



Resources and Public Realm Scrutiny Committee

Monday 18 December 2023 at 6.00 pm

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

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [HERE](#)

Membership:

Members

Councillors:

Conneely (Chair)
Long (Vice-Chair)
Aden
Ahmadi-Moghaddam
Akram
S Butt
Georgiou
Miller
Mitchell
J.Patel
Shah

Substitute Members

Councillors:

Afzal, Begum, Collymore, Ethapemi, Fraser, Molloy,
Rajan-Seelan, Ketan Sheth and Smith

Councillors:

Kansagra & Maurice
Lorber & Matin

For further information contact: Natalie Connor, Governance Officer
Tel: 020 8937 1506 ; Email: natalie.connor@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item **Page**

1 Apologies for absence and clarification of alternate members

2 Declarations of interests

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 item on this agenda and to specify the item(s) to which they relate.

3 Call-In: Cabinet decision (16 November 23) - Sudbury Town Residents Association (STRA) application for Neighbourhood Forum status 1 - 54

To consider a call-in in respect of the following decision taken by Cabinet on 16 November 2023:

- Sudbury Town Residents Association application for Neighbourhood Forum Status.

4 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Chief Executive and Member Services or her representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Wednesday 24 January 2024



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)

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 Brent	Resources and Public Realm Scrutiny Committee 18 December 2023
Report from the Corporate Director of Governance	
Call-in: Cabinet decision (16 November 2023) re Sudbury Town Resident Association application for Neighbourhood Forum status	
Wards Affected:	Sudbury, Northwick Park and Wembley Central
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Three: Appendix 1: Call-In Form Appendix 2: Report to Cabinet (16 November 23) - Sudbury Town Residents' Association application for Neighbourhood Forum Status Appendix 2a: Appendix A Cabinet report (16 November 23) - STRA Renewal Application Appendix 2b: Appendix B Cabinet report (16 November 23) - Council response to STRA (August 22) Appendix 2c: Appendix C Cabinet report (16 November 23) - STRA response to Council (October 22) Appendix 2d: Appendix D Cabinet report (16 November 23) - STRA Constitution Appendix 2e: Appendix A Cabinet report (16 November 23) - STRA Support Letter Appendix 2f: Appendix F Cabinet report (16 November 23) - STRA Forum Consultation Response Summary Appendix 2g: Appendix G Cabinet report (16 November 23) - STRA Draft Refusal Statement Appendix 3: Call-In Protocol
Background Papers:	None

Contact Officer(s):

(Name, Title, Contact Details)

Amira Nassr, Head of Chief Executive & Member Services

Tel: 020 8937

Email: amira.nassr@brent.gov.uk**1.0 Executive Summary**

1.1 A decision taken by Cabinet on 16 November 2023 in respect of an application from the Sudbury Town Residents Association for Neighbourhood Forum status has been called-in for consideration by the Resources and Public Realm Scrutiny Committee, in accordance with Standing Order 14.

2.0 Recommendation(s)

2.1 That the Committee considers the call-in and agrees to one of the following outcomes:

2.1.1 The Committee does not wish to refer the matter back to the decision maker or to Council, at which point the decision is deemed to be confirmed and takes effect immediately following the meeting; or

2.1.2 The Committee agrees to refer the original decision back to Cabinet for reconsideration, in light of any observations made during consideration of the call-in; or

2.1.3 Having had regard to the advice of the Corporate Director of Governance or Corporate Director of Finance & Resources, the Committee considers the decision is contrary to the Council's Budget or Policy Framework, at which point it refers the matter to the next practicable meeting of the Council, subject to the provisions of Standing Orders.

3.0 Detail**Contribution to Borough Plan Priorities & Strategic Context**

3.1 The Localism Act 2011 introduced greater statutory provisions for local communities to shape development outcomes in their area through the planning system. Principally through this act, but also through subsequent legislation, provisions within the 1990 Town and Country Planning Act (as amended) (the Act) and the Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations) allow communities to:

A) set planning policies through a Neighbourhood Plan that forms part of the development plan used in determining planning applications, and

- B) grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.
- 3.2 Where a community wants to take up the opportunities offered by neighbourhood planning they can only do so where there is a 'qualifying body'. In non-parish areas, for the delivery of Neighbourhood Plans or Neighbourhood Development Orders, the relevant qualifying body is a Neighbourhood Forum with the qualifying criteria and processes for establishing such a forum set out in the Act and Regulations.
- 3.3 As a local democratic body, a Neighbourhood Forum provides a voice for local communities, consistent with the Thriving Communities Priority: Desired Outcome 1 of 'Enabling our Communities'. The Council works with and encourages Forums where communities wish to set them up, ensuring that they meet the statutory requirements, with each designated Forum ceasing to have effect at the end of a period of 5 years and needing to reapply to maintain this status.

