillors Lloyd, R.Patel & Perrin had submitted apologies as they were unable to attend meetings in person due to reasons requiring them to continue isolating related to Covid-19.

3. **Minutes of the Previous Meeting**

It was **RESOLVED** that the minutes of the previous meeting held on Monday 12 July 2021 be approved as a correct record.

4. **Declarations of Interest**

There were no declarations of interest made at the meeting.

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

The Mayor made the following announcements:

(i) Pride of Brent Youth Awards

The Mayor advised that she had been delighted to participate in the Pride of Brent Youth Awards, which had taken place in August in order to celebrate the achievements of young people across Brent making a difference in their community.

(ii) Count Us In

The Mayor advised members about the introduction of the "Count Us In" engagement platform, which had been set up with the aim of encouraging residents, businesses, schools/young people and council staff to make a pledge to take climate action. Further details on its launch would be released over the coming month.

(iii) Long Service Afternoon Tea

The Mayor advised she had also been pleased to recently attend a Long Service Awards afternoon tea recognising those members of staff who had completed 25 or 40 years' continuous service and contributed so much to Brent Council.

(iv) 999 Emergency Services Flag Raising

Referring to the use of social media, the Mayor advised of her recent support and involvement in a flag raising ceremony undertaken on 9th September 21 to celebrate 999 Emergency Services Day.

The event recognised what she felt had been the heroic contribution made by approximately 2 million individuals who worked and volunteered across all of the UK emergency services as well as more than 7,500 individuals who had tragically lost their life in the line of duty working for the emergency services over the last 200 years.

Turning her attention to the last 18 months, the Mayor commended the emergency services for the way in which they had continued to provide essential support during such a difficult time often putting themselves in harm's way to keep everyone safe.

(v) Participatory Budgeting – “You Decide”

The Mayor then moved on to highlight the plans being developed to introduce a ‘Participatory Budgeting’ approach within the borough.

Members were advised that further information about the initiative - called ‘You decide’ were due to be made available shortly.

(vi) Petitions

Finally, the Mayor referred members to the list of current petitions tabled at the meeting, in accordance with Standing Orders which also detailed the action being taken to deal with them.

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

The Mayor referred members to the list of changes circulated in relation to appointments to Council Committees, Sub Committees and other bodies.

It was **RESOLVED** to approve the following changes in Committee and Outside Body membership:

- (1) Councillor Kennelly to be replaced by Councillor Grahl as a full member of the Licensing Committee.

7. **Deputations (if any)**

The Mayor advised that no request for any deputations had been received for consideration at the meeting.

8. **Questions from Members of the Public**

The Mayor advised that the following five questions had been received from members of the public:

Question 1 from Nicholas Kollgaard to Councillor Krupa Sheth, Lead Member for Environment, regarding the Council's use of flexible car sharing schemes.

Question 2 from Carmen Meagher-Mansilla to Councillor Nerva, Lead Member for Public Health, Culture and Leisure, regarding the provision of leisure and cultural facilities in areas of regeneration, including those surrounding Gladstone Park.

Question 3 from Gordon Aldrich to Councillor Krupa Sheth, Lead Member for Environment, regarding parking enforcement on Queensbury Station roundabout and local footways in the surrounding area.

Question 4 from Pam Laurence to Councillor Krupa Sheth, Lead Member for Environment, regarding progress against the Brent Climate & Ecological Strategy First Year Delivery Plan 2021-22.

Question 5 from Keith Anderson to Councillor Eleanor Southwood, Lead Member for Housing & Welfare Reform, regarding the development proposals for Kilburn Square and preference identified for a reduction in scale and lower density scheme.

Members noted the written responses provided on each of the questions, which had been circulated with the agenda. The Mayor advised that each member of the public had been invited to attend the meeting. Whilst Nicholas Kollgaard and Carmen Meagher-Mansilla had been unable to attend, members were advised that Gordon Aldrich, Pam Laurence and Keith Anderson were all present in order to ask a supplementary question. The Mayor welcomed them to the meeting and invited each of them in turn to put their supplementary question to the relevant Lead Member.

Supplementary Question from Gordon Aldrich to Councillor Krupa Sheth, Lead Member for Environment

Having thanked Councillor Krupa Sheth for her written response, Gordon Aldrich asked a supplementary question regarding the steps the Council was taking to enforce the double yellow lines at Queensbury Station roundabout.

In response, Councillor Krupa Sheth began by highlighting that the double yellow lines and kerb markings at the roundabout had been refreshed to make it clear that waiting and loading was prohibited. She advised that a number of Penalty Charge Notices had been issued in the past month, and offered to undertake a site visit with local ward councillors to explore any further action which might be deemed necessary.

Supplementary Question from Pam Laurence to Councillor Krupa Sheth, Lead Member for Environment

Pam Laurence thanked Councillor Krupa Sheth for her written response and asked a supplementary question regarding the availability of carbon reduction data to the public and any opportunities for independent scrutiny.

In response, Councillor Krupa Sheth offered to meet Pam Laurence in order to consider the issues she had raised in more detail. In terms of further opportunities to engage she highlighted the establishment of the Brent Environmental Network, which had been specifically set up to focus on engagement and consultation

around Brent's Climate & Ecological Emergency Strategy and to provide residents with the opportunity to comment on or suggest any further proposals.

Supplementary Question from Keith Anderson to Councillor Southwood, Lead Member for Housing & Welfare Reform

Having thanked Councillor Southwood for her written response, Keith Anderson asked a supplementary question highlighting local residents concerns regarding the impact of the development and seeking a commitment to a reduction in scale and lower density housing scheme not incorporating the satellite blocks and focussed around the south eastern corner of the site.

In response, Councillor Southwood advised that having carefully reviewed the design and considered residents' comments and concerns the Council had now agreed to undertake further work on design of the scheme. This would involve a process of further engagement with residents, tenants and leaseholders on the Estate, on which further details would be communicated in due course. Recognising the importance of the scheme in terms of addressing wider housing need, residents were thanked for their engagement to date and encouraged to continue participating in the process moving forward.

Having noted the responses provided, the Mayor thanked Gordon Aldrich, Pam Laurence and Keith Anderson for their supplementary questions and for attending the meeting along with the Lead Members for their response. As there were no further questions to be dealt with the Mayor advised this now concluded the public question session.

9. Petitions (if any)

Moving on the Mayor then advised members that she had agreed to accept under the Council's Petitions Scheme two petitions for presentation at the meeting, due to the number of signatures each contained, which both related to Low Traffic Neighbourhoods.

The first of these was in support of the introduction of Low Traffic Neighbourhoods (LTNs) across the borough with Josie Warshaw as lead petitioner. The second was objecting to the introduction of Low Traffic Neighbourhoods in the Cricklewood area and seeking assurances around public consultation, displaced traffic and equalities with Sarah Dever as lead petitioner.

The Mayor advised that unless otherwise indicated by Members, she intended to allow each of the nominated speakers up to five minutes to address the meeting in order to present their petitions. She would then provide Councillor Tatler, as Lead Member for Regeneration, Property and Planning with an opportunity to respond jointly to the issues raised, for which she would also allow up to five minutes.

As no issues were raised in terms of the approach outlined, the Mayor then moved on to welcome Josie Warshaw to the meeting and invited her to present the first petition, with the following issues highlighted.

Josie Warshaw began by thanking Council staff for their hard work in implementing LTNs across the borough given the challenge of the pandemic. In supporting the

benefits of LTNs, she highlighted the positive impact the schemes had in tackling air pollution, road safety, traffic congestion along with their wider environmental, social and health benefits including supporting the move away from cars and towards more active forms of travel.

Highlighting the potential for LTNs to deliver long term transformative change as part of the recovery from the pandemic, she also recognised the importance of local engagement as crucial to the success of LTNs and welcomed the ongoing engagement, monitoring and evaluation of the trial schemes taking place across the borough.

The risks of taking no or only minimal action or removing schemes prematurely prior to them bedding in and their impact being monitored were also highlighted. In representing the views of Healthy Neighbourhood Groups across the borough she ended by outlining how the petition was designed to express support for healthy neighbourhoods as a means of improving air quality, reducing traffic, increasing active travel and providing safer space for cycling, improving physical and mental health as well as community relations. Given the social and safety benefits associated with LTNs the Council was therefore urged to continue with its active travel plans and ensure LTN schemes remained an integral part of this process.

The Mayor thanked Josie Warshaw for presenting her petition and then welcomed Sarah Dever before inviting her to present the second petition on which the following issues were highlighted.

Sarah Dever began by advising that she was speaking on behalf of a number of residents in the Cricklewood area who felt that local LTNs introduced in the Olive Road and Dollis Hill areas had been implemented without adequate consultation, notification or monitoring of their impacts. She felt that LTNs had made traffic in the area worse, resulting in increased pollution, noise and danger to pedestrians which had resulted in a negative impact on local residents and also safety concerns in relation to emergency service access.

Concerns were also highlighted in relation to the community engagement process around the Healthy Neighbourhood Schemes being led by Living Streets. Highlighting that her petition contained over 1000 signatures members were asked to consider the immediate reversal of the road closures in Cricklewood arising from the roll-out of LTNs. This was on the basis they were not felt to have delivered any of the reported benefits in terms of social distancing or in providing a more conducive environment for walking and cycling and instead were felt to have created an increase in pollution and traffic as well as reducing road safety. It was therefore felt they had failed to achieve their original objectives or provide value for money.

In terms of future action, the petition also called on the Council, prior to implementation of any further schemes to:

- undertake a full public consultation in each area including provision of modelling data and metrics to demonstrate how the potential impacts had been assessed and with details on how the effects of any changes would be evaluated with a clear timescale.
- seek to ensure that any scheme did not lead to the displacement of traffic from one area to another in order to avoid worsening air pollution and congestion.

- undertake a full Equality Impact Assessment for each area, including surrounding roads, before any changes were implemented.
- avoid road changes creating an unfair disadvantage on anyone living in an LTN area, particularly groups protected by the Equality Act 2010.
- ensure that any road closures and filters avoided dividing communities or adversely affecting local businesses.
- ensure that the emergency services were fully consulted and their concerns addressed to ensure they did not experience any delays due to displaced traffic or restrictions.

In summing up, Sarah Dever encouraged the Council to ensure local residents and stakeholders were fully consulted prior to the implementation of LTNs and any associated introduction of ANPR cameras to enforce the schemes and that local residents and businesses were not unfairly discriminated against by their implementation.

The Mayor thanked Sarah Dever for presenting her petition and then moved on to invite Councillor Tatler, as Lead Member for Regeneration Property and Planning to respond to the comments raised under both petitions.

In response, Councillor Tatler began by highlighted the Council's responsibility to address the climate emergency and related public health issues whilst also acknowledging the need to engage with residents and key stakeholders to ensure any action taken worked for all parties.

As part of this approach, the opportunity was taken to outline a number of Active Travel initiatives the Council had introduced to address these issues (including expansion of the School Street Programme & Cycling Networks). The petitioners were also advised that the Council would soon be publishing its draft Long Term Transport Strategy, which would outline its ambitions for transport within the borough and how these would also contribute towards addressing the climate emergency and related public health issues. She also encouraged residents to reflect on the changes that could be made to their own lifestyles and behaviour in order to address these issues, whilst providing an assurance that the Council would seek to work with residents in order to develop the necessary infrastructure to support such changes.

The Mayor thanked Councillor Tatler for her response and advised that this now concluded the consideration of both petitions.

10. **Annual Report from the Leader of the Council**

The Mayor then moved on to advise members that the Leader's Annual Report would be provided verbally. She then invited Councillor Muhammed Butt, as Leader of the Council, to present his Annual Report on the work of the Council and State of the Borough.

Councillor Muhammed Butt opened his annual report by reflecting on the continued impact that the pandemic was having on the borough, and sharing his relief (albeit cautious) that all members and staff present had been fortunate to have avoided its worst extremes, which had led to the loss of almost 900 lives across the borough.

Whilst sharing his optimism at the safe and effective impact of the vaccines along with the increased testing capacity also now available, he reminded everyone of the need to ensure that the wider measures in terms of social distancing, wearing of masks and washing of hands were also maintained. This was in order to reduce the spread of the virus and risk of infection and allow residents to continue living with the increased freedom and flexibility so highly valued, recognising how quickly things could worsen if a more reckless approach was taken.

Alongside tackling and responding to the pandemic, Councillor Muhammed Butt also highlighted a need to recognise the wider difficulties currently face by many local residents in relation to the increasing cost of living, availability of secure and affordable housing, unstable nature of the labour market and lack of community connection. Whilst reflecting on the impact of the pandemic and current challenges being faced by residents, the Leader also felt it was important as part of his report to highlight the positive action being taken by the Council in order to address these issues and maximise the support and opportunities available. These included:

- The measures being taken to tackle the climate emergency, which threatened not only current but also future generations.
- Confronting and intervening to address historic and institutionalised inequality and discrimination.
- Working to maximise support and access to opportunities in order for local residents to prosper.

In summing up, Councillor Muhammed Butt felt it was important to recognise the importance of all of the above as shared objectives. This would involve a need for real and lasting partnerships within and between the many and varied communities, neighbourhoods and organisations across the borough in order to ensure everyone was able to move forward together whilst also continuing to support the most vulnerable within their communities.

The Mayor thanked the Leader for his Annual Report and then advised that she would open up the debate for contributions from other members, starting with a response from the Conservative Group.

In responding to the Annual Report Councillor Kansagra, as Leader of the Conservative Group, felt it was important to highlight the level of funding received by the Council from central government in support of its work responding to the pandemic. Whilst recognising the efforts of the Council in responding to the pandemic locally, he felt it should be remembered that this been as supported by significant funding provided from government. Concern was also expressed that it appeared a proportion of the funding received had not yet been spent, given the challenges still needing to be addressed in the recovery from the pandemic, with the Council encouraged to ensure all funding was fully utilised.

The Mayor then moved to invite contributions from other members. As no other members indicated they wished to speak the Mayor invited the Leader to sum up and close the debate on his Annual State of the Borough Report.

Councillor Muhammed Butt began his response by emphasising the role he felt the governments ongoing austerity measures had played in creating the inequalities which had been highlighted by the pandemic. In contrast, he took the opportunity

to highlight and commend the work undertaken by the Council in stepping in to fill these gaps and ensure the necessary support was provided for local residents, especially those more vulnerable members of society. He also assured members about the level of available funding, which would continue to be fully utilised in order to ensure the best possible outcomes for residents.

The Mayor thanked Councillor Muhammed Butt for his response and advised that this concluded the debate. As a result, it was therefore was **RESOLVED** to formally note the Annual State of the Borough Report.

11. Reports from the Leader and Cabinet

The Mayor then invited Councillor Muhammed Butt, Leader of the Council, to introduce the report updating members on the work undertaken by the Cabinet and significant issues identified within their remit. In presenting the report, the Leader highlighted the extent of work being undertaken across each Cabinet portfolio along with the commitment of members to provide ongoing support and services depended on by residents across the borough. Finally, members were asked to note the list of Executive decisions tabled at the meeting which had been taken under the Council's urgency procedures.

The Mayor thanked the Leader for his report and it was **RESOLVED** to formally note the update provided.

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

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

The Mayor advised that four written questions had been submitted in advance for response by the relevant Lead Member. The written responses supplied had been circulated within the agenda. The Mayor then invited supplementary questions on the responses which had been provided:

12.1 No supplementary question was raised by Councillor Chan in relation to the written response provided by Councillor Stephens, Lead Member for Schools, Employment & Skills, to his question regarding the attainment of Year 11 & 13 students across the borough under the revised assessment arrangements and support being provided to enable pupils to realise their future potential.

12.2 Councillor Daly thanked Councillor Nerva, as Lead Member for Public Health, Culture and Leisure, for the written response in relation to her question regarding the steps being taken by the Council with the NHS to plan for the upcoming winter flu season. Councillor Daly then asked a supplementary question seeking details on progress on rollout of the winter flu vaccination programme across the borough.

In response, Councillor Nerva advised that whilst the flu vaccination rollout was being run by the NHS, the Council had been working closely to support them and would ensure that regular progress updates were made available to members.

- 12.3 Councillor Ezeajughi thanked Councillor Southwood, Lead Member for Housing & Welfare Reform, for her written response in relation to a question regarding the Council's ongoing commitment towards the delivery of high standard homes and housing services across the borough. Councillor Ezeajughi then asked a supplementary question seeking details on the current master planning development proposals relating to St. Raphael's Estate.

In response, Councillor Southwood highlighted the positive engagement undertaken with local residents and ward councillors in developing proposals for the estate. Whilst recognising the disappointment that it would no longer be possible, as a result of funding issues impacting on the financial viability of the scheme, to offer the choice between full redevelopment and infill an assurance was provided on the approach agreed by Cabinet towards the infill "plus" option. She advised this would continue to be community led and focussed on providing meaningful investment to secure real and tangible change for residents on the estate, including the consideration of wider objectives such as health and economic recovery.

- 12.4 Councillor Kansagra thanked Councillor Muhammed Butt, Leader of the Council, for the written response in relation to a question regarding the Council's response to the Baroness Casey review on the issues experienced around Wembley Stadium in the build up to the UEFA European 2020 Championship Final. Councillor Kansagra then asked a supplementary question seeking details on the progress being made with the review and Council's response in respect of licensing arrangements.

In response, Councillor Muhammed Butt whilst condemning those who had caused the problems on the day felt that rather than focussing on the negatives it was also important to acknowledge and highlight the hard work of Council staff involved in organising all of the events hosted at Wembley Stadium during the Championship. He assured members that the Council was closely working with Baroness Casey in support of her review and that the findings would be made available once finalised.

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

- (i) Councillor Chan regarding the Council's efforts to support residents' use of electric vehicles.

In response, Councillor Krupa Sheth, Lead Member for Environment, advised of the progress made with installation of electric vehicle charging points across the borough and plans to further increase the number of charging points over the coming months, including the trial of a new style and provider.

Should it be required, she advised that she would be willing to provide further details including the charging point locations outside of the meeting.

- (ii) Councillor Kennelly regarding the concerns highlighted by local residents in relation to the design and impact of the Low Traffic Neighbourhood scheme within his ward.

In response Councillor Tatler, as Lead Member for Regeneration, Property & Planning, took the opportunity to thank ward councillors for their input on the scheme within Preston ward and for highlighting the concerns expressed in relation to its design. As part of the ongoing engagement process she advised she would be willing to continue working with ward councillors in relation to the design and impact of the scheme and in seeking to encourage more active modes of travel, including walking and cycling.

- (iii) Councillor Georgiou regarding the Council's policy on development of tall buildings, with specific concerns identified in relation to Alperton and response to the GLA Planning & Regeneration Committee's recent review in relation to the impact of Tall buildings and density in relation to Covid-19.

In response Councillor Tatler, Lead Member for Regeneration, Property and Planning, advised members of the specific background to the GLA Planning & Regeneration Committee's review and evidence which had provided in support of that process. In terms of Brent's Local Plan she assured members that this, along with the Tall Housing Strategy, had been produced on the basis of robust evidence. Given the significant demand and pressure being experienced on the supply of affordable housing, not just locally but regionally and nationally the Council had needed to look at ways in which they could maximise supply. This approach had been supported through the Local Plan and Tall Building Strategy but she assured members that the Council was continuing to work with all London Councils and the GLA in relation to how best to address the ongoing need, including the use and impact of tall buildings.

- (iv) Councillor Long, who whilst welcoming establishment of the Resident Support Fund and Poverty Commission, was keen to seek further details regarding the promotion of credit unions to Council staff and residents of the borough.

In responding Councillor Southwood, Lead Member for Housing & Welfare Reform, began by recognising and welcoming Councillor Long's ongoing efforts to promote and support Credit Unions. In terms of Brent, she highlighted the Council's strong relationships with the existing Credit Unions operating across the borough as a means of providing valuable support to assist residents in accessing funds and tackling debt. Assuring Councillor Long of her support in this matter, she advised that working with the Deputy Leader and Lead Member for Resources, the Council would continue to work and encourage the promotion of Credit Unions.

- (v) Councillor Choudhary regarding further funding from central government for infrastructure in the borough.

In response Councillor Tatler, as Lead Member for Regeneration, Property & Planning, advised of the work already underway to finalise and approve the Council's Infrastructure Funding Delivery Plan. In terms of Government funding concerns remained, however, in relation to the ongoing uncertainty around the current Local Government Spending Review and also potential impact of the Government's levelling up agenda, on which the Council would be continuing to make representations.

- (vi) Councillor Miller regarding the Council's relationship with the community and voluntary sector following the pandemic.

In response Councillor Knight, Lead Member for Community Safety & Engagement, took the opportunity to formally recognise and welcome the benefits delivered through the immediate and active support of the voluntary and community sector and civil society as part of the response to the pandemic. As a result, she advised that the Council were committed to look at how this work and the benefits achieved could feed into the wider community engagement process in order to learn from, strengthen and support the development of future engagement structures and mechanisms.

- (vii) Councillor Georgiou regarding the action and time being taken to address issues raised in relation to the condition of the Council's social housing stock.

In response Councillor Southwood, Lead Member for Housing & Welfare Reform, recognised the variable quality of housing across the borough which the Council was seeking to address, particularly in relation to use of the private rented sector as a means of supporting the provision of temporary accommodation. Whilst this position was not unique to Brent she highlighted, as an example, how the Council had sought to address this issue through the provision of its own dedicated supply of properties to provide temporary accommodation. In terms of the Council's own housing stock an assurance was provided on the frequency of stock condition surveys in order to assess and understand the nature of the stock and its current condition. Given the financial pressure on the Housing Revenue Account, through which any repairs or improvement works would need to be funded, there had, however, been a need to prioritise these works. In view of the concerns raised members were urged to ensure they reported any concerns regarding stock condition or repairs which she advised housing officers would seek to respond to as quickly as possible.

- (viii) Councillor Kennelly regarding the Council's support for veteran identified as homelessness within the borough.

Highlighting the importance and timing of this issue Councillor Southwood, as Lead Member for Housing & Welfare Reform, felt it important to recognise the varied challenges faced by those either currently serving or having recently served in the Armed Forces or Reserve Forces in relation to housing and other related issues. In responding to the question, members were advised that the Council's Housing Allocations Policy already include priority for those within this category needing to be rehoused as a result of a medical issue or disability and also for spouses or partners if they need to be rehoused from Armed Forces property as a result of their partner having lost their life.

Councillor Southwood ended by advising she would be willing to consider any further ideas members had in relation to additional types of support that may be required.

At this stage in the proceedings, the Mayor advised that the time available for the open question session had expired. She therefore thanked all members for their contributions and advised that she would now move on to the next item.

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

Before being presented with the updates from each Scrutiny Committee, the Mayor reminded members the time set aside for this item was 12 minutes, with each Chair having up to three minutes in which to highlight any significant issues arising from the work of their Committees. Once these updates had been provided, the remaining time available would then be opened up for any other non-Cabinet members to question (without the need for advance notice) the Scrutiny Committee Chairs on matters relating to the work of their Committee.

Councillor Ketan Sheth was then invited to introduce the update report on the work being undertaken by the Community and Wellbeing Scrutiny Committee, with the following issues highlighted:

- The outcome of the additional meeting of the Scrutiny Committee held on 23 August 21 in response to the CQC inspection of Northwick Park Hospital and their maternity services, which had caused significant concern amongst both members and residents. The Committee had received evidence from a range of senior responsible NHS officers as well as other relevant partners and also considered the maternity service improvement plans with key lines of enquiry related to governance, leadership, women centred care and culture. As a result of the review a number of proposed suggestions for improvement had been identified along with requests for additional information. A progress update on the delivery of the maternity service improvement plan was due to be received by the Committee early in 2022.
- The ongoing engagement of the scrutiny function in the North West London Joint Health Overview & Scrutiny Committee with Councillor Ketan Sheth informing members of his recent election as Chair and the last meeting having considered the development of the North West London Integrated Care System, NHS Recovery Plan and progress with the Covid 19 vaccination programme. Members were advised that the next meeting was due to be hosted in Brent on 23 September 21.
- The focus at the next meeting of the Scrutiny Committee on housing issues including homelessness and family services and the performance of Brent Housing Management with an additional update on progress with the GP Access Scrutiny Task Group.

The Mayor thanked Councillor Ketan Sheth for his update and advised that as Councillor Mashari had given her apologies the report on the activity of the Resources and Public Realm Scrutiny Committee would be noted as submitted.

As a result it was therefore **RESOLVED** that the contents of both update reports be noted.

Following the updates provided, the Mayor advised that the remainder of time available would be open for questions from non-cabinet members to the Scrutiny Chair in attendance. The Mayor reminded members of the need to ensure that questions raised were focused on the updates provided or the work being undertaken by the relevant Committee. The following questions were raised and responses provided:

- (i) Following on from the update provided in relation to the Community & Wellbeing Scrutiny Committee, Councillor Kabir also highlighted her concern at the recent CQC Inspection of services at Northwick Park Hospital and serious issues identified in relation to maternity services. Support was expressed for the work being undertaken by the Community and Wellbeing Scrutiny Committee in their ongoing monitoring of actions being taken to address the issues identified with relevant partners.

In response, Councillor Ketan Sheth, as Chair of the Community and Wellbeing Scrutiny Committee, recognised the significant level of concerns expressed and assured members on the robust nature of the review the Committee had undertaken at their additional meeting in response to the inspection findings and associated improvement plan. This had included a number of senior NHS officers being called to give evidence. Members were reassured that the Committee would continue to carefully monitor progress on delivery of the improvement plan and the supporting recommendations made as a result of the scrutiny review.

- (ii) Councillor Maurice regarding his experience of the high quality of care recently received at Northwick Park Hospital. Whilst recognising that not all aspects of care at the hospital had been rated as inadequate, Councillor Ketan Sheth felt there was a need to ensure the Committee remained focussed on those areas where issues or significant concerns had been identified.

As no further questions were raised the Mayor thanked Councillor Ketan Sheth and members for their contribution before moving on to the next item.

14. Report from the Vice-Chair of the Audit & Standards Advisory Committee

The Mayor invited Councillor Lo, as Vice-Chair of the Audit & Standards Advisory Committee, to introduce the report updating members on the work of the Committee.

In terms of issues highlighted, Councillor Lo drew members attention to the work undertaken by the Committee since the previous update in July 21 which had included a focus on the Councils draft statement of accounts as well as Annual Governance Statement and Corporate Risk Register.

Focussing on the Committee's role in relation to compliance and control he also outlined and commended the nature of the work being undertaken in relation to various governance matters including internal audit activity, the regulatory framework and members' standards of conduct.

The Mayor thanked Councillor Lo for the update provided and it was **RESOLVED** that the report be noted.

15. **Non Cabinet Members' Debate**

In accordance with Standing Order 34, the Mayor advised that the next item on the agenda was the non-cabinet member debate, with the subject chosen for consideration being the government's plans to cut Universal Credit and Working Tax Credit.

Members were advised that the motion submitted as the basis for debate had been circulated with the agenda and that the time available for the debate was 25 minutes.

The Mayor then invited Councillor Chappell to introduce the motion. As context for the debate, Councillor Chappell highlighted the government's plans to reverse the Universal Credit uplift meaning a cut of £20 per week for claimants, which it was felt would have a detrimental impact on those affected and in worsening increasing levels of poverty. He questioned central government's insistence that the change would drive down unemployment, noting that many of those affected were already in work. Highlighting what he felt to be the unfair nature of the policy, Councillor Chappell urged all members to support the motion submitted as the basis for the debate and called on central government to reverse the planned cut, extend the uplift to other benefit schemes and support local authorities in their efforts to tackle unemployment and increasing levels of poverty and hardship.

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

Councillor Kansagra began by highlighting the financial support provided by central government during the pandemic along with the need to prepare for these costs having to be recovered at some stage in the future. Whilst highlighting that the uplift in Universal Credit had only been introduced as a temporary measure, he supported the view that ending the temporary uplift at the same time as the furlough scheme would create additional hardship and therefore felt there was a need for the Government to reconsider withdrawing the uplift at the current time.

Councillor Shahzad, in supporting the motion, highlighted the difficult winter ahead for residents with increasing fuel, energy and food prices. He felt that the heaviest burden would fall on the poorest residents, and as such urged central government to rethink its planned cuts to Universal Credit.

Councillor Mahmood also expressed his support for the motion, highlighting the impact that the cuts would have on the finances of those in receipt of Universal Credit. He urged all members to unite in asking central government to reverse its decision and postpone the cuts until the economic situation had improved.

Councillor Georgiou, also in support of the motion, felt that the planned cuts were yet another attack on the most vulnerable members of society at a time in which Government support was truly needed. He questioned the economic and moral sense in placing further unnecessary pressure on struggling families during the recovery phase of the pandemic along with the impact of the Government's levelling

up agenda and called on all members to send a clear message to central government that it did not agree with the planned cuts.

Councillor Afzal, in supporting the motion, expressed concern at the Government's actions over recent months given what he felt was their disproportionate effect on those more vulnerable members of society, including the increase in National Insurance and withdrawal of the uplift in Universal Credit. He felt this highlighted the Government's complete disconnect with the poorest and most vulnerable communities along with the disregard for their welfare as part of the recovery from the pandemic. He felt this was particularly highlighted when compared with the approach taken to support financial institutions during the last financial crisis and which he felt justified calls for the introduction of a wealth tax.

Councillor Choudry expressed his surprise at central government's plans to reverse the Universal Credit uplift, especially in light of the financial pressures people were under and concerns expressed by a range of independent organisations including the CBI and CIPFA regarding its impact. In supporting the motion, he also was keen to encourage the Government to reverse its decision.

Councillor Miller, echoing the sentiments of previous speakers, highlighted the fact that the majority of people in receipt of Universal Credit were in work and felt that central government's plans to reverse the uplift were unfair, inequitable, wrongly calculated and represented yet another attack on working people.

Councillor Dixon, reflecting on the pandemic, highlighted the increased reliance of residents on community and voluntary organisations, as well as on Council services. Having witnessed at first hand the impact of current levels of poverty and hardship being experienced by many of the most vulnerable she felt the Government needed to reconsider withdrawing the uplift, which was providing much needed support and expressed her support for the motion.

Councillor Maurice also expressed his concerns at the timing of the decision by the Government, which he felt was mistaken and needed to be reconsidered and reversed. As a result he advised he would also be supporting the motion.

Councillor Johnson highlighted the disproportionate effect the cuts to Universal Credit would have on black and minority ethnic communities, as well as on the unemployed, single parents and those families with children. He felt the Government's approach was unnecessary and would force some of the poorest and most vulnerable to have to make even more difficult choices at a time when the cost of living was increasing. On this basis he also expressed support for the motion.

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

Councillor Southwood began by thanking members for highlighting many of the challenges faced by some of the most disadvantaged residents in the borough over the coming months. In responding to the debate she felt the Government's actions in ending furlough, removing the restrictions on tenant evictions, increasing National Insurance and removing the uplift in Universal Credit at a time when the cost of living was rising so sharply highlighted the actions of a Government out of touch

with the poorest and most vulnerable in society. Highlighting the work and progress being made in delivering the recommendations from Brent's Poverty Commission she was, however, proud to recognise the Council's efforts in seeking to support local residents during and in the recovery from the pandemic, including establishment of the Resident Support Fund. Whilst this continued to be an important means of support she acknowledged that this alone would not alleviate all hardship and therefore ended by urging the Government to reverse the planned withdrawal of the uplift in order to continue supporting those most vulnerable residents experiencing hardship.

The Mayor thanked all members for their contributions and as an outcome of the debate it was unanimously **RESOLVED** to approve the motion as set out below:

"This council understands how hard this borough has been hit by the COVID-19 pandemic in terms of the tragedy that is the loss of more than 720 lives, the uncertainty of a local economy put on hold, and the hardship of tens of thousands of Brent's residents either furloughed or out of work and reliant on an inadequate Universal Credit.

Therefore, the announcement of this government plans to cut Universal Credit and Working Tax Credit later this year comes with serious implications, especially in light of the furlough scheme coming to an end in September.

This council is concerned at the soaring figures of food bank usage in the borough coupled with the increase in gas prices as we wind down into the colder months forming a perfect storm. One which emerging research has shown will force thousands of families into severe poverty.

This council notes its efforts to shield its residents from the full impact of the economic downturn in recent years, particularly in anticipation of the furlough scheme ending.

Thus far this council has:

- Set up significant monetary support through the Brent Resident Support Fund which has been access by thousands of residents.
- Contributed a further £500k to Brent works to extend this scheme as furlough ends.
- Organised two Job Fairs to help connect residents with potential employers.
- Worked with businesses to place young people into 'kick start', a new youth work placement scheme, helping to provide a much needed boost to youth employment in the borough.
- Employed an ethical approach to financial inclusion which is reflected in Brent's Ethical Debt and Debt Write Off policy.
- Supported private renters to sustain tenancies and avoid eviction.

However this council recognises the limits of its abilities to mitigate the economic downturn for its most vulnerable residents and calls upon the government to step up to its duty to protect those most at risk.

This council points out, that families most at risk of deepening poverty will not benefit from the increases because they are subject to the benefits cap. Migrants without recourse to public funds, many of whom work in industries hardest hit by the lockdown, have also been left out in the cold and millions of families reliant on the legacy benefit system did not receive the uplift channelled through Universal Credit and Working Tax Credit.

This council therefore calls upon the Government to:

- Continue the £20-a-week increase to Universal Credit and Working Tax Credit early contributions which was brought in to help households deal with the impact of COVID-19.
- Extend this to other benefit schemes to help residents who are most in financial need and have been disproportionately impacted by the pandemic.

Support Councils through better funding to help them up skill and retrain residents at risk of unemployment as furlough ends.”

16. **Continuation of Temporary Delegations**

The Mayor then invited Councillor Muhammed Butt, Leader of the Council, to introduce the report from the Director of Legal, HR, Audit & Investigations. In introducing the report the Leader advised that the report was seeking approval to extend the additional delegations granted to the Chief Executive following expiry of the Regulations enabling Local Authority meetings to be held on a remote basis during the pandemic. This was in order to reduce, where necessary, the number and length of meetings which currently required personal attendance by members and officers.

As no members indicated they wished to speak and Councillor Muhammed Butt had confirmed he did not need to exercise his right of reply the Mayor then put the recommendations in the report to the vote and they were declared **CARRIED**.

Council **RESOLVED** to:

- (1) agree that the delegated powers set out in Appendix 1 of the report remain in place until the 2022 Annual Council meeting.
- (2) note that delegated powers 1 – 4 in Appendix 1 of the report had also been agreed by the Leader for the same period in respect of executive functions.

17. **Motions**

Before moving on to consider the motions listed on the summons, the Mayor advised members that a total of 30 minutes had been set aside for the consideration of the three motions submitted for debate, based on an initial allocation of 10 minutes per motion. Should the time taken to consider the first

motion be less than 10 minutes she advised that the remaining time available would be split between the remaining motions on a rolling basis.

17.1 1st Motion (Conservative Group) – Illegal use of E-Scooters

The Mayor invited Councillor Maurice to move the first motion which had been submitted on behalf of the Conservative Group. Councillor Maurice, in moving the motion, began by highlighting what he felt to be the dangerous and often illegal use of e-scooters especially when ridden on pavements. In highlighting his concerns Councillor Maurice felt it was only a matter of time before the use of an e-scooter caused either a serious injury or death and whilst praising the efforts of the police in taking action against their illegal use, advised that his motion was calling on the Council not to support their use, or participate in any trial e-scooter schemes.

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

Councillor Tatler, in responding to the motion, advised that whilst the safe and properly regulate use of e-scooters was seen to support the development of more active and sustainable forms of travel the Council had decided at this stage not to participate in the trial scheme being operated across a number of London Boroughs by Transport for London (TfL). Whilst not ruling out the Council's future participation in the scheme, the basis of this decision had been to allow more time to review how the trial scheme was operating and the safety concerns identified were being addressed in order to ensure any future use was appropriately regulated. For these reasons she advised she would not be supporting the motion.

As no further members had indicated that they wished to speak the Mayor invited Councillor Maurice to exercise his right of reply.

In summing up, Councillor Maurice advised that given the concerns raised he would continue to lobby against the sale and illegal use of e-scooters and given the safety issues identified urged members to support the motion.

The Mayor then put the motion, as set out below, to a vote by show of hands which was declared **LOST**.

"This Council is concerned at the rise in the illegal use of E-scooters which are often dangerously ridden and ridden on pavements without insurance.

This Council is especially concerned that it is only a matter of time before a pedestrian, cyclist or other vulnerable person is seriously injured or killed as a result of the illegal actions of the E-scooter rider.