Background

- 3.4 Cabinet (16 November 2023) received a report from the Corporate Director of Communities & Regeneration outlining the process undertaken to assess an application from the Sudbury Town Residents' Association to maintain its status as the Neighbourhood Forum for the Sudbury Town Neighbourhood Area, along with the outcome of the associated consultation on that application. Having considered the report, Cabinet decided to refuse the application with the minute recording the decision as follows:

Councillor Tatler (as Cabinet Member for Regeneration, Planning & Growth) introduced a report outlining the outcome of the consultation process undertaken on an application from the Sudbury Town Residents' Association (STRA) to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area and seeking a decision on the application.

In presenting the report, Councillor Tatler reminded members of the original background behind the introduction of neighbourhood planning which had been to provide residents and businesses in a specific area with the opportunity to engage in the identification of localised planning policies designed to assist in shaping development outcomes across the relevant area. Where local communities wanted to take up these opportunities there was a requirement to establish a Neighbourhood Forum as the relevant "qualifying body" with a requirement for Forum status to be renewed every five years. Members were advised that STRA had initially been designated as a Forum in December 2012 with the Sudbury Town Neighbourhood Plan having subsequently been adopted in September 2015. They had then successfully reapplied for Forum status in December 2017 with the current application to renew this status submitted in December 2022. As required, the current application had been subject to a statutory consultation process which had run from January – February 2023 with a summary of the responses detailed within Appendix F of

the report. Of the 30 responses received members were advised that seven were in support of STRAs continued designation as a Forum, 16 had raised objections and the remaining seven had been submitted by statutory consultees. As part of the consultation responses, members also noted that a prospective counter application for Neighbourhood Forum status had been received from another organisation “Sudbury Matters”. Given the issues raised in objection to STRAs application as part of the response to the consultation (as detailed within section 3.2.13 of the report) and as it was only possible for one Forum to be designated in any specific area, attempts had been made to engage and arbitrate with STRA utilising an independent organisation who specialised in providing support to local community organisations. Despite these efforts. Members were advised it had not been possible to resolve the concerns identified and having applied the statutory criteria and tests (as set out within the Town & Country Planning Act 1990 and Neighbourhood Planning (General) Regulations 2012) in assessing the application and considered the outcome of the consultation process and lack of progress it had been possible to make with STRA in addressing the issues identified, it had been recommended that STRAs application for Neighbourhood Forum status should be refused.

Members were supportive of the approach outlined, having considered the attempts made to engage with STRA and representations received following consultation on their application for Neighbourhood Forum status, which it was noted had included concerns relating to the transparency, accessibility and diversity of the organisation along with a lack of focus on neighbourhood planning activities or clarity on the distinction between the Forum and wider Resident Association business and perceived lack of political impartiality.

*Officers were thanked for their work in engaging with STRA throughout the renewal process and it was **RESOLVED** to confirm that the Council refuse STRA’s application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in the refusal statement in Appendix G of the report.*

3.5 The Cabinet decision to refuse the application from the Sudbury Town Residents Association has subsequently been called-in by five members of the Council, with details of the call-in attached as Appendix 1 to this report.

3.6 The Cabinet report on which the called-in decision was based has been attached at Appendix 2 to this report.

3.7 The procedure for dealing with the call-in and the conduct of the Scrutiny Committee meeting is attached at Appendix 3 of this report.

4.0 Stakeholder and ward member consultation and engagement

4.1 None specifically applicable to this report.

5.0 Financial Considerations

5.1 There are no direct financial considerations arising from this covering report. The financial considerations relating to the called-in decision have been detailed within the Cabinet report (attached as Appendix 2) which formed the basis of the original decision made.

6.0 Legal Considerations

6.1 There are no direct legal considerations arising from this covering report. The procedure for dealing with the call-in and options available to the Resources & Public Realm Scrutiny Committee have been set out in Appendix 3 of the report with the legal considerations relating to the called-in decision having been detailed in the Cabinet report (attached as Appendix 2 of this report) which formed the basis of the original decision made.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 There are no direct Equality, Diversity & Inclusion considerations arising from this covering report.

8.0 Climate Change and Environmental Considerations

8.1 There are no direct climate change and environmental considerations arising from this covering report.

9.0 Communication Considerations

9.1 There are no direct communication considerations arising from this covering report.

Report sign off:

Debra Norman

Corporate Director of Governance

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CALL-IN FORM

For the Attention of: The Head of Chief Executive and Member Services

From: Councillor Paul Lorber

Date: 22 November 2023

Decision: Cabinet – Sudbury Town Residents’ Association Application for Neighbourhood Forum Status

To confirm that the Council refused STRA’s application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in the refusal statement in Appendix G of the report.

Date of decision: Thursday 16 November 2023

Five non-cabinet members making request (Note: all five members do not have to be listed on or sign the same form):

	Name of councillor	Signature <i>(only required if submitted in hard copy)</i>
1	Paul Lorber	Via email
2	Anton Georgiou	Via email
3	Hannah Matin	Via email
4	Sunita Hirani	Via email
5	Kanta Mistry	Via email

Please provide below an explanation as to why you are calling in the decision and if you are calling in all or part of the decision:

(Note: according to the Protocol On Call-in (Part 5 of the Constitution), call-in requests will not be considered valid if they:

- *are used as a means of gaining information/understanding or discussing general concerns with Members and officers,*
- *duplicate a call-in on the same issue within the previous six months,*
- *are based on reasons already discussed by the relevant Scrutiny Committee prior to the decision being made,*
- *concern a decision of the Cabinet referring a matter to Full Council for consideration.*

- *concern operational management decisions, or*
- *are otherwise considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions.)*

- (a) Local ward councillors (or at least NOT all) were consulted or informed about the proposals being presented to Cabinet.
- (b) STRA was not notified of the Cabinet Meeting or offered an opportunity to make representations.
- (c) As the complaints and objections directed against STRA originated mainly from former and current Labour Councillors the decision seems to have been politically motivated.
- (d) The Cabinet did not consider the implication of leaving Sudbury without a Neighbourhood Forum or present any alternatives.
- (e) As another Group has expressed an interest to become the Neighbourhood Forum that application should have been dealt with at the same meeting.

Please provide below an outline alternative course of action to the decision being called in:

- 1. To request that Cabinet reconsider their decision, in order to:**
 - (a) Provide both Groups applying to be the Neighbourhood Forum with the opportunity to make presentations to Cabinet.
 - (b) Consider both applications for Neighbourhood Forum status at the same time, following independent advice and assessment.

Please return this form to a representative of the Head of Chief Executive and Member Services, by email (from your individual email address) james.kinsella@brent.gov.uk at or in hard copy (with signatures) and in person to the Governance Team on the fourth floor of Brent Civic Centre.

 <p>Brent</p>	<p align="center">Cabinet 16 November 2023</p>
	<p align="center">Report from the Corporate Director of Communities and Regeneration</p>
	<p align="center">Lead Member – Cabinet Member for Regeneration, Planning & Growth (Cllr Shama Tatler)</p>
<p align="center">Sudbury Town Residents’ Association application for Neighbourhood Forum Status</p>	
<p>Wards Affected:</p>	Sudbury, Northwick Park and Wembley Central
<p>Key or Non-Key Decision:</p>	Key
<p>Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small></p>	Open
<p>List of Appendices:</p>	<p>Appendix A: STRA Renewal Application Appendix B: Council response to STRA (August 22) Appendix C: STRA response to Council (October 22) Appendix D: STRA Constitution Appendix E: STRA Support Letter Appendix F: STRA Forum Consultation Response Summary Appendix G: STRA Draft Refusal Statement</p>
<p>Background Papers:</p>	None
<p>Contact Officer(s): <small>(Name, Title, Contact Details)</small></p>	<p>Paul Lewin, Team Leader Planning Policy 020 8937 6710 paul.lewin@brent.gov.uk</p>

1.0 Executive Summary.

- 1.1. To apprise Cabinet of the representations received following consultation on Sudbury Town Residents’ Association’s application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area with it recommended, as a result, that the Council refuses the application.

2.0 Recommendation(s).

- 2.1 Cabinet considers the representations received following consultation on Sudbury Town Residents’ Association’s (STRA) application to be the

Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in Appendix F.