This Council will not take part in any plans to join a scheme, whereby riders can hire these scooters as there is no guarantee that they will be ridden safely.

This Council notes and praises the Police for taking action against illegal scooter riders by confiscating the scooter and charging the rider with driving without insurance and driving not in accordance with a licence.

This Council would also like to see those individuals who are caught riding E-scooters on the pavement, charged with dangerous driving as well as having no insurance.

Having given consideration to the above, this Council agrees to lobby the Government to ban the sale, importation and use of these dangerous machines in the UK.”

Councillors Colwill, Kansagra and Maurice voted in favour of the above motion.

All other members present at the meeting voted against the above motion.

17.2 2nd Motion (Labour Group) – End the Fire and Rehire Practice

The Mayor then invited Councillor Kennelly to move the second motion which had been submitted on behalf of the Labour Group. Councillor Kennelly in moving the motion began by expressing concern at the increase in what he felt to be the unethical use of fire and rehire tactics by certain employers, often as a means of forcing staff to accept unfair terms and conditions and a reduction in wages. Whilst welcoming the stance taken by the Council against the practice, as outlined in Brent’s procurement strategy, the motion was seeking to support the campaign promoted by Barry Gardiner MP, in seeking to end the practice in order to protect employees and safeguard local residents.

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

In supporting and co-moving the motion, Councillor Grahl also expressed concern at what she felt to be the unethical nature of the practice given its impact on workers rights and their terms and conditions. Highlighting the TUC’s research regarding the practice and significant number of workers who had already been impacted, she expressed her pride at the actions taken by the Council as an ethical employer to defend workers rights and in seeking to work with Trade Unions to support the campaign against the practice along with the Great Jobs agenda and real living wage campaign as a means of securing fair pay and meaningful work.

As a further contribution, Councillor Chan also spoke in support of the motion with the pandemic, he felt, having been used as a basis for justifying the implementation of a number of poor practices by certain employers. Supporting the stance taken by the Council in recognising the loyalty and dedication shown by so many workers in responding to the pandemic, he was pleased to be able to support the proposed actions in order to ensure that ordinary workers were not scapegoated by corporations or large scale businesses as a result of their loss of profits or business.

Councillor Miller, again speaking in support of the motion, thanked Councillors Kennelly and Grahl for bringing forward the motion and felt it was encouraging to see the campaign against the fire and rehire practice not only building locally but also nationally.

Councillor Maurice also spoke to highlight his support for the motion, based on his own personal experience.

Speaking on behalf of the Conservative Group, Councillor Kansagra also expressed his support for the motion as a means of tackling the practice by those employers seeking to exploit their workforce. At the same time, however, he also highlighted the need to recognise that employers would need to maintain some flexibility in being able to adapt their working practices, where appropriate, to ensure they could continue as viable businesses.

As a final contribution, Councillor Stephens, as Lead Member for Schools, Employment and Skill, also expressed his support for the motion in seeking to end what he felt was an unacceptable and unethical employment practice which had no place in the borough or nationally. Highlighting the earlier reference made by Councillor Grahl to research undertaken by the TUC, he felt it important to recognise that according to their study during the pandemic 1:10 employees had been forced to reapply for their jobs on reduced terms and conditions which increased to 1:5 for young people. He felt the fact this had been allowed to happen, was a worrying indictment of the Government's levelling up agenda and their lack of focus, as part of the economic recovery strategy from the pandemic, in seeking to raise standards and support workers. In terms of the actions identified within the motion, Councillor Stephens highlighted the work already underway to address the issues and concerns raised, focussed around the Council's ethical and social value commitments within the Procurement Strategy and work also being developed to bring forward plans for a local employer charter based around the Mayor of London's Good Work Standards. These actions were also designed to reflect on the objectives and commitments made within the Borough Plan, Black Community Action Plan and Poverty Commission to ensure that Brent's economic recovery plan was focussed on supporting local residents and in the provision of good work and jobs.

At this stage the Mayor advised that the remaining time available for the debate on this motion (within the overall time limit provided) had expired so then invited Councillor Kennelly to exercise his right of reply.

In summing up, Councillor Kennelly thanked Councillor Grahl for her support in moving the motion and all members for their support and contributions in seeking to end what he felt to be such an unscrupulous and unethical employment practice,. He ended by expressing concern at the extent to which the practice was still being used by employers and at the Government's stance and unwillingness to end the practice in order to protect employees terms and conditions, and again urged all members to support the motion.

The Mayor then put the motion, as set out below, to a vote which was unanimously declared **CARRIED**.

It was therefore **RESOLVED** to approve the following motion:

"This council notes the unethical use of the fire and rehire tactics by certain employers, forcing their staff to accept unfair terms and conditions, leaving many having to work longer hours and for lower pay.

While the Prime Minister has called this “unacceptable” he has continually refused to take action to outlaw the practice, raising concerns that he will not intervene in this race to the bottom by some employers.

This council notes that this practice has been rejected here at Brent as is specifically outlined in the procurement strategy. Furthermore, we have ensured all our service providers abide by these terms.

This council stands with the campaign that has been promoted by our local member of parliament, Barry Gardiner MP who has spotlighted this unsavoury practice, working with trade union partners to defend the right of workers against unscrupulous employers.

Workers should not be scapegoated to carry the burden of lost profits.

This council therefore believes action is required to ensure local residents are protected against such unethical practices and agrees:

- (1) To request that the Leader of the Council write to the Prime Minister demanding the full protection of employees subject to these terms and conditions.
- (2) To continue to encourage fellow councils to exclude from their authorised list of suppliers any business’ using these Fire and Rehire Tactics and to update their procurement and social value policy to reflect that of ethical practices. Furthermore we call upon them to update existing contracts with suppliers in accordance with this commitment.
- (3) To continue to foster good working relationships with Trade Unions here at Brent.
- (4) To work with our anchor institutions and key partners to bring forward plans for the introduction of a local employer charter for companies to work toward with Trade Unions. This should include worker rights, support for the TUC Great Jobs’ agenda and with the real living wage campaign at its heart.

Brent council notes its records as a good and ethical employer, and truly believes that all workers deserve well-paid secure and meaningful work.”

17.3 (3rd Motion) Labour Group Motion – Refugee Support

The Mayor invited Councillor Hassan to move the third and final motion submitted on behalf of the Labour Group. In doing so, Councillor Hassan highlighted the sadness widely expressed at the unfolding and ongoing humanitarian crisis being witnessed in Afghanistan along with the concern at what was felt to be the inadequate efforts of the UK Government to assist and provide the necessary levels of support and sanctuary for those who had been displaced. As a contrast she highlighted the work being undertaken by the Council to welcome and support refugees, not just from Afghanistan but also other parts of the world, in seeking to provide sanctuary and offer those fleeing persecution the chance to regain control of their lives and build real and lasting futures. Whilst recognising the scale of the refugee crisis and need for a co-ordinated international response, Councillor

Hassan advised members that the motion was calling on the Government to commit to a more extensive and balanced Afghan resettlement scheme as well as the creation of safe and legal routes for all those seeking sanctuary from danger and persecution.

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

Councillor Conneely in supporting the motion, highlighted the specific need to ensure that the move towards more extensive and balanced settlement schemes was also supported by provision of the necessary funding by the Government. This was in order to support Councils in being able to deliver the levels of humanitarian aid, health, education and social care often required given the traumatic experiences faced by so many of those seeking sanctuary.

Speaking on behalf of the Conservative Group, Councillor Kansagra also expressed his support for the motion and need for a co-ordinated international response referring to his families own personal experience in having to resettle in the UK.

As a further contribution Councillor Afzal also spoke in support of the motion expressing concern at what he felt to be the lack of compassion shown by the Government in the way those seeking refuge were treated along with the inadequacy of the current Afghan resettlement scheme for those most in need of support and care.

As a final contribution Councillor Knight, as Lead Member for Community Safety & Engagement, in expressing her support for the motion, outlined the Council's commitment to continue doing all it could to provide sanctuary and shelter for refugees in order to ensure they had a safe place to call home within the borough and access to the necessary support.

As no further members had indicated that they wished to speak and given the support expressed during the debate, Councillor Hassan indicated she did not want to exercise her right of reply. The Mayor therefore moved on to put the motion, as set out below, to a vote which was unanimously declared **CARRIED**.

It was therefore **RESOLVED** to approve the following motion:

"This Council notes with deep sadness the unfolding and ongoing humanitarian crisis in Afghanistan.

This Council profoundly regrets the developments over the last few months following two decades of progress towards a more stable, and prosperous Afghanistan. Our thoughts are with the Afghan people and our residents who have family there at this time.

This Council is therefore ashamed at the slow and inadequate efforts this government has pledged for the near quarter of a million displaced Afghan people, the number which continues to grow rapidly.

As a Council we call on the UK government to stand by what should be a non-negotiable obligation to provide sanctuary to those in need, not least our British

Nationals and Afghan partners who remain in-country desperately awaiting evacuation.

Thus far, this government has pledged to home 5000 Afghan refugees this year who have supported the Armed Forces through the 'Afghan locally employed scheme', with a view to increase this number to 20,000 in the coming years. This would equate to a meagre six people rehomed per constituency in the UK, falling extremely short of our humanitarian duty as a nation.

Focussing on the humanitarian crisis, the Council remains committed to providing as much direct and immediate help and support as possible to inbound refugees, and is determined – highlighting the need for adequate resources to be made readily available by government – to enable our newest residents to regain control of their lives and, in time, build for themselves real and lasting futures.

As part of this approach, the Council is working closely with the Home Office and has provided shelter for two Afghan families, whilst planning a more cohesive welcome programme for further Afghan families arriving in Brent in the coming months.

Furthermore, this Council notes the lobbying efforts it and other Councils have launched to highlight the needs of its migrant communities and the necessity to appropriately resource Councils in this endeavour. In terms of the wider picture, this Council also notes the support and shelter it has provided for refugees from other parts of the world and is committed to continuing to lead these efforts for our new residents.

The Council recognises that the scale of the refugee crisis will require an international response and urges the UK to lead that effort by committing to a much more extensive and balanced Afghan resettlement scheme. Along with the creation of safe and legal routes for those suffering at the hands of the Taliban.

The Council therefore reiterates its call:

- (1) For open safe and legal routes for all those seeking a sanctuary from danger.
- (2) To increase the number of families given asylum and the need for a balanced refugee resettlement across the UK. Not just a heavy focus on London.
- (3) To increase funding to support councils such as our own, in further more extensive resettlement schemes as well as humanitarian aid.

This Council is proud that it is able to give sanctuary to the thousands of refugees that call Brent home. We want to be able to offer a brighter future for families through a chance at a proper education, good employment opportunities and a safe place to call home."

18. Urgent Business

There were no urgent items of business raised at the meeting so the Mayor, in closing the meeting, thanked all members for their co-operation and support and

advised that she looked forward to seeing everyone again in person at the next Full Council meeting on Monday 22 November 2021.

The meeting closed at 8.15 pm

COUNCILLOR LIA COLACICCO
Mayor

This page is intentionally left blank



Item 7.1: Questions from Members of the Public

Full Council – 22 November 2021

1. Question from Martin Francis to Councillor Krupa Sheth, Lead Member for Environment

In the light of the increased prevalence of extreme weather events as a result of climate change and recent flooding in the borough, as well as a large number of new developments and increasing numbers of paved over gardens, does Brent Council:

(1) Intend to work with partners including the Environment Agency and Thames Water to review and revise Brent Council's

(a) Flood Risk Management Strategy

(<https://www.brent.gov.uk/media/16406897/flood-risk-strategy-sept-2015.pdf>)

(b) Surface Water Management Plan

(<https://www.brent.gov.uk/media/3501160/W8.3%20Brent%20Surface%20Water%20Management%20Plan.pdf>)

(2) Advise property owners and developers on mitigation measures?

Response:

Under the Flood and Water Management Act 2010, Brent Council is responsible for reducing the risk of flooding from surface water, groundwater and ordinary watercourses as a Local Lead Flood Authority (LLFA). To continue to meet our responsibilities we:

- Develop, maintain, regularly update and apply a local Flood Risk Management Strategy. The overarching aim of the strategy is to enable the long-term management of flooding arising from rivers, surface water and groundwater in the borough and to communicate the risks and consequences of flooding to our residents and businesses.
- Maintain a register of flood risk management assets (structures that have an effect on flood risk management). This includes all flood risk management assets such as culverts, watercourses and holding tanks. All drainage assets, including the Council maintained and maintained by Thames Water and Environment Agency are logged on Flood Station.

- Provide overall management for highway drainage (road gullies) on designated public highway. As Highway Authority, we manage the 20,700 road gullies within the borough via a cyclical cleansing regime, and also respond reactively to any defect or blockages on the network.
- Implement small scale schemes to address localised flooding problems such as broken gullies or gully pipes, or localised gully capacity problems. Larger scale capacity problems are within the remit of Thames Water who are responsible for the main drainage system.
- Respond to planning applications - As lead local flood authority, we are a statutory consultee for major developments and in accordance with the GLA plan for Sustainable drainage we ensure that a significant betterment (i.e. improved drainage arrangements) is incorporated into new developments. This in turn reduces the risk of surface water flooding on our public highways.
- Produce and maintaining a flood risk asset register - All of our drainage assets are located on an asset register, which includes all non-tributary watercourses, culverts and attenuation tanks.
- Issue land drainage consents on ordinary watercourses and carry out enforcement - All works undertaken non-statutory main rivers must obtain consent from the council so we are able to oversee and audit all processes to ensure sustainable measure are undertaken.
- Investigate significant local flooding events - As a lead local flood authority, we investigate all major flooding incidences and record the data.

As LLFA the council works in partnership with utility companies, Environment Agency and others in order to ensure that all appropriate measures are taken to mitigate flood risk. Plans are regularly reviewed and updated as risks and other factors change.

As a Category One Responder under the Civil Contingencies Act, the council has a responsibility to warn, inform and advise the public before during and after emergencies have occurred. We publicise warnings of severe weather and provide advice and information for residents on the council website to assist them prepare for potential severe weather events such as those that may cause flooding. The information provided also outlines what assistance the council is able to offer as well as measures that people can take to protect their own homes.

2. Question from Rimal Shah to Councillor Margaret McLennan, Deputy Leader and Lead Member for Resources & Councillor Krupa Sheth, Lead Member for Environment

- (a) The latest edition of the Your Brent magazine includes reference to the Poverty Commission report and steps being taken to fight poverty. With this in mind, can you advise why Brent has already and is still looking to increase its Council Tax beyond the inflation rate given the detrimental impact this has and will have in hurting residents financially? As an alternative, should Brent not be seeking to cut its costs, just like its residents?
- (b) As part of the approach towards tackling poverty I would also like to know why Brent is also actively seeking to proliferate the use of ANPR cameras, which are catching out ordinary residents of the Borough who can least afford to pay the large fines imposed from the various parking and traffic restrictions being imposed, by the Council, which it appears are designed to catch out residents. These add to the financial burden on local residents at a time when they are already struggling to pay for food, heating, Council Tax etc? I'm aware of the Council's focus on the climate emergency but in my view these same restrictions are increasing pollution by causing traffic jams across the borough, as well as delaying emergency services, and isolating residents from friends, family, carers, workers, essential food deliveries etc with people nervous of incurring these additional fines.

Response:

(a) From Councillor McLennan Deputy Leader and Lead Member for Resources

The Council has had to increase Council Tax above the prevailing rate of inflation in recent years to help balance its overall budget. Despite this increase, the Council has also had to make significant savings to reduce the budget gap each year. These include cost reductions, efficiency savings, raising additional income and other initiatives to reduce expenditure. The main reason for these budget decisions is the significant reductions in funding from central government since 2010. For context, the main grant from central government, Revenue Support Grant, has reduced by £92m since 2013 and since 2010 the Council has had to deliver savings of £185m. In addition, since 2016 at least 2% of the increase in Council has been earmarked for providing Adult Social Care services to residents, which has experienced a significant increase in demand.

It is acknowledged that increasing Council Tax will be difficult for some households. Therefore, the Council continues to invest in the Council Tax Support scheme which provides over £30m of support for around 28,000 households in the borough who are financially vulnerable. In addition, the Council's Resident Support Fund has made available additional funds for residents who are having difficulty due to unforeseen financial circumstances as a result of COVID-19.

(b) Response from Councillor Krupa Sheth, Lead Member for Environment

ANPR cameras have been installed at road junctions to deter motorists from contravening traffic restrictions. The restrictions themselves, such as box junctions and banned turns, are in place to reduce traffic congestion and improve road safety. When a motorist contravenes such restrictions they block traffic and add to traffic congestion, and such unpredictable behaviour increases the risk of an accident. Similarly, bus lanes are in place to ensure that buses carrying many passengers are not delayed by lines of private vehicles with often just the driver present.

Effective enforcement of these restrictions provides a significant deterrent, reducing the number of contraventions in some case by up to 75%. As a result, delays caused by motorists blocking box junctions, taking banned turns or driving illegally in bus lanes are considerable reduced. As traffic congestion reduces for all road users, journey times are shortened and vehicle pollution reduced. This benefits all highway users and residents.

PCN charges have been set to deter contraventions, but are proportionately small in comparison to the annual cost of keeping a private vehicle. The law is clear that motorists are responsible for any PCNs issued to them for illegal driving. By far the best way to avoid PCN charges is to drive legally and with consideration for other road users at all times.

3. Question from Julia Lafene to Councillor Shama Tatler, Lead Member for Regeneration, Property & Planning

Every time I go through Wembley & Wembley Park I see another huge high rise building going up. I really appreciate the need for more affordable housing & the efforts you're making to provide this but am quite worried about the capacity of ageing infrastructure, especially sewers to cope with the enormous increase in sewage & other waste. I would therefore:

- (1) like an assurance that the council, in approving the relevant planning applications will have taken steps to ensure the infrastructure can cope; and
- (2) like to know what percentage of the new homes being provided are intended to provide housing for the local population as opposed to being offered on the open market

Response:

Infrastructure capacity is considered at both the planning policy making and planning application stage. Brent's Local Plan is supported by an Infrastructure Delivery Plan which sets out what is required to support development. The planning system also incorporates a range of measures to ensure that development takes place where capacity exists or can be provided. Planning obligations and Community Infrastructure Levy ensure that the impacts of development are managed and where necessary financial payments are made to secure necessary improvements to infrastructure. For example, money can be allocated to improving roads, public transport, schools or secure health facilities. This also requires the Council to work with a range of partners such as NHS and Utilities providers. On sewerage, we work with Thames Water to ensure that they are aware of and can plan for any required improvements to their sewerage network necessary to serve the homes that are required in the borough.

On the question of housing for local people Brent has a housing target which reflects the need to provide enough homes for the number of households projected to be living within the borough: so in that sense all of the housing sought/required is for local people. In London the housing market is clearly not limited by borough boundaries and people do move between areas and that freedom of movement is not regulated in any particular way. A proportion of all housing is secured as affordable and this is subject to nomination agreements which prioritise people defined as in need and living in Brent. For the Wembley wards (Wembley Central and Tokyngton) there are over 2,500 homes currently in the pipeline and just under a third of these would be affordable and subject to such nominations.

4. Question from Philip Grant to Councillor Shama Tatler, Lead Member for Regeneration, Property & Planning

Brent Council has an urgent need for new Council homes, and has accepted the Brent Poverty Commission recommendation that more social rented housing should be a priority.

Brent Council owns the vacant former Copland School site at the corner of Cecil Avenue and Wembley High Road, and since February 2021 has had full planning permission to build 250 flats and maisonettes on this site.

Yet, at its meeting on 16 August 2021, Brent's Cabinet approved a 'preferred delivery option' that included only 39% affordable housing for this development, with less than a quarter of the total homes being rented at London Affordable rent levels (not Social rents), the balance of the affordable housing being at Intermediate rent levels or for shared ownership. Under this 'preferred delivery option', the majority of the homes at the Council's Cecil Avenue site would be sold privately by a 'developer partner'.

At the same meeting, Brent's Cabinet also resolved: 'To delegate to the Strategic Director of Regeneration & Environment, in consultation with the Lead Member for Regeneration, Property & Planning, the decision on alternative development scheme proposals and procurement routes, if procurement of the preferred option was unsuccessful in relation to the Sites.'

My questions are:

- (1) Given Brent's urgent need for social rent housing, why is Brent Council not proposing to build all 250 of the homes at Cecil Avenue as affordable rented Council housing?
- (2) As, since 16 August, the GLA has approved a grant to Brent Council of around £111m under its 2021/26 New Affordable Homes programme, to be used mainly for social rent housing, will the Lead Member, in consultation with the Strategic Director of Regeneration & Environment, now recommend that Cabinet changes its mind, and approves alternative proposals to make the Council's Cecil Avenue scheme 100% affordable housing?

Response:

Brent Council's redevelopment of council-owned Cecil Avenue and Ujima House sites as part of the Wembley Housing Zone programme together proposes 50% affordable housing. However, because it is vitally important to ensure the long term sustainability of the Housing Revenue Account (which ultimately would be responsible for repaying loans secured to deliver new housing) it is not financially viable to deliver all 250 homes at Cecil Avenue as socially rented housing.

Brent Council's £111.7m GLA grant under the 2021-26 New Affordable Homes Programme is separate from the Wembley Housing Zone programme, and allocated to deliver an additional 701 socially rented homes across the Borough.

Item 7.2: Questions from Brent Youth Parliament

Full Council – 22 November 2021

1. Question from Brent Youth Parliament to Councillor Mili Patel, Lead Member for Children’s Safeguarding, Early Help and Social Care

What action has been taken by Brent Council following Ofsted’s Review of sexual abuse in schools and colleges which described some forms of sexual harassment and abuse as ‘normalised’.

Response:

In March, Ofsted undertook a national rapid review of sexual harassment and harm in schools and colleges. The findings of this national review were published in June 2021. The review found that sexual harassment has become ‘normalised’ for many pupils across England and that in some schools Relationships, Sex and Health Education did not give pupils relevant information and advice.


As well as identifying recommendations for schools and colleges, the Ofsted review made recommendations for statutory safeguarding partners – the NHS, the Metropolitan Police and Councils - to engage with schools of all types in their local area, to agree local school based approaches to respond to the risks to children and young people in their local area. In Brent, we have well established and strong engagement with local schools and we have used these to support Brent schools prior to the Ofsted national review and since the review to develop their individual response to the findings of the Ofsted review.

Brent Council developed with Brent schools a Brent framework for Relationships Sex and Health Education, to help schools implement government-led changes to the Relationships Sex and Health Education curriculum. Following the publication of the Ofsted review, Brent Council has worked with Brent schools, developing a survey so that each Brent school can understand what the experience of their pupils is and providing information and training to schools on how to respond when there are incidences of sexual harm. Brent Council will continue to work closely with schools to ensure pupils are able to raise any concern and to help respond to any concerns raised.

It is very important that children speak out if they experience harassment or harm. It is not normal, it is not okay and will not be tolerated in any Brent school or setting. Any pupil who has experienced harassment should speak to their school and raise their concern.

If anyone has a concern regarding the risk of harm to an individual child, I would ask them to contact Brent Family Front Door on 020 8937 4300 or on the contact details on the Brent Council website.

This page is intentionally left blank

 Brent	Full Council 22 November 2021
	Report from the Leader of the Council
Update report from the Leader and Cabinet	

Wards Affected:	All
Key or Non-Key Decision:	Council
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 Appendix 1 Lead Member Update reports
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	N/A

1.0 Purpose of the Report

- 1.1 This report provides an update on the work being undertaken by the Leader and Cabinet, in accordance with Standing Order 31.

2.0 Recommendation(s)

- 2.1 Council is asked to note this report.

3.0 Detail

- 3.1 In accordance with Standing Order 31, this report presents an outline by the Leader and Cabinet Members on the key and significant issues identified as arising from their remits and that of the Cabinet.
- 3.2 Up to 3 minutes is provided at the Council meeting for the Leader, or any other Cabinet Member(s) identified to present the report highlighting any issues felt to be of significance.
- 3.3 Set out in Appendix One are the written updates provided.

4.0 Financial Implications

4.1 As the report is for information purposes there are no direct financial implications.

5.0 Legal Implications

5.1 As the report is for information purposes there are no direct legal implications.

6.0 Equality Implications

6.1 As the report is for information purposes there are no direct equality implications.

Appendix 1: UPDATES FROM LEADER AND CABINET

1. Leaders Introduction – Councillor Muhammed Butt

1.1 Brent Joins UK100 network of local authorities dedicated to carbon neutrality – The UK100 is a network of highly ambitious local government leaders, which seeks to devise and implement plans for the transition to clean energy that are ambitious, cost effective and take the public and business with them.

1.1.2 I am delighted to announce that Brent Council will be joining the UK100 network of local authorities that are most restless to reach carbon neutrality by 2030. In Brent we recognise that net zero is not just a question for tomorrow, but the challenge of today - demanding the power of collective actions and ideas from people, places and institutions; in exchange for a brighter, more sustainable tomorrow.

1.1.3 UK100 supports decision-makers in UK towns, cities and counties in their transition to Net Zero. It is the only network for UK local leaders focused solely on climate, clean energy and clean air policy.

1.2 155 affordable rented homes purchased at the Alperton Bus Garage site - The former bus garage development will deliver a total of 461 homes, commercial units and workspace in the Alperton area. It is a development spanning 5 years but the 155 affordable homes, purchased by Brent are being built first.

1.2.1 The former bus garage is a 1.75-acre industrial site in the borough bounded by the A4006 to the West and the Piccadilly Underground Line to the east and the Ealing Road to the south.

1.2.2 The site is in a central location in the heart of Alperton and will play a key part of the housing growth and creation of quality jobs in the area. The development is expected to have 3 phases. Demolition will commence in 2021 and the completion of the entire scheme is expected by 2025.

1.2.3 It is expected the scheme will attract a GLA grant to the value of £4.3M. The average cost per home is circa £280k per unit (including the GLA grant).

1.3 The UK's first multi-storey industrial development is coming to Alperton - The pioneering development, SEGRO V-Park Grand Union, will provide 134,500 sq ft of flexible light industrial space over six storeys and support up to 500 jobs and apprenticeships.

1.3.1 It has been designed to maximise space and accessibility on just a 1.7-acre plot of land. The ground and first floors will provide over 100 parking spaces, along with electric vehicle charging points, and the flexible industrial space will be arranged over four upper levels providing up to 20 individual units, along with shared meeting rooms, breakout areas and wellness spaces.

1.3.2 Not only will it support hundreds of new jobs during its construction, but it will also provide high quality industrial floorspace suitable for operating across a

range of uses. V-Park will attract a range of occupiers – from start-up to more established businesses.

1.4 Inspiring action: Introducing the Brent Climate Festival 2021 - Sadly, there is no escaping climate change. Climate change affects every single one of us, and we need to make changes as a community, which will have an impact globally.

1.4.1 The good news is that making changes has its upside, and even small changes can benefit your pocket, health and wellbeing. We hope that COP26 is a success, and that global leaders make decisions that benefit us all. We certainly are doing our part to make a difference at a local level, and are one hundred per cent committed to reaching our goal of zero carbon emissions by 2030.

1.4.2 We are launching the Together Towards Zero climate pledge. Residents can visit the pledge website and commit to making one change, big or small, to reduce their carbon footprint. Whether it's the way you travel, or buying second-hand clothes rather than new, together, these individual climate actions will add up to something bigger and get us closer to the goal of becoming a carbon zero borough by 2030.

1.4.3 To take a climate pledge and get involved, please visit: www.brent.gov.uk/brentclimatefestival

1.5 Pioneering climate fund invites local people to allocate cash to tackle crisis – Launched in late October, Brent Council is devolving decisions about how to allocate a £500k climate fund to local people.

1.5.1 The wider community is being invited submit project ideas for tackling climate change. Once applications close, all residents will be encouraged to join a “YOU Decide Decision Day” where they can vote on which projects to fund and how the £500k should be split.

1.5.2 This is the first time Brent Council is trialling ‘Participatory Budgeting’ which puts the community at the heart of decision-making and empowers residents to decide how some council cash is spent to benefit the community. It follows a string of citizen-led activities, from the Brent Climate Assembly to the Brent Environmental Network.

1.5.3 To apply for the Carbon Offset Fund, and find out more about upcoming information events, residents and organisations should visit our website: <https://www.brent.gov.uk/your-community/climate-emergency/carbon-offset-fund/>

There are two pots available:

- Pot 1: £400,000 Apply for up to £10,000 per household to reduce carbon and save energy costs. Residents can join up with others in their community to form clusters of connected houses, flats or a combination.
- Pot 2: £100,000 Organisations can apply for between £500 and £20,000 for projects that deliver education and awareness to reduce the carbon footprint in Brent

2. Deputy Leader – Councillor Margaret McLennan

2.1 Finance

- 2.1.1 On Wednesday 27th October, the Chancellor released his Autumn Budget and three-year Spending Review for the public sector for the period 2022/23 - 2024/25. Using the government's 'preferred' metric, the Spending Review announced an average real terms increase of 3% in core spending power for Local Government.
- 2.1.2 Local authorities will receive £4.8bn in total; though the Local Government Association (LGA) has clearly stated that we need £8bn to remain in a steady state within the sector. In terms of what Brent receives this still remains dependant on the final 'Financial Settlement' that is due on 14th December. This settlement outlines the overall allocations due to each local authorities, in previous years, we are told shortly before Christmas. We hope this year for the first time, it won't prove to be a nightmare before Christmas.
- 2.1.3 It is a three-year settlement, however, councils may only receive one-year of funding initially as we still have to wait on the outcome of the Fair Funding Review. The review will determine how your specific Authority's funding will be calculated in future and via an agreed technical formula that includes Deprivation score. Therefore the assumptions about our 22/23 budget remain the same until December and the final Financial Settlement.

In terms of other Spending Review headlines:

- 2.1.4 **Council Tax** – The government announced that the Council Tax referendum limit will remain at 2% per annum for the Spending Review period, with an additional 1% per annum flexibility utilising the Social Care precept – which can raise funding for this specific pressure-point, although as usual this simply is a sticking plaster over an open wound; with demand for services increasing by the day.

2.2 ICT/Digital Transformation

- 2.2.1 The Digital team launched the successful Springboard Platform on Monday 18th October a flagship transformation strategy with our key digital partner, Infosys.
- 2.2.2 Infosys is providing a free learning platform that gives a fantastic opportunity for residents and businesses to upskill themselves whilst also providing people with the digital skills to improve their lives.
- 2.2.3 It will hopefully allow for better employment opportunities, equipping businesses with skills to build an online presence and access a new consumer market or simply help people to connect with people online and therefore reduce social isolation.
- 2.2.4 This very much links in with our updated Digital Strategy 2022 - 2026 and the recommendations from the Poverty Commission. If residents are to ever reach

their full potential; then they must have the ability to access digitally as this is the greatest barrier to their progression.

2.2.5 BuyBrent Shopping App - The Buy Brent local app was launched on the 20th October supported and delivered by the Digital Transformation Team. To date, over 500 have signed up to use it.

2.2.6 Brent Tech Week - Brent Tech Week is planned for 16, 17 and 18 November to showcase digital technology. Day one is in the Grand Hall, and the subsequent days will be on a virtual platform that will replicate the experience of being in the Civic Centre. An exciting new virtual concept that allows users to experience the Civic Centre from one's own home.

2.3 Customer Services

2.3.1 The Civic Centre Prototype team will be trialling new ways of working in the Customer Service Centre and Library to review the best system and design to better support the flow and experience of residents attending the Civic Centre; who attend for a multitude of reasons.

2.3.2 Therefore the pilot; which is Phase II of the Customer Access Review will give valuable information, via attendee feedback, on how the space is best used to maximise their experience. Look out for staff wearing yellow badges in the Main Foyer from Monday 1st November. They are there to support and guide you to our services.

2.4 Household Support Fund

2.4.1 Following the announcement regarding free school meal vouchers over October half-term, the Customer Service team distributed coupons to over one thousand households with approximately 1,808 eligible children in the 0-4 age group.

2.4.2 It is likely that these numbers will increase as we respond to enquiries from families who are in receipt of Universal Credit, but not Housing Benefit or Council Tax Relief that are checked and processed upon receipt.

2.4.3 Vouchers were sent out to the eligible families from Monday 25 October 2021.

2.5 Community Hubs

2.5.1 As of 1st November; all Hubs are currently operating two days a week face to face, with a drop in service.

2.5.2 In addition, outreach services are taking place in food banks and the telephone service has been maintained. Plans are being developed to further increase the face to face offer and reduce the phone support which will focus on food bank referrals and related support.

2.5.3 Hubs are an integral part of a new pilot customer access offer in the Civic Centre commencing 1st November, with a view to developing a permanent Hub offer.

2.6 Equalities

2.6.1 Local Democracy Week and Black Community Action Plan (BCAP) Insight Day

As part of Local Democracy Week (LDW) programmes and initiatives, the BCAP team held an insight day on 26 October 2021 at Brent Civic Centre for young people to raise awareness about employment prospects and support our young people to secure career job opportunities. Over 50 Employers attended on the day; with high profile employers such as Quintain, Wates, HS2 and Google.

2.6.2 The aim was to engage our young people in local leadership and inspire young people to take part in local activities as well as raise awareness of learning and potential careers in local leadership and politics.

2.6.3 Over 300 young people attended the day and from feedback expressed they did gain valuable insight into potential career pathways and getting into civic life. All attending Employers were delighted with their interactions and are keen for this event to be held annually.

3. Public Health, Culture and Leisure – Councillor Neil Nerva

3.1 Draft Health and Wellbeing Strategy – HWHS

3.1.1 The draft was considered at the October 2021 meeting of the Health and Wellbeing Board. The draft JWHS strategy has now been through two rounds of consultation

Stage two HWHS consultation

For the second round of consultation Brent officers and Brent Healthwatch consulted from June to September 2021 across a range of audiences. Stage 2 consultees include partners, key external and internal forums, and key community and voluntary sector groups, including:

- Multi Faith Forum
- Disability Forum
- Carers' Forum
- Brent Youth Parliament
- Care Leavers
- Young Minds
- Head Teachers' network
- Brent Health Matters Community Champions network • Safeguarding Adult's Board
- Ashford Place older adults and dementia community
- Mutual Aid groups
- Councillors – Policy Coordination Group, member development session and Community and Wellbeing Scrutiny Committee
- Senior staff – Corporate Management Team, Senior Management Group, leadership and management teams, Integrated Care Partnership Executive Committee and Board
- Council staff network

3.1.2 Learning from consultation

The second round of consultation has highlighted the need for Brent Council and the local NHS to promote and enable:

- Healthy lives – addressing barriers such as low income, providing educational information on healthy living in accessible and culturally relevant ways, improving access to resources and facilities to support people to live a healthy life, reducing the harms caused by unhealthy fast food outlets
- Healthy places – making existing spaces tidier, safer, and accessible to all (including the free outdoor gyms in parks), increasing the amount of usable green space – including community garden spaces, better facilities such as public toilets, including accessible toilets, improving the physical, social, and cultural offer for all, particularly young people and people with a disability
- Staying healthy – more and better information and support (including advocacy) that is accessible to all (particularly those people with a learning disability), better engagement for those experiencing specific health conditions, better access to

primary care and mental health services (especially for children and young people), prioritisation of prevention and early intervention services, improvement of services to support people to self-manage and self-care in their own homes

- Healthy workforces – support for the community and voluntary sector through a more joined up approach, a collaborative approach to addressing the back log
- Healthy systems – community voices must be the main feature within the JHWS and communities should be involved in solutions, Brent Health Matters is a successful model and we should build on this to develop further initiatives at a hyper local level, a commitment to working collaboratively across systems, increased focus on the marginalised / disadvantaged community groups, improving digital innovation but ensuring all are able to access services in an alternative way

3.1.3 Next steps

The Health and Wellbeing Board meeting in January 2022 is expected to sign off the new JWHS I am working with cabinet colleagues include Cllr Harbi Farah and senior officers about how:

- Brent and the local NHS Integrated Care Partnership - ICP will implement the strategy
- Residents and community organisations can be involved in reviewing implementation

See below for these links:

Draft strategy

https://democracy.brent.gov.uk/documents/s115060/9a.%20Appendix%201%20-%20DRAFT%20Joint%20Health%20and%20Wellbeing%20Strategy.p1_df

Background paper

<https://democracy.brent.gov.uk/documents/s114984/9.%20Joint%20Health%20and%20Wellbeing%20Strategy%20Development%20Update.pdf>

3.2 Diabetes Strategy for Brent

I am very pleased about local investment to achieve scale improvements to diabetes support for Brent residents through action learning across multiple partners.

The strategy is set within a clear structure and framework and aims to build new ways of working to improve health and support outcomes.

This approach is in line with Brent Borough commitment of working with the local communities to support transformation of services and shaping the Diabetes strategy and learn from community engagement to produce a new JWHS outlined above. This approach has been agreed at the Diabetes Steering group and Health Inequalities and Vaccination Executive group.

3.2.1 Programme Objectives

- Improve awareness and prevention of diabetes
- Improve early diagnosis of people with diabetes or pre-diabetes
- Improve outcomes and performance of management of people with diabetes
- Promote self-care and digital platform to support self-care
- Working closely with local communities and taking the feedback to support Diabetes strategy for Brent
- Increase uptake of NDPP and REWIND programme

3.2.2 Community Events

Brent plans to run **14** Diabetes Community Events between November 2021 and April 2022 These events will be held in local community places that residents are familiar with e.g.:

- Faith organisations (churches, temple, mosques and synagogues)
- Community centres
- Sports centres
- Local health centres eg Willesden hospital, Wembley centre

3.2.3 Confirmed events

- 13th November at Ekta Centre, in association with Oshwal Centre at Kingsbury (flier attached)
- 14th November at Sanatan Temple in Ealing Road, Wembley (flier attached)
- 7th January at Central Mosque, Willesden
- 21st January at Chalkhill Primary care centre

3.2.4 Who will be at these events?:

- PCNs to support 9 key care processes (including blood tests)
- GPs from local surgeries
- Podiatry for foot checks
- Pharmacist to support patient understanding of their medication and refer for medication review if appropriate
- Support to join virtual group consultation
- Advise and support re smoking cessation
- Eye screening
- Proactive identification for non-diabetes hyperglycaemia ie pin prick test
- Digital support to access digital platforms for self-care support eg www.knowdiabetes.org.uk
- Information on healthy eating awareness, recipe ideas for different cuisine
- Information re local facilities eg outdoor gyms, walking clubs etc
- Information re community peer groups

3.2.5 Proposed approach to developing

- Phase 1 (Oct-Feb) – Deliver and evaluate existing pilots and work streams, including large scale community ‘Diabetes Events’ (14 days)

- Phase 2 (Feb-April) – Develop whole system implementation strategy with clearly defined roles and responsibilities, building on learning from phase 1, whilst continuing to scale up and refine and run pilot schemes
- Phase 3 (April-Jun) – Implement strategy and complete formal review for refinement

Brent is working with PCNs and other community organisations to plan more large scale events.

I look forward to feeding back on learning from events in a future report.

3.3 Covid-19

3.3.1 Infection

The impact of the vaccination programme is evident in the low rates of hospital admission and deaths from Covid-19. However, the NHS is very busy with non-COVID pressures.

The location of the Covid-19 booster vaccination programme is not quite where we would like it. The closure of the mass vaccination centre has impacted negatively on the ability to staff the bus and pop ups - the Council provide the bus and non-clinical staffing, but still requires the NHS to provide vaccinators and vaccine.

3.3.2 Young people

Figures from before October half term showed just under 20% eligible pupils in Brent schools had been vaccinated. A very welcome development is the opening up of local vaccination sites and the national booking system for 12 to 15 year olds.

3.3.3 Communication

Brent Council is continuing to promote

- Vaccination
- Regular testing
- Ventilation, face coverings in crowded indoor spaces, hand, and respiratory hygiene

For up to date go to <https://www.brent.gov.uk/your-community/coronavirus/>

3.3.4 Covid-19 vaccination

Covid-19 Vaccination

<https://www.brent.gov.uk/your-community/coronavirus/vaccine/>

This web page is regularly updated and provides local information about the NHS vaccination programme. Information about the Brent Vaccine bus can be found on this webpage.

Brent councillors and officers continue to highlight to the local NHS the need for **vaccination sites to be readily accessible to residents living in the southeast part of Brent.**

3.4 GP Access

- 3.4.1 I gave evidence in late October to the task Group led by Cllr Mary Daly. I look forward to receiving recommendations and supporting the NHS to implement recommendations proposed by this task group.

3.5 Libraries

- 3.5.1 Find out what's happening online and in person this Autumn 2021 across the Brent Libraries, Arts and Heritage service

See below for link to the brochure
https://www.brent.gov.uk/media/16419318/whats-on-booklet_autumn21_web.pdf

- 3.5.2 **Study space** - really pleased that study space is again available at three of our libraries. See this link for details <https://www.brent.gov.uk/services-for-residents/libraries/book-a-study-space/>
- 3.5.3 I am working with Cabinet colleagues including Cllr Tom Stephens to consider how we can link with local schools and colleges to make best use of libraries as places to study and learn.

4. Environment – Councillor Krupa Sheth

4.1 Operational Updates

Asides from mentioning our fantastic Climate Festival to coincide with COP26 over the last month, I have provided detail below from each service area within my portfolio to summarise key current operational issues.

SERVICE AREA	ISSUE	DETAIL
Neighbourhood Management		New Environmental Enforcement Officer to work with Veolia for 6 months assisting with intelligence and evidence gathering
Parks and Projects Service	Fireworks in Parks	Parks are liaising with enforcement colleagues regarding patrols to prevent fireworks being set off in parks over Diwali and Bonfire night which coincide this year.
Parking and Lighting	Installation of new junction and bus lane enforcement cameras is now under way.	
Highways	Injection Patching Contract	The tender period for a new Injection Patching Contract ended on 17 September. The previous very successful two-year contract completed around 35,000 pothole repairs.
Highways	Public Realm Priorities	A £1.67m programme of public realm improvements has been approved and programmed, for delivery this financial year.
Highways	£20m Footway Improvement Programme	The six shopping parades are all that remain of the programme are programmed for autumn / winter; Sidmouth Road, College Road and Preston Road have already started with Church Lane, Neasden Lane North and Harrow Road to follow.
Highways	£3.5m Capital Maintenance Programme	Carriageway and footway resurfacing works are now programmed in; from 15/11 to 08/12, 14 roads will be resurfaced (with Burgess Avenue to follow after footway works). Footways in 10 streets will be reconstructed between 25/10 and the start of June (all subject to favourable weather conditions).

Highways	TfL Funding	<p>TfL remain in severe financial and funding for the last quarter remains uncertain. TfL have made £1.3M funding available for staff costs, schemes in-flight and to continue the Active Travel programme; Staff £590k.</p> <p>Schemes in flight £325k - School Travel £70k, Healthy Streets continuation £220k and Local Measures £35k.</p> <p>Bus Priority £385k (includes £250k towards the Kensal Corridor project (in progress)).</p> <p>TfL requested to provide additional funding for Kensal Corridor (£300k and Wembley Hill Road 5 arm junction £150k).</p>
Highways	Town Centre Improvements	<p>Public Realm improvements for Wembley High Road and Church End are progressing.</p> <p>These are part of the Council's wider plans to support the economic recovery of local town centres.</p> <p>The schemes will improve pavements, roads and provide new trees and greening, street furniture, lighting and signage.</p> <p>Wembley High Road Construction works for Wembley High Road are programmed to commence on 25th October 2021. The work will be undertaken in 4 phases:</p> <p>Phase 1 – From Ark Elvin Academy to Park Lane (both sides of the road) Phase 2 – From Park Lane to Wembley Central Square (both sides of the road) Phase 3 – From Wembley Central Square to Ealing Road (both sides of the road) Phase 4 – From Wembley Triangle to the Ark Elvin Academy (both sides of the road) and from Ealing Road to Napier Road (both sides of the road)</p>

		<p>Phase 1 to 3 works are expected to be completed by April 2022.</p> <p>Notification letters were sent out to local residents and businesses w/c 27th September, and further information provided to businesses.</p> <p>Regular updates on progress will be posted on the Council's website.</p> <p>Church End Construction works for Church End are programmed to commence in early January 2022 with substantial completion of the works anticipated by May 2022.</p> <p>Consultation letters were sent out to local residents and businesses on w/c 27th September. A public exhibition took place on 6th October 2021.</p> <p>Kensal Corridor Public realm improvements near Kensal Rise overground station are in progress.</p> <p>These include new wider pavements, new pedestrian crossings, cycling facilities, trees and greening, a green roof cycle shelter and new bus stands and stops.</p>
Highways	Air Quality	<p>Brent's Air Quality Action Plan 2023-2027 is currently being developed and with initial engagement and consultation planned for the Autumn and wider consultation planned for the Summer of 2022.</p> <p>New Air Quality Sensors trials have commenced as part of Brent's digital programme. The aim is to understand whether these will provide reliable readings for all pollutants (including NO₂, PM₁₀ and PM_{2.5}) and enable us to improve the data we have in the borough on air quality hotspots at a local level.</p> <p>The pilot is in progress and end in the Autumn 2021. A report will be compiled considering the use of new technologies.</p>

		<p>E-cargo bikes will be trialled in Willesden between December 2021 and June 2022.</p> <p>We are also investigating further trials in the borough. The aim is to promote zero emission deliveries in in local town centres.</p> <p>External funding has been secured to purchase an E-cargo bike for Council staff use and to support the Willesden Green project.</p> <p>Green screens have been installed in Our Lady of Lourdes and Harlesden Primary School to reduce children's exposure to pollution. Further schemes to be implemented as funding is identified.</p>
--	--	--

4.2 Update on key events in the portfolio

A summary of some select successes, challenges and risks encountered over the last period.

SERVICE AREA	EVENT	DETAIL
Neighbourhood Management	Douglas Avenue toilet brought back into service	After about 5 or so years a disused public convenience in Douglas Avenue, the toilets were refurbished and brought back into service which has been favourably met by shoppers and traders in Ealing Road.
Neighbourhood Management	Environment Enforcement	Days of action continue to occur with the most recent one at Hassop Road: which included removing of vehicles & inspecting of businesses, with support from the police, audit investigation, Regulation services, Community safety & environmental Enforcement.
Parks and Projects Service	London in Bloom awards	<p>8 parks were awarded with either Gold or Silver Gilt in this year's ceremony.</p> <p>The specific awards for each park is as follows:</p> <p>Country Park of the Year - Fryent Country Park, Gold Small Park of the Year - Harlesden Town Garden, Gold - Mapesbury Dell, Gold Large Park of the Year - Roundwood Park</p>

		Silver Gilt - Woodcock Park Gold Walled Garden - Barham Park Walled Garden Silver Gilt - Gladstone Park Walled Garden Gold Small Conservation Area - Roe Green Walled Area
Parking and Lighting	Recent successes in prosecuting Blue Badge fraud. Increase in seizures of vehicles belonging to persistent PCN evaders.	
Highways	Injection Patching Repairs on Kenton Road	During w/c 5 th October dozens of injection patching repairs were carried out, on the whole 3.3 km length of Kenton Road by contractor Velocity UK Ltd. Most of the works were carried out at night due to the high level of traffic.

5. Regeneration, Property and Planning – Councillor Shama Tatler

5.1 Forward Plan and forthcoming reports

Set out below is a summary of forthcoming reports, proposed recommendations, rationale and when they will be considered.

REPORT	AGENDA	DATE	DETAIL
Neasden Stations Growth Area (NSGA) Masterplan SPD	Cabinet	December 2021	SPD doc due completion end 09/21 but Cabinet cannot adopt until transport assessment completed (est. 11/21) and Inspector's sign off on local plan received.
Abbey Community Centre	Cabinet	TBC	Public consultation started, to close 10/21; Cabinet to agree preferred option for site
Infrastructure Funding Statement 2020/21	Cabinet	December 2021	To agree for publication
Local Plan adoption	Council	TBC	To agree to adopt the Brent Local Plan

5.2 **Levelling Up Fund** - Brent has been awarded £7.75m from the first round of Levelling Up from the Government for phase 2 of the Carlton & Granville Scheme in South Kilburn.

5.3 **Buy Brent App** - Download the exclusive local rewards app today to unlock offers from almost 100 businesses and retailers across the borough. The free app connects local traders with the local community making it quick and easy for people to find great products and services nearby.

It is also jam-packed with exclusive in-store discounts including: 2 for 1 tickets at the Kiln Cinema in Kilburn until February 2022.

Please do encourage your residents to download – we're hoping this will grow and support our fantastic businesses in Brent.

Residents who don't own a smartphone can email **business@brent.gov.uk** or speak to a member of staff at one of Brent Council's **hubs** or **libraries** to receive a physical rewards card.

You can download the app here: <https://www.brent.gov.uk/council-news/october-2021/it-s-a-local-love-affair-the-first-london-borough-to-launch-shop-local-mobile-app/>

6. Schools, Employment and Skills – Councillor Tom Stephens

6.1 School Place Planning Strategy 2019-2023 refresh

- 6.1 As colleagues will be aware, the School Place Planning Strategy is annually refreshed and taken to Cabinet. The current planning strategy takes us to 2023 and there will be a full update of the strategy after that. The strategy brings together GLA data with local data to forecast the demand for school places against the places available within the borough. This year's refresh is due to be published and considered in the November Cabinet. It will also be taken to Schools Forum. Unions have also been engaged in the development of the strategy and will also be able to discuss it at Schools Forum.
- 6.2 There are more than sufficient mainstream primary and secondary school places within the borough. As such there is no planned primary or secondary expansion capital programme. The strategy sets out measures to manage this changing demand in order to maintain existing school premises as educational settings, including by temporarily reducing admission numbers, placing an informal cap on admission numbers and repurposing spare capacity - for example by investing in Additionally Resourced Provision (ARP) for children with SEND inside mainstream settings. We also all have a role to play in championing our own local schools, getting involved as governors and raising the profile of the excellent educational opportunities we have within the borough.
- 6.3 Positively, this frees up capital funding and capacity to continue expanding provision for young people with Special Educational Needs and Disabilities, helping provide local provision within Brent for the growing number of 0-25 year-olds with Education, Health and Care Plans (EHCPs). I'm pleased to say that the refresh confirms a significant programme of investment in new SEND provision within Brent.
- 6.4 A capital programme is being developed to deliver will be an expansion of 427 SEND school places within Brent by the end of 2024, comprising 147 places for ARP in mainstream schools, 109 new places in existing SEND schools and 150 new places in a new SEND secondary school. This marks an increase of almost 50% on 2021/22 provision of 898 places.
- 6.5 There will be a particular focus on increasing our support offer for people with Autism Spectrum Disorder (ASD), as ASD is the most common type of need within Brent: 42.9% of Brent's population with EHCPs have ASD compared with an England average of 30.5%.
- 6.6 A capital project is also being developed to fund a skills centre for 16-25 year-olds with EHCPs to meet this much-needed and colleagues can expect an update on this later this year. Taken together, the above investment will help address the growing deficit in the High Needs budget, but it will also far more importantly help develop good-quality, local provision which parents and children with SEND themselves rightly want and demand.
- 6.7 School governors** - In the coming months, further communications and awareness-raising is being planned to raise the profile of Brent school governors, and particularly community school governors, and encourage more

people to come forward. As colleagues will be aware, there are also strong commitments on improving the diversity of school governors in the Council's Black Community Action Plan.

- 6.8 I would like to make an open appeal to all residents active in their communities. If you aren't already, please consider taking up the role of governors yourselves, and please do think anyone in your area who you think would make a great school governor and might be interested in taking up the role.
- 6.9 Details of the process, and what it is like to be a Brent school governor, can be found on the Brent Council website here: <https://www.brent.gov.uk/services-for-residents/education-and-schools/student-and-school-information/school-governor/>. However please do email me directly if you would like to discuss, on cllr.thomas.stephens@brent.gov.uk.
- 6.10 'Keep Brent Working' update – employment services mid-year report April-September 2021**
- 6.11 The employment team continues to meet and exceed its KPIs. Brent Works has delivered 165 employment, apprenticeship and Kickstart outcomes in the year to date against a full year target of 230. This includes 52 Kickstart placements for young 16-25 year-olds on Universal Credit.
- 6.12 The team has also enjoyed a number of other successes on top of this:
- The Moving on Up programme for young black men has continued to enjoy successes, engaging with 127 young black men in the year to date and supporting 21 into employment
 - Brent Works hosted a July event with the Adult Social Care Team for 30 18-21 year-old adults with SEND needs to discuss their next steps post-education, jobs, apprenticeships, etc
 - Brent Works hosted a recruitment webinar with over 40 attendees for the new restart advisors working in the Wembley area
 - Brent Works are supporting Slenky in their new tech start up (led by Peter Gadson). Brent Works have secured some council Kickstart Roles where the council acts as the employer and Slenky host them for the 6 months. This is due to start in December 2021.
 - Alperton Community School, Capital City Academy and Crest Academy are participating in the Tech Camp programme to engage people in opportunities in the tech sector, delivered by Career Camp CIC.
 - The Living Room, based in the Brent Hubs, has supported 31 clients into sustainable work in the year thus far, continuing to deliver successes in their face-to-face service.
 - A member of the Brent Works team, Dee Kumar, has also been shortlisted for 'Apprenticeship Champion of the Year' in the National Apprenticeship Awards 2021, for her work in helping apprentices at risk of becoming unemployed keep their jobs during the pandemic. Her work has transformed the lives of residents who would otherwise have become NEET and her achievement is testament to the amazing work of the team.

6.13 Job outcomes continue to be secured for a very diverse range of Brent residents, reflecting the diversity of our borough. Our apprenticeship offer has also started to become more diverse, including with a number of Brent schools now working with the Brent Works team to deliver apprenticeship opportunities within schools. Diversifying this apprenticeship offer - encouraging employers across more sectors to create apprentices, and increasing the proportion of women taking up apprenticeships – will be a key future priority. This will be a particular focus as the Kickstart scheme winds down in March 2021 (having been extended from December by the Chancellor), with existing Kickstart partners being encouraged to take up apprentices and partner with the Council under the Apprenticeship Levy Transfer Scheme.

6.14 Disability Confidence and Supported Internships

6.15 Finally, some welcome progress has been made in investing in Disability Confidence and Supported Internships for residents with disabilities and/or EHCPs. Now Brent has achieved Level 3 Disability Confident Leader status, the Employment and Mental Health Forum is developing a programme of interventions, research and an action plan to get more Brent employers to achieve Level 2 and 3 Disability Confidence status. A workshop will be held in November to discuss these issues in further detail.

6.16 Research will then be commissioned to inform a strategy and action plan. A post is being created to lead on disability confidence reporting into the Forum. A 3-year engagement and action plan is then going to be developed to increase Disability Confidence in the borough. Working with the DWP, the research will enable us to understand the Disability Confident status of Brent employers.

6.17 Alongside this, Brent Council has also started to deliver further supported internships for young people with EHCPs. Brent Council Departments themselves have stepped up to join the Wembley Park Supported Internships programme for students enrolled at the College of North West London, with 11 people supported in the current round.

6.18 I had the pleasure of speaking with some of them at a recent meeting of the Brent Parent Carer Forum, and see how they were getting on in the Council. Work is also being done to look at the next rotation of placements starting in the New Year, engaging with employers and educational institutions. As a reminder, £30k of the £500k Recovery Fund programme for the Brent employment team is being used to continue and expand the Supported Internships programme.

6.19 Living Wage Week – Good Work Standards and London Living Wage campaign

6.20 It will be Living Wage Week on 15th-21st November. Working with Citizens UK and the Living Wage Foundation, we are planning an event to mark the occasion on Wednesday 17th November, updating community organisations, stakeholders and others on the Council's plans to support businesses to deliver the London Living Wage and to champion the Mayor's Good Work Standards in the borough. The event will particularly focus on our response to the Poverty Commission recommendations for Brent to champion the Mayor's Good Work Standards, and to create Living Wage Zones. In early 2022, we plan to launch

a 3-year strategy to work with employers to deliver the Mayor's Good Work Standards, with a particular focus on the standard related to the London Living Wage.

- 6.21 A working group is being convened to develop a strategy and research has been commissioned to look into the current Brent labour market and the barriers to good-quality work in the borough. The Poverty Commission members have been closely engaged throughout this process, and we held a meeting with them on 26 October to update them on our plans. Please do get in touch if you would like to discuss further, and/or if you know of any employers who would be interested in supporting this initiative when it takes off in the New Year.

7. Community Safety & Engagement – Councillor Promise Knight

- 7.1 I've included below a selected set of updates from within my portfolio, if you have any questions or issues to raise, please contact me by my email: Cllr.Promise.Knight@brent.gov.uk

SERVICE AREA	ISSUE	DETAIL
Days of Action	Harlesden Day of Action.	A large quantity of Cannabis found outside Harlesden Methodist Church. This was swiftly dealt with by our Police colleagues. Our Neighbourhood Patrol Officers stopped a number of street drinkers. Warnings were given and arrests were also made by the Police.
	Kingsbury Road & Queensbury Parade Day of Action.	A number of Parking PCN's were issued, alongside and FPNs for street drinking.
Safer Brent Strategy	Public and partner consultation on the SaferBrent Strategy	A program of consultation has been developed to ensure new priorities are inline with areas of concern raised by the community and partners.
VAWG	Enhanced focus on the safety of women and girls in public spaces.	<p>Further plans underway regarding 16 Days of Activism Against Gender Based Violence beginning on the 25th of November with a Card Stunt and Vigil as well as a community-led discussion on Women's Safety Event.</p> <p>In the process of launching a survey to identify locations where residents feel that we can improve the safety of women in public spaces in Brent.</p>
Prevent	Public Advisory Group	Ongoing public conversations with partnership agencies and faith group representatives to better understand their perception of crime and views regarding radicalisation and how to seek help.

Trading Standards	Safety of second hand vehicles	All used car dealers were written to by the Service with advice on their legal obligation on selling second-hand cars. Four of the most complained about dealers were visited by officers to carry out formal inspections of their paperwork and descriptions of their vehicles.
Trading Standards	Cosmetic products containing a banned substance	Test purchased of hair straightener solution from local importers of cosmetics. The labels stated they contain formaldehyde which is a carcinogenic. Awaiting test results.
Food Safety	Complaint	An investigation has been carried out and Officers have worked with the business to ensure compliance after an online video was circulated showing mouldy bread at the premises. This has been removed and the business is not considered to be an imminent risk. We will continue to monitor this.
Licensing	Tables and Chairs / Street Trading Licensing	Continued renewal of tables and chairs licenses following Government's extension to the law to encourage outside hospitality. We are starting to take enforcement action against businesses who are ignoring advice to apply for a licence when one is needed.
Food Safety	Prepacked for Direct Sale Allergens Law – Natasha Law	A new law came into force on 1 st October. Natasha's Law requires food businesses to provide full ingredient lists and allergen labelling. We have been advising food businesses of new labelling requirements to ensure compliance and have specifically visited high street food businesses in Kilburn, Cricklewood, Kingsbury, Queensbury Circle, Colindale, Kenton and Harlesden to check they understand what is now required.
Communities	Asylum Seekers	<p>We have now welcomed 2 Afghan families here as part of Afghan Resettlement Scheme. Both are settling well – all children have school places.</p> <p>Continued discussions with Home Office on wider migrant issues including Hong</p>

		Kong nationals.
Grants	Delivering new method of local decision making	Programme of engagement underway Promoting all Grants – Together Towards Zero, LWYL, NCIL and You Decide.
Drugs and ASB	Enforcement outcomes.	Windmill Court Closure Notice served 20/10/2021. Court hearing for full closure to follow. Preston Road brothel closure application court date on the 3 rd November.
Community Safety Investment	Knife Bins for the borough	Ward visits to assess suitable locations to take place with Police partners - local data analysis conducted to identify key area.

8. Children's Safeguarding, Early Help and Social Care – Councillor Mili Patel

8.1 Family Well-Being Centres - the Family Wellbeing Centres were officially launched earlier this month, in a special ceremony attended by Mayor Cllr Lia Colacicco, CYP staff and staff from across the centres and partners from Barnardo's.

8.1.1 I have also been attending the individual launches across the borough this half-term week and pleased to see the centres full of families getting to know the centres.

8.1.2 Brent has eight Family Wellbeing Centres that people can visit to access services, which include:

- Health - midwifery, health visitors, infant feeding support, development checks, emotional wellbeing, general health promotion, keeping fit, speech and language support
- Education - early learning, looking for childcare (including free nursery education for 2 year olds) applying for school place, starting school, moving to junior or secondary school, library outreach sessions and homework clubs.
- Family support – parenting workshops, parenting programmes, 1:1 support
- Support for parents/carers – dads' programme, money management, housing, counselling, legal advice, English courses, getting back into employment and various adult learning courses
- Special Educational Needs and Disabilities (SEND)– support for all age groups, parents support group

The eight Family Wellbeing Centres can be found at:

- Alperton, Wembley
- Church Lane, Kingsbury
- Granville Plus, Kilburn
- Curzon Crescent and Fawood, Harlesden
- Preston Park, Wembley
- Three Trees, Kensal Rise
- St Raphael's, St Raphael's Estate
- Willow SEND, Wembley

8.1.3 Find out the addresses of the Family Wellbeing Centres on our website www.brent.gov.uk/services-for-residents/children-and-family-support/childcare/family-wellbeing-centres

Please do share this link with the families within your wards.

8.2 Brent Children's Trust - the Brent Children's Trust presented an update on its work programme covering April 2021- September 2021 to the Health & Wellbeing Board on 19 October.

8.2.1 The Board noted the work of the Trust's three main strategic themes; Transitional Safeguarding, Children and Young People's Mental Health and Wellbeing, and Support for children with special needs and disabilities (SEND).

8.2.2 Transitional Safeguarding is a priority area of focus. There has been a continued focus through the Brent Children's Trust on developing transitional safeguarding to ensure there is a seamless approach for young people as they reach adulthood, recognising that harm and its impact does not stop at 18 years of age. The Health and Wellbeing Scrutiny Committee have commissioned a task- group and I will update council once the report is published.

8.3 Children and Young People's Mental Health and Wellbeing - during the July 2021 meeting, the Trust explored, in detail, the Brent mental health and Emotional wellbeing provision with a focus on potential solutions to service pressures. The Trust expressed growing concerns regarding the increase in demand for children's Mental health services in the borough, which have been exacerbated by the Covid-19 pandemic. Examples of this increasing demand include:

- 10% increase each quarter in 20/21 in children and young people logging onto KOOTH (online mental health support for 11 to 25-year-olds.) out of hours service and a 20% rise in new registrations.
- Increase in children and young people presenting at Brent Centre for Young People with moderate/severe complex needs
- Increasing demand on specialist services resulting in increased waiting times
- Increasing number of children and young people presenting in crisis to A&E or as urgent referrals to core CAMHS - in particular children and young people who have autism or eating disorders
- Increasing demand on eating disorder services - the CYP Eating Disorder team saw higher levels of activity towards the end of 2020. This has continued throughout 2021 and, with few exceptions, it has been 70% higher than the same period in the previous year.
- CAMHS Adolescent Community Treatment Service (ACTS) saw elevated levels of activity in the last two months of 2020. This has continued into 2021 with weekly activity levels routinely above that seen in the same period in 2020.
- Increasing demand for the Wellbeing and Emotional Support Team (WEST) service commissioned by the Anna Freud Centre.
- Urgent care CAMHS teams have seen increased rates of referrals between September and November 2020, and again since March 2021, in line with schools opening.
- May 2021 saw the highest number of monthly referrals received and accepted in any month ever.

8.4 Corporate Parenting Committee - Corporate Parenting Committee had their quarterly meeting this month. The committee received an update from care leavers and looked after children on the various activities they've been involved in including the Bright Spots "Your life, your care" survey 2020. The committee also received annual reports from the Brent Virtual School, Independent Reviewing Officer, Quarterly Brent Fostering Service report and six-monthly adoption report. The committee also received an update on the support being given to Looked after Children and Care Leaver from Afghanistan.

9. Housing and Welfare Reform – Councillor Eleanor Southwood

9.1 Parking on Brent Housing Management (BHM) estates

9.2 The council is consulting on alternative parking controls on Brent Housing Management (BHM) estates. Our priority is that anyone who needs to use a car can park safely and easily. The council regularly receives complaints of inconsiderate parking which makes access difficult and sometimes dangerous, including for emergency services.

9.3 Broadly, the proposal is to introduce a £50 parking permit that would be enforced as part of the contract the council has with Serco. This would replace the current scheme where residents pay £10 to Wing Parking. Due to legislative changes in 2012, Wing is limited in what they can enforce and the current arrangements are therefore inadequate.

9.4 All estates are different and I am sure not all will agree with the proposals but the intention is to give everyone the option. The consultation has been extended to Nov 30th and walkabouts are taking place on estates where particular concerns have been highlighted. Estates which do not support the proposal will not have the option to continue with Wing Parking.

9.5 **Tackling period poverty** - Earlier in the year, we ran an awareness campaign that identified support available to anyone experiencing period poverty. I am delighted that Brent is the first London Borough to introduce vending machines with free pads and tampons in council buildings as follows:

- Brent Civic Centre
- Ealing Road Library
- Harlesden Library
- Kilburn Library
- The Library at Willesden Green
- Kingsbury Library

It is a trial – please do spread the word. We have had very positive feedback, which suggests this is an issue that really resonates with people in Brent.

9.6 **Progress on council house building** - the council continues to deliver its ambitious council house-building programme. The average wait for a 3-bed home in Brent is 16 years and building new homes is an essential way to meet this challenge. Some key stats:

- 410 families will have moved into new council built homes by the end of 2021 – this includes Unity Place (South Kilburn) and as part of the Grand Union development in Alperton.
- We have been allocated a further £111m from the GLA to support our programme, which means that our revised target is to build 1700 new council homes by 2028.
- It's not just a numbers game – we're building larger, adaptable homes to ensure that what is built is what residents on Brent's housing register need.
- We offer tenants who want to downsize, move into renting or buying privately or are considering a move to independent living accommodation incentives to do so, which helps us make the most of the housing stock we own.

- We have built our own temporary accommodation at Knowles House so that people who do need it can live in good quality accommodation. Our intention is to put an end to use of non-self-contained B&B accommodation in Brent.

No plans are developed before local Cllrs and residents have been engaged. Officers are always looking at potential sites and I am grateful to ward Cllrs and residents who have made suggestions for future development.

I understand that development is disruptive and that local residents often have legitimate concerns when new homes are proposed where they live. Our aim is always to balance these concerns with the needs of Brent residents who are currently homeless.

- 9.7 **Homelessness update** - families in Brent are at the sharp end of the rising cost of living, changes to Universal Credit, future increase to National Insurance and the end of furlough and the ban on evictions.
- 9.8 Each year, around 6000 single people and families approach Brent because they fear becoming homeless. The main reason is eviction from private rented accommodation because it has become unaffordable. In December 2020 we increased capacity in the service to proactively support anyone at risk of eviction and/or experiencing financial difficulties because of the pandemic. Over 400 Brent residents have received support and advice. The Resident Support Fund is also available to help: <https://www.brent.gov.uk/services-for-residents/benefits-and-money-advice/resident-s-support-fund/>
- 9.9 Our aim is to be there for residents at the earliest opportunity and this approach has prevented 68% of residents who feared becoming homeless from actually becoming homeless. We have also reduced the number of homeless households living in temporary accommodation from 2,191 (April 2019) to 1,584.
- 9.10 **Domestic Abuse Service** – this provides housing, financial, practical and emotional advice and support to female, male and transgender victims (both families and singles). The service was awarded Domestic Abuse Housing Alliance (DAHA) accreditation in October 2020, in recognition of the Council's commitment to prioritising, recognising and responding to domestic abuse as well as demonstrating a good practice approach.

9. Adult Social Care – Councillor Harbi Farah

10.1 Making vaccination a condition of deployment in the health and wider social care sector

10.1.2 The government was seeking views on whether to extend vaccination requirements to other health and care settings for COVID-19 and for flu. The consultation has now closed 22 October 2021.

10.1.2 The consultation proposes that, if introduced, requirements would apply to frontline health and care workers— those with face-to face contact with patients and clients through the delivery of services as part of a CQC regulated activity. It would mean only those workers that are vaccinated could be deployed (or those with a legitimate medical exemption) to deliver those services.

10.1.3 These are complex and important issues, and the consultation seeks to gather a wide range of perspectives from the public and across the health and care sectors about whether such requirements should be introduced and how they could be implemented. The result has now been analysed so we are awaiting further Government directive.

10.2 Re-launching the NAIL Programme

10.2.1 The NAIL Programme is a major cross-council strategic initiative to provide high quality accommodation for a range of vulnerable people. When established NAIL was designed to offer a viable alternative to residential care for people with high support needs, through providing schemes that promote wellbeing and the ability to live independently through good design.

10.2.2 The NAIL programme generates efficiency savings as ASC only pays for the 'care and support' element of the service, which is our statutory obligation, leaving the individual to claim housing benefit for the accommodation costs. This also entitles service users to claim benefits (which they are not eligible for in residential care) to enable them to pay for social activities, utilities, food etc. This represents an average weekly saving of £331 per person to the Adult Social Care budget, compared to accommodation provided in a care setting.

10.2.3 The principles guiding NAIL are that people in receipt of adult social care services should live in high quality accommodation of their own with support that is tailored to their individual needs. To date the programme has delivered 364 units of accommodation and £5.6m of savings.

10.2.4 By separating accommodation from care & support costs, the NAIL Programme delivers significant efficiency savings for Adult Social Care (ASC) budgets. However, the motivation behind the programme is not purely financial. There is a clear evidence base that supporting the most vulnerable adults in Brent to maintain their independence, receive the care and support they need and continue to live in their own communities is the right thing to do. Research shows that as well as being expensive, residential care does not normally offer the best outcomes for residents, with average life expectancy for someone entering residential care being only 18 months. The programme also supports the department to manage increasing demand on the budget both now and in

the future by avoiding expensive residential placements wherever it is possible, appropriate and safe, and supporting better management of the challenging residential care market through reducing demand for placements in a sector with finite and limited supply, which often drives higher cost.

10.2.5 The types of NAIL accommodation can be summarised as follows:

Extra Care Sheltered Housing (ECSH) – these are larger schemes (40+ units) for people aged 50 and over who have significant Care Act eligible care and support needs. A characteristic of ECSH is that each unit is self-contained, meaning everyone has their own front door. Schemes are mixed client group use, meaning they can support older people with learning disabilities and mental health issues as well as frail elderly people without those additional needs.

24hr Supported Living - these are smaller schemes for people with mental health issues, learning disabilities, dual diagnosis (mental health and substance misuse), autism, sensory impairment and physical disabilities. Schemes are usually, although not exclusively, for working age adults, and support younger people with disabilities who are transitioning from children's services to adult services. Residents must have significant Care Act eligible care and support needs to be suitable for these schemes, and schemes are designed to deliver more of a family, or small community environment.

10.2.6 The Covid-19 pandemic has had a considerable impact on the delivery of NAIL schemes. Schemes at Peel Road, Woodhill Crescent, Preston Road and Gladstone Park Gardens, which should all have opened in the first half of 2020/21, were delayed. All of the schemes proposed to be delivered in 2020/21 are now open, but some (such as Peel Road and Preston Road) did not open until this financial year. These schemes were used as Covid step-down services in 2020/21, which delayed their opening. Nevertheless, occupancy in NAIL schemes has increased by 9% despite three lockdowns between March 2020 and April 2021. Moving adults into either supported living or ECSH was particularly high risk and many families and individuals were understandably nervous about moving during the pandemic.

10.2.7 In recent months the Adult Social Care and Housing Services have been reviewing what is needed from the NAIL Programme moving forward. There has been a significant degree of learning over the past seven years since the programme was established, which has been used to help determine the strategy going forward.

10.2.8 The council wants to broaden the aims of the NAIL programme so that tackle issues beyond those managed within Adult Social Care. The current thresholds for eligibility for NAIL accommodation are comparatively high for all client groups. This was a deliberate strategy put in place when the NAIL programme was established. Because of the need to deliver significant savings through the programme, targeting NAIL accommodation at those with the highest need generated the highest efficiencies through avoidance of residential care. In the medium to long term, the desire is to open NAIL schemes, particularly ECSH, to more of a mixed need cohort. This would generate both cost avoidance and cashable savings but would also allow for the schemes to develop more of a

community feel, with residents of greater ability able to socialise more, and to offer informal peer support to other residents.

10.2.9 Adult Social Care are working with colleagues in Housing Services to broaden the pool of people who could benefit from NAIL accommodation, and in particular extra care services. The ambition for NAIL is to see it as part of a wider approach to addressing housing need linked to maximising the use of Brent's housing stock. Stock maximization is an important corporate objective and there are synergies between the work that ASC has done with older people to deliver accommodation and support with the work Housing are doing on stock maximisation.