- 2.2 Cabinet confirms that the Council refuses STRA's application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in the refusal statement in Appendix G.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 Neighbourhood planning is an opportunity for residents and businesses in an area to identify their own policies at a very localised level to be applied to development in their areas. The policies that neighbourhoods can take forward are very much at their discretion, but arguably could encompass some or all of the five strategic priorities set out in the borough plan.
- 3.1.2 A good Neighbourhood Forum as a local democratic body provides a voice for local communities, consistent with the Thriving Communities Priority: Desired Outcome 1 of 'Enabling our Communities'. The Council works with and encourages forums where communities wish to set them up, ensuring that they meet their statutory requirements.

3.2 Background

Neighbourhood Planning

- 3.2.1 The Localism Act 2011 introduced greater statutory provisions for local communities to shape development outcomes in their area through the planning system. Principally through this act, but also through subsequent legislation, provisions within the 1990 Town and Country Planning Act (as amended) (the Act) and the Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations) allow communities to:
- A) set planning policies through a Neighbourhood Plan that forms part of the development plan used in determining planning applications, and
 - B) grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.
- 3.2.2 Where a community wants to take up the opportunities offered by neighbourhood planning, they can only do so where there is a 'qualifying body'. In non-parish areas, for the delivery of Neighbourhood Plans or Neighbourhood Development Orders, the relevant qualifying body is a neighbourhood forum. The qualifying criteria and processes for establishing a neighbourhood forum are set out in the Act and Regulations.
- 3.2.3 The Act sets out that where designated a Forum ceases to have effect at the end of the period of 5 years beginning with the day on which it is made. To

maintain Forum status, or if it has lapsed, to regain Forum status, the process is the same as that for an application for a new Forum.

STRA 2012-2018

- 3.2.4 STRA was initially designated as a Forum on 12th December 2012. It was one of London's front-runners for taking forward a Neighbourhood Plan. On 10th September 2015, following a positive referendum, the Sudbury Town Neighbourhood Plan was made (adopted). It was only the third in London at that time. In October 2017 STRA subsequently submitted an application to become a forum, which was granted on 8th December 2017, meaning it would and did cease to have effect by 8th December 2022.
- 3.2.5 STRA submitted an application for Forum status on the 8th December 2022. It therefore currently does not have the status of a Forum. STRA has historically worked on projects for the betterment of the Sudbury community and area. This has included producing the Sudbury Town Neighbourhood Plan, environmental projects, such as planters for Sudbury town centre and comments on planning applications. It proposes to continue, as set out in its covering letter for its application submission which is attached as Appendix A of this report.
- 3.2.6 The Council, whilst mindful of the statutory tests and where necessary giving support to neighbourhood planning consistent with the Council's statutory duty set out in the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004, has historically pursued a light touch approach to Forums. Forums are meant to be organisations for and run by the local communities they serve. There is no set way for them to operate to best deliver neighbourhood planning related community outcomes. As such, they can be different in many respects from area to area.

2018/19 Onwards

- 3.2.7 In late 2018/ early 2019 concerns were raised with the Council about STRA's formal decision making and inclusivity. These were initially raised by local ward councillors (now no longer in those roles). They had also been contacted by a range of people. These included former executive members of STRA, others who were STRA members and some who were not but lived/ worked in the forum area. It was brought to the Council's attention that STRA had changed its constitution without informing the Council. When contacted about this, STRA reverted in early 2019 to the constitution approved by the Council when it designated the forum in December 2017.
- 3.2.8 In May 2019 Council officers and local councillors were initially refused entry to STRA's AGM. At that meeting, which was observed to be fractious between a number of participants, it appeared that relations between some members were poor. Subsequently, officers sought to meet with STRA's Executive to seek to resolve these matters. This was also designed to seek to provide clarity about decision making/ processes the forum followed. Clarity was sought on how these aligned with the conditions by reference to which it was designated. STRA appointed legal advisors, and a meeting occurred in August 2019. STRA's legal

advisors drafted some Terms of Reference for future decision making and working. There was an agreement in principle (subject to consideration by the STRA Executive) to take forward the terms of reference to provide greater clarity on the distinction of the role of the forum and wider STRA organisation and a process for dealing with the forum's representations on planning applications.