10.2.10 It is known that there are older adults in accommodation that is unsuitable for their needs in the longer term, both in the social housing sector and private rented sector. Pro-actively working with people before their care needs cause significant changes to their life will help to maximise available stock in the borough, including in extra care. Care can be commissioned to flex as individual needs change. Making a pro-active move to extra care where care and support is readily available can help ASC to minimise costs in the long term, but deliver on the overarching outcomes for people, including greater independence, choice and control over their care and good quality housing where they have a secure tenancy.

10.3 Health Well Being Board - I chaired HWB meeting on 19 October 2021. The board discussed items including Brent Children's Trust, changes to services during Covid 19 and Public Health Covid update.

The board also seek out assurance from health partners about Integrated Care Partnership (ICP) and their progress to date which the board received a positive progress although there is still more work to be done. In addition, the board discussed and contributed The Join Health and Wellbeing Strategy consultation.

10.4 Safeguarding Adult Board - I attended the quarterly Safeguarding Adult Board meeting on 18 October 2021. There is no concern to report other than to share with you we are recruiting a new independent chair to replace the current chair whose term is expiring.

Questions from the Opposition and Other Non-Cabinet Members**Full Council – 22 November 2021****1. Question from Councillor Matt Kelcher to Councillor Shama Tatler, Lead Member for Regeneration, Property & Planning & Councillor Promise Knight, Lead Member for Community Safety & Engagement**

What steps are Brent Council taking to prevent the proliferation of adult gaming centres in our high-streets?

Response:

We as a council do not welcome Adult Gaming Centres in Brent as we believe they target vulnerable and deprived neighborhoods and will do all within our power to minimise their numbers.

The Gambling Act 2005 is permissive legislation in nature. As a result, the Act requires that authorities must usually permit the use of premises for gambling and there is significantly less control over the number of Adult Gaming Centres (AGC's) when compared to the means of controlling establishments under the alcohol licensing regime. The authority issues premises licences and applies specific conditions in order to mitigate the impacts of AGC's.

The Licensing and Planning functions of the council work in partnership to seek to control the proliferation of AGC's. In summary, AGCs can obtain a premises licence from the licensing authority but they cannot operate an AGC establishment unless they are granted planning permission.

Brent was one of the first local planning authorities to take forward a policy setting limits on AGCs, when it adopted its Development Management Plan in 2016. Changes in our High Streets and to online gambling means that many traditional betting shops are being converted to AGC's and detracting from the quality and diversity of our key retail parades as well as targeting some of the most deprived areas in the borough.

Planning Policy DMP3 limits adult gaming centres to no more than 3% of the town centre frontage, based on length of designated town centre frontage. Outside of town centres the limit is no more than 1 unit or 10% of the neighbourhood parade frontage.

In the past five years, Brent has used this policy effectively to control the number of AGC's in our high streets and town centres. In the past 5 years, 7 applications

for AGC's have been determined, with one being granted permission by Brent but 6 refused. Of these refusals, 2 were subsequently allowed on appeal.

Government has recently undertaken consultation on refreshing gambling legislation, citing the need to ensure it is fit for purpose for the future and the digital age. As part of this consultation process, the council made strong representations regarding the need to better control the number of AGC's by adopting an approach whereby need / demand for an AGC must be established in a similar way to the requirement for alcohol licensing. This would provide the council with a more robust means to control the number of AGC's that are active within the borough. New legislation is expected to be laid before Parliament soon and it is to be hoped that this significant change is adopted.

2. Question from Councillor Robert Johnson to Councillor Margaret McLennan, Deputy Leader and Lead Member for Resources:

Will the Deputy Leader provide a breakdown of the annualized social value commitments (financial and otherwise) extracted through the recent Procurement Strategy – and comment on how Brent uses its purchasing power to support the response to the Climate and Ecological Emergency?

Response:

Within the Procurement Strategy there is a level of detail that sets out the Social Value commitments made through our procurements.

Page 13 sets out the financial commitments made against each of the Councils priorities.

1. Strong foundations £657,205.13
2. Every opportunity to succeed £947,394.00
3. A future built for everyone, an economy fit for all £597,176.59
4. A cleaner, more considerate Brent £162,286.28
5. A borough where we can all feel safe, secure, happy and healthy £108,048.92

Total commitment among 21 received files £2,472,110.92

The breakdown above confirms that our suppliers are delivering social value across the priorities in the borough plan. The suppliers have set out the financial value they are willing to pass back to the council if they do not deliver the Social Value committed as part of the contract which equates to £2.4m of Social Value looking to be delivered through our procurements since June 2020 to March 2021.

This is then further broken by showing the commitments and financial commitments under each priority.

Page 15. Strong Foundations:

- 1.1 Training and Development around digital skills for residents and businesses £65,960.00
- 1.2 Initiatives to involve disengaged and under-represented groups £94,487.00
- 1.3 Providing specialist training for Residents Associations and Voluntary Sector groups £750.00
- 1.4 Encouraging participation, collaboration and co-design: Engaging and encouraging user and employee involvement in service design and delivery £51,046
- 1.5 Engaging residents to support key initiatives in their local community £51,051
- 1.6 Working alongside residents and organisations in parts of Brent that are particularly disadvantaged, with a view of improving outcomes £393,910.00

Page 16. Every Opportunity to Succeed:

- 2.1 Providing CV clinics and mock interview events (Providing events (either drop-in or pre-booked) at either council venues (Libraries etc.) or other sites) £16,250.00
- 2.2 Employment support and skills provision, including significantly increasing the take-up of apprenticeships £813,525.00
- 2.3 Ensure that residents can access affordable training and learning opportunities, so that they can secure and remain in employment and enhance their careers 9,600.00
- 2.4 Ensuring businesses in the supply chain encourage improved gender pay balance £41,800.00
- 2.5 Ensuring businesses in the supply chain encourage increased representation of people with disabilities and mental health conditions in the workforce £1,119.00
- 2.6 Ensuring businesses in the supply chain encourage increased Black, Asian and Minority Ethnic (BAME) representation in the workforce £65,100.00

Page 18. A future built for everyone, an economy fit for all.

- 3.1 Local investment from Contactors £56,408.00
- 3.2 Contribute a number of hours to local businesses, voluntary and community organisations for: business support, financial advice, legal advice, HR advice £208,490.59
- 3.3 Encouraging a diverse base of suppliers: Promoting supplier diversity including the participation of SME's, Third sector organisations and local suppliers in general £125,915.00
- 3.4 Maximising opportunities for Brent organisations to participate in the council's supply chains and encouraging suppliers to make a social contribution to the local area of Brent £181,073.00
- 3.5 Promote and support travel that will reduce the burden on our roads and keep traffic moving £18,050.00
- 3.6 Service delivery models that would help ease the burden on our roads – particularly during peak travel times – such as better coordination and reductions in deliveries and vehicle movements £7,240.00

Page 20. A cleaner more considerate Brent.

- 4.1 Encouraging people to contribute to clean air in Brent by using alternatives to cars for those journeys where it makes sense, by prioritising more walking and cycling routes, promoting sustainable means of transport and the health benefits of being more active £54,750.00
- 4.2 Contributing toward increasing the number of trees and biodiverse, bee-friendly and sustainable planting on our streets, in our public spaces, and our award-winning parks £80,300.00
- 4.3 Promote, encourage and actively work to change behaviours around recycling and making sustainable choices £12,500.00
- 4.4 Helping with community clear-up days gardening and food growing projects £42,886.28

- 4.5 Promoting greater environmental sustainability: Minimising waste and pollution, supporting carbon reduction initiatives, reduction of waste to landfill. £23,600.00

Page 22. A borough we can all feel safe, secure happy and healthy

- 5.1 Engaging residents to identify and supporting key initiatives in their local community £2,000.00
- 5.2 Working alongside residents and organisations in parts of Brent that are particularly disadvantaged, with a view of improving outcomes £19,320.00
- 5.3 Reduce isolation for older people – coordinate and run a befriending service £67,752.00
- 5.4 Supporting local culture and heritage including events sponsorship £46,669.92
- 5.5 Get children and young people to be more active and reduce their sugar intake, in partnership with schools, the NHS, and the community £17,450.00
- 5.6 Supporting adults to take up physical activity, including making use of improved facilities on offer in the borough, such as our leisure centres and and the Gladstone Park tennis courts £15,750.00
- 5.7 Work with communities and voluntary sector to help tackle anti-social behaviour and serious youth violence. £3,350.00

In terms on how Brent uses its purchasing power to support the response to the Climate and Ecological Emergency there are various processes to ensure we are supporting the climate and ecological emergency:

1. Social Value. As highlighted above through our procurements we are addressing how suppliers will support our priority of “A Cleaner more considerate Brent”.
2. We need to ensure our suppliers are aligned to our Sustainability agenda. We therefore through our procurements ensure we ask each supplier if they comply to ISO 14001: 2015 - environmental management systems or equivalent.
3. One of the key actions in the council’s Climate and Ecological Emergency 2021-22 Delivery Plan was to create and implement a new Procurement Sustainability Policy that underpins our overarching Procurement Strategy as a Council. This document went live earlier this year and means that since launching, businesses will need to show how they are tackling climate change and working towards net zero carbon emissions by 2030 when bidding for Brent Council contracts under this new policy framework.

This new Procurement Sustainability Policy therefore seeks to utilise Brent’s huge purchasing power by requiring potential new suppliers to demonstrate how they tackle the climate crisis through, in particular: reducing carbon emissions; reducing waste; minimising the use of resources; promoting the circular economy; improving air quality; and enhancing green spaces and biodiversity. All applicable tenders will now

include a sustainability assessment to identify how they will reduce Brent's environmental impact and support sustainability commitments, which will form part of legally binding contracts awarded to successful bidders. We are also working with colleagues across West London on a unifying approach to sustainable procurement in the sub-region to expand our collective influence even further and encourage evermore businesses to adopt more sustainably operating practices.

It also worth noting that Ashden, Friends of the Earth, and Carbon Disclosure Project have previously created a document of '31 Climate Actions for Councils' which aimed to put together an evidence-based list of the most effective actions that councils can take on tackling the climate emergency. This document highlights that implementing a Procurement Sustainability Policy is one of the most impactful action that any council can take in terms of reducing tonnes of carbon in the local authority supply chain, and Brent is therefore reflecting the significance of this through the swift creation and implementation of our new policy.

Improving environmental sustainability throughout our supply chain is an essential component of our commitment to reduce our environmental impact. Some of the Sustainability KPI's and Outcomes will be captured in the Social Value capture template under the priority "A more cleaner considerate Brent". Where there are specific KPI's / Outcomes that fall outside of this, these will be included in subsequent Annual Procurement Strategy reports.

4. All our construction programmes in building new affordable homes are being built in line with guidelines to have the least amount of impact on the environment.

3. Question from Councillor Trupti Sangani to Councillor Tom Stephens, Lead Member for Schools, Employment & Skills:

Brent is a borough that has high aspirations for all children and young people with special, educational needs or disabilities (SEND). With the number of children with SEND expected to increase, what work is underway to expand SEND school places and provision across the borough?

Response:

The School Place Planning Strategy Refresh, agreed by Cabinet in November 2021, evidences the growing demand for places to meet the needs of children and young people with SEND and how this will be met. The new SEND Strategy (2021-25) that was launched this autumn also sets out the Council's ambition to ensure high aspirations are achieved for children through the creation of additional school places and has been developed following close engagement with families who have children with SEND, through the Brent Parent Carer Forum.

A SEND Capital Programme should be finalised in the coming months to meet this increased demand and will be delivered through a number of work-streams, including the construction of a new build SEND School, expansion of existing special schools, further Additionally Resourced Provision (ARP) based in mainstream schools as well as the development of a new post-16 skills centre .

The programme is expected to deliver 427 SEND places locally - an increase of almost 50% on current local available spaces. This will reduce the need to send children to schools out of borough, helping to meet families' demands for good-quality SEND provision within Brent. The projects within the programme are expected to be completed by 2024.

4. Question from Councillor Michael Maurice to Councillor Shama Tatler, Lead Member for Regeneration, Property & Planning:

Preston Library has been the subject of two planning applications, both of which were identical and both subject to legal challenge. Though the Planning Committee were made aware of the initial objections and the objectors legal concerns regarding these applications, planning permission was granted. Brent Council demands that residents obey the rules and regulations regarding both planning and other matters, coming down hard on those who fall foul of them.

Taking into account:


- The two legal challenges on the granting of planning consent for the development of Preston Library; and
- That I now understand work on the development has commenced even though not all the pre-commencement conditions have been fully met; and
- The moral and legal issues I consider arise from the application which the objectors deemed to be illegal from the start and that the Planning Committee was made aware of objectors views on both applications and still granted planning consent.

Can I ask the Lead Member to explain the basis on which the Council has acted in allowing the development at Preston Library to proceed?

Response:

The two legal challenges to the granting of planning permission were unsuccessful, being dismissed by the High Court thus confirming the validity of the granting of consent. Consent was originally granted following a comprehensive consideration of the relevant matters by Planning Committee. The work has not commenced ahead of discharge of pre commencement conditions. Some essential site investigations did take place but are not classified as a 'start on site'. Hoarding has however been erected in order to protect the site when works do commence.

The development reflects the Councils commitment to making best use of its existing assets to provide better facilities and more affordable housing for Brent's communities.

	Full Council 22 November 2021
	Report from the Assistant Chief Executive
Resources and Public Realm Scrutiny Committee Chair's Report	

Wards Affected:	All
Key or Non Key Decision	Council
Open or Part/Fully Exempt:	Open
Appendices:	One Appendix A: Committee Work Programme 2021-2022
Background Papers:	None
Contact Officers:	<p>Lorna Hughes, Head of Strategy and Partnerships 0208 9377 4458 lorna.hughes@brent.gov.uk</p> <p>Angela d'Urso, Interim Strategic Partnerships, Policy and Scrutiny Manager angela.d'urso@brent.gov.uk</p> <p>Michael Carr, Senior Policy and Scrutiny Officer 020 8937 2855 michael.carr@brent.gov.uk</p>

1 Purpose of the Report

- 1.1 At each meeting of Council, the Chairs of Scrutiny Committees may submit written reports on any matter in respect of which the committees have been consulted or which it has been reviewing and to speak to highlight significant issues to Council, in accordance with Part 2, paragraph 36 of the Brent Council Constitution.
- 1.2 This report provides a brief complementary summary of the activities of the Resources and Public Realm Scrutiny Committee.

2 Recommendation

- 2.1 To note the updates from the Chair of the Resources and Public Realm Scrutiny Committee.

3 Detail

- 3.1. Brent Council has two scrutiny committees; the Resources and Public Realm Scrutiny Committee and the Community and Wellbeing Scrutiny Committee. The Council is also a party to the North West London Joint Health Overview and Scrutiny Committee.
- 3.2. Brent Council Standing Orders allow for the chairs of the scrutiny committees to report to ordinary council meetings on the activities of their committees¹.

The Resources and Public Realm Scrutiny Committee

- 3.3. The remit of the Resources and Public Realm Scrutiny Committee is set out in the Council Constitution under the Terms of Reference for scrutiny committees. The remit of the committee is:

Corporate policy, partnerships and resources; Budget; customer services; commercial services; planning policy; environmental policy; public realm; employment and skills; IT; recycling; regeneration; transport and highways; community safety; property; emergency planning and business continuity.

- 3.4. The committee is also the Council's "crime and disorder committee" for the purposes of Section 19 of the Police & Justice Act 2006 and as such may review or scrutinise decisions made, or other action taken, in connection with the discharge of the crime and disorder functions by the responsible authorities (as defined by section 5 of the Crime and Disorder Act 1998) who make up the Safer Brent Partnership, in order to make reports or recommendations to Full Council.
- 3.5. On Tuesday 14 September 2021 the committee considered Regeneration and Housing Zones in Brent and Brent Council Legal Services, with reports and oral evidence from the respective Cabinet members and departmental officers.

Regeneration and Housing Zones in Brent

- 3.6. The committee considered Regeneration and Housing Zones in Brent and heard from the Cabinet Member for Regeneration, Property and Planning, and the Strategic Director of Regeneration and Environment, and received a report on regeneration across the borough and progress with achieving the objectives for the Wembley Housing Zone and Alperton Housing.
- 3.7. The committee considered a number of key points, including affordable housing, the use Community Infrastructure Levy (CIL) and S106 funding, local employment, such

¹ Brent Council Constitution, Part 2, paragraph 36.
<http://democracy.brent.gov.uk/documents/s98196/part%202%20May%202020%20Procedural%20Rules.pdf>

as apprenticeships, in both Housing Zones, community spaces and affordable work spaces, transport infrastructure and public consultation.

- 3.8. At the end of considering this topic, the committee suggested the following area for improvement;-

To consider an easier way to communicate with the public when regeneration or housing zone action is taken as a result of consultation with the public.

Brent Council Legal Services

- 3.9. The committee considered Brent Council Legal Services and heard from the Deputy Leader and Cabinet Member for Resources and the Director of Legal, HR, Audit and Investigations, with a report providing an introduction to the Council's legal service, giving an overview of its work and operation and its role in the Council's governance.
- 3.10. The committee considered a number of key points, including; the work related to the Regeneration and Environment department on prosecutions, property leases, leasehold acquisition and contracts and work related to the Children and Young People department on care proceedings, which had seen an increase in demand during the pandemic, and the outsourcing and insourcing of work as required.
- 3.11. It was noted that the Constitutional Working Group (CWG) was an informal, cross-party member/officer group which met to discuss any changes to the Constitution, whether that be in response to legislation or organisational need, before being presented to Council.
- 3.12. Regarding the emergency powers brought in during the pandemic, it was noted that the Constitution gave the Chief Executive the power to make decisions in the case of an emergency, which was utilised, logged and reported to the Audit & Standards Advisory Committee, Scrutiny Committees and Full Council. Additional temporary delegated powers were also given to the Chief Executive during the pandemic to ensure online committee meetings could be held, as agreed by Full Council.
- 3.13. At the end of considering this topic, the committee suggested the following areas for improvement;-
- (i). *To make a central database for all constitutional changes made in recent years available to the public.*
 - (ii). *To increase democratic overview and transparency within the Constitutional Working Group, ensuring member involvement in decision-making.*
- 3.14. The work plan of the committee is attached for reference at Appendix A.

4 Financial Implications

4.1 There are no financial implications arising from this report.

5 Legal Implications

5.1 There are no legal implications arising from this report.

6 Equality Implications

6.1 There are no equality implications.

7 Consultation with Ward Members and Stakeholders

7.1 Councillors will discuss this report at the Council meeting.

Report sign off:

Shazia Hussain
Assistant Chief Executive

Appendix A - Resources & Public Realm Scrutiny Committee Work Plan 2021-2022

Tuesday 13 July 2021

Agenda item	Cabinet Member/s	Strategic Director/s	External Participants
Redesigning Local Services (substantive item) To consider the process undertaken to determine the preferred delivery models that are currently out for statutory Best Value consultation.	Cllr Krupa Sheth - Cabinet Member for Environment	Alan Lunt - Strategic Director Regeneration & Environment	
CCTV in Brent (substantive item) To consider CCTV deployment in Brent and how the council determines where CCTV cameras are placed based on priorities and demand.	Cllr Promise Knight – Cabinet Member for Community Safety and Engagement	Alan Lunt - Strategic Director Regeneration & Environment	
Resources and Public Realm Scrutiny Committee annual work plan To agree the annual work plan for the committee.	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Shazia Hussain, ACE	

Tuesday 14 September 2021

Agenda item	Cabinet Member/s	Strategic Director/s	External Participants
Housing Zone Regeneration in Brent (substantive item) To consider progress with achieving the objectives for the two housing zones in Brent, meeting our obligations to the GLA as partial funders. To receive a contextual update on other regeneration schemes.	Cllr Shama Tatler - Cabinet Member for Regeneration, Property & Planning	Alan Lunt - Strategic Director Regeneration & Environment	
Brent Council Legal Services (substantive item) A report to introduce the committee to the legal service, including: <ul style="list-style-type: none"> • What the legal team does and how it works • Information including number of cases and challenges the service is involved with • How the service ensures the council is compliant with legislation and compliance with decision making processes – particularly in relation to the risk as outlined in risk register • The council's constitution and how legal services support this. 	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Debra Norman, Director of Legal, HR, Audit and Investigations	

Wednesday 10 November 2021

Agenda item	Cabinet Member/s	Strategic Director/s	External
The Safer Brent Partnership (substantive item) A review of the Safer Brent Partnership priorities, performance and Strategic Assessment.	Cllr Promise Knight – Cabinet Member for Community Safety and Engagement	Carolyn Downs - Chief Executive/ Chair of the Safer Brent Partnership Alan Lunt - Strategic Director Regeneration & Environment	Representatives of community organisations, Met Police
Knife Crime Review Review of the implementation of the Knife Crime Scrutiny Report and recommendations	Cllr Promise Knight – Cabinet Member for Community Safety and Engagement	Alan Lunt - Strategic Director Regeneration & Environment	
Climate and ecological emergency strategy To review the delivery so far of the CEES as against the year 1 delivery plan, and to contribute to planning of the year 2 delivery plan. Including a look at the planning policy and process and how it assists the delivery of CEES objectives	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Shazia Hussain - ACE	

Tuesday 18 January 2022


Agenda item	Cabinet Member/s	Strategic Director/s	External
Covid19 recovery (substantive item) A report on how the council is supporting economic and community recovery. To include: <ul style="list-style-type: none"> • The inclusive growth strategy and priority actions supporting inclusive recovery • High street recovery • Employment and jobs, and resident support schemes including employment and skills • Ethical debt policy • Ethical procurement 	Cllr Margaret McLennan - Resources and Deputy Leader of the Council Cllr Shama Tatler - Cabinet Member for Regeneration, Property & Planning	Peter Gadsdon – Strategic Director Customer and Digital Services Alan Lunt - Strategic Director Regeneration & Environment	WLA, DWP
Budget Scrutiny (substantive item) To review Brent Council budget draft budget proposals and budget task group report.	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Minesh Patel, Director of Finance	
Violence Against Women Scrutiny Review To review of the implementation of the Violence Against Women Scrutiny Report and recommendations	Cllr Promise Knight – Cabinet Member for Community Safety and Engagement	Alan Lunt - Strategic Director Regeneration & Environment	

Wednesday 9 February 2022

Agenda item	Cabinet Member/s	Strategic Director/s	External
Fire safety (substantive item) The Fire Safety Act 2021 and Building Safety Bill will introduce a new regulatory regime, which will have significant implications for the Building Control service and its relationship with the new 'Building Safety Regulator', particularly in respect of buildings over 6 storeys or 18 metres high. Report to consider the implications of the Bill and Brent's response to the implications for the Building Control service.	Cllr Shama Tatler - Cabinet Member for Regeneration, Property & Planning	Alan Lunt, Strategic Director Regeneration and Environment	
Communications and public engagement (substantive item) The new campaigns model, including current campaigns and ways of working, plus analysis of effectiveness of new model so far. To cover public engagement and consultation mechanisms as part of the report.	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Shazia Hussain - ACE	
Annual complaints report A review of statutory complaints.	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Shazia Hussain - ACE	

Wednesday 9 March 2022

Agenda item	Cabinet Member/s	Strategic Director/s	External
Workforce Strategy (substantive item) 6 month review of the new workforce strategy.	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Debra Norman, Director of Legal, HR, Audit and Investigations	
Budget Oversight Including: <ul style="list-style-type: none">Quarter 3 Financial Report 2021/22	Cllr Margaret McLennan - Resources and Deputy Leader of the Council	Minesh Patel, Director of Finance	

	Full Council 22 November 2021
	Report from the Assistant Chief Executive
Community and Wellbeing Scrutiny Committee Chair's Report	

Wards Affected:	All
Key or Non Key Decision	Council
Open or Part/Fully Exempt:	Open
Appendices:	One Appendix A: Committee Work Programme 2021-2022
Background Papers:	None
Contact Officers:	Lorna Hughes, Head of Strategy and Partnerships 0208 9377 4458 lorna.hughes@brent.gov.uk Angela d'Urso, Interim Strategic Partnerships, Policy and Scrutiny Manager angela.d'urso@brent.gov.uk Craig Player, Scrutiny Officer 020 8937 1898 craig.player@brent.gov.uk

1 Purpose of the Report

- 1.1 To present Full Council with a report providing an update on the meetings and activities of the Community and Wellbeing Scrutiny Committee since Full Council on 20 September 2021.

2 Recommendation

- 2.1 To note the updates from the Chair of the Community and Wellbeing Scrutiny Committee and the Chair of the North West London Joint Health Overview and Scrutiny Committee.

3 Detail

- 3.1. Brent Council has two scrutiny committees; the Resources and Public Realm Scrutiny Committee and the Community and Wellbeing Scrutiny Committee. The Council is also a member of the North West London Joint Health Overview and Scrutiny Committee (NWLJHOSC), and Councillor Ketan Sheth is the Chair of the NWLJHOSC for the municipal year 2021-22.
- 3.2. A scrutiny committee can look at anything which affects the borough or its inhabitants, subject to its remit. The 2019 statutory guidance on overview and scrutiny recommends that a committee concentrates on fewer, significant topics which it reviews in-depth. The Community and Wellbeing Scrutiny Committee has prioritised issues and work planning based on strategic thinking and focusing on high-value, high-impact areas of decision-making and policy development.
- 3.3. The remit of the Community and Wellbeing Scrutiny Committee is set out in the Council Constitution under the Terms of Reference for Scrutiny Committees. The remit of the committee includes:

Adult social care, public health and the statutory responsibility for scrutiny of local health services. It also scrutinises services for the children and young people, partnership work undertaken by the Children's Trust and safeguarding arrangements.

- 3.4. As part of its remit set out in the constitution, the Community and Wellbeing Scrutiny Committee can scrutinise, and make recommendations, to NHS organisations. It reviews the provision and operation of health services in the borough and can make reports or recommendations to NHS bodies or Full Council.

The Community and Wellbeing Scrutiny Committee

- 3.5. The Community and Wellbeing Scrutiny Committee met on 21 September 2021. At this meeting members reviewed the services delivered for families in the borough who are homeless, or at risk of becoming homeless. The report was presented by the Lead Member for Housing and Welfare Reform and included information on the performance of services, demand for services, delivery of support and improved outcomes for service users. Following the discussion, members recommended that a further update on community engagement for the service is provided at the committee meeting to be held on 14 March 2022.
- 3.6. Members also reviewed the operational performance of Brent Housing Management. The report was presented by the Lead Member for Housing and Welfare Reform and focussed on a number of key areas including customer contact and resident engagement, repairs, planning works and compliance, the maintenance of external areas, rent collection and complaints. Following the discussion, members recommended that officers provide the committee with an annual progress report on resident engagement, that the engagement framework is made available to all residents and that a report detailing the progress of fire safety work is provided at the committee meeting on 22 February 2022.

3.7. The minutes of the extraordinary Community and Wellbeing Scrutiny Committee meeting held on 23 August 2021 were also discussed, including the draft recommendations made at the meeting. The meeting was organised as a response to the CQC inspection of Northwick Park Hospital maternity services and the subsequent inadequate rating received. The Committee agreed with the CQC inadequate judgement for maternity services and the following recommendations were approved:

- i) That London North West University Healthcare NHS Trust produce a SMART maternity improvement plan, including key activities, milestones and timescales, and responsible officers, to be published online and made available to members of the C&WSC.
- ii) That London North West University Healthcare NHS Trust provide an annual progress report on the maternity improvement plan, with the first update report to be received at the C&WSC meeting of 22 February 2022, with London North West University Healthcare NHS Trust requested to appear before the C&WSC again at that time. The report should include a progress update of the SMART improvement plan, in line with the above recommendation.
- iii) That London North West University Healthcare NHS Trust consider service user and other key stakeholder engagement in their maternity services improvement plan, specifically:
- iv) That the Trust include clear mechanisms for engaging with service users and the Maternity Voices Network.
- v) To consider ways to ensure better representation of service users from diverse cultural and language backgrounds in the Maternity Voices Network.
- vi) A greater focus and emphasis on strong mechanisms to capture pregnant people's experiences, opinions, and suggestions for improving the quality of service and care (e.g. Family and Friends Test data should be used on an ongoing basis to shape the improvement plan).
- vii) That there is active participation from frontline staff and clinicians in the development of the improvement plan, including attendance at the GP forum to ensure system working.
- viii) That the improvement plan is published in way that enables those affected by digital exclusion to engage.
- ix) That the maternity pathway is reviewed to ensure that it includes signposting to further support if required by service users e.g. domestic abuse, culturally specific issues, after care.
- x) That the Trust guarantees all women attending the antenatal clinics are assessed by a qualified midwife and that any breaches of the requirement is reported in the risk register.
- xi) That ACAS or the equalities commission is invited to review concerns about discriminatory practices especially in midwifery terms and conditions of employment, opportunity for advancement and susceptibility to bullying.
- xii) That the right and duty of staff to whistleblow in the interests of patient safety is written into their contract of employment.
- xiii) That the daily ratio of patients to midwives in the Labour ward is recorded and made available on request.

3.8. A verbal update regarding the progress of the GP Access Task Group was also received at the meeting. Members heard that the Task Group had met with a range of key stakeholders across the health service, and further meetings were planned to

explore the primary care vision and the accessibility of primary mental health care. Members also heard that the Task Group would be conducting a survey of Brent residents to hear about patients' experiences of accessing GP services since March 2021. The survey would be conducted by Task Group members, volunteer data collectors and Healthwatch England. An interim report on the Task Group's progress would be presented at the next meeting of the committee. Members were also advised that a Task Group to review transitional safeguarding arrangements in Brent would be set up, with a draft scope and terms of reference to be presented and agreed at the next meeting of the committee.

3.9. The Community and Wellbeing Scrutiny Committee also met on 7 October 2021. The extraordinary meeting was organised to review the implications for Brent Housing Management and the Housing Revenue Account of proposals for the ownership and refurbishment of Granville New Homes blocks prior to its consideration at Cabinet. The report was presented by the Lead Member for Housing and Welfare Reform and outlined the options analysis that First Wave Housing had carried out with Brent Council, as the company's guarantor, on finding a viable option to fund and deliver the required remediation works at Granville New Homes. A number of recommendations for the Executive were agreed by members, which were subsequently considered at the Cabinet meeting held on 11 October 2021. The recommendations are set out below:

- i) To recommend that officers provide written assurance to the Committee that the Council has undertaken due diligence reviews of its subsidiary bodies, including governance, fitness for purpose, financial soundness and reputational risk.
- ii) To recommend that officers review arrangements for entering contracts of this kind, in particular to ensure adequate arrangements are made to ensure appropriate design and build quality, and that the Council has appropriate recourse where latent defects are later identified.
- iii) To recommend that officers ensure all potential contractors are made aware of the standards expected by the Council and to ensure these are met before buildings are formally accepted by the Council.
- iv) To recommend that the Council provide written assurance that it has taken, or will undertake, unconditional independent legal and financial advice (including tax) regarding the proposals and next steps for the Granville New Homes properties.
- v) To recommend that all contracts procured by the Council and its subsidiaries include a review of past delivery of any potential contractors.
- vi) To recommend that the Council ensures that where issues are evident in a particular project, all remaining projects by the same contractor are reviewed as a matter of urgency.
- vii) To recommend that officers review the steps that make up the procurement, commissioning and contract monitoring system to identify any gaps, especially in relation to risk and review. Where risks are identified to recommend that immediate action is taken.
- viii) To recommend that the Council puts in place arrangements to ensure learning about this case and any others raising issues of similar significance is shared across the Council as well as existing and potential future contractors.
- ix) To recommend that officers establish and publish a comprehensive plan for ongoing engagement with residents.

- 3.11. The next meeting of the Community and Wellbeing Scrutiny Committee will be held on 15 November 2021. At this meeting members will review the Brent Safeguarding Adults Annual Report 2020-21, consider the GP Access Task Group Interim Report and agree the scope and terms of reference for the upcoming Transitional Safeguarding Task Group.

The North West London Joint Health Overview and Scrutiny Committee (NWLJHOSC)

- 3.12. The North West London Joint Health Overview and Scrutiny Committee comprises representatives from the boroughs of Brent, Camden, Ealing, Hammersmith and Fulham, Harrow, Hounslow, Kensington and Chelsea, Richmond, Wandsworth and Westminster. It meets with representatives of NHS North West London organisations to consider matters concerning health care subject to consultation.
- 3.13. Councillor Ketan Sheth is Brent's representative on the North West London Joint Health Overview and Scrutiny Committee and its recently elected Chair. The next meeting of the committee, to be hosted by London Borough of Harrow, will be held on 14 December 2021.

4 Financial Implications

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

5 Legal Implications

- 5.1 There are no legal implications arising from this report.

6 Equality Implications

- 6.1 There are no equality implications.

7 Consultation with Ward Members and Stakeholders

- 7.1 Non-executive members were involved in developing the work plan as part of their membership of the committee, as were health partners in the local NHS.

Report sign off:

Shazia Hussain
Assistant Chief Executive

This page is intentionally left blank

Appendix A - Community and Wellbeing Scrutiny Committee Work Plan 2021-2022

8 July 2021

Agenda Item	Leader/Deputy Leader/Cabinet Members	Chief Executive/Strategic Directors	External Organisations	External participants
Brent Health and Wellbeing Strategy 2022-2025	<p>Cllr Harbi Farah, Lead Member for Adult Social Care</p> <p>Cllr Neil Nerva, Lead Member for Public Health, Culture and Leisure</p> <p>Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care</p>	<p>Phil Porter, Strategic Director, Community Wellbeing</p> <p>Dr Melanie Smith, Director of Public Health</p> <p>Gail Tolley, Strategic Director, Children and Young People</p>	<p>NW London CCG</p> <p>Central and North West London NHS Trust</p>	<p>Jonathan Turner, Brent Borough Director, NW London CCG</p> <p>Dr MC Patel, Brent representative, NW London CCG</p> <p>Robyn Doran, Chief Operating Officer, CNWL</p>

Additional meeting 23 August 2021

Agenda Item	Leader/Deputy Leader/Cabinet Members	Chief Executive/Strategic Directors	External Organisations	External participants
Care Quality Commission Inspection Report Northwick Park Hospital	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	Northwick Park Hospital, London North West Healthcare NHS Trust, North West London Integrated Care System	Simon Crawford, Deputy Chief Executive

21 September 2021

Agenda Item	Leader/Deputy Leader/Cabinet Members	Chief Executive/Strategic Directors	External Organisations	External Directors
Homelessness and Services for Families	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director, Community Wellbeing		
Brent Housing Management Services and Performance	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director, Community Wellbeing		

Additional meeting 7 October 2021

Agenda Item	Leader/Deputy Leader/Cabinet - Members/Non-executive Member	Chief Executive/Strategic Directors	External Organisations	External Participants
Implications for BHM and HRA of proposals for ownership and refurbishment of Granville New Homes blocks	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Minesh Patel, Director of Finance	First Wave Housing	Peter Gadsdon, Director, First Wave Housing

15 November 2021

Agenda Item	Leader/Deputy Leader/Cabinet - Members/Non-executive Member	Chief Executive/Strategic Directors	External Organisations	External Participants
Brent Safeguarding Adults Board Annual Report 2020-2021	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	Brent Safeguarding Adults' Board	Professor Michael Preston-Shoot, Independent Chair
GP Access Scrutiny Task Group Interim Report	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	NW London CCG	Jonathan Turner, Brent Borough Director, NW London CCG Dr MC Patel, Brent representative, NW London CCG
Scrutiny Task Group Scoping Report on Transitional Safeguarding	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley Strategic Director, Children and Young People		

24 January 2022

Agenda Item	Leader/Deputy Leader/Cabinet Members/Non-Executive Member	Chief Executive/Strategic Directors/ Director of Public Health	External Organisations	External Participants
Transfer of Community Services from LNWHT to CLCH NHS Trust	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	North West London CCG	Jonathan Turner, Brent Borough Director, NW London CCG Dr MC Patel, Brent representative, NW London CCG
Diagnostic Hubs in North West London	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	North West London CCG	Jonathan Turner, Brent Borough Director, NW London CCG Dr MC Patel, Brent representative, NW London CCG
Brent's Multi-Agency Safeguarding Arrangements for Children	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley Strategic Director, Children and Young People Chief Executive, Brent Council	North West London CCG North West London Basic Command Unit	Director of Quality, North West London CCG Independent Convenor, SCF Safeguarding Lead, North West London BCU
Scrutiny Task Group Interim Report on Transitional Safeguarding	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley Strategic Director, Children and Young People		


GP Access Scrutiny Task Group Final Report	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing	North West London CCG	Jonathan Turner, Brent Borough Director, NW London CCG Dr MC Patel, Brent representative, NW London CCG
--	---	--	-----------------------	--

22 February 2022

Agenda Item	Leader/Deputy Leader/Cabinet Members	Chief Executive/Strategic Directors/ Director of Public Health	External Organisations	External Participants
Education and Wellbeing Recovery	Cllr Tom Stephens, Lead Member for Schools, Employment and Skills Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley Strategic Director, Children and Young People		
London Borough of Culture Legacy	Cllr Neil Nerva, Lead Member for Public Health, Culture and Leisure	Phil Porter, Strategic Director, Community Wellbeing		
Transitional Safeguarding Final Report	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley Strategic Director, Children and Young People		

14 March 2022

Agenda Item	Leader/Deputy Leader/Cabinet Members	Chief Executive/Strategic Directors	External Organisations	External Participants
Care Homes Provision and Commissioning	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director, Community Wellbeing		

	Full Council 22 November 2021
	Report from the Director of Legal, HR, Audit & Investigations
Audit and Standards Advisory Committee – Vice Chairs Report	

Wards Affected:	All
Key or Non-Key Decision:	Council
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:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Director of Legal, HR, Audit and Investigations Tel:020 8937 1578 Email: debra.norman@brent.gov.uk

1. Purpose of the Report

- 1.1 This report provides a summary of the activities carried out by the Council's Audit & Standards Advisory Committee (ASAC) and the Audit & Standards Committee (ASC) since the last update provided on 20 September 2021. The ASAC is responsible for considering and advising the relevant council bodies on various governance matters relating to audit activity, the council's regulatory framework, and members' standards of conduct. The ASC is responsible for various governance matters including reviewing and approving the Annual Statement of Accounts, adopting the council's Annual Governance Statement and promoting high standards of conduct by members and co-opted members.

2. Recommendation

- 2.1 Council is asked to note the contents of the report.

3. Detail

- 3.1 The ASAC and the ASC have met once since the last full Council meeting. This was on 22 September 2021. At this meeting the following business was undertaken.

Audit & Standards Advisory Committee

3.2 Complaints & Code of Conduct

This provided an annual review of the Members' Code of Conduct and Complaints procedure. The report also provided a summary of complaints received over the last 12 months.

3.3 Standards Report (Including update on Gifts and Hospitality and member training)

An update was provided on gifts and hospitality registered by members, and the attendance record for members in relation to mandatory training sessions.

3.4 Statement of Accounts

The Committee received the Council's Annual Statement of Accounts for the period 2020/21, prior to this being put before Audit and Standards Committee for decision. Representatives from Grant Thornton (external auditors) attended the meeting to provide an update on the audit and to respond to any matters raised by the Committee.

3.5 LB Brent 2020/21 Audit Findings Report

The Committee received a report from Grant Thornton providing an update on the 2020/21 Audit Findings.

3.6 LB Brent Pension Fund 2020/21 Audit Findings Report

The Committee received a report from Grant Thornton providing an update on their Pension Fund Audit Findings for 2020/21.

3.7 To review performance & management of i4B Holdings Ltd and First Wave Housing Ltd

The Committee received a report on the performance on i4B Holdings and First Wave Housing Ltd, including their accounts outturn, risk register and audit arrangements.

3.8 Internal Audit Progress Report

This provided the Committee with an update on progress against the Internal Audit Plan for the period 1 April 2021 to September 2021.

3.9 Counter Fraud Progress Report

This provided the Committee with a summary of counter fraud activity for 2021/22 Q1 and Q2, up to 31 August 2021.

3.10 Annual Auditors Report 2020/21

The Committee received a report from Grant Thornton seeking comments on the Auditors Annual Report for the period 2020/21. The report included recommendations arising from Grant Thornton's review of the Council's Value for Money arrangements.

Audit and Standards Committee

3.11 Statement of Accounts

The Committee approved, following its consideration by the preceding meeting of the Audit and Standards Advisory Committee, the Council's Statement of Accounts for the period 2020/21.

Forward Plan Items

3.12 Listed below are the reports that are due to be presented to the next Audit & Standards Advisory Committee meeting on 7 December 2021:

1. Standards Report (including gifts & hospitality)
2. Internal Audit Charter
3. Cyber Security Risk
4. External Audit Progress Report
5. Treasury Management Mid-term Report
6. CIFPA Financial Management Code & Assessment
7. Review of the Financial and Procedural Rules governing the Mayor's Charity Appeal

Report sign off:

Debra Norman
Director of Legal, HR, Audit &
Investigations

This page is intentionally left blank

Full Council – 22 November 2021**Motion for Non Cabinet Member debate****Tackling violence against Women and Girls in Brent****This Council notes:**

Violence against women and girls (VAWG) is an unacceptable and preventable issue which needlessly blights millions of lives. Crimes of violence against women and girls are many and varied. They include rape, sexual assault, stalking, domestic abuse, 'honour based' abuse (including female genital mutilation and forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many other heinous acts. While different types of violence against women and girls have their own distinct causes and impacts on victims and survivors, what these crimes share in common is the way that they cut across society regardless of background or circumstance.

The crimes committed in Fryent Park are appalling beyond comprehension. We send our thoughts, prayers and solidarity to Mina Smallman. We will keep Bibaa and Nicole at the forefront of all our work to redress the injustices this tragedy has cruelly exposed.

VAWG must be an urgent priority for this government and institutions of all kind.

To this end, Brent Council believes in meeting words, with action.

We have:

- Incorporated the VAWG strategy into the safer Brent Community Safety Partnership Strategy. This strategy (for all agencies in Brent) will focus on tackling all forms of violence and abuse that disproportionately affect women in Brent.
- Signed the Mayor of London's Women's Night Safety Charter, and continue to work alongside local night-time economy venues to improve the safety of female customers and staff within their premises. We are developing and commissioning bespoke vulnerability training for businesses in Brent to help identify and support women as a result.
- Developed and continue to develop various services and projects to support victims of VAWG and their families. These include the Brent Chrysalis Centre, Advance, NIA, Global thinking and the Brent domestic abuse housing team.
- Coordinated the IRIS project – which offers direct support to GPs for identification and referral of patients who may be victims of abuse and trafficking. In

consultation with specialist support organisations, Brent Council has developed guidance on appropriate VAWG language, encouraging its use whenever there are discussions or communications regarding those impacted by VAWG.


- Provided additional funding and investment into independent domestic violence advisor (IDVA) services and the Brent perpetrator program in partnership with Barnet and Enfield. The Council is liaising with the Home Office to increase local support to address gaps in culturally appropriate services for perpetrators of domestic abuse in minorities and/or marginalised groups.
- Commissioned three Women's Refuges of 19 units, with work underway to procure further spaces as soon as possible.

In light of the deeply disturbing figures showing that in 2020, only 1.5% of all rape cases led to charge or summons this Council believes that much more urgent work is needed to eradicate violence against women in all its forms.

With this in mind, we ask the Council to pledge to:

- Make the safety and support of victims of any form of gender-based violence a priority at every level and with every partner in this borough.
- Work alongside stakeholders, in particular the Metropolitan Police to improve safety for women and girls in Brent. Where they fail to do so, we will not hesitate to call for changes to the model of policing in this borough.
- Work with all our partners to continue raising awareness for victims of VAWG including everyday sexism that precipitates into the most aggressive forms of violence.
- Secure further wrap-around support for women escaping domestic abuse – and to undertake steps to publicise this help available to anyone in need.

Councillor Anita Thakkar
Preston Ward

	Full Council 22 November 2021
	Report from the Assistant Chief Executive
Brent Black Community Action Plan – Annual Report	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
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:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Shazia Hussain, Assistant Chief Executive 0208 937 3092 shazia.hussain@brent.gov.uk Lorna Hughes, Head of Strategy and Partnerships 0208 937 4458 lorna.hughes@brent.gov.uk Angela d'Urso, Interim Strategic Partnerships, Policy and Scrutiny Manager angela.d'urso@brent.gov.uk

1.0 Purpose of the report

- 1.1 To provide an update on the Brent Black Community Action Plan (BCAP), including activity undertaken during 2021/22 to deliver the priority themes of the BCAP.
- 1.2 This report also outlines the challenges identified in delivering the BCAP during its first year and outlines an approach to overcome these challenges for year two.

2.0 Recommendation(s)

- 2.1 To note the progress against the Black Community Action Plan delivery plans 2021/22.
- 2.2 To note the identified challenges and action planned to overcome them.
- 2.3 To note the emerging areas of focus for the Black Community Action Plan in 2022/23.

3.0 Key issues for consideration

Background information

- 3.1 Following extensive conversations with the black community in Brent after the murder of George Floyd, the Black Community Action Plan was developed to set out the Council's commitment to reducing and eradicating inequality. The BCAP was agreed by Cabinet and Full Council as a 10-year plan, with actions identified in the short, medium and long term. The 2021/22 delivery plan focuses on three priorities:
 - Early intervention: children, young people and families.
 - Enabling and strengthening community leadership through capacity building.
 - Supporting Black led organisations - through grant funding, procurement and support for employment and enterprise.
- 3.2 The council is committed to delivering the BCAP. £460k was allocated to BCAP to enable delivery in 2021/22 as part of the Borough Plan £1million. Further allocations of £168k have been made from the Covid19 recovery fund. £2million of Neighbourhood Community Infrastructure Levy (NCIL) funding has also been awarded by focussing on local projects that address inequality.

Key successes

- 3.3 Progress has been made during 2021/22, and highlights are outlined below:
 - The Harlesden Curriculum is currently being developed by both primary and secondary schools in Harlesden to ensure that there is continuity in the learning across KS2 and KS3. Embedded into this approach will be the teaching of positive Black History in schools.
 - Developed and introduced a Youth Advisory Group to bring the direct voice of young people to BCAP.
 - An Insight Day delivered in October, with 165 young people attending the Civic Centre.
 - Working with the Youth Advisory Group to co-produce a leadership development programme.
 - An event was held in June 2021 with Black-led businesses to better understand the support they need. The Black Business Network will be launched in November, which will offer tailored engagement, support and training.
 - A Black Business Excellence Quality Mark has been developed to recognise Black businesses and their commitment to providing excellent services. A contract was awarded in September to deliver programme.

- 3.4 There has been a broad range of other BCAP activity undertaken. These successes include:
- Established a consortia of NCIL funded organisations to collaborate and consolidate resources and expertise to improve outcomes for Black communities.
 - A BCAP micro site designed and launched in July 2021, with a competition to design the BCAP logo
 - Established and recruited 15 Cultural Diversity Champions (CDCs), focused on promoting racial equality within the council.
 - Supported the development of a consortium approach to deliver Picture Palace as a community asset - called Assets for Brent's Communities (ABC).

Challenges and opportunities

- 3.5 A number of challenges have been encountered in the delivery of the BCAP, specifically:
- There have been gaps in representation of figurehead influencers to galvanise the community.
 - We need to work more with young people to help build a platform to raise awareness.
 - Time – it takes time to mobilise and move things forward as the priorities are nuanced making it challenging to articulate how priorities are taken forward.
 - We need to make better use of findings from consultation and engagement across the council.

BCAP 2022/23 – our approach

- 3.6 The proposed approach will build on our activity to date and our learning, with a renewed approach to embedding a legacy of systemic mainstream changes:
- Interventions to deliver systemic change, including:
 - Establishing a Senior Officers Delivery Group to secure buy in from decision makers;
 - Making investment in the community by providing facilities like Picture Palace;
 - Create mechanisms to bring in more Black residents to create a route into careers that build on the appetite shown in the Youth Advisory Group and Insight Day;
 - Introducing a programme of Civic Life opportunities to establish a pipeline of Black leaders to put Black residents in decision making roles;
 - Developing a new Brent Council Black Graduate Scheme;
 - Introduce a number of roles across the community to amplify the BCAP work, including:
 - A 'Saturday Job' description for young people to be paid for BCAP involvement;

- A 'BCAP Educator role' to raise aspiration and sense of entitlement for young people;
- A community based BCAP Consultant – from the community;
- Enhance the communications strategy by working with influencers to build our presence in the Black community

4.0 Financial Implications

- 4.1 The financial implications for each of the 2021/22 actions are set out in the one year delivery plan. Overall, most of the actions are of the nature that they can be contained within existing departmental budgets. In addition, the 2021/22 budget agreed by the Council set out additional funding to further support the delivery of the Black Community Action Plan.

5.0 Legal Implications

- 5.1 Where it is reasonably thought that persons who share a protected characteristic suffer a disadvantage connected to that characteristic; and/or persons who share that characteristic have needs that are different from the needs of persons who do not share it; and/or participation in an activity by persons who share that characteristic is disproportionately low, then section 158 of the Equality Act 2010 permits positive action where it is a proportionate means of achieving a legitimate aim of enabling or encouraging persons who share the protected characteristic to overcome or minimise the disadvantage, meet specific needs or enable or encourage persons who share the protected characteristic to participate in that activity.
- 5.2 The Equality and Human Rights Commission (EHRC) Statutory Code of Practice in relation to services, public functions and associations provides further clarity in relation to the positive action provisions in the Equality Act. It explains that these enable service providers to take proportionate action to achieve fuller and more effective equality outcomes for members of groups that are socially or economically disadvantaged or excluded, or who otherwise face the consequences of past or present discrimination or disadvantage. Positive action can include, for example, providing additional or bespoke services, separate facilities, accelerated access to services, targeting resources or induction or training opportunities to benefit a particular disadvantaged group. Provided the action is within the parameters laid down in the Act and meets the test of proportionality, it will not amount to positive discrimination under the Act, which would be unlawful.
- 5.3 The Statutory Code also recommends that in order to identify possible causes of disadvantage, different needs and under-representation, and to develop appropriate positive action measures, service providers will benefit from the involvement of staff and members of groups sharing a relevant protected characteristic and such groups should also be involved in the evaluation of positive action measures which is in accordance with the council's approach as set out in this report.

6.0 Equality Implications

- 6.1 The council, as a public authority exercising public functions, is subject to a general public sector equality duty (PSED) under section 149 Equality Act 2010 (EqA). The PSED requires public authorities to have “due regard” to:
- The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EqA.
 - The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This includes having due regard to the need to tackle prejudice and to promote understanding.

6.2 The BCAP will support Brent Council to continue to meet its public sector equality duties.

7.0 Any Other Implications (HR, Property, Environmental Sustainability)

7.1 None


8.0 Proposed Consultation with Ward Members and Stakeholders

8.1 Both the community reference group and thematic steering groups remain informed of the progress detailed in this report, and will continue to as the plan continues to be delivered.

Report sign off:

Shazia Hussain
Assistant Chief Executive

This page is intentionally left blank

	Full Council 22 November 2021
	Report from the Strategic Director, Regeneration and Environment
Proposed renewal of the Council's Current Gambling Act 2005 Statement of Principles (Policy Statement)	

Wards Affected:	All
Key or Non-Key Decision:	Council
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: Appendix 1 Statement of Principles for Gambling (2019 – 2022)
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Anu Prashar Senior Regulatory Service Manager Email: anu.prashar@brent.gov.uk Tel. 0208937 5515

1.0 Purpose of the Report

- 1.1 The council's current gambling policy is due to expire on 30th January 2022. During December 2020 the Department for Digital, Culture, Media & Sport (DCMS) launched a major and wide-ranging review of gambling laws to ensure that they are fit for the digital age. This call for evidence has now been completed and a new Gambling Bill is expected to be presented to Parliament for assent during 2022. The council will at this point require a new Gambling Policy and Statement of Principles that aligns with the new legislation.
- 1.2 This report seeks approval to renew the council's existing Gambling Policy in its current form for a maximum of a further 24 months until 31st January 2024. This timeframe will facilitate the drafting of a new policy and statement of principles once the new legislation comes into force, which will be consulted upon and presented to Council for approval.
- 1.3 The recommended renewal of the existing Gambling Policy in its current form was considered and approved by Cabinet on 8 November 2021 for referral on to Council for formal approval.

2.0 Recommendations

- 2.1 That Council approve the renewal of the current Gambling Policy and Statement of Principles for a maximum period of 2 years until 31st January 2024 as proposed by Cabinet.

3.0 Detail

- 3.1 The Gambling Act 2005 (the Act) requires the council to prepare and publish a Statement of Principles (policy statement) that it proposes to apply in exercising its functions under the Act. The adopted policy statement attached at Appendix 1 lasts for a maximum period of 3 years but can be reviewed and revised by the council at any time.
- 3.2 During December 2020, DCMS launched a wide ranging review of the Act to consider online stake and spend limits, advertising and marketing rules and the powers of the Gambling Commission.
- 3.3 The review has been carried out to ensure the regulatory framework can protect children and vulnerable people, prevent gambling-related crime and keep gambling fair and open in the digital age.
- 3.4 As gambling has changed significantly over the past 15 years the review has considered:
- Online restrictions;
 - Marketing;
 - The powers of the Gambling Commission;
 - Protections for online gamblers like stake and spend limits;
 - Advertising and promotional offers;
 - And whether extra protections for young adults are needed;
- 3.5 The council has made representations in response to the consultation, seeking to secure more control over the number of Adult Gaming Centres able to establish within the borough which the council believes have a detrimental impact on communities, particularly in areas of deprivation, The review closed on the 31st March 2021 and an update on the proposed changes and subsequent new legislation is expected imminently.
- 3.6 Having sought legal advice, the council's current policy has been reviewed and is considered to remain fit for purpose and there are no changes or amendments required at this present time. Cabinet met on the 8th November and agreed to recommend to Council that the current policy be renewed until 31st January 2024. When new legislation is enacted, it is proposed that a new or revised policy will be prepared and consulted upon which reflects the revised legislative framework.

4.0 Financial Implications

- 4.1 There are no additional resource implications arising from this report. Resources required to fulfil the council's duties in respect of the Licensing process are met from existing budgets.

5.0 Legal Implications

- 5.1 Section 349 of the Gambling Act 2005 requires the Licensing Authority to prepare and publish a Statement of Licensing Policy and Principles at least every 3 years. The next Statement is required to be would have been published by 30 January 2022.
- 5.2 Section 25 of the Gambling act 2005 requires the Authority to have regard to Gambling Commission Guidance when preparing its Statement of Licensing Policy.
- 5.3 The government's current review of the Gambling law is meant to be wide-ranging in scope. The objectives of the government's review of the current law include the following:
- To examine whether changes are needed to the system of gambling regulation in Great Britain to reflect changes to the gambling landscape since 2005, particularly due to technological advances.
 - To ensure there is an appropriate balance between consumer freedoms and choice on the one hand, and prevention of harm to vulnerable groups and wider communities on the other.
 - To make sure customers are suitably protected whenever and wherever they are gambling, and that there is an equitable approach to the regulation of the online and the land-based industries.
- 5.4 In light of this, it is envisaged that some of the anticipated changes in the Gambling law may require a wholesale revision of the current policy. Therefore it would be prudent to await the completion of the government's review before making any changes to the current Policy.
- 5.5 An approval of this recommendation will allow the council to prepare a new or revised Policy in response to the legislation and guidance that is expected in the near future.

6.0 Equality Implications

- 6.1 There is no significant impact on any of the protected characteristics. Further Equality Impact Assessment will be carried out when the policy is renewed.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Ward Members will be consulted on any new Policy and Statement of Principles.

8.0 Human Resources/Property Implications (if appropriate)

8.1 None as a result of this report

9.0 Property Implications

9.1 None as a result of this report

Report sign off:

Alan Lunt
Strategic Director, Regeneration and Environment

APPENDIX 1



Statement of Gambling Principles

2019 – 2022

Under Section 349 Gambling Act 2005

Executive summary

Brent Council has been responsible for licensing gambling premises since 2007 and this is the fifth edition of our Statement of Principles for gambling. As a licensing authority, we work in partnership with the Gambling Commission and other agencies to regulate gambling in the Borough.

The Gambling Commission tends to focus on gambling operators and issues of national or regional importance whereas Brent is responsible for regulating gambling premises, permits, notices and registrations that take place in our borough.

This policy has been reviewed taking into consideration our local area profile to allow us to remain responsive to our local environment and to identify current and emerging risks of gambling-related harm in Brent. The changes made will allow this authority to undertake evidence-based decisions based on relevant information to address local gambling issues that may affect Brent.

Gambling related harm is recognised as a 'co-morbidity' (i.e. one of a range of conditions existing in an individual that exacerbates pre-existing conditions and contributes toward a reduced life expectancy). It is often observed in people who suffer from poor mental health, stress or anxiety, substance misuse and by those in financial difficulties.

The cost to society (i.e. the excess fiscal costs caused by people who are problem gamblers beyond that are normally incurred otherwise by members of the public) are felt through health, housing and homelessness, unemployment and imprisonment. Using the 2012 Health Survey for England as a basis the total excess costs in Brent exceed £2 million.

This Statement sets out our expectations of operators of gambling premises with clear reference to the local area profile, which is an assessment of the key characteristics of Brent in the context of gambling-related harm. As a licensing Authority we will continue to identify current and emerging risks in order to address the issues identified by keeping this Statement of Principles under review. The Council supports the recent Government proposals to reduce the maximum stakes for fixed odds betting terminals for category B2 machines to £2 and other measures regarding allocations of gaming machines and social responsibility measures to minimise the risk of gambling-related harm.

This Statement of Principles should be read in conjunction with the 2005 Act, its Regulations and the latest edition of the Gambling Commission's Guidance to Local Authorities.

The revisions made in this Statement and the creation of our local area profile will ensure that responsible gambling premises can continue to operate and provide a valued leisure activity whilst at the same time, we have the tools available to address problems at gambling premises if they do occur as well as protect vulnerable people from harm or exploitation by gambling.

In summary the gambling industry seeks to ensure that sufficient measures are put in place to protect players, children and vulnerable groups.

Contents	Page No
Executive Summary	2
Section One – Introduction	9
<ul style="list-style-type: none">• About Brent – General• Map of the Borough• Brent’s Vision & Priorities	
Section Two – Purpose & Scope of this policy	12
<ul style="list-style-type: none">• Policy aims• Consultation for statement of Gambling Principles• Licensing Authority Functions• Statutory Framework• Licensing Authority Decisions• Reviewing and updating the policy statement• Human Rights Act 1998• Diversity & Equality• Exchange of Information• Declaration	
Section Three – The Licensing Framework	17
<ul style="list-style-type: none">• Introduction to the Gambling Act 2005• The Gambling Commission• Roles & responsibilities• The Licensing Framework• Types of Licence• Operating Licences• Personal Licences• Premises Licences	
Section Four - Principles to be applied by Licensing Authorities	20
<ul style="list-style-type: none">• Licensing Objectives• Objective 1- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime	

- Objective 2 - Ensuring that gambling is conducted in a fair and open way
- Objective 3 - Protecting children and other vulnerable persons from
being harmed or exploited by gambling
- Protecting vulnerable adults
- Choosing a suitable location

Section Five - Brent Profile

25

- Health in Brent
- Concerns surrounding Fixed Odd Betting Terminals (FOBT's)
- Risk Assessments
- Local Area Profile
- Instructions on use of the maps
- Risk Assessments - Further considerations
- Assessing Applications
- Conditions to be added to licence
- Summary

Section Six - Premises Licences

31

- General Principles
- Definition of Premises
- Access to premises
- Access to gambling by children and young people
- Multiple activity premises – layout and access
- Single and combined licences
- Premises Plans
- Application for a premises variation (s.182(b)): 'material change'
- Representations
- Additional information to be made available
- Premises ready for gambling
- Location
- Planning & Building Control
- Duplication with other regulatory regimes
- Responsible authorities
- Interested parties
- Body assigned as competent to advise on the protection of children from harm

Section Seven - Premises licence conditions	42
<ul style="list-style-type: none">• Staff competency and training• Refusal Books• CCTV• Numbers of staff and door supervisors	
Section Eight - Protection of children and vulnerable persons – premises other than betting premises	46
<ul style="list-style-type: none">• Adult Gaming Centres• (Licensed) Family Entertainment Centres• Casinos• Bingo Premises• Betting Premises• Betting Premises Licence (in respect of premises other than a track)• Betting Premises Licence (in respect of a track)• Travelling Fairs	
Section Nine – Other relevant processes	56
<ul style="list-style-type: none">• Provisional Statements• Reviews• Rights of Appeal and judicial reviews<ul style="list-style-type: none">○ Who can appeal○ Who to appeal to	
Section Ten – Other Consents	60
<ul style="list-style-type: none">• Temporary Use Notices• Occasional use notices• Gaming machines• Permits• Unlicensed family entertainment centre• Club gaming and club machine permits• Premises licensed to sell alcohol• Prize gaming and prize gaming permits	

Section Eleven - Non-commercial and private gaming, betting and lotteries **66**

- Non-commercial gaming
- Incidental non-commercial lotteries
- Private gaming

Section Twelve – Poker **67**

- Poker in Casinos
- Poker in alcohol-licensed premises
- Poker under a club gaming permit
- Poker as non-commercial gaming
- Poker as private gaming
- Advertising

Section Thirteen - Small society lotteries **71**

- External lottery managers' licence status
- Lottery tickets
- Application and registration process for small society lotteries
- Refusal of an application
- Revocation of a small society's registered status
- Appeals

Section Fourteen - Chain gift schemes **77**

- Street collectors selling game cards

Section Fifteen - Compliance and enforcement matters **77**

- Good practice in regulation
- Enforcement related fees
- Application Forms
- Enforcement officers and authorised persons
- Powers of entry
- Illegal gambling
- Test Purchase and age verification
- Primary Authority
- Prosecutions

Schedules

Schedule 1 - Summary of machine provisions by premises	83
Schedule 2 - Summary of gaming machine categories and entitlements	85
Schedule 3 - Summary of gaming entitlements for clubs and alcohol-licensed premises	86
Schedule 4 - Summary of offences under the Gambling Act 2005 General offences regarding the provision of gambling facilities	87
Schedule 5 - Summary of delegations of licensing functions	88
Schedule 6 - List of Consultees to Statement of Licensing Principles	89
Schedule 7 - Glossary of terms	91

Statement of Principles for Gambling 2019-2012

1. Introduction

1.1 About Brent Council – General

- 1.1.1 Brent is located in North West London and covers an area of approximately 4,325 hectares. It is crossed by two of the main arterial routes into London and is divided by the North Circular Road. Brent adjoins seven other London Boroughs which includes, Harrow, Camden, Ealing, Barnet, Westminster, Kensington & Chelsea and Hammersmith. Brent is an outer London Borough with many 'inner' London characteristics. Its boundaries adjoins four of the capital's 14 Inner Boroughs.
- 1.1.2 Brent has a population of 319,000 which is an increase of 19% on the 2001 census. The borough can be broadly characterised as more affluent in the north and generally more deprived in the south, reflecting its origins as the former boroughs of Willesden and Wembley, which were combined to become the London Borough of Brent. A map of the borough showing the main transport routes can be found in Figure 1 below.
- 1.1.3 Brent's population is a young one with 40% of residents being under the age of 30 and 25% under 19 years of age. There are significant regeneration projects underway in Brent: in Park Royal - Europe's largest industrial estate - situated in the southwest of the borough, Wembley, home of the National Stadium and Alperton. The land surrounding the National Stadium is the subject of ambitious development plans and is increasingly an exciting destination for living and entertainment, with new restaurants, bars, cinemas, shops and the Wembley Arena with Public Square.
- 1.1.4 However, there are still significant parts of southern Brent that remain chronically deprived with many people effectively excluded from the more affluent mainstream. Even the traditionally more wealthy areas of north Brent have pockets of disadvantage and may be at risk of decline.
- 1.1.5 Brent is a multi-ethnic and multicultural borough as Brent has the 2nd largest proportion of black, Asian and minority ethnic (BAME) people in England and Wales, and 44.9% of Brent's population were born in the UK and 65.0% have a UK passport. Brent also has high levels of poverty. In 2014, the median income in Brent was £31,601. Within London, Brent ranks as the 6th lowest borough in terms of median household income, and there is a wide variation between wards in the borough.
- 1.1.6 Currently, there are ninety four (94) licenced gambling premises in Brent.

1.2 Borough Map

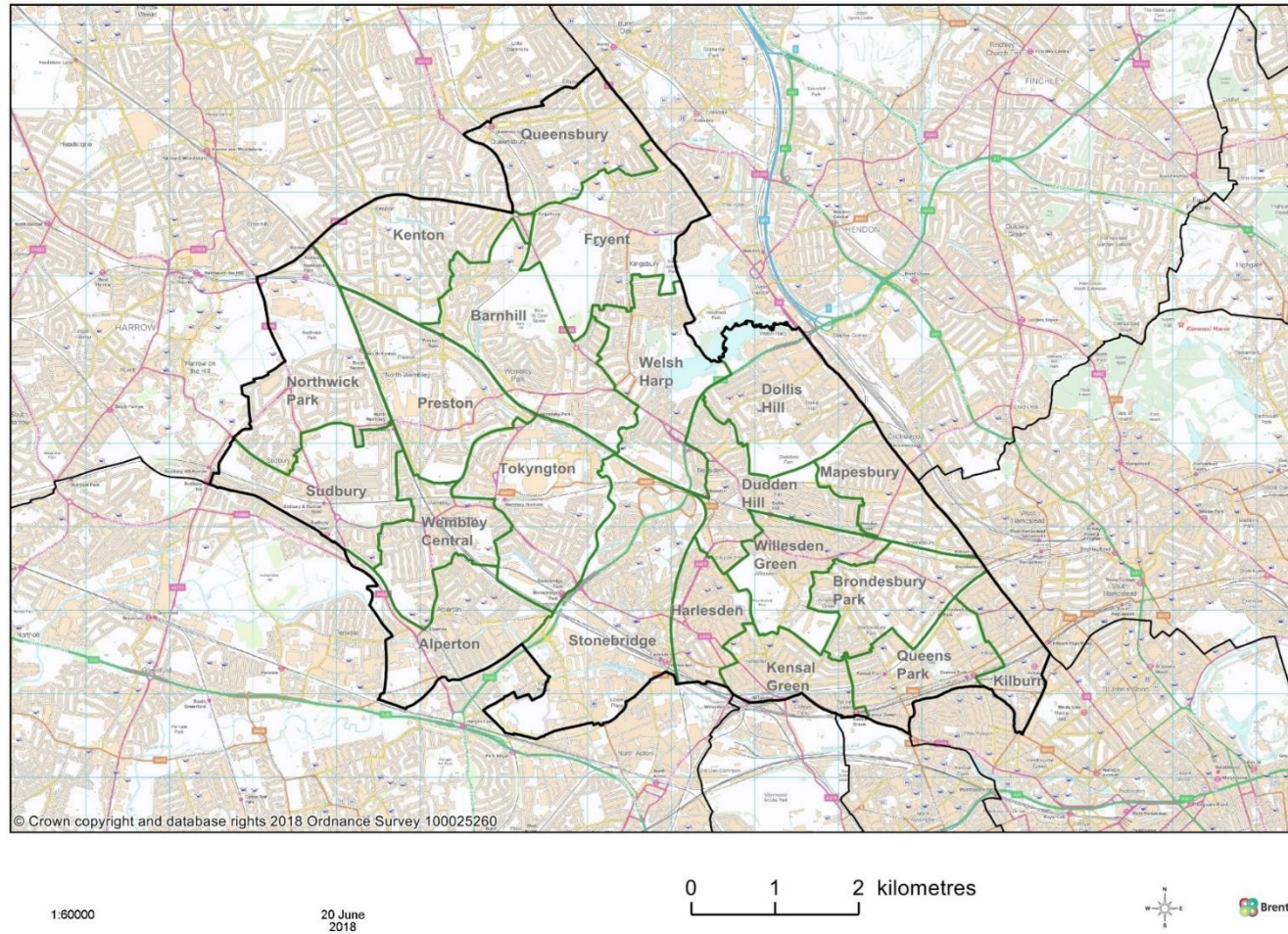


Figure 1: London Borough of Brent Map

1.3 Brent's vision and priorities

1.3.1 Our vision is to build a better Brent together. The Borough Plan aims to make Brent a:

- safer ,more attractive and more environmentally-friendly borough
- borough with good quality housing and engaging arts and leisure facilities
- more inclusive borough, for those who live and work in Brent including our children, young people and vulnerable residents
- borough with greater opportunities for people to achieve work and prosper
- healthy borough where residents are supported and cared for when they need it most.

1.3.2 There are three corporate priorities to support the vision. Each of the priorities has a set of objectives which define the areas of focus for the Council, its partners and community.

- **Better Locally**
 - Building resilience, promoting citizenship, fairness and responsibility among local people as well as strengthening a sense of community among people who live and work in Brent.
 - Promoting cohesion and integration in our communities
 - Ensuring that everyone has a fair say in how services are delivered, that they are listened to and taken seriously
 - Ensuring that inequalities in the quality of life in different parts of the borough are tackled by a stronger focus on local needs
 - Building partnership – between local service providers, local services and residents – to find new ways of providing services that are more finely tailored to individual, community and local needs.
- **Better Place**
 - Ensuring Brent is a better place to live, with a pleasant environment, clean streets, well-cared for parks and green spaces
 - Continuing to reduce crime, especially violent crime and making people feel safer
 - Increasing the supply of affordable, good quality housing
 - Supporting good quality, accessible arts and leisure facilities.
- **Better Lives**
 - Ensuring that people have the best possible life regardless of the starting position
 - Supporting local enterprise, generating jobs for local people, helping people into work and promoting fair pay
 - Ensuring that our schools are among the best and that our children and young people achieve to their potential
 - Enabling people to live healthier lives and reducing health inequalities

- Supporting vulnerable people and families

2. Purpose and Scope of this Policy

2.1 Policy Aims

2.1.1 The aim of this policy is-

- To inform licence applicants how this Authority will make licensing decisions and how licensed premises are likely to be able to operate within its area.
- To set out how the local authority intends to support responsible operators and take effective actions against irresponsible operators.
- To inform local residents, businesses and licensed premises users, the protections afforded to the local community within the Act by this Authority.
- To support licensing decisions that may be challenged in a court of law.
- To reinforce to elected members on the Licensing Committee the powers available to the local authority as the licensing authority.

2.2 Consultation for Statement of Gambling Principles

2.2.1 Licensing Authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re- published.

2.2.2 Brent Council has endeavoured to consult as widely as possible on this statement before finalising and publishing. A list of those persons and/or bodies consulted is attached in Schedule 6.

2.2.3 The Gambling Act requires that licensing authorities consult the following parties about the statement:

- (a) the Chief Officer of Police for the borough;
- (b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area; and
- (c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

2.2.4 In addition to the consultees mentioned above, the Licensing Authority may also consult the following:

- Responsible Authorities such as the Fire Authority, child protection;
- Gambling Commission;
- Interested parties such as trade associations;

- Interested parties such as residents associations.

2.2.5 The consultation on this revised statement of principles will take place between 5 July 2018 and 27 September 2018 and will have regard to the HM Government Code of Practice on Consultation published July 2008. The full list of comments made and the consideration by the Council of those comments will be made available upon request.

2.3 Licensing Authority functions

2.3.1 Under the Gambling Act 2005, this Authority is responsible for local gambling regulation. This statement of principles deals with the range of regulatory functions in relation to gambling activities. These include:

- the licensing of premises where gambling activities are to take place by issuing premises licences;
- issuing provisional statements;
- regulating members' clubs and miners' welfare institutes which wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits;
- issuing club machine permits to commercial clubs;
- granting permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
- receiving notifications from alcohol licensed premises for the use of two or fewer gaming machines;
- issuing licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, where there are more than two machines;
- registering small society lotteries below prescribed thresholds;
- issuing prize gaming permits;
- considering notices given for temporary use of premises for gambling;
- receiving occasional use notices of betting at tracks;
- providing information to the gambling commission regarding details of licences issued (see section above on 'information exchange');
- maintaining registers of the permits and licences that are issued under these functions; and

- exercising of its powers of compliance and enforcement under the 2005 act in partnership with the gambling commission and other relevant responsible authorities.

2.4 Statutory framework

2.4.1 As a licensing authority, this Council has a broad range of discretionary powers in regulating gambling. These include granting, reviewing, refusing and attaching conditions to premises licences or revoking them as a result.

2.4.2 In addition to the Act, this licensing authority has responsibilities under the Licensing Act 2003. There are some inter-dependencies between the two Acts in terms of the framework for decision making and the procedures that must be followed. However, the licensing objectives under the two Acts are not identical. The Council will aim to permit the use of premises for gambling in so far as we believe it is:

- In accordance with any relevant codes of practice;
- In accordance with any relevant Guidance issued by the Gambling Commission;
- Reasonably consistent with the Licensing Objectives; and
- In accordance with the Licensing Authority's Statement of Licensing Principles

2.5 Licensing Authority Decisions

2.5.1 Brent Council's Alcohol and Entertainments Licensing Committee is established to administer functions under the Licensing Act 2003 and is delegated with the powers under the Act to make all decisions relating to premises licences.