3.2.9 Subsequent to this, a meeting occurred with the STRA Executive in September 2019 to further discuss matters. A further subsequent meeting was planned for February 2020 to include local councillors. This was postponed due to a councillor not being available. Another meeting date was not set immediately and subsequently the pandemic intervened. STRA did not organise any formal public meetings, either in person when rules permitted, or on-line, until May 2022. In this period, interaction between STRA and the Council's planning team on the matters previously discussed essentially ceased.

3.2.10 On 3rd May 2022 STRA had its first AGM since 2019 where a new Executive was appointed. Officers subsequently met most of the Forum Executive on 4th July 2022. The issue of STRA's likely application for Forum status towards the end of the year was discussed. In a response to a request from STRA's deputy chair, the Council subsequently sent a letter on 24th August 2022 indicating matters that it considered needed to be addressed to support the retention of Forum status. This is attached as Appendix B. The deputy chair responded on 17th October 2022 (although the email was not received by the intended Council officer recipient). This is attached as Appendix C. This was considered by STRA (in Appendix A) to deal with all the points raised in the officer's letter. The Council separately offered support to STRA on 15th September 2022 to assist with the intended Forum application process. STRA did not take up this offer and submitted the application material included in this report's Appendices A - E.

Information required to support an application for Neighbourhood Forum status

3.2.11 The Regulations set out what is required when an organisation submits a Neighbourhood Forum application to the local planning authority. It must include:

- a) the name of the proposed neighbourhood forum,
- b) a copy of the written constitution of the proposed neighbourhood forum,
- c) the name of the neighbourhood area to which the application relates and a map which identifies the area,
- d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10, and
- e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

3.2.12 Each of the criteria have been met within the submission material set out in this report's appendices. On this basis the Council considered the application valid to consult upon and subsequently determine.

Consultation responses

3.2.13 Consultation took place on the Neighbourhood Forum application between 12th January 2023 and 23rd February 2023. In total 30 responses were received. Seven were in support of STRA's designation, sixteen objected and seven, generally statutory consultees, had no opinion. A summary of the consultation responses is set out in Appendix F of the report. Those who supported STRA identified its positive work to date and potential to influence new development coming forward. Unlike the two earlier STRA forum applications which were met with almost unanimous support, this time around the majority of responses were predominantly unsupportive. Numerous issues were identified in the consultation responses including:

- a) Transparency – timing of notifications and availability of information on meetings, their minutes and the openness of decision-making/ ability to speak/ hostility towards certain members.
- b) Lack of meetings in the period 2019-2022 and consistency with constitution on their frequency and other decision making.
- c) Lack of focus on neighbourhood planning activities, planning in general or clarity on forum business and wider residents' association business and lack of work programme.
- d) Lack of diversity of membership.
- e) Website updates not occurring and lack of public access to many parts.
- f) Lack of political impartiality and in some cases misinformation on some councillors' positions on matters; and
- g) Requiring a membership fee and lack of clarity on how fees and other donations were being spent.

3.2.14 As part of the consultation responses another prospective Forum for the Sudbury Neighbourhood Area, 'Sudbury Matters', submitted their own application material for them to be the designated Neighbourhood Forum (note, legally it is only possible for one Forum to exist in an area). They wished this application to be held in abeyance in terms of formal consultation until they had discussed the matter further with the Council.

3.2.15 Mindful of this alternative application the Council wrote to STRA in March 2023 asking it to withdraw its application. STRA subsequently submitted a further response to the Council's Appendix B letter. This was identified as 'private and confidential' and STRA has not, when subsequently requested, indicated that this can be released into the public domain. This response essentially, however, does not make significant progress on the points to indicate any fundamental change in approach to the matters raised.

3.2.16 Taking account of the consultation responses received and the limited progress made with STRA in response to concerns raised since 2019, the Council considered third party impartial support from specialists was required. This was done using Locality; a body that supports local community organisations. It is part funded by DLUHC to support neighbourhood planning. Locality appointed Urban Vision, independent consultants with expertise on arbitration, to assist.

Their remit was to help find an agreed and inclusive process for taking forward a Neighbourhood Forum for Sudbury Town.

3.2.17 The consultant identified to the Council that the proposed STRA constitution was essentially not fit for purpose. They had specific concerns about a Residents' Association being identified as a Neighbourhood Forum, rather than the two being distinct. They were concerned about the application of a membership fee. In addition, they identified the fact that two prospective Forums with wide memberships were being promoted for the same area as an indication that the STRA application did not have sufficient local community support/ consensus for it to be regarded as acceptable. On this basis the consultant sought to work with STRA and Sudbury Matters to create a new single organisation that wasn't identified as a Residents' Association, with an appropriate constitution, capable of applying for and attaining neighbourhood forum status.