2.5.2 To provide a speedy, efficient and cost-effective service the committee has established a number of sub-licensing committees and delegated certain functions and decisions to those sub-committees.

2.5.3 Many of the decisions are largely administrative in nature such as, the grant of non-contentious applications, including for example, those licences, permits and notices where no representations have been made. These will be delegated to council officers by the licensing committee.

2.5.4 Applications where there are relevant representations will be dealt with by the licensing committee/sub-committees unless such representations are considered irrelevant, frivolous or vexatious or unless the council, the applicant and all those persons who have made representations agree that a hearing is not necessary.

2.5.5 The table at Schedule 5 sets out the delegation of functions under the Act to the licensing committee, sub-committees and officers. Where appropriate, officers may refer any matter to a sub-committee or a sub-committee to Full Committee.

2.6 Reviewing and updating the policy statement

- 2.6.1 This Statement of Gambling Policy will be effective for a maximum of three years and will be reviewed thereafter. However, it may be reviewed earlier in the event of a change of policy, for example a change in local planning policy. The Council is required by law to consult on any changes to the policy.
- 2.6.2 Before the statement or revision comes into effect, the Council is obliged to publish a notice of its intention to publish a statement or revision. Such notice will ensure that applicants and persons wishing to make representations have the necessary information to do so. The Council will make available all necessary information on its website. Such information will:
- include a register of the premises licences that have been issued, where and at what times the register may be inspected;
 - specify the date on which the statement or revision is to be published;
 - specify the date on which the statement or revision will come into effect;
 - specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected;
 - be published on the authority's website and in/on one or more of the following places for at least four weeks before it comes into effect: be published in a local newspaper circulating in the area covered by the statement; in a local newsletter, circular, or similar document circulating in the area covered by the statement; on a public notice board in or near the principal office of the authority; on a public notice board on the premises of public libraries in the area covered by the statement.
- 2.6.3 A database of premises licences is also available on the Commission's website at www.gamblingcommission.gov.uk.

2.7 Human Rights Act 1998

- 2.7.1 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention Right. Brent Council will have particular regard to its rights and responsibilities under the Human Rights Act 1998 when determining applications, considering enforcement and reviewing this policy.
- 2.7.2 The council will have particular regard to:
- (a) Article 6 – that in determination of civil rights everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;

- (b) Article 8 – that everyone has the right to respect for his home and private life (removal or restriction of a licence may affect a person's private life); and
- (c) Article 1 of the First Protocol – that every person is entitled to peaceful enjoyment of his or her possessions (a licence is considered a possession in law) and people should not be deprived of their possessions except in the public interest.

2.7.3 The Council will not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. The Council may request as much information as it requires to satisfy itself that all the requirements as set out in the principles that it applies are met.

2.8 Diversity and equality

2.8.1 Subject to the general requirements of the Act, this Licensing Authority will promote equality of opportunity. In such respects, nothing within this statement of licensing principles shall undermine the right of any individual to apply for any of the licences and/or authorisations provided under the terms of the Act.

2.8.2 Brent is a diverse borough. Certain applications may impact differentially on groups who share, and do not share, particular characteristics, such as race, gender, age, disability, sexuality or religious beliefs. Applicants are expected to demonstrate such impacts have been understood and addressed in their application.

2.8.3 Where applications made by these groups or organisations representing them highlight special needs or customs that may affect their application, the Council, in recognising its duty to eliminate discrimination and promote good relations will give consideration to supporting those needs or customs whilst seeking to promote the three licensing objectives.

2.9 Exchange of Information

2.9.1 Licensing Authorities play an important role in sharing information about gambling activity at a local level. This informs the Commission's overarching view of gambling activity and to identify risks and feed information and intelligence back to licensing authorities. The Commission has access to a wide pool of intelligence which it is able to make available to licensing authorities upon request, to support them in carrying out their regulatory responsibilities under the Act.

2.9.2 All licensing authorities are required to submit annual returns to the Commission, providing information on licensed gambling activity and details of compliance and regulatory work undertaken. This includes details of permits and notices issued, premises inspections conducted, and reasons for and outcome of licence reviews.

2.9.3 The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Act in its exchange of information which

includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to licensing authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

- 2.9.4 Should any protocols be established as regards information exchange with other bodies then they will be made available.

2.10 Declaration

In producing the final statement, this licensing authority declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

3. The licensing Framework

3.1 Introduction to the Gambling Act 2005

- 3.1.1 The Gambling Act 2005¹ (the “Act”) requires this Licensing Authority to draft, consult on and publish a Statement of Gambling Principles in relation to its responsibilities under the Act. Once published, this policy called the statement of Gambling principles will be kept under constant review and in any case, will be re-published after every three years. Before any revision of the statement of gambling principles is published this authority will carry out a full consultation exercise. This statement has been revised following the 3 year review and is for the period 2019-2022.

- 3.1.2 The London Borough of Brent is a Licensing Authority under the Gambling Act 2005¹ (the “Act”) which came into force in 2007 and established a new regime for the regulation of commercial gambling whilst repealing a number of pieces of older law. The overall approach of the Act is to permit the use of premises for gambling in so far as it satisfies the criteria listed below. However, gambling is unlawful in Great Britain unless permitted by the measures contained in the Act in relation to most commercial gambling. The criteria that must be fulfilled for gambling are:

- (a) in accordance with any relevant code of practice and guidance issued by the Gambling Commission;
- (b) reasonably consistent with the licensing objectives; and
- (c) in accordance with the authority’s statement of licensing principles

- 3.13 The Act requires all licensing authorities to publish a Statement of Principles which it proposes to apply when exercising its functions under the Act. The form of the statement of principles is set out in The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. The Gambling Commission’s guidance to licensing authorities contains further detail on the form of the council’s statement of principles.

- 3.14 Section 25 (1) of the Gambling Act states that the Gambling Commission shall from time to time issue guidance as to the manner in which local authorities are to exercise their functions and in particular, the principles to be applied by local authorities in their functions under this Act.
- 3.15 Section 25(2) states that a local authority shall have regards to the guidance issued under section 25(1).
- 3.16 It must be noted that there must be strong, robust and evidence based reasons for departing from this Guidance and these need to be clearly expressed and explained if a licensing authority is to avoid judicial review or challenge on appeal for failing to take this Guidance into account.
- 3.17 This Statement of Principles follows the principles laid down in the Gambling Commission's Guidance to local authorities and can be accessed via <http://www.gamblingcommission.gov.uk/PDF/GLA5-updated-September-2016.pdf>
- 3.18 The council's statement of principles is intended to have regard to the three licensing objectives set out in the Act. These objectives are:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way;
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- Under the Gambling Act 2005 'child' means an individual who is less than 16 years old and 'young person' means an individual who is not a child but who is less than 18 years old.
- 3.19 Licensing Authorities have broad discretionary powers to regulate gambling in their areas. These include:
- To issue a statement of licensing policy, setting expectations about how gambling will be regulated in the area;
 - Grant, refuse and attach conditions to premises licences; and
 - Review premises licences and attach conditions or revoke them as a result.
- 3.20 This Commission has wider functions under the Act, and the Council works in partnership with the Commission as dual regulators. This document does not discuss the role and responsibilities of the Commission and any references in this policy will only be insofar as it impacts on, or clarifies, this Council's functions. For example, the Commission is exclusively responsible for issuing operating and personal licences, the former of which is a necessity before the Council can determine an application for a premises licence.

- 3.21 The Commission is also mentioned in this document as being responsible for issuing Codes of Practice and guidance to licensing authorities regarding the manner in which they are to exercise their functions. This Statement of Gambling Policy endorses the principles set out in the Commission's Guidance and key licensing objectives, and confirms that the Council will take account of all such guidance.

3.2 The Gambling Commission

- 3.2.1 The Commission is a statutory body and the national regulator of gambling, with the following statutory functions:

- issuing operating and personal licences to gambling businesses and individuals occupying certain positions in the gambling industry, with appropriate conditions and ensuring that holders of licences adhere to their terms;
- publishing codes of practice; and
- publishing statutory guidance to licensing authorities.

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

(0121) 230 6666

www.gamblingcommission.gov.uk

3.3 Roles and responsibilities

- 3.3.1 The Commission is also mentioned in this document as being responsible for issuing Codes of Practice and guidance to licensing authorities regarding the manner in which they are to exercise their functions. This Statement of Gambling Policy endorses the principles set out in the Commission's Guidance and key licensing objectives, and confirms that the Council will take account of all such guidance.

3.4 The licensing framework

3.4.1 Types of Licence

The Act creates three types of licence:

- (a) operating licences, which are required by businesses in order to provide gambling facilities lawfully
- (b) personal licences, which are required by some people working in the gambling industry

- (c) premises licences, which are required to authorise premises to provide gambling facilities

3.5 Operating licences

These are linked to different types of gambling activity and include:

- Casino operating licence;
- Bingo operating licence;
- General betting operating licence;
- Gaming machine general operating licence for adult gaming centre or for family entertainment centre.

3.6 Personal licences

A holder of a personal licence may be authorised to perform certain functions. It can authorise the holder to perform specified operational function relating to the provision of gambling machines or a person who provides gambling facilities. The Commission can impose licence conditions on personal licences. These licences are usually held by people in key management positions such as strategy, marketing, finance and compliance. These licences are not specific to one venue.

3.7 Premises Licences

Premises licences are issued by the licensing authority to enable premises to be used for gambling. These include:

- casinos premises
- bingo premises
- betting premises, including tracks
- adult gaming centres
- licensed family entertainment centres

4 Principles to be applied by Licensing Authorities

4.1 Licensing Objectives

4.1.1 In exercising its functions under the Act, this Council must have regard to the licensing objectives which are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

- ensuring that gambling is conducted in a fair and open way;
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 4.1.2 The Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.”
- 4.2 **Objective 1: Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**
- 4.2.1 This authority recognises that the Commission takes a lead role in preventing gambling from being a source of crime and will have investigated issues of suitability under the process for an Operators’ licence.
- 4.2.2 However, the location of a premises is an important factor when determining a premises licence application. Therefore, this Authority will pay particular attention to the location of gambling premises and the local level of crime. Where an area has a high levels of organised crime, careful consideration will be given to whether it is appropriate for gambling premises to be located there and if so what conditions may be necessary to minimise the risk of crime.
- 4.2.3 Operators should also be aware of and take into account issues of local crime and anti-social behaviour.
- 4.2.4 Licensees will be expected to demonstrate that they have given careful and adequate consideration to this objective. In considering whether to grant a premises licence, this Authority will also give appropriate consideration to issues such as:
- The configuration, design and layout of the premises, paying particular attention to steps taken to ‘design out’ crime
 - The arrangements in place to control access
 - Security arrangements within the premises, including whether CCTV is installed (or intended) and if so the standard of the CCTV and the positioning of the cash registers.
 - Training provided to staff around crime prevention measures
 - The level of staff intended to be provided at the premises, including whether door supervisors are employed
 - The arrangements for age verification checks
 - The provision of adequate sanitary accommodation
 - Steps proposed to be taken to redress the recurrence of any historical crime and disorder issues
 - Steps proposed to prevent disorderly behaviour associated with the premises including by street drinkers outside the premises.
 - The likelihood of any violence, public disorder or policing problems if the licence is granted.

4.2.5 The above list is not exhaustive. Reference will also have to be made to issues raised by the local area profile detailed in section 6 of this policy.

4.2.6 It is noted that the distinction between disorder and nuisance in the case of gambling premises and that disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.

4.3 Objective 2: Ensuring that gambling is conducted in a fair and open way

4.3.1 The Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is, however, more of a role for licensing authorities with regard to tracks which is explained in more detail below.

4.3.2 Any suspicions raised that gambling is not conducted in a fair and open way will be brought to the attention of the Commission. Similarly, any concerns relating to fair trading legislation will be brought to the attention of Trading Standards.

4.4 Objective 3: Protecting children and other vulnerable persons from being harmed or exploited by gambling

4.4.1 This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children [excepting category D machines]). The Council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas, restrictions on signage etc.

4.4.2 Licensees and applicants will be expected to demonstrate that they have given careful consideration to measures intended to protect children. This Authority will give appropriate consideration to measures intended to protect children such as:

- Arrangements for age verification
- Arrangements for segregation between gaming and non-gaming areas in premises where children are permitted.
- Arrangements for supervision of machine areas in premises where children are permitted
- The provision of signage and notices

4.4.3 This Authority will also consider whether the structure or layout and configuration of a premises either inhibits adequate supervision of the premises or prohibits it. In such cases the applicant for a licence should consider what changes are or might be required to mitigate this. Such changes include:

- The positioning or relocation of staff or CCTV to enable direct lines of sight of entrances/machines
- The use of floor walkers to monitor use of machines

4.4.4 The intention of the Act is that children and young persons should not be permitted to gamble and should be prevented from entering the premises which are adult only environments. This Authority will consider whether staff will be able to adequately supervise the gambling premises to ensure this.

4.4.5 The Commission's general licence conditions and associated codes of practice include requirements as part of the Operating Licences that licensees must have and put into effect social responsibility policies and procedures designed to prevent under age gambling and monitor the effectiveness of these.

4.4.6 In order that this Authority may make proper informed judgement as to the effectiveness of these policies and procedures at the premises and in the locality concerned, it is requested that copies of the relevant documentation are submitted for consideration as part of any application for a new or varied premises licences. These will be considered on their own merit.

4.5 Protecting vulnerable adults

4.5.1 The Act does not prohibit groups of adults from gambling in the same way that it does children.

4.5.2 The Commission does not define 'vulnerable adults', it does for regulatory purposes assume that this group includes people who may gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to drugs or alcohol.

4.5.3 The Commissions general licence conditions and associated codes of practice include requirements as part of Operating Licences that licensees must have and put into effect policies and procedures that promote socially responsible gambling. In particular, the codes of practice place responsibilities on licensees:

- To make information readily available to customers on how to gamble responsibly and how to access information about and in respect of gambling problems.
- For customer interaction where they have concerns about a customer's behaviour may indicate problem gambling.
- To participate in the national multi-operator self-exclusion scheme
- To take all reasonable steps to refuse service or otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling
- To take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.

4.5.4 In order that this authority may make a proper informed judgement as to the effectiveness of these policies and procedures, it is requested that copies of the relevant documentation are submitted for consideration as part of any application for a new or varied premises licences. These will be considered upon their individual merits.

4.5.5 This Authority will want to understand the steps taken by the applicant to monitor the effectiveness of these policies and procedures.

4.6 Choosing a suitable location

4.6.1 Location of the premises has already been raised within this policy under the first licensing objective. However, locations carry broader considerations that can potentially impact on each of the licensing objectives and beyond. This Authority recognises that betting shops have always been situated in areas of high population where there are likely to be high numbers of children. This in itself is not a problem where appropriate steps have been taken to minimise the risks of children being attracted to gambling.

4.6.2 This Authority will give careful consideration to any application in respect of premises that are located in close proximity to:

- Schools
- Parks, playgrounds and open spaces
- Stations and transport hubs where large number of children may be expected to congregate
- Leisure facilities, youth clubs and community centres
- Hostels or other accommodation for vulnerable children, young persons and adults
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctors surgeries, council housing offices, addiction clinics or help centres, places where alcohol and drug dependent people may congregate etc.
- Faith premises and places of public worship (including churches, temples, mosques etc.) which may tend to be frequented by children and/or vulnerable people.
- Areas that are prone to young people congregating, including (but not limited to) for the purposes of participating in anti-social behaviour, activities such as graffiti/tagging underage drinking and public drinking etc.
- Recorded instances of attempted underage gambling.

4.6.3 The licensing authority is aware that, in accordance with Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks is:

- in accordance with any relevant code of practice and guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy

5. Brent Profile

5.1 Health in Brent

- 5.1.1 Substance Misuse- in Brent, the estimated prevalence of opiate and/or crack cocaine use was 8.3 per 1,000 of the population aged 15 to 64 in 2011/12. This was similar to the England average rate, 8.4 per 1,000 of the population. The number of adults in treatment in Brent has risen slightly from 1,696 in 2013/14 to 1,739 in 2014/15, equating to an increase of 3%.
- 5.1.2 Although 31.4% of the population aged 16 and over abstain from alcohol use, almost twice the national average of 16.5%, of greater concern is the proportion of high risk drinkers in Brent which at 7.1% is above the national average of 6.7%.
- 5.1.3 The rate of alcohol related harm hospital stays was 610, which is higher than the England average
- 5.1.4 Mental Health Disorders - One in four people in the UK will experience a mental health problem each year. Common Mental Health Disorders (CMDs) include depression and anxiety. In 2012/13, 3.4% of the population in Brent CCG aged 18 and over had a recorded diagnosis of depression.
- 5.1.5 This was below the England average which was 5.8%. Estimates of self-reported daily anxiety show that 18.8% of Brent residents consider themselves to have high levels of daily anxiety compared to the England average of 20% (2013/14). Estimates show that in Brent in 2014, 33,959 people aged 18 to 64 years were thought to have a CMD. By 2030, this is projected to increase to 36,265 people, an increase of 7%.
- 5.1.6 Severe and enduring mental health and conditions include long term illnesses such as schizophrenia, personality disorder, and bipolar disorder. In 2011/12, the prevalence of severe and enduring mental health conditions in Brent was 1.1% of the adult population, which is above both the London (1%) and England (0.8%) averages.

5.2 Concerns surrounding Fixed Odd Betting Terminals (FOBT's)

- 5.2.1 This Council is concerned about the amount of money which is being spent on FOBTs in the borough, which suffers from high levels of deprivation in certain areas. At present there are an estimated 200 B2 gaming machines in Brent, an estimate based on the 87 betting shops multiplied by the legal maximum allowed. There is no borough-specific data about gambling participation.
- 5.2.2 Brent Council is keen to reduce gambling related harm. There is little borough-specific data available, but problem gambling prevalence rate among adults in Great Britain is 0.8% or approximately 430,000 people. Problem gamblers can already access treatment services in primary and secondary care including specialised mental health services. At present, there isn't a commissioned service through Public Health in Brent and

therefore residents have to rely on the national helpline. National Gambling Helpline records data for around 7% of Helpline and Netline calls each year. From April 2013 – March 2016 it is estimated that approximately 3,742 people from Brent contacted the helpline. In addition, Gamcare provided 46 Brent residents with face-to-face counselling.

- 5.2.3 Research has shown that there is a relationship between the spatial distribution of licensed betting offices (LBO's) and problem gambling, although other factors could be driving this. The sample of those playing B2 machines in the research demonstrates 'rates of problem gambling are higher among those who live in LBO concentrations and suggests that those living within LBO concentrations may be considered an at-risk or vulnerable group'¹.
- 5.2.4 It should be noted that the cost-benefit analysis in the impact assessment by DCMS argues that the reduction of the maximum stake to £2 will result in benefits of reduced gambling-related harm and there could be a reduced expenditure on government programmes which mitigate harm such as healthcare and mental health, welfare, housing and criminal justice². A reduction of the stake to £2 for category B2 machines would bring it in line with all other categories of gaming machines apart from B1 machines used in Casinos

5.3 Risk Assessments

- 5.3.1 In February 2015, the Gambling Commission revised its 'Licence Conditions and Codes of Practice (LCCP)' which formalised the need for operators to consider local risks, specifically the Social Responsibility Code 10.1.1, requires that all existing and proposed premises licence holders carry out risk assessments in accordance with the licensing objectives. These risk assessments will then underpin the measures required in order to mitigate those risks. The relevant assessments are required to take the licensing authority's statement into consideration in order to alleviate the risks.
- 5.3.2 From 6 April 2016, the LCCP has required all existing licensees that provide gambling facilities at their premises, to assess risks to the licensing objectives and have policies, procedures and control measures in place to reduce those risks.
- 5.3.3 The Gambling Commission believes that gambling related harm are often not recognised and in their view require greater attention³. They also identify those who are likely to be more vulnerable to gambling harm. Those with the strongest vulnerability are:

¹ Gaynor Astbury & Heather Wardle, Secondary Analysis of Machines Data: Examining the effect of proximity and concentration of B2 machines to gambling play (Geofutures, 2016) p32

² Impact Assessment Consultation on Proposals for Changes to Gaming Machines, DCMS pp.12-14

³ Gambling-related harm as a public health issue - Briefing paper for Local Authorities and local Public Health providers February 2018

- Ethnic Groups
- Youth
- Low IQ
- Substance abuse/misuse
- Poor mental health

It is also identified that the wider group of people around a gambler may be negatively impacted. This includes the wellbeing of partners, children, friends, employees, the community and the economy.

5.3.4 In December 2016 the Institute for Public Policy Research (IPPR) published research on the cost of gambling related harm in Great Britain⁴.

5.3.5 The report estimated that the **direct cost** of problem gamblers to the public purse was between £260 million and £1.2 billion per year⁴. The estimates on this are wide, the availability of relevant data was limited, and it only captures the fiscal impact and not more personal or social costs. Although this data is national and may not necessarily directly relate to local areas, providers should demonstrate their awareness of the potential for such harms in the locality of their application and propose measures to mitigate them.

Department	Cost of range England	Cost of range Great Britain
Health:		
Hospital inpatient services	£110m-£290m	£140m-£610m
Mental health primary care	£10m-£20m	£10m-£40m
Secondary mental health services	£20m-£50m	£30m-£110m
Welfare and employment:		
JSA claimant costs and lost labour tax receipts	£30m-£80m	£40m-£160m
Housing:		
Statutory homelessness applications	£10m-£30m	£10m-£60m
Criminal Justice:		
Incarcerations	£30m-£90m	£40m-£90m

Table 1: Direct cost of problem gamblers

Licensees must take into account any relevant matters identified in the licensing authorities Statement of Principles when carrying out their risk assessments.

5.3.6 A local risk assessment should also be undertaken or updated by a licensee, when applying for:

- A new premises licence

⁴ Cards on the table: The cost to government associated with people who are problem gamblers in Britain, IPPR, December 2016

- When applying for a variation of an existing premises licence
- To take into account any local significant changes in the local area
- When there are significant changes with their premises that may affect the existing local risk assessment.

Local risk assessments shall be kept on the premises and made readily available to all relevant staff and authorised officers.

5.4 Local Area Profile

5.4.1 The local area profile has been proposed in order to help inform specific risks that operators will need to address in their risk assessments. It ensures gambling operators consider all of the relevant data in order to safeguard anyone who is in direct or non-direct contact with gambling but equally to protect those most at risk.

5.4.2 The following criteria should be considered when carrying out local risk assessments. Research shows a higher prevalence of problem gambling in deprived areas⁵.

5.4.3 The areas to be considered for the local area profile are:

- **Deprivation**
 - Income
 - Employment
 - Education, Skills & Training
 - Health & Disability
 - Crime
 - Barriers to Housing & Services
 - Living Environment
 - Income deprivation affecting children
 - Income deprivation affecting older people
- **Crime & Disorder Data in relation to Local Anti-social Behaviour (ASB)**
- **Local Amenities**
 - Bank/Building Societies
 - Education Establishments
 - Places of Worship
 - Betting Shops, Adult Gaming Centres (AGC's) & Bingo premises
 - Premises Licensed under the Licensing Act 2003
 - Pay day/Loan establishments/Pawn shops/Cash convertors
 - Vulnerable Housing/Emergency accommodation/Supported Housing
 - Substance Misuse & Drug & Alcohol recovery services
 - GP's/Surgery
 - Job Centres

5

https://www.researchgate.net/publication/315788709_Examining_the_effect_of_proximity_and_concentration_of_B2_machines_on_gambling_play (pg90)

5.5 Instructions on use of the Maps

5.5.1 Deprivation

In relation to **deprivation**, both the overall and individual maps should be reflected upon by visiting www.linktomaps.com

5.5.2 ASB

The **ASB** data map should also be used to identify high levels of issues in the Borough in relation to the positioning of the proposed or existing gambling site. The map can be found by visiting

<https://maps.brent.gov.uk/map/Aurora.svc/run?script=%5cAurora%5cAurora+-+Gambling.AuroraScript%24&nocache=2097243282&resize=always>

A static version of the same map can be found by visiting www.linktomaps.com

5.5.3 Local Amenities

In terms of **local amenities**, the following interactive map should be used, taking into account all of the above amenities in relation to the premises

<https://maps.brent.gov.uk/map/Aurora.svc/run?script=%5cAurora%5cAurora+-+Gambling.AuroraScript%24&nocache=2097243282&resize=always>

5.5.4 It is Brent's position that all areas shaded as the '*most deprived*' on the 'Index of Multiple Deprivation (IMD)' map and all areas shaded as the 'most deprived' on 'ASB data map', should be considered as being at high overall risk of gambling related harm and therefore inappropriate for further gambling establishments. Operators would therefore be asked not to consider locating new premises or relocating existing premises within these areas. Nevertheless, any application made in such an area will be determined on its individual merits.

5.5.5 Where operators do locate areas where they contemplate placing a new premises, the local amenities interactive map can be used to identify specific risks which should be the subject of mitigation or control measures in the form of a local risk assessment.

5.6 Risk Assessments - Further Considerations

5.6.1 This Licensing Authority recommends that the following matters are considered by operators when making their risk assessments:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling
- Gaming trends that may reflect benefit payments
- Arrangement for local localised exchange of information regarding self-exclusions and gaming trends
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall
- Range of facilities in proximity to licensed premises such as other gambling outlets, banks, payday loan shops, post offices, alcohol & entertainment facilities etc.

- Known problems in the area such as problems arising from street drinkers, young people participating in anti-social behaviour, drug dealing activities etc.

5.6.2 For matters related to children and young person risk assessments should address the following:

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds, religious institutions, entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafes, shops and any other place where children are attracted.
- Areas that are prone to young people participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking etc.
- Recorded incidents of attempted underage gambling.

5.6.3 For matters relating to vulnerable adults risk assessments should address the following:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangements for localised exchange of information regarding self-exclusions and gaming trends
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

This list is not exhaustive and other factors not in this list or listed elsewhere in the statement of principles must be taken into consideration.

5.7 Assessing Applications

5.7.1 Whilst applications will continue to be assessed on their own merit, the local area profile maps that have been provided alongside this document must be taken into consideration if an application is to be made to Brent Council.

5.7.2 Where risks are present, mitigation or control measures should be identified in operating schedules and risk assessments when making an application. It is vital that an open discussion on concerns raised by the local authority, are also addressed.

5.7.3 The application should have regard to the three Licensing Objectives.

5.7.4 Factors Taken Into Consideration by Local Authority

The following list which is not exhaustive are some of the factors that will be taken into account when considering an application:

- The location of the premises
- How the Local Area Profile map data provided in this document has been addressed
- Hours of Operation
- The size and layout of the premises
- The level of management to be provided
- The input from responsible authorities
- The input of interested parties
- The risk assessment and operating schedule provided

5.8 Conditions to be added to licence

- 5.8.1 In addition to mandatory and default conditions, Brent Council may also impose conditions at its discretion which are relevant, fair and reasonable in relation to the proposed application.
- 5.8.2 In addition to this, the Commission's Licence Conditions and Codes of Practice, should be considered by both the local authority and operators. These may be viewed by visiting:
<http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/LCCP/Licence-conditions-and-codes-of-practice.aspx>

5.9 Summary

- 5.9.1 New applicants are asked to utilise all of the map data provided in this document relating to deprivation and ASB when making a decision as to whether an application should be made in the first instance.
- 5.9.2 If operators decide to apply, they should still take into consideration the data relating to deprivation and ASB but should also consider the data relating to local amenities. The data relating to local amenities may also show cause for concern, resulting in the operator deciding against an application at the proposed location.
- 5.9.3 Lastly, all operators will need to take into consideration neighbouring wards and Boroughs when making a decision to apply for a new licence and/or writing/modifying risk assessments. As discussed, the provided list is not exhaustive, if other factors are identified, these should also be reflected upon in risk assessments.

6 Premises licences

6.1 General principles

- 6.1.1 This Statement of Principles does not set out to explain the process and procedure for a premises licence, variation or transfer. However, it does set out for the benefit of applicants and all other interested parties some

important matters that this Authority will have regard to when determining applications.

6.1.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

6.1.3 Applications for premises licences and club premises certificates must be made on the prescribed form and accompanied by

- The prescribed fee
- The prescribed documents, namely a plan of the premises (ideally at 1:100 scale, unless otherwise agreed with the Authority).

6.1.4 Application forms and statutory notices can be downloaded from the Commission's website. An application for a premises licence may only be made by persons (which includes companies or partnerships):

- Who are aged 18 or over
- Who have the right to occupy the premises
- Who have an operating licence or applied for an operating licence which allows them to carry out the proposed activity

The premises licence can not be determined until an operating licence has been issued.

6.1.5 Applications must be completed in full and signed and dated. Incomplete applications will not be processed.

6.1.6 Similarly, a licence application and any licence subsequently issued is not valid if the relevant 'application notices' have not been made. These include:

- A notice placed outside the premises for 28 consecutive days in a place where it can be easily seen and read by passers by
- A public notice placed in a newspaper or newsletter of local relevance on at least one occasion within 10 days of application being made.
- Notice provided to all relevant responsible authorities, including the Commission, within seven days of the application being made.

6.1.7 Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications in relation to premises licences.

- 6.1.8 Section 135 of the Act identifies the following bodies as responsible authorities:
- The licensing authority in whose area the premises is wholly or partly situated
 - The Gambling Commission
 - The Chief Officer of Police
 - London Fire Brigade
 - The local planning authority
 - Environmental Health
 - Childrens Safeguarding Team
 - HM Revenue and Customs
 - Any other person prescribed by the Secretary of State
- 6.1.9 The licensing authority expects applicants for new licences or variations to assess the local risks to the licensing objectives posed by the provision of gambling facilities at the premises, and have policies, procedures and control measures to mitigate those risks. The licensing authority will request copies of the risk assessments as part of the application process, and will consider both the adequacy of the risk assessment and the control measures proposed, and whether it is proportionate to incorporate the control measures as conditions on the licence.
- 6.1.10 The Commission's Guidance to local authorities states that moral objections to gambling are not a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' (see below regarding Casinos), and also that unmet demand is not a criterion.
- 6.1.11 Under s.150 of the Act, the Council will issue premises licences, if appropriate, for the provision of facilities on:
- casino premises
 - bingo premises
 - betting premises, including tracks and premises used by betting intermediaries
 - adult gaming centre (AGC) premises (for category B3, B4, C and D machines)
 - family entertainment centre (FEC) premises (for category C and D machines).
- 6.1.12 The Council may also issue a FEC gaming machine permit, which authorizes the use of category D machines only.
- 6.1.13 The gambling activity of the premises should be linked to the premises described. For example, in a bingo premises, the licensed gambling activity will be bingo, gaming machines may be made available for use in licensed bingo premises only where there are also substantive facilities for non-remote bingo, provided in reliance on the licence available in the premises.

6.2 Definition of premises

6.2.1 The Act defines ‘premises’ as including any ‘place’. Section 152 of the Act prohibits more than one premises licence applying to any place. But a single building could be subject to more than one premises licence providing they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises.

6.2.2 Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, this Licensing Authority does not consider that areas of a building that:

- are not clearly distinct and identifiable from each other (including their external and internal appearance and décor); or
- are artificially separated (e.g. by low and/or transparent partitions or barriers); or
- are temporarily separated and can be properly regarded as different premises.

When deciding if parts of a building/place constitute premises in their own right, the Licensing Authority also will take into account the definition of “premises” in the Act.

6.2.3 Any premises that are artificially or temporarily separated by ropes or moveable partitions will not be considered as a separate premises. If the premises are located within a larger venue, this authority will require a plan of the venue in which the premises should be identified as a separate unit.

6.2.4 Each application will be considered on its own merit. However, in cases where a proposal is intended to create separate premises with additional gaming entitlement which impacts on the licensing objectives, then this authority will not automatically grant a licence even where the mandatory conditions relating to access between premises are observed.

6.2.5 In considering licensing applications, the Licensing Authority will particularly take into account:

- the design and layout of the premises;
- the training given to staff in crime prevention measures appropriate to those premises;
- physical security features installed in the premises. this may include matters such as the positioning of cash registers and the standard of any CCTV system.
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks;

- the likelihood of any crime, public order and anti-social behaviour issues if the licence is granted.
- the steps proposed by an applicant with regard to the licensing objectives, the associated robust risk assessments as well as any licence conditions proposed by the applicant.

6.3 Access to premises

6.3.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 set out the access provision for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18, and with the further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18 can go into FECs, tracks, pubs and some bingo clubs, so access is allowed between these types of premises.

6.3.2 The relevant access provisions for each premises type is as follows:

Premises	Access provision
Casinos	<ul style="list-style-type: none"> • the principal entrance to the premises must be from a 'street' • no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons • no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence
AGC's	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from any other licensed gambling premises.
Betting shops	<ul style="list-style-type: none"> • access must be from a 'street' or from other premises with a betting premises licence • no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.
Tracks	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino or AGC
Bingo premises	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track
FECs	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track

Table 2: Access type for each premise

6.4 Access to gambling by children and young people

- 6.4.1 One of the objectives of the Act is protecting children and other vulnerable persons from being harmed or exploited by gambling. It is an offence to invite, cause or permit a child or young person to gamble or to enter certain gambling premises. Children are defined under the Act as under 16s and young persons as 16-17 year olds. An adult is defined as 18 and over.
- 6.4.2 Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:
- casinos are not permitted to admit anyone under 18 ;betting shops are not permitted to admit anyone under 18;
 - bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo, or play category B or C machines that are restricted to those over 18;
 - AGCs are not permitted to admit those under 18 ;
 - FECs and premises with a liquor licence (for example pubs) can admit under-18s, but they must not play category C machines which are restricted to those over 18 years of age.;
 - clubs with a club premises certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines;
 - all tracks can admit under-18s, but they may only have access to gambling areas on days where races or other sporting events are taking place, or are expected to take place.
- 6.4.3 This was extended to other sporting venues under the Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007. Tracks will be required to have policies to ensure that under-18s do not participate in gambling other than on category D machines.
- 6.4.4 This Council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, the Council is aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area. The plan of the premises should clearly denote entrances and exits.
- 6.4.5 The under-18s must not have access to areas where category B and C gaming machines are located, and this is achieved through default conditions that require the area to be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an

entrance designed for that purpose supervised at all times to ensure that under-18s do not enter the area, and supervised by either:

- one or more persons whose responsibilities include ensuring that under-18s do not enter the areas;
- CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas;
- arranged in a way that ensures that all parts of the area can be observed.

6.4.6 A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

6.4.7 There are other conditions which attach to each type of premises which are set out in Part 9 of the Commission's Guidance and other Parts relating to each type of premises.

6.5 Multiple activity premises – layout and access

6.5.1 With the exception of bingo clubs, tracks on race days and licensed FECs, children will not be permitted to enter licensed gambling premises. Therefore businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites.

6.5.2 The third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling. In considering applications for such premises, this Council will have regard to the following along with other criteria outlined in Guidance from the Commission:

- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area; and
- in this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit customers should be able to participate in the activity named on the premises licence.

6.6 Single and combined licences

6.6.1 Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines.

6.6.2 The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track.

6.6.3 To determine whether two or more proposed premises are truly separate, this Authority will consider the following factors in making their decision:

- Is a separate registration for business rates in place for the premises?
- Is the neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway
- Can the premises only be accessed from any other gambling premises?

6.7 Premises Plans

6.7.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (as amended) states that a plan must show:

- the extent of the boundary or perimeter of the premises;
- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building;
- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises ;
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises;
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

6.7.2 The Regulation states (other than in respect of a track) ‘...the plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence’. This includes information on supervision, CCTV, line of sight to all machines and players, Mag locks, use of privacy booths, blue lights etc. However, this minimum requirement is not sufficient to satisfy the licensing objectives, in particular the social responsibility codes, and the Licensing Authority’s policy statement. In such a case, this Council will request more information from the applicant.

6.8 Application for premises variation (s.182(b)): ‘material change’

6.8.1 When considering an application for variations, this Council will have regard to the principles to be applied as set out in s.153 of the Act.

6.9 Representations

- 6.9.1 In dealing with an application, the Council is obliged to consider representations from two categories of person, referred to in the Act as Responsible Authorities and Interested Parties.
- 6.9.2 Representations from other parties are inadmissible. Having determined that the representation is admissible, this Council must consider its relevance.
- 6.9.3 Only representations that relate to the licensing objectives, or those that raise issues under the licensing authority's policy statement, or the Commission's Guidance or Codes of Practice, are likely to be relevant.

6.10 Additional information to be made available

- 6.10.1 In order to ensure that applicants and persons wishing to make representations have the necessary information to do so, the Council will make available all necessary information on its website. Such information will include a register of the premises licences that have been issued, where and at what times the register may be inspected. A database of premises licences is also available on the Commission's website at www.gamblingcommission.gov.uk.

6.11 Premises ready for gambling

- 6.11.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 6.11.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 6.11.3 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, this authority will determine applications on their individual merits, applying a two stage consideration process as follows:
- first, whether the premises ought to be permitted to be used for gambling; and
 - second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 6.11.4 Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

6.12 Location

6.12.1 This Licensing Authority will take into account, for the protection of children and vulnerable persons, the following when determining whether a premises location is suitable for a grant of a licence:

- the proximity of the premises to any recognised schools, centres or establishments for the education, training or care of young persons and/or vulnerable persons;
- the proximity of the premises to leisure centres used for sporting and similar activities by young persons and/or vulnerable persons;
- the proximity of the premises to any youth club or similar establishment; and
- the proximity of the premises to recognised community, welfare, health and similar establishments used specifically or to a large extent by young persons and/or vulnerable persons.

6.12.2 Where an area has, or is perceived to have, unacceptable levels of crime and/or disorder, this Licensing Authority will consider carefully whether such an area is suitable for gambling premises and whether licence conditions may be appropriate or successful.

6.13 Planning & Building Control

6.13.1 When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should instead be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. In any event section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building control.

6.14 Duplication with other regulatory regimes:

6.14.1 This Licensing Authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. When considering an application for a premises license, this authority will disregard the likelihood of planning or building regulations being awarded. It will listen to and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

6.14.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under

relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

6.15 Responsible Authorities

- 6.15.1 The Licensing Authority is required to notify all Responsible Authorities of applications and they are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by Responsible Authorities are likely to be relevant representations if they relate to the three licensing objectives.
- 6.15.2 The Responsible Authorities are defined in the Glossary at Appendix G. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.
- 6.15.3 The principles are:
- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 6.15.4 In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

6.16 Interested Parties

- 6.16.1 Interested Parties can make representations about licence applications, or apply for a review of an existing licence.
- 6.16.2 The Act states that: "For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - (b) has business interests that might be affected by the authorised activities, or represents persons who satisfy paragraph (I) or (II)
- 6.16.3 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Act 2005 to determine whether a person is an interested party.
- 6.16.4 The principles are:
- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will take account of the examples of considerations provided in the Commission's

Guidance to Licensing Authorities.

- It will however take into account the size of the premises and the nature of the activity that will be taking place in it. Larger premises are likely to affect people over a wider area than smaller premises.
- The widest lawful interpretation will be given to the Gambling Commission's guidance phrase "has business interests" to include partnerships, charities, faith groups and medical practices.

6.16.5 Interested Parties can be persons who are democratically elected such as Councillors and Members of Parliament (provided they satisfy 8.2.3(c) above). No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) represents someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.

6.16.6 If individuals wish to approach councillors to ask them to represent their views then care should be taken to ensure that such councillors are not part of the Licensing Sub-Committee dealing with the licence application.

6.17 Body assigned as competent to advise on the protection of children from harm

6.17.1 The Council's local safeguarding Children Board has been identified as competent to advise on the protection of children from harm.

6.17.2 This board is designated as a competent body because the body will be responsible for:

- Providing professional and expert opinion
- Ensure accountability by being answerable to elected members rather than any particular interest group.

7 Premises Licence Conditions

7.1 Introduction

Any model conditions attached by the Licensing Authority to any particular licence will be proportionate and applied when the individual circumstances warrant it and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;

- fair and reasonable in relation to the scale and the type of premises, and
- in the Licensing Authority's consideration be reasonable in all other respects.

7.1.1 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this Policy for each of the different licence types.

7.1.2 The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Commission's current guidance.

7.1.3 The Licensing Authority will also ensure that where category A to C gaming machines are on offer in premises to which children are admitted:

all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;

- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

7.1.4 The above considerations will apply to premises including buildings where multiple premises licences are applicable.

7.1.5 This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, with each licence relating to a specified area of the track. The Licensing Authority will consider the impact upon the licensing objective that refers to the protection of children. It will require that the entrances to each part of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter. The Licensing Authority will take into consideration any guidance issued by the Commission in this respect.

7.1.6 It is noted that there are conditions that the Licensing Authority cannot attach to premises licences, and these are stipulated in the Act or its statutory regulations.

7.1.7 Applicants shall offer licence conditions to the Licensing Authority as a part of their application. Examples of such conditions are:

- the premises shall be fitted out and operational within 6 months of the issue of the licence;
- the Licensee shall notify the Licensing Authority when the premises have been fitted out and are ready for operation, so that the Licensing Authority can inspect the premises. Such notification to the Licensing Authority shall be given no less than 10 days prior to the premises opening under the licence.
- there shall be a minimum of 2 staff (excluding back room staff) on duty at the premises at all times that it is open, whose duties are to include the age verification of persons entering the premises who appear to be under the age of 25 years.
- Challenge 25
 - (a) The Licensee shall have a "Challenge 25" policy whereby all customers who appear to be under the age of 25 are asked for proof of their age.
 - (b) The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.
 - (c) The following proofs of age are the only ones to be accepted :
 - (i) Proof of age cards bearing the "Pass" hologram symbol
 - (ii) UK Photo Driving licence
 - (iii) Passport

7.2 Staff competency and training

7.2.1 All staff shall be trained in the premises proof of age compliance scheme and records of the training given shall be retained on the premises and made available for inspection by authorised officers.

7.2.2 The licensee shall ensure that each member of staff authorised to verify the age of customers is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question customers and check evidence of proof of age.

7.3 Refusals Book

7.3.1 The Refusals book shall be used to record details of all age-related refusals. The log shall be reviewed monthly by the nominated responsible member of staff and any action taken recorded in the book and signed off.

- 7.3.2 The Refusals Book to be reviewed monthly by a nominated responsible member of staff and date and time of each examination to be endorsed in the book. This log shall be retained on the premises and made available for inspection by authorised officers.

7.4 CCTV

- 7.4.1 The CCTV system shall be maintained in a good working order and fully operational covering both internal and external areas when the premises are open to the public. The CCTV shall monitor each entrance, exit and the gaming areas.
- 7.4.2 The medium on which CCTV images are recorded will be clearly identifiable, stored securely and shall be retained for a period of 31 days and shall be made available for inspection by the Police or an officer of the Licensing Authority, upon request.

7.5 Numbers of staff and door supervisors

- 7.5.1 The Licensing Authority will consider on a case by case basis whether the numbers of staff proposed to be on duty at a premises at any one time are adequate in relation to the control of the premises and especially with regard to the monitoring of persons using the premises, age verification, vulnerable persons, the ejection of or refusal to serve persons, and the maintenance of good order on the premises.
- 7.5.2 When making an application for a licence, applicants are recommended to inform the Licensing Authority of the numbers of staff that will be on duty at the premises at any one time and the times that such numbers will be on duty.
- 7.5.3 The Licensing Authority will consider on a case by case basis whether there is a need for door supervisors to meet the licensing objectives of the protection of children and vulnerable persons from being harmed or exploited by gambling, and preventing the premises becoming a source of crime.
- 7.5.4 It is noted that door supervisors at casinos or bingo premises, who are directly employed by the casino or bingo premises operator, are not required to be licensed by the Security Industry Authority. The Licensing Authority's policy expectations for such door supervisors working at casinos or bingo premises are that the Licensing Authority will expect the door supervisors to have:
- a competency qualification of Level 2 for Door Supervision in the National Qualification Framework (NQF), or
 - an equivalent qualification or training which would meet the criteria of the Security Industry Authority for the licensing of that person as a Door Supervisor by that Authority.

- 7.5.5 The above expectations are in recognition of the nature of the door supervisors' work in terms of searching individuals, dealing with potentially aggressive persons, young and vulnerable persons etc.
- 7.5.6 A book shall be kept at the premises, which is maintained with the following records:
- the full name and address of the door supervisor deployed;
 - the time they commenced and finished duty; and
 - all incidents that the door supervisors dealt with.
- 7.5.7 If there are any future changes in the licensing or approval/registration regime administered by the Security Industry Authority that affect door supervisors these will be taken into account by the Licensing Authority.
- 7.5.8 The term 'door supervisor' means any person:
- guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage; or
 - guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.
- 7.5.9 For premises other than casinos and bingo premises, the Licensing Authority may decide that supervision of entrances/exits/machines is appropriate for particular cases

8 Protection of children and vulnerable persons - premises other than betting premises

8.1 Advertising Gambling Products

- 8.1.1 Brent Council notes that the Commission's Licence Conditions and Codes of Practice require all advertising of gambling products to be undertaken in a socially responsible manner. Licencees should follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.
- 8.1.2 The following general principles shall apply to advertising:
- Must be legal and not misleading
 - Must not encourage irresponsible or excessive gambling
 - Must take care not to exploit children and other vulnerable persons

8.2 Adult gaming centres

- 8.2.1 Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the relevant

licensing authority. The holder of an AGC premises licence that was issued prior to 13 July 2011 is entitled to make available four category B3/B4 gaming machines, or 20% of the total number of gaming machines, whichever is the greater. An AGC licence granted after 13 July 2011 may make available for use a number of category B machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.

8.2.2 Gambling machines provide a form of gambling which is attractive to children and AGC's will contain machines of a similar format to the category D machines on which children are allowed to play.

8.2.3 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate measures/licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- Entry control system
- the numbers of staff on duty at any one time;
- door supervisors;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices / signage;
- specific opening hours;
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.2.4 Gaming machines provide opportunities for solitary play and immediate payouts and as such are likely to encourage repetitive and excessive play. Therefore when considering premises licence applications which include gaming machines particular regard will be given to the third licensing objective.

8.3 (Licensed) Family Entertainment Centres

8.3.1 The Act creates two classes of family entertainment centres (FEC). This part of the policy is regarding licensing FECs. Persons operating a licensed FEC must hold a 'gaming machine general operating licence from the Commission and a premises licence from the relevant licensing authority. The FECs make category C and D machines available.

8.3.2 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate measures/ licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- the numbers of staff on duty at any one time;
- door supervisors;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices / signage;
- specific opening hours;
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

8.3.3 This Licensing Authority will refer to any operating licence conditions, current Guidance or Codes of Practice by the Gambling Commission as to the way in the area's containing category C or higher machines should be delineated and/or separated.

8.3.4 In determining any application for a permit this Authority will have regard to the licensing objectives and will expect the applicant to show that there are policies and procedures in place to protect children from harm, relating not just from gambling but also wider child protection considerations, including the risk of child sexual exploitation. The effectiveness of such policies and procedures will be considered on their merits. The Authority expects measures to train staff on:

- Appropriate action regarding suspected truanting school children on the premises
- Dealing with unsupervised young children being on the premises or children causing perceived problems on or around the premises.
- Staff training on maximum stakes and prizes.

8.3.5 SR 3.2.5(2) requires operators to ensure that employees prevent access and challenge children or young persons who attempt use of category C machines. The licensing authority will ensure that staffing and supervision arrangements are in place to meet this requirement both at application stage and at subsequent inspections.

8.4 Casinos

8.4.1 Section 166(1) of the Act states that a licensing authority may resolve not to issue casino premises licence. This Authority has not passed such a resolution but it is aware of the power to do so.

8.4.2 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate measures / licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- the numbers of staff on duty at any one time;
- door supervisors;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices / signage;
- specific opening hours;
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.5 Bingo Premises

8.5.1 A holder of a bingo licence is able to offer bingo in all its forms. It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the Licensing Authority will require that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

8.5.2 Appropriate measures/licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- the numbers of staff on duty at any one time;
- door supervisors;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices / signage;
- specific opening hours;
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.5.3 This Licensing Authority will take account of any current guidance from the Commission as to the suitability and layout of bingo premises.

8.5.4 Where a bingo premises licence is obtained primarily to benefit from the gaming machine entitlement that it provides the Authority will need to be satisfied that only bingo shall be played at the premises. Close scrutiny will be given to any excluded areas of the premises.

8.5.5 Young persons aged 16 and under may be employed in bingo premises provided their duties are not concerned with the gaming or gaming machines. Licences will not be granted unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures that they will undertake to protect young employees.

8.6 Betting Premises

8.6.1 There are two different types of premises that require a betting licence. The licences for these premises are named “Betting Premises Licence (In Respect Of Premises Other Than A Track)’ and ‘Betting Premises Licence (In Respect Of a Track)’.

8.7 Betting Premises Licence (In Respect Of Premises Other Than A Track)

- (a) This type of licence allows premises (i.e. betting offices) to provide ‘off course’ betting i.e. betting that takes place other than at a track. There are also betting offices at tracks that have a separate premises licence from the track licence. Tracks and betting offices at tracks are discussed in the following section.
- (b) This section of the policy concentrates on ‘off course’ betting that takes place other than at a track and includes an entitlement to provide up to four gaming machines of category B2, B3, B4, Cor D and any number of betting machines. This Licensing Authority may, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at betting premises by imposing a licence condition. When considering whether such a condition should be imposed, the Licensing Authority will take into account:
 - the size of the premises;
 - the number and location of the machines;
 - the number of counter positions available for person-to-person transactions, and
 - the numbers of, and ability of staff to monitor the licensed premises and prevent persons under the age of 18 from entering the premises.
- (c) The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. However appropriate measures / licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- the numbers of staff on duty at any one time;
- door supervisors;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices / signage;
- specific opening hours;
- self-barring schemes;
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- (d) There are particular concerns about the use of B2 Fixed Odds Betting Terminals (FOBTs). We recognise that it is permissible for a betting operator to provide solely FOBTs as their allocation of gaming machines, the high prize, high stake gaming provided enables considerable sums of money to be spent in a very short period of time, which increases the risk of gambling related harm. Nevertheless, the applicant in each case will be expected to demonstrate that they can offer sufficient facilities for betting alongside any gaming machine provision.
- (e) Where FOBTs are provided these gaming machines shall be located within direct line sight of the supervised counter. Information leaflets and posters shall be provided in close proximity to the location of any FOBTs. These should be aimed at customers/families/friends to provide information on how to identify signs of problem gambling and available pathways to advice and assistance (e.g. helpline numbers and online counselling services).
- (f) Where the local area profile identifies any relevant local risk of gambling related harm, operators may consider additional protections for the vulnerable. This might include:
 - Removing Automated Teller Machines (ATM's) from the betting office
 - Restricting FOBTs to account based play

- (g) Licensed betting premises are only permitted to offer gambling facilities between 0700 and 2200 hours, unless the local authority has agreed an extension of operating hours. We recognise that longer operating hours may attract more vulnerable people such as those who may be intoxicated or have gambling addictions. Therefore, this Authority is unlikely to grant any extension of operating hours unless it is satisfied that robust measures will be undertaken to protect the vulnerable.
- (h) Children and young persons are not permitted to enter licenced betting premises. Social Responsibility (SR) Code 3.2.7(3) in the licence Conditions and Codes of Practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.
- (i) As per the Commision's Guidance we will consider restricting the number and location of betting machines in respect of applications for betting premises licences. When considering the number, nature and circumstances of betting machines an operator wants to offer, the Commission's Guidance will be followed and take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of the staff to monitor the use of machines.
- (j) This Authority will have regard to the local area profile set out in Section 5 of this policy and to the risk assessment compiled in response to it.

8.8 Betting Premises Licence (In Respect Of a Track)

8.8.1 General

- (i) Tracks are sites (including football stadium, horse racecourses and dogtracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the "totalisator" or "tote"), and also general betting, often known as "fixed-odds" betting.
- (ii) The holders of a track premises licence do not need to have an operating licence issued by the Gambling Commission unless they themselves wish to offer betting facilities at the track. Under the legislation the licence allows anyone with an operating licence to offer 'on course' betting facilities at a licensed track.
- (iii) Tracks are the only class of premises that may be subject to more than one premises licence, provided that each licence relates to a specified area of the track. There can be a 'main' premises licence and, in addition, 'subsidiary' premises licences for the parts of the track not covered by the main licence.

8.8.2 Children and Young Persons

- (a) Children and young persons are allowed to be present on a track licensed premises whilst betting is taking place, although they not allowed to enter areas of the track where gaming machines (other than category D machines) are provided. Therefore the Licensing Authority will carefully consider the impact of the licensing objective of the protection of children and vulnerable persons in relation to each application for premises licences at a track.
- (b) We will expect applicants to demonstrate suitable measures to ensure that children do not have access to adult only gambling/gaming facilities.
- (c) Appropriate measures/ licence conditions may cover issues such as:
 - proof of age schemes;
 - CCTV;
 - the numbers of staff on duty;
 - door supervisors;
 - supervision of entrances/machine areas;
 - the physical separation of, and clear distinction of areas;
 - location of entry;
 - notices/signage.

This list is not mandatory nor exhaustive and is merely indicative of example measures.

8.9 Betting machines (also known as Bet Receipt Terminals) at tracks

- (a) The potential space for betting machines at a track may be considerable, bringing with it significant problems in relation to:
 - the proliferation of such machines;
 - the ability of track staff to supervise the machines if they are scattered around the track; and
 - preventing persons under the age of 18 from being able to use the machines.

8.9.1 This Licensing Authority will, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at a betting premises by attaching a licence condition to a betting

premises licence. When considering whether such a condition should be imposed, the Licensing Authority will take into account the:

- size of the premises;
- number and location of the machines;
- number of counter positions available for person-to-person transactions; and
- ability of staff to monitor the licensed premises and prevent persons under the age of 18 from using the machines.

8.9.2 Condition on rules being displayed at tracks

- (a) The Licensing Authority will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

8.9.3 Applications and plans for tracks

- (a) Applicants must comply with any relevant regulations or guidance issued by the Gambling Commission in relation to applications for tracks. Applicants must ensure that the Licensing Authority is made completely aware of what it is being asked to licence.
- (b) The information submitted with the application must include detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”). In the case of:
 - dog tracks and horse racecourses
 - fixed and mobile pool betting facilities operated by the Tote or track operator; and
 - other proposed gambling facilities.
- (c) The plans should make clear what is being sought for authorisation under the track betting premises licence. It must also be made clear what, if any, other areas are to be subject to a separate application for a different type of premises licence.
- (d) Unless there is a compelling reason to not do so, the Licensing Authority will require all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This will ensure that there is clarity between the respective

responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

8.10 Travelling Fairs

- 8.10.1 Travelling fairs (as defined in the Act) may provide an unlimited number of Category D gaming machines and equal chance prize gaming without the need for any authorisation from the Licensing Authority, provided that such facilities amount to no more than an ancillary amusement at the fair.
- 8.10.2 There is a 27-day per calendar year statutory limit for a piece of land being used as a fair, and this regardless of whether it is the same or different travelling fairs using the land. The Licensing Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries are monitored so that the statutory limits are not exceeded.

9. Other relevant processes

9.1 Provisional Statements

- 9.1.1 Application for a provisional statement can be made for premises that an applicant expects to be constructed or to be altered, or expects to acquire the right to occupy. Representations can be made against an application for a provisional statement in the same manner as for a premises licence. The process for considering an application for a provisional statement is the same as that for premises licences (with the exceptions that an applicant need not have the right to occupy the premises and need not have an operating licence).
- 9.1.2 Once the premises have been constructed, altered or acquired by the holder of a provisional statement, they can put in an application for the necessary premises licence. If a provisional statement has been granted, the Licensing Authority is constrained in the matters it can consider when an application for a premises licence is subsequently made in relation to the same premises.
- 9.1.3 No further representations from relevant authorities or interested parties can be taken into account in relation to the premises licence application unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by way of representations at the provisional licence stage, or
 - which, in the authority's opinion, reflect a change in the operator's circumstances, or
 - where the premises has not been constructed in accordance with the plan and

- information submitted with the provisional statement application.

This must be a substantial change to the plan and the Licensing Authority will discuss any concerns they have with the applicant before making a decision. Section 210 of the Act (which applies to premises licences and provisional statements) makes it clear that a Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

9.2 Reviews

9.2.1 A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application for a review from interested party or responsible authority. A formal review of a premises licence may result in the Licensing Authority imposing additional conditions or revoking the licence.

9.2.2 Initiation of review by Licensing Authority

- The Licensing Authority may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Whilst officers may be involved in the initial investigations of complaints leading to a review, or may (at their discretion) try informal mediation or dispute resolution techniques prior to a review being initiated, the review itself must be heard and determined by Licensing Committee or one of its Sub-Committees.
- In relation to a class of premises, the Licensing Authority may review the use made of premises and, in particular, the arrangements that premises licence general reviews, the Licensing Authority will most likely be acting as a result of specific concerns or complaints about particular types of premises, which would cause them to want, for example, to look at the default conditions that apply to that category of licence.
- In relation to particular premises, the Licensing Authority may review any matter connected with the use made of the premises if it has reason to suspect that premises licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives them cause to believe that a review may be appropriate.

9.2.3 Application for review by responsible authorities and interested parties
Whilst, requests for a review of a premises licence can be made by interested parties or responsible authorities, it is for the Licensing Authority to decide whether the review is to be carried-out. However the Licensing Authority recognises that its decision to carry out a review must not amount to pre-judging the outcome of the review.

9.2.4 An application for a review may be (but need not be) rejected if the Licensing Authority thinks that the grounds on which the review is sought:

- are not relevant to the principles that must be applied by the Licensing Authority in accordance with section 153 of the Act.
- 9.2.5 If the application raises issues that are not relevant to the current Commission guidance, current codes of practice, this Policy statement, or the licensing objectives, then the Licensing Authority may reject it. In addition, if the application raises general objections to gambling as an activity, that is likely to be irrelevant to the principles in section 153, given that the Authority is required to permit the use of premises for gambling in so far as we think that permission is in accordance with the matters set out in that section.
- 9.2.6 Examples that are likely to be irrelevant include demand for gambling premises, issues relating to planning, public safety, and traffic congestion;
- that the grounds are frivolous;
 - that the grounds are vexatious;
 - that the grounds “will certainly not” cause the authority to revoke or suspend a licence or remove, amend or attach conditions on the premises licence;
 - are substantially the same as the grounds cited in a previous application for review relating to the same premises. In these circumstances we will take into account how much time has passed since the earlier application in reaching a judgement about whether it is reasonable to rely on this as a reason not to review the licence; or
 - are substantially the same as representations made at the time the application for a premises licence was considered. In these circumstances the Licensing Authority will take into account the period of time that has passed since the representations were made, but the underlying requirement is that the Licensing Authority should not review the licence on the basis of the same arguments considered on the grant of the premises licence.
- 9.2.7 The matters which will generally be considered relevant for any review are:
- any relevant current code of practice issued by the Commission;
 - any relevant current guidance issued by the Commission;
 - the licensing objectives;
 - the Council’s Statement of Gambling Principles, and
 - The Gambling Act 2005 and the regulations made thereunder
- 9.2.8 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the Chief Officer of Police or Chief Constable; and
- Her Majesty's Commissioners for Revenue and Customs

9.2.9 There is a right of appeal against the Council's decision.

9.3 Rights of appeal and judicial review

9.3.1 The Council is required by law to give reasons for a rejection of an application, but it is also good practice for it to give reasons for all decisions. Failure to give reasons may result in an appeal of the decision or the suggestion that the Council did not have regard to all the relevant information when making its decision, in line with its obligation under s.153 of the Act. It is particularly important that reasons should reflect the extent to which the decision has been made with regard to the licensing authority's policy statement and this Guidance. Reasons for decisions should be made available to all of the parties of any process. The Council's decision may be subject to judicial review. Details relating to appeals against decisions by a licensing authority are set out in s.206 - 209 of the Act.

9.4 Who can appeal?

9.4.1 The table below identifies who can appeal different types of premises licence decisions.

Type of decision	Section of Act	Who may appeal
Decision to reject an application for a premises licence or to vary a premises licence, or an application for a provisional statement	s.165, s.187 and s.188	The applicant
Decision to grant an application for a premises licence or to vary a premises licence, or an application	s.164, s.187 and s.188	<ul style="list-style-type: none"> • The applicant* • Any person who made representations

for a provisional statement		on the application
Decision to take action or to take no action following a review	s.202	<ul style="list-style-type: none"> • The applicant • Any person who made representations on the application • The person, if any, who applied for the review • The Commission

Table 3: Appealing premises licence decisions

9.5 Who to appeal to

- 9.5.1 An appeal against a decision of a licensing authority is made to the Magistrates' Court, then to the High Court if necessary. As soon as the appeal decision has been notified to all parties, the Council will implement the Court's decision as soon as possible.

10. Other Consents

10.1 Temporary use notices (TUN)

- 10.1.1 A TUN allows the use of premises for gambling where there is no premises licence but where a licensed gambling operator wishes to use the premises temporarily for providing facilities for gambling. The type of premises that might be suitable for a Temporary Use Notice could include hotels, conference centres and sporting venues.
- 10.1.2 The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments, dominoes, backgammon, mah-jong or bingo.
- 10.1.3 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Commission's guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act

"premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will need to look at, amongst other things, the ownership/occupation and control of the premises.

10.1.4 The holder of an operating licence must give notice to the licensing authority in whose area the premises are situated. The Secretary of State has prescribed the form of the notice which must specify information including:

- the type of gaming to be carried on;
- the premises where it will take place;
- the dates and times the gaming will take place;
- any periods during the previous 12 months that a TUN has had effect for the same premises;
- the date on which the notice is given;
- the nature of the event itself.

10.1.5 This Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises as recommended in the Commission's Guidance to Licensing Authorities.

10.1.6 Appeals

An appeal against the Licensing Authority's decision may be made by the applicant, or any person entitled to receive a copy of the TUN, to the Magistrates' court within 14 days of receiving notice of the authority's decision. There is a further right of appeal to the High Court or Court of Session on a point of law.

10.2 Occasional use notices

10.2.1 An occasional use notice permits licensed betting operators to use tracks for betting on eight days or fewer in a calendar year, where the event is of a temporary nature. Betting may therefore be permitted by an occasional use notice without the need for a full premises licence. The licensing authority has very little discretion regarding these notices besides ensuring that the statutory limit of eight days a year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

10.2.2 Tracks are usually regarded as permanent race courses, but the meaning of track not only covers horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place. Although the track need not be a permanent fixture, land used temporarily as a track providing races or sporting events may qualify.

10.3 Gaming machines

- 10.3.1 Gaming machines cover all types of machine on which people can gamble, subject to a few exemptions. The Act sets out the categories of gaming machine and the number of such machines that may be permitted in each type of gambling premises. There are four categories of gaming machine: categories A, B, C and D with category B divided into a further five subcategories.
- 10.3.2 There is a minimum age of 18 for all players for all category A, C and C machines. However, there is no minimum age for players of category D machines. The holder of any permit must comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.
- 10.3.3 The maximum number of machines permitted and in the case of casinos the ratios between tables and machines is set out in Appendix C.

10.4 Permits

- 10.4.1 Licensing Authorities may issue a range of permits for gambling which are designed as a light touch approach to low level ancillary gambling. They are used where stakes and prizes are subject to very low limits and/or gambling is not the main function of the premises. As a Licensing Authority, this Council may only grant or reject an application for a permit. It may not attach any conditions to the permit.
- 10.4.2 Holders of alcohol-licensed premises gaming machine permits and club permits are required to comply with the Commission's codes of practice on the location and operation of machines.
- 10.4.3 Licensing Authorities may issue the following permits:
- Family entertainment centre gaming machine permits;
 - Club gaming permits and club machine permits;
 - Alcohol-licensed premises gaming machine permits;
 - Prize gaming permits.

10.5 Unlicensed Family Entertainment Centre

- 10.5.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (section 238 of the Act).
- 10.5.2 The Act enables a Licensing Authority to prepare a statement of principles which it proposes to consider when determining the suitability of an applicant

for a permit. In preparing this statement and/or considering applications it may have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission. The Commission's guidance advises that given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to child protection issues.

10.5.3 The council may only grant a permit if it is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. The Council cannot attach conditions to this type of permit but may ask applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to have a full understanding of the maximum stakes and prizes (24.7);
- appropriate measures/training for staff regarding suspected truant school children on the premises; and
- measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.

10.6 Club Gaming and Club Machines Permits

10.6.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations.

10.6.2 Members Clubs, Miner's welfare institutes and Commercial Clubs may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

10.6.3 The Commission's Guidance states: "Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations". The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

10.6.4 There is a fast-track procedure which prevents objections to be made by the Commission or the police, and reduces the grounds on which an authority can refuse a permit. The grounds for refusal are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled;

10.6.5 However, the Council may refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members" or commercial club or miners" welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous 10 years;
- an objection has been lodged by the Commission or the Police.

10.6.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

10.7 Premises licensed to sell alcohol

10.7.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to have 2 gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority.

10.7.2 This local authority expects all licensees to adhere to the:

- Code of Practice for gaming machines in alcohol licenced premises
- Code of Practice for equal chance gaming in alcohol licensed premises.

10.7.3 The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e. that written notice has been provided to the Licensing Authority that a fee has been provided and that any relevant code of practice issued by the Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

10.7.4 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives and any guidance issued by the Commission under S.25 of the Gambling Act 2005 and any other relevant matters.

10.7.5 This Licensing Authority considers that such matters will be decided on a case by case basis but will consider the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18s do not have access to the adult-only gaming machines. Measures which will satisfy the authority will include that the adult machines be in direct sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage shall be used with regards to age restriction. Applicants shall provide information leaflets/helpline numbers for organisations such as GamCare.

10.7.6 Some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

10.7.7 The Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

10.8 Prize gaming and prize gaming permits

10.8.1 Prize gaming relates to gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences. The Council can issue a prize gaming permit to authorise the licence holder to provide facilities for gaming with prizes on specified premises.

10.8.2 A casino operating licence permits the licence holder to provide all games of chance, except any form of bingo which, is excluded from the scope of the

casino licence. If a casino wishes to provide bingo generally, it would need to obtain a bingo operating licence, with the proviso that only one premises licence may be issued for any particular premises at any time, so the premises would need to be distinct.

10.8.3 In making its decision on an application for this permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any guidance from the Commission. (Gambling Act 2005, Schedule 14 paragraph 8(3)).

10.8.4 The permit holder must comply with the relevant conditions in the Act, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day;
- the game must be played and completed on the day the chances are allocated; the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

10.8.5 The permit will have effect for ten years, unless it ceases to have effect, lapses or is renewed. There is no annual fee for prize gaming permits.

10.8.6 An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. A permit will be still valid pending renewal including an appeal against a decision not to renew. The permit must be kept on the premises and it is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer. There is a right of appeal against a decision not to grant or renew a permit.

11. Non-commercial and private gaming, betting and lotteries

The Act allows gambling without any specific permissions under limited circumstances as follows:

- non-commercial gambling;
- incidental non-commercial lotteries;

- private gaming and betting.

11.1 Non-commercial gaming

This is allowed if it occurs at a non-commercial event, that is to say, if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if it is organised by or on behalf of a charity or for charitable purposes; or it enables participation in or support of athletic or cultural activities. It will therefore be possible to raise funds for a local hospital appeal or a charitable sporting endeavour. Events such as race nights or casino nights are also permitted if they comply with the regulations and profits go to a 'good cause'.

11.2 Incidental non-commercial lotteries

- Licensing Authorities are responsible for registering societies to run Small Society Lotteries.
- Incidental non-commercial lotteries, private lotteries and customer lotteries do not require to be registered.
- The definitions of the above types of lottery are contained in Schedule 11 of the Act.
- Other lotteries require an operating licence from the Gambling Commission.

11.3 Private gaming

- 11.3.1 This can take place anywhere to which the public do not have access, for example, a workplace. Domestic and residential gaming may be permitted subject to the following conditions:
- 11.3.2 Domestic gaming is permitted without the need for permissions if it takes place in a private dwelling; if it is on a domestic occasion; and if no charge or levy is made for playing.
- 11.3.3 Residential gaming is permitted when it takes place in a hall of residence or hostel not administered in the course of a trade or business, and if more than 50% of the participants are residents.
- 11.3.4 Private gaming can potentially take place on commercial premises if a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are members of the club.

12. Poker

12.1 Poker can be played legally in the following circumstances:

- in casinos (including under temporary use notice)
- as exempt gaming in clubs and alcohol-related premises;
- under a club gaming permit
- as non-commercial gaming
- as private gaming

12.2 **Poker in casinos**

12.2.1 Poker can be played in casinos licensed by the Commission. Casinos can also run poker tournaments at temporary venues for a limited amount of time under temporary use notices (TUNs). Where a third party organisation is involved in a poker competition held in a licensed casino, the casino operator must bear full responsibility for that competition. Similarly, where an online competition culminates in live competition in a casino, the online partner may provide systems and staff for the event, but responsibility lies with the operator whose premises are being used.

12.2.2 A casino may have a commercial relationship with an agent to promote poker in the casino, but the poker games that result are the responsibility of the casino and not of the agent.

12.3 **Poker in alcohol-licensed premises**

12.3.1 The Commission actively engages with the larger national and regional organisers of poker leagues to remind them of the limited exemptions that apply to poker being offered in pubs. This authority conducts appropriate enforcement to detect and prevent infringements of such localised requirements as stake and prize limits, because the Council issued the alcohol premises licence in the first place.

12.3.2 In some poker tournaments the organisers offer 'prizes' at the end of a series of weekly games for the players with the most points. It is likely that the association of a prize with a monetary value with a game or series of games constitutes gaming. Therefore, if the eventual prize is worth more than the maximum prize set out in regulations then it could be unlawful gaming. For example, if a tournament simply involves a series of straightforward 'knockout' qualifying rounds, culminating in a 'final' game, then the winner's prize in the final – whether it comprises the stakes laid in that game, a separate prize provided by the organiser, or a combination of the two – must not exceed £100, which is the limit set by the regulations.

12.4 **Poker under a club gaming permit**

- 12.4.1 A club gaming permit can only be granted to a members' club (including a miners' welfare institute), but cannot be granted to a commercial club or other alcohol-licensed premises. Other than in the case of clubs established to provide facilities for gaming of a prescribed kind (currently bridge and whist), clubs seeking club gaming permits must be established 'wholly or mainly' for purposes other than gaming. When a club gaming permit is granted there are no limits on the stakes and prizes associated with poker.
- 12.4.2 If a club established to provide facilities for gaming of a prescribed kind (currently bridge and whist) has a club gaming permit, it may not offer any other gaming besides bridge and whist. If such a club does not have a permit, it may provide exempt gaming provided it is not established to function for a limited period of time and it has at least 25 members. If it wishes to offer other non-exempt gaming it will require a Commission casino operating licence and any relevant personal licences.
- 12.4.3 The poker which a club gaming permit allows is subject to the following conditions:
- (a) In respect of equal chance gaming:
 - (i) the club must not deduct money from sums staked or won the participation fee must not exceed the amount prescribed in regulations; and
 - (ii) the game takes place on the premises and must not be linked with a game on another set of premises.
 - (b) Two games are linked if:
 - the result of one game is, or may be, wholly or partly determined by reference to the result of the other game;
 - the amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game;
 - a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games
 - only club members and their genuine guests participate.
 - (c) In respect of other games of chance:
 - the games must be pontoon and chemin de fer only;
 - no participation fee may be charged otherwise than in accordance with the regulations;
 - no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

- 12.4.4 All three types of gaming are subject to the 48 hour rule, meaning that the games may only be played by people who have been members of the club for at least 48 hours, or have applied or been nominated for membership or are genuine guests of a member.

12.5 Poker as non-commercial gaming

- 12.5.1 This is allowed if it takes places at a non-commercial event, that is to say, if no part of the proceeds is for private profit or gain. One or more persons may benefit from the proceeds of such events if the activity is organised by or on behalf of a charity or for charitable purposes; or to enable participation in or support of athletic or cultural activities.

- 12.5.2 It would be possible to raise funds for an individual providing the proceeds were for example a wheelchair or to support a sporting endeavour. Events such as poker nights or casino nights are also permitted if they comply with the regulations and are run on a non-commercial basis.

12.6 Poker as private gaming

- 12.6.1 Poker offered as private gaming can take place anywhere to which the public do not have access, including a workplace. Domestic and residential gaming are two subsets where non-equal chance gaming is allowed.

- Domestic gaming is permitted without the need for permissions if it takes place in a private dwelling or it is on a domestic occasion and no charge or levy is made for playing.
- Residential gaming is permitted when it takes place in a hall of residence or hostel not administered in the course of a trade or business, and more than 50% of the participants are residents.

- 12.6.2 Private gaming can potentially take place on commercial premises in circumstances where a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are not selected by a process which means that, in fact, they are members of the public rather than members of the club.

- 12.6.3 The law in this area is complex. It is contained in SI No 3157/2007: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007. Organisers should be advised to seek their own legal advice before proceeding with the event. 29.48 It is a condition of private gaming that no charge (by whatever name called) is made for participation and Schedule 15 to the Act makes it clear that a deduction from or levy on sums staked or won by participants in gaming is a charge for participation in the gaming. It is irrelevant whether the charge is expressed to be voluntary or compulsory, particularly if customers

are prevented from playing if they do not make the 'voluntary' donation, or there is strong peer pressure to make the donation.

- 12.6.4 A relevant decided case in another licensing field is that of *Cocks v Mayner* (1893) 58 JP 104, in which it was found that an omnibus said to be available free of charge but whose passengers who were invited to (and in some cases did) make a voluntary contribution was 'plying for hire' without the appropriate licence.

12.7 Advertising

- 12.7.1 The Gambling (Licensing and Advertising) Act 2014 amended the Act so that from 1 November 2014, gambling operators that provide facilities for remote gambling or advertise to consumers in Great Britain will require a licence issued by the Commission. As an example, many poker websites promote other online gambling websites, usually by the provision of a hyperlink to that website. A hyperlink has been deemed to constitute advertising as it brings facilities for advertising to the attention of the person who clicks on the link.
- 12.7.2 It is not an offence to advertise non-remote gambling that is offered by operators not licensed by the Commission. For example, a prize could now include entry into a poker tournament, subject to meeting the appropriate prize limits.

13. Small society lotteries

13.1 Introduction

Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small society lotteries (as defined). Promoting or facilitating a lottery will fall within two categories:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences;
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.
- The Council will need to know the purposes for which a society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, has been established so as to ensure that it is a non-commercial organisation. S.19 of the Act defines a society as such if it is established and conducted:
 - for charitable purposes, as defined in s.2 of the Charities Act 2006;
 - for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;

- for any other non-commercial purpose other than that of private gain.

13.1.1 Participation in a lottery is a form of gambling, and as such licensing authorities must be aware that the societies they register are required to conduct their lotteries in a socially responsible manner and in accordance with the Act. The minimum age for participation in a lottery is 16 and Social Responsibility (SR) code 3.2.9 requires lottery licences to have effective procedures to minimise the risk of lottery tickets being sold to children, including:

- procedures for: checking the age of apparently underage purchasers of lottery tickets;
- taking action where there are unlawful attempts to purchase tickets.

13.1.2 The licensee must take reasonable steps to ensure that all those engaged in the promotion of lotteries understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

13.1.3 Licensing Authorities may propose to refuse an application for any of the following reasons:

- an operating licence held by the applicant for registration has been revoked; or
- an application for an operating licence made by the applicant for registration has been refused within the past five years;
- the society in question cannot be deemed non-commercial;
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in schedule 7 of the Act;
- information provided in or with the application for registration is found to be false or misleading.

13.2 External lottery managers' licence status

13.2.1 External lottery managers (ELMs) are required to hold a lottery operator's licence issued by the Commission to promote a lottery on behalf of a licensed society. However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors.

13.2.2 Key indicators will include:

- who decides how the lottery scheme will operate;

- who appoints and manages any sub-contractors;
- the banking arrangements for handling the proceeds of the lottery;
- who sells the tickets and pays the prizes;
- who controls promotional aspects of the lottery.

13.2.3 Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences held on its website.

13.3 Lottery tickets

13.3.1 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society;
- the price of the ticket, which must be the same for all tickets;
- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the ELM;
- the date of the draw, or information which enables the date to be determined.

13.3.2 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it. The Commission recommends that licensing authorities require all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority has powers to inspect the records of the lottery for any purpose related to the lottery.

13.3.3 The Act stipulates that lottery tickets may only be sold by persons who are aged 16 or over to persons who are aged 16 or over. With regards to where small society lottery tickets may be sold, this Council will adhere to the Commission's recommendations and apply the following criteria to all small society lottery operators:

- lottery tickets must not be sold to a person in any street, bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not;

- tickets may, however, be sold in a street from a static structure such as a kiosk or display stand;
- tickets may also be sold door to door;
- licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.

13.3.4 This approach is consistent with the operating licence conditions imposed upon operators of large society lotteries and local authority lotteries.

13.4 Application and registration process for small society lotteries

13.4.1 On receipt of an application for a small society lottery this Authority will check the:

- society status – the society in question must be ‘non-commercial’;
- lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

13.4.2 The promoting society of a small society lottery must be registered with the Licensing Authority where their principal office is located throughout the period during which the lottery is promoted. If this Licensing Authority believes that a society’s principal office is situated in another area, it would inform the society and the other Licensing Authority as soon as possible.

13.4.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. Applicants will be asked to provide a copy of their terms and conditions and a declaration, stating that they represent a bona fide non-commercial society.

13.4.4 In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

13.4.5 Because of this possibility, this Licensing Authority will carefully consider any application by a society for more than one registration. If the aims and objectives are the same and therefore the threshold limits for small society lotteries are likely to be exceeded, the applicant will be advised to apply to the Commission for a society lottery operating licence.

- 13.4.6 By virtue of Schedule 11 paragraph 31(5), societies may not hold an operating licence and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of 3 years during which a large society cannot convert to small society status. Licensing Authorities should check that applicants for registration do not hold (and have not held in the preceding 3 years) a society lottery operating licence granted by the Commission.
- 13.4.7 This authority will also wish to check with the society at the time the annual fee is paid to renew the registration, to ensure that a society does not hold a duplicate registration with this council or another local authority where the aims and objectives of the societies are the same. If that is the case and the combined proceeds exceed or are likely to exceed the threshold limits for small society lotteries, the society will be advised to apply to the Commission for a society lottery operating licence. This Licensing Authority will also notify the Commission.
- 13.4.8 Once the application for registration has been accepted and entered on the local register, the Licensing Authority must then notify both the applicant and the Commission of this registration as soon as practicable. The Commission would prefer to receive this information electronically via email to info@gamblingcommission.gov.uk.
- 13.4.9 Registrations run for an unlimited period, unless the registration is cancelled. If a Licensing Authority cancels the registration of a society they are required by paragraph 53 of Schedule 11 of the Act to notify the Commission.

13.5 Refusal of an application

- 13.5.1 Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application. A Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. Licensing Authorities should inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence.
- 13.5.2 In summary, Licensing Authorities may propose to refuse an application for any of the following reasons:
- an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years;
 - the society in question cannot be deemed non-commercial;
 - a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act;
 - information provided in or with the application for registration is found to be false or misleading.

13.6 Revocation of a small society's registered status

- 13.6.1 A Licensing Authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. A revocation cannot take place unless the society has been given an opportunity to make representations at a hearing or via correspondence. In preparation for this, licensing authorities should inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion. Representations that may result after such a decision will be handled in accordance with local procedures.

13.7 Appeals

- 13.7.1 Following the conclusion of any hearings and receipt of representations, paragraph 51 of Schedule 11 to the Act then requires the authority to notify the applicant or the society as soon as possible if their registration is still to be revoked, or if their application for registration has still been rejected.
- 13.7.2 The applicant or society may appeal to the Magistrates' Court against the decision within 21 days following receipt of the notice of the decision to lodge an appeal. On appeal they may choose to affirm the decision of the Licensing Authority, reverse the decision, or make any other order.
- 13.7.3 The Society or its external lottery managers must submit returns containing certain information to the Licensing Authority. This information allows licensing authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose.
- 13.7.4 The following information must be submitted:
- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover;
 - the total proceeds of the lottery; the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers;
 - the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery;
 - the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds);
 - whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.
- 13.7.5 This Council requires returns to be submitted electronically at

business.licence@brent.gov.uk.

14. Chain gift schemes

- 14.1** It is an offence to invite others to join a chain gift scheme or to participate knowingly in the promotion or administration of such a scheme. These schemes are similar to pyramid selling schemes, but escape the ban on them because they do not involve the sale of any product. If this Council becomes aware of such a scheme operating in the Borough, the Trading Standards team will investigate to ascertain if an offence under the Consumer Protection from Unfair Trading Regulations 2008 has been committed. A person found guilty of the offence could be liable to a fine or imprisonment.

14.2 Street collectors selling game cards

- 14.2.1** If this Council becomes aware of street sellers in the borough approaching the public to sell them game cards 'to raise money for good causes', it will ask the Trading Standards to investigate. It will be unlikely that the product being sold is a legal lottery. This is because societies selling larger lotteries are not permitted to sell lottery tickets in the street.

15. Compliance and Enforcement Matters

15.1 Good practice in regulation

- 15.1.1** The Council has a duty to have regard to the statutory principles of good regulation as set out in the Regulators' Code. These provide that regulation should be carried out in a way that is:
- (a) Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - (b) Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - a. Consistent: rules and standards must be joined up and implemented fairly;
 - b. Transparent: regulators should be open and keep regulations simple and user friendly; and
 - c. Targeted: regulation should be targeted only at cases in which action is needed; it should focus on the problem and minimise side effects.
- 15.1.2** The Regulator's Code is enshrined in the Council's own Enforcement Policy with which every enforcement officer is required to adhere. As per the Commission's Guidance for licensing authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 15.1.3** This licensing authority has adopted and implemented a risk-based inspection programme based on:

- the licensing objectives;
 - relevant codes of practice;
 - guidance issued by the gambling commission, in particular at part 36; and
 - the principles set out in this statement of licensing policy.
- 15.1.4 As well as ensuring that all enforcement activity is proportionate, consistent, transparent and accountable, the policy also requires that activity is targeted primarily on those activities and premises which give rise to the most serious risks or where risks are least well controlled. This will be intelligence led approach. Regard will also be had to the local area profile set out in this policy.
- 15.1.5 This risk based approach will also be applied to inspections of premises to ensure that high risk premises requiring greater level of attention will be targeted whilst low risk premises will receive a lighter touch. Premises will be assessed on the basis of
- The type and location of the premises
 - The past operating history of the premises
 - The confidence in management
 - The arrangements in place to promote the licensing objectives
- 15.1.6 Where appropriate to do so, this Authority will work with other responsible authorities to promote the licensing objectives through enforcement. Compliance will normally be sought through early engagement, mediation, education and advice. In cases where this is not possible officers will seek to achieve compliance through the most appropriate route having regards to all the relevant matters. Where appropriate, regard will be given to primary authority directions.
- 15.1.7 When a decision of whether or not to prosecute is required then this Authority will follow the principle criteria from the Guidance in the Code for Crown Prosecutors which requires the two main tests to be considered:
- Whether the standard of evidence is sufficient for a realistic prospect of conviction
 - Whether a prosecution is in the public interest.
- 15.1.8 The main enforcement and compliance role for this licensing authority in terms of the Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Commission will be the enforcement body for the operating and personal licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Commission.

- 15.1.9 This Licensing Authority recognises that certain bookmakers and other licensed premises operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual within the organisation/company, and whom the authority may contact first should any compliance queries or issues arise.

15.2 Enforcement Related Fees

- 15.2.1 Licensing Authorities compliance and enforcement work and the costs of dealing with illegal gambling is covered by fees from premises licences and permits. The Act requires licensing authorities to “aim to ensure that the income from fees ... As nearly as possible equates to the costs of providing the service to which the fee relates and work, including the cost of dealing with illegal gambling in a Licensing Authority’s area”. This Council will closely track its costs to demonstrate how it arrived at the fee and will review such fees annually.

15.3 Application Forms

- 15.3.1 This Council has provided information on how to make applications for licences and other permissions under the Act. Linked to this information is an online application form as well as a list of ‘responsible authorities’ and their appropriate contact details. As there are no prescribed application forms for family entertainment centres, prize gaming, or licensed premises gaming machine permits, this Council will accept applications for these licences in the hard copy which can be downloaded from www.brent.gov.uk/business.

15.4 Enforcement officers and authorised persons

- 15.4.1 S.303 of the Act enables the Commission to designate employees of the Commission and to appoint persons other than employees as enforcement officers for the purpose of the Act. Such persons are deemed to be authorised if:
- the premises are wholly or partly situated in the authority's area; and
 - the officer is designated by the authority as an authorised person for the purposes of s.304.
- 15.4.2 These authorised persons will exercise their inspection powers in accordance with the principles set out in the Licensing Authority’s policy statement.

15.5 Powers of entry

- 15.5.1 The Act states that authorised persons, constables and enforcement officers may: undertake activities for the purpose of assessing compliance with provisions made under the Act or to assess whether an offence is being committed under the Act; enter premises if they reasonably suspect that facilities for gambling are being, are about to be, or have been provided on

the premises. This would include a private club but does not apply if the suspected gambling is private or non-commercial gaming or betting.(s.307).

15.5.2 If in doubt, this Licensing Authority will:

- (a) seek legal advice about also securing a warrant issued by a justice of the peace to enter a premises in respect of which an application has been made for a family entertainment centre (FEC) gaming permit to consider the application, or to enter a premises in respect of which a FEC gaming machine permit has effect, in order to determine compliance with gaming machine permit requirements (s.309);
- (b) enter premises with 'on-premises' alcohol licence to determine if any gaming that is taking place satisfies the conditions for exempt gaming in s.279 of the Act, to ascertain that any bingo taking place meets the requirements of the Act, or to ascertain the number and category of gaming machines being made available for use on the premises (s.310);
- (c) enter premises in respect of which an application has been made for a prize gaming permit, to consider the application, or to enter a premises in respect of which a prize gaming permit has effect in order to determine whether prize gaming on the premises complies with the requirements of the Act and regulations under it (s.311).

15.5.3 Where an application for a club gaming permit or club machine permit has been made, enforcement officers or the police may also enter a members' club, a commercial club or miners' welfare institute under for matters connected with consideration of the application, to determine whether gaming is taking place or is about to take place on the premises; and such gaming meets the requirements for exempt gaming in section 269 of the Act, a club gaming permit or a club machine permit.

15.5.4 Only police officers and enforcement officers can enter the premises that have been granted a permit to determine if the things being done are in accordance with that permit (and not primarily because they suspect a crime is taking place/has taken place). Under s.318 of the Act a constable, enforcement officer or authorised person can only enter a dwelling under a warrant issued by a justice of the peace. In all circumstances, only a police officer or enforcement officer can seize evidence.

15.6 **Illegal gambling**

15.6.1 The prevention of illegal gambling is an enforcement priority for the Council. Combating illegal gambling is of significant benefit to the licensed community as the provision of illegal unregulated gambling impacts upon the reputation of the industry as a whole. The persistent and widespread existence of illegal gambling also reduces the incentive on operators to be correctly licensed. The Council will take formal enforcement action against those providing or facilitating illegal gambling in one premises. But the Commission will generally take the lead in prosecuting the offence of providing facilities for widespread and organised gambling.

15.7 Test purchasing and age verification

- 15.7.1 The Council will carry out test purchasing to detect whether children and your persons are accessing adult only gambling premises or are engaged in gambling intended for adults. Appropriate enforcement action will be taken against offenders.

15.8 Primary Authority

- 15.8.1 The PA scheme, administered by the Better Regulation Delivery Office (BRDO) provides for a statutory partnership to be formed between a business and a single authority, e.g. a local authority. That single authority, the PA, can provide a national inspection strategy within which other local regulators can operate, to improve the effectiveness of visits by local regulators and enable better sharing of information between them. The PA scheme therefore aims to ensure that local regulation is consistent at the national level.
- 15.8.2 Since October 2013, the PA has been extended to include age-restricted sales of gambling in England and Wales. This means local authorities in England and Wales must follow any age restricted sales of gambling national inspection plans and strategies that are published on the PA register when considering proactive age restricted sales (gambling) activity including testing. The inspection plans are designed to be largely uniform and to bring consistency to proactive test purchasing in those betting shops. These arrangements underpin the primary objectives of the Act in relation to protecting children from gambling-related harm and preventing them from accessing gambling facilities. PA plans do not prohibit licensing authorities undertaking reactive test purchasing. PA does not apply to the police or the Commission.

15.9 Prosecutions

- 15.9.1 The Act gives licensing authorities in England and Wales, the police and the Commission the power to prosecute the offence of using premises for gambling without the requisite permissions. In exceptional circumstances, such as repeated deliberate breaches of premises licence conditions, licensed operators or permit holders may be prosecuted without any prior regulatory action, such as warnings, suspension or revocation of licence or removal of permit. Most prosecutions will be against those illegally providing gambling without a licence or permit.
- 15.9.2 There is a distinction between those who conduct gambling operations under a licence or permit but breach the conditions of that, and those who seek to profit from providing facilities for gambling without a licence or permit. While both situations result in unlawful gambling, the latter situation is generally considered by the Council and the Commission to be more serious.

CONTACT

Planning, Transport & Licensing
Licensing Team
London Borough of Brent
Civic Centre
Engineers Way
Wembley HA9 0JF

(020) 937 5262

business.licence@brent.gov.uk

www.brent.gov.uk

Schedule 1: Summary of machine provisions by premises

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino(machine/table ratio of 5-1 up to maximum)	Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)	Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act casino(no machine/table ratio)	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead						
Betting premises and tracks occupied by pool betting	Maximum of 4 machines categories B2 to D (except B3A machines)						
Bingo premises ¹	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4					No limit on category C or D machines	
Adult gaming centre ²	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4					No limit on category C or D machines	
Licensed family entertainment centre ³						No limit on category C or D machines	
Family entertainment centre (with permit) ³						No limit on category D machines	
Clubs or miners' welfare institute (with permits) ⁴						Maximum of 3 machines in categories B3A or B4 to D	
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair						No limit on category D machines	

Table 4: Summary of machine provisions by premises

1 Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

2 Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

3 Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation

and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

4 Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

5 Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Schedule 2: Summary of gaming machine categories and entitlements

Link to summary of gaming machine categories and entitlements

<https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-B-Summary-of-gaming-machine-categories-and-entitlements.aspx>

Schedule 3: Summary of gaming entitlements for clubs and alcohol-licensed premises

Link to summary of gaming machine categories and entitlements

<https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-C-Summary-of-gaming-entitlements-for-clubs-and-alcohol-licensed-premises.aspx>

Schedule 4: Summary of offences under the Gambling Act 2005

General offences regarding the provision of gambling facilities

Providing gambling facilities in Great Britain without a relevant licence, permit, notice, or exemption included under the Act.	S.33
Using premises to provide gambling facilities from, or causing them to be provided, without a relevant licence, permit, notice or exemption under the Act.	S.37

Offence Regarding cheating at gambling

Cheating, attempting to cheat, or assisting another person to cheat at gambling.	S.42
--	------

Offence committed towards or by under 18s

Inviting, causing or permitting a child (under 16) or young person (16 – 17) to gamble, with the exception of:	
private / non-commercial gaming and betting	
participating in lotteries	
participating in football pools	
using a category D gaming machine	S.46
participating in equal chance gaming at premises subject of a prize gaming permit or an FEC	S.48
premises licence	
participating in prize gaming at a fair or an unlicensed FEC	
This offence includes intentional distribution of advertising to under-18s where the intent is to encourage gambling.	
It is also an offence on the part of a young person to gamble with the exception of situations listed above.	
Inviting or permitting a child or young person to enter:	
a casino	
a betting premises (except for betting areas of horse and greyhound tracks on race days)	S.47
an adult gaming centre	
areas of a family entertainment centre where category C gaming machines are situated.	S.49
This offence is committed at all times when the premises listed above are being used in reliance on the premises licence.	
It is also an offence on the part of a young person to enter the premises listed above.	

For a summary list of all offences under the Gambling Act 2005 please use the following link:
<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-D-Summary-of-offences-under-the-Gambling-Act-2005.aspx>

Schedule 5: Delegations of functions under the Gambling Act 2005

The Council's Licensing Committee is responsible for discharging the majority of the Council's licensing functions under the Gambling Act 2005. The notable exceptions are the final approval of the Council's Statement of Gambling Principles (also known as Statement of Licensing Policy) and policy not to permit casinos. Both of these functions are reserved to full Council.

In practice, and in accordance with relevant statutory provisions, all those decisions which can be, have been delegated to officers. Further, the Alcohol and Entertainment Licensing Sub-Committee is responsible for considering and determining applications and other matters which cannot be determined by officers. That Sub-Committee can also consider and determine any other matters referred to it for determination by officers (e.g. matters which can be considered by officers but which is considered more appropriate for the Sub-Committee to do so).

TThe n

Schedule 6: List of Consultees to Statement of Licensing Principles

Persons or Bodies representing the interests of those who are likely to be affected by the exercise of the authority's functions:

Responsible Authorities

- Metropolitan Police
- London Fire and Emergency Planning Authority
- Planning Authority, Brent Council
- Environmental Health, Brent Council
- Safeguarding Children's Board, Brent Council
- HM Customs and Excise
- London Borough of Brent Councillors
- Brent MPs and Member of the Greater London Authority
- All Brent Council Directorates
- Brent Community Safety Partnership
- Gamblers Anonymous
- Alcoholics Anonymous
- Brent Drug and Alcohol Action Team
- Brent Youth Offending Service National Probation Service
- National Association of Citizen Advice Bureaux
- Brent Samaritans
- Salvation Army
- Brent Magistrates' Court
- Brent Mind
- Brent Residents and Tenants Associations
- Help the Aged

Persons or Bodies representing the interests of those carrying on gambling businesses in the borough:

- Current holders of licences, permits, registrations etc. in the borough
- Gaming Machine Suppliers
- Association of British Bookmakers
- British Amusement Catering Trade Association
- British Casino Association
- Casino Operators Association
- The Association of Licensed Multiple Retailers
- British Beer and Pub Association
- British Institute of Innkeeping
- GamCare
- Brent Chamber of Commerce
- The Football Association
- Federation of Licensed Victuallers
- The Bingo Association
- The Working Men's Club & Institute Union
- Responsibility in Gambling Trust
- Remote Gambling Association
- The Lotteries Council

Others

- General Public - via Council Website and Press Release

This is not an exhaustive list

Schedule 7: Glossary of terms

Applications	Applications for licences and permits
Authorised local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.
Authorised Person	<p>A Licensing Officer, an officer of an authority other than a Licensing Authority, both of who have been authorised for a purpose relating to premises in that authority area. The following are considered authorised persons:</p> <p>Inspectors are appointed under the Fire Precautions Act 1971</p> <p>Inspector appointed under the Health and Safety at Work, etc. Act 1974.</p> <p>Inspectors of Surveyors of ships appointed under the Merchant Shipping Act 1995;</p> <p>A person in a class prescribed in regulations by the Secretary of State.</p>
Automated Roulette Equipment	<p>2 types:</p> <p>(a) Linked to live game of chance, e.g. Roulette</p> <p>(b) Plays live automated game, i.e. operates without human intervention</p>
Automatic condition	Condition attached automatically to premises licences or authorisations. The Licensing Authority has no desecration not to include or modify them.
AWP machines	Amusement with Prizes Machines.
BACTA	British Amusement Catering Trade Association.
Betting Intermediary	Offers services via remote communication, such as the internet.
Betting Ring	An area that is used for temporary „on course“ betting facilities.
Bingo	A game of equal chance.
Casino	An arrangement whereby people are given an opportunity to participate in one or more casino games.
Casino Games	Games of chance that are not equal chance gaming.
Casino Premises Licence Categories	<p>(a) Regional Casino Premises Licence</p> <p>(b) Large Casino Premises Licence</p> <p>(c) Small Casino Premises Licence</p>

	(d) Casino permitted under transitional arrangements.
Club Gaming Machine Permit	Permit to enable the preemies to provide gaming machines (3 machines of Categories B C or D).
Code of Practice	Means any relevant code of practice under section 34 of the Gambling Act 2005.
Complex Lottery	An arrangement where: (a) Persons are required to pay to participate in the arrangement; In the course of the arrangement, one or more prizes are allocated to one or more members of a class; (b) The prizes are allocated by a series of processes; and (c) The first of those processes relies wholly on chance.
Council	Brent Council
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.
Default Conditions	Conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub Committee or Licensing Officers.
Disorder	No set interpretation, however, likely to be connected to the way gambling is being conducted. In the case of gambling premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.
Domestic Computer	Definition in forthcoming Regulations. Exempt from a Gaming Machine Permit.
Dual Use Computer	Definition in forthcoming Regulations. Exempt from a Gaming machine Permit.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants
EBT	Electronic Bingo Ticket Minders. Electronic equipment operated by a Bingo Operators Licence for the purposes of playing bingo
Exempt Lotteries	Lotteries specified in the Gambling Act as permitted to be run

	without a licence from the Gambling Commission. There are 4 types: (a) Small Society Lottery (required to register with Licensing Authorities (b) Incidental Non Commercial Lotteries e.g. Raffle at a dance/church fair (c) Private Lotteries e.g. Raffle at a student hall of residence (d) Customer Lotteries e.g. Supermarket holding a hamper raffle
External Lottery Manager	An individual, firm or company appointed by the small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery
Fixed Odds Betting	General betting on tracks,
Gaming	Prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences
Gaming Machine	Machine covering all types of gambling activity, including betting on virtual events. Categories – See Appendix E
Guidance	Guidance issued by the Gambling Commission dated April 2006.
Human Rights Act 1998 Articles: 1, 6, 8 and 10	Article 1: Protocol 1 – the right to peaceful enjoyment of possessions. Article 6: - the right to a fair hearing Article 8: - the right of respect for private and family life Article 10: - the right to freedom of expression.
Incidental Non Commercial Lottery	A lottery promoted wholly for purposes other than private game, and which are incidental to non commercial events (commonly charity fund raising event, lottery held at a school fete or at a social event such as a dinner dance)
Information Exchange	Exchanging of information with other regulatory bodies under the Gambling Act (Schedule 7)
Interested Party	Interested parties can make representations about licence applications, or apply for a review of an existing licence. A person who:

	<p>(a) Lives sufficiently close to the premises to be likely affected by the authorised activities.</p> <p>(b) Has business interests that might be affected by the authorised activities.</p> <p>(c) Represents persons in either of the above groups.</p>
Irrelevant Representations	<p>Where other legislation can cover the representation.</p> <p>Demand in premises licensing</p>
Large Lottery	<p>Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries on one calendar year exceed £250.00. This requires an Operating Licence.</p>
Licensed Lottery	<p>Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission.</p> <p>Operating Licences will be required.</p>
Licensing Authority	The London Borough of Brent
Licensing Committee	A committee of 10 to 15 councillors appointed by the Council to represent the Licensing Authority.
Licensing Sub Committee	A sub committee of members appointed from the licensing committee to whom the functions of the licensing committee can be
	delegated under the Act to determine applications.
Live Gaming	Gambling on a live game as it happens.
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.
Lottery Tickets	<p>Tickets that must:</p> <p>(a) Identify the promoting society</p> <p>(b) State the name and address of the member of Society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and</p> <p>(c) State the date of the draw, or enable the date of the draw to be determined.</p>
Mandatory Condition	<p>Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.</p>

Members Club	A club that must: (a) have a least 24 members (b) be established and conducted „wholly or mainly“ for purposes other than gaming (c) be permanent in nature (d) Not established to make commercial profit controlled by its members equally
Notifications	Notification of temporary and occasional use notices
Non-commercial event	An event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not private gain.
Non Commercial Society/small society lotteries	A society established and conducted: (a) for charitable purposes. (b) for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or (c) for any other non commercial purpose other than that of private gain
Occasional Use Notice	Betting may be permitted on a „track“ without the need for a full Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e. at a licensed betting shop.
Off Course Betting – Tracks	Betting that takes place in self contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate only on race days.
On Course Betting – Tracks	Betting that takes place on a track while races are taking place.
Operating Licences	Licence to permit individual and companies to provide facilities for certain types of gambling. They may authorise remote or non remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.

Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
Pool Betting – Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track.
Premises	Defined as „any place“. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.
Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks adult gaming centres and family entertainment centres.
Private Lotteries	<p>3 Types of private Lotteries:</p> <p>(a) Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the</p> <p>Society.</p> <p>(b) Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises.</p> <p>(c) Residents" Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises.</p>
Prize Gaming	<p><input type="checkbox"/> Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.</p> <p><input type="checkbox"/> The prizes will be determined by the operator before play commences.</p>
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where an applicant can make an application to the Licensing Authority in respect of premises that he: <p>Expects to be constructed</p> <p>Expects to be altered</p> <p>Expects to acquire a right occupy</p>
Racino	Casino located at a racecourse.
Regulations:	Regulations made under the Gambling Act 2005

Relevant Representations	Representations that relate to the Licensing Objectives or that raise issues under the Licensing Policy Statement or the Gambling Commission's Guidance or Code of Practice.
Responsible Authorises	<p>Responsible authorises can make representations about licence applications, or apply for review of an existing licence.</p> <p>For the purposes of this Act, the following are responsible authorises in relation to premises:</p> <ul style="list-style-type: none"> (a) The Council Licensing Authority whose area the premises must wholly or mainly be situated; (b) The Gambling Commission; (c) Metropolitan Police (d) London Fire and Emergency Planning Authority, (e) Planning Authority, Brent Council; (f) Environmental Health, Brent Council (g) Brent's Safeguarding Children's Board (h) HM Customs and Excise. <p>N.B. In accordance with the Gambling Commission's guidance for local authorities designates the Brent Safeguarding Children's Board for this purpose.</p>
SIA	Security Industry Authority
Simple Lottery	<p>An arrangement where:</p> <ul style="list-style-type: none"> (a) Persons are required to pay to participate in the arrangement In (b) the course of the arrangement, one or more prize are allocated to one or more members of a class; and (c) The prizes are allocated by a process which relies wholly chance.
Skills with Prize	A machine on which the winning of a prize is determined only by the Player's skill and there is no element of chance, e.g. trivia game machine Formula 1 simulators, shooting game Skills Machine are unregulated.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less

	and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of non-commercial society, i.e. lotteries intended to raise funds for good causes.
Small Operations	Independent on course betting operators with only one or two employees or a bookmakers running just one shop.
Society	The society or any separate branch of such a society, on whose
Statement of Principles	Matters taken into account when considering an applicant's suitability for an application for FEC Permits etc.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
Small Operations	Independent on course betting operators with only one or two employees or a bookmakers running just one shop.
Totalisator or Tote	Pool betting on tracks.
Touch Bet Roulette	Where a player gambles on a live game of chance without actually being seated.
Track	Sites where races or other sporting events take place e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that „wholly or principally“ provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.
Vessel	Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.

Vessel; and Relevant Licensing Authority	The Licensing Authority for the area in which the vessel is usually moored or berthed.
Virtual Betting	Machine that takes bets on virtual races i.e. images generated by computer to resemble races or other events.
Vulnerable	Include people who gamble more than they want to; people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to mental impairment, alcohol or drugs. For example this may include those persons who are under the influence of alcohol and/or are drunk. persons who are under the influence of alcohol and/or are drunk.
Young Person	An individual who is not a child but who is less than 18 years old.
	<p>Football temporary use notice</p> <p>Family entertainment centre gaming machine permit</p> <p>Club/miners welfare institute: equal chance gaming</p> <p>Club gaming permit</p> <p>Club machine permit</p> <p>Equal chance gaming, on – licensed premises</p> <p>Gaming machines: automatic entitlement, on – licensed premises</p> <p>Licensed premises gaming machine permit</p> <p>Travelling fair gaming machine</p> <p>Prize gaming permit</p> <p>Other prize gaming</p> <p>Ancillary equal chance gaming at travelling fairs</p> <p>Private gaming and betting</p> <p>Non commercial prize gaming</p> <p>Non commercial equal chance gaming</p>

This page is intentionally left blank



Item 16.1

Full Council – 22 November 2021

Conservative Group Motion

Granville New Homes Independent Inquiry

This Council notes with grave concern the issues raised by the Ridge Report on the Granville New Homes build by Brent Council.

This matter was briefly discussed at the Community & Wellbeing Scrutiny Committee and Audit and Standards Advisory Committee. Because of time constraints, the matter has not been fully aired. There still remains very large and serious questions the Administration needs to answer, for example:

- When and who commissioned the Ridge Report?
- When did the serious defects in the structure of the construction come to light?
- What was the Building Contractors and Councils Building Control Department's involvement during construction and issue of Completion Certificate?

There are various estimates circulating as to the amount of money required to remedy the defects. One source reports that £18.4 million will be required. This amount is larger than the Council potentially lost by investment in Icelandic Banks.

This Council therefore agrees to request that the Cabinet commissions an independent inquiry into the matter.

Councillor Suresh Kansagra
Kenton Ward

This page is intentionally left blank

Full Council – 22 November 2021

1st Labour Group Motion

The Big Issue Campaign – Stop mass homelessness

This Council notes:

That thousands of families are facing evictions and repossessions as measures to protect residents put in place during Covid-19, end; Universal Credit is reduced; the furlough scheme ends; and electricity, gas and the cost of living rises at pace.

This Council believes that:

Now is not the time to unravel the interventions that the government has introduced to protect people during this unprecedented period.

Unless urgent action is taken by this government, the UK will face a homelessness crisis this winter, on a shameful scale.

Over the last year, nearly 6,000 residents approached Brent Council because they feared being made homeless. While our officer's work tirelessly to offer assistance to as many residents as possible, the sheer scale of demand sadly outstrips supply. The pandemic has shown that mass homelessness is a political choice – the government averted it once with the *Everybody In* initiative and they can do so again; simply by making additional funding available to this Council.

This Council resolves to:

1. Support the Big Issue's plan to Stop Mass Homelessness and call on the Lead Member for Housing & Welfare Reform to write to the relevant Secretaries of State asking them to keep people in their homes and in sustainable jobs. They could do this by committing to pay off £360m in rent arrears; suspend no fault evictions until a Renters' Reform Act is passed; make permanent the £20 Universal Credit uplift; improve access to Discretionary Housing Payment; unfreeze Local Housing Allowance; improve support for financial literacy education and invest to create new green jobs.
2. Express its support for a Wellbeing of Future Generations Act requiring public bodies to consider how decisions made now affect future needs, and tackle persistent problems such as poverty, homelessness, health inequalities and climate change.

3. Call on the Lead Member for Housing & Welfare Reform to Commission a report to be heard at the appropriate committee outlining options to amend the decision-making process to ensure that the impact of Council decisions on future generations are properly considered.
4. Tackle the root problem head on, by forging ahead with our ambitious programme to build 1700 council homes by 2028 and to maximise affordable housing options through the council's own company I4B, pan-London Capital Letters scheme and by working with trusted developers across the borough.

Councillor Robert Johnson
Northwick Park Ward

Full Council – 22 November 2021

2nd Labour Group Motion

Towards greener energy

This Council notes:

In July 2019, Brent Council declared a climate and ecological emergency and committed to do all in its gift to strive for carbon neutrality by 2030. This target is borough-wide, not just council-only emissions, because of how urgent this issue is – and therefore more ambitious goals are required. We are one of only 12 councils in London who have adopted this 2030 target.

This council has recently joined the UK100, a network of radical local authorities that wish to do more to confront the climate emergency and call on government for urgent action.

Brent Council has cut its emissions by 63.7% since this Labour Administration took control – this exceeds the government’s targets and our own ambitious goals.

This Council further recognises:

- the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy;
- the surge in wholesale gas and electricity prices to almost five times the level of a year ago has resulted in suppliers defaulting and putting pressure on household bills;
- that currently, very large financial setup and running costs are involved in selling locally generated renewable electricity back to local customers, making it near impossible for local renewable electricity generators to get a foothold in the market,
- that making these financial costs proportionate to the scale of a renewable electricity supplier’s operation would create significant opportunities for local companies and community groups to be providers of locally generated renewable electricity directly to local people, businesses and organisations;
- that revenues received by such local companies or community groups that chose to become local renewable electricity providers could be used to help

improve the local economy, local services and help reduce local greenhouse gas emissions; and

- the House of Commons Environmental Audit Committee, recommended that a Right to Local Supply for local energy suppliers be established to address this.

This Council resolves to:

- Support the Local Electricity Bill, currently supported by a cross-party group of 266 MPs. If made law, this would establish a Right to Local Supply and promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company.
- Turbo-charge the transition to renewable energy in the Council, by bringing forward a report to outline options to fully switch to sustainable energy sources significantly in advance of our 2030 target.
- To support residents with grant funding for projects to confront the climate & ecological emergency through the Brent Together Towards Zero Grant and the recently launched Carbon offset fund, called for by this chamber.

Cllr Liz Dixon
Dollis Hill Ward