3.2.18 Mindful of the consultation responses, Urban Vision's opinion and a lack of real progress against the points raised in the Council's Appendix B letter, STRA was again requested to withdraw its Forum application in July 2023. It refused, so as set out in paragraph 3.2.12, an application which meets the minimum criteria set in regulations has been submitted by STRA, the Council has a statutory duty to determine it.

Authorisation to act in relation to Neighbourhood Areas – consideration of matters set out in the Act

3.2.19 The Act sets out in 61F(5) that the Council may designate a forum if it is satisfied that it meets the following conditions:

- a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
- b) its membership is open to—
 - (i) individuals who live in the neighbourhood area concerned,
 - (ii) individuals who work there (whether for businesses carried on there or otherwise), and
 - (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
- c) its membership includes a minimum of 21 individuals each of whom—
 - (i) lives in the neighbourhood area concerned,
 - (ii) works there (whether for a business carried on there or otherwise), or
 - (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned.

3.2.20 Also of particular relevance is Section 61F(7)(a), which sets out when determining whether the applicant has met subsection (5), the local authority has to have regard to the desirability of designating an organisation or body –

- (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of subparagraphs (i) to (iii) of subsection (5)(b),
- (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- (iii) whose purpose reflects (in general terms) the character of that area...

3.2.21 Reflecting the likely diversity of scenarios across the country of how communities might want to deliver neighbourhood planning, legislation and national practice guidance on how Forums should operate is light touch. In determining an application for forum status, the Council needs to consider consistency with the statutory tests set out in primary (the Act) and secondary legislation (the Regulations).

Consistency of STRA application against the statutory tests - Section 61F(5) assessment

3.2.22 In relation to 61F(5) (a), (c) and (d) It is considered that sufficient information has been submitted to pass the tests.

3.2.23 In relation to (b), the openness of membership, due to the proposed constitution wording is considered to not satisfactorily meet the test. This is because membership is identified as being subject to payment of a fee for households (£8) and businesses (£10). Admittedly this has not changed from 2017 when the last constitution was approved. However, this has been raised as a potential barrier to participation through comments received by the Council in 2019. The Council has made it consistently clear to STRA that this is an issue that it wished to be addressed in any future application. STRA in March 2023 did indicate that it was willing to waive payment on a temporary basis but did not propose a permanent change to the constitution. Given the on-going issues associated with the cost-of-living crisis, any prospective barrier to membership caused by a fee, no matter how small, is not considered appropriate. On this basis the constitution is not considered to be evidenced to allow membership to be genuinely open to any individual who lives or works in the area and therefore is considered to fail 61(5)(b) in this respect.

Section 61(F)(7)(a)

3.2.24 In relation to Section 61(F)(7)(a)(i), it appears that at least one representative of each of the categories of person set out in 61F(5)(c) (residents, worker and elected member) has been achieved. In relation to 61F(7)(ii) notwithstanding the number of members STRA identified, the sample mix as presented did not satisfactorily evidence that STRA's membership is drawn from different places in the Neighbourhood Area concerned and from different sections of the community in that area. Further information was sought to show that STRA

either fulfils appropriate representation, or if not, that attempts to get this representation have been pursued. This has been presented on a geographic basis, rather than identifying the characteristics of the sections of the community of the members. As such, it is unclear if it is reflective of sections of the community. As identified, the application of a fee as set out in the constitution could well limit the extent to which those with financial pressures/ the most deprived might be able to be members.

3.2.25 The potential reflectiveness of the membership of the area due to the actions of STRA in the past is also a concern in relation to a number of matters associated with the constitution. The residents' concerns raised to the Council in 2019, as well as (former) local councillor concerns and consultation responses indicate that a significant minority do not feel comfortable with previous conduct of some of the STRA Executive in relation to other STRA Executive members or other STRA members, or the way business is conducted at STRA meetings. Without any proposed changes, they have no confidence in the ability of the organisation to address this satisfactorily. Taking account of these factors, it is considered the application does not meet the 61(7)(a)(ii) test.

Other matters in relation to the 61F(5) decision to designate

3.2.26 The Act in Section 61F(5) in identifying that the Council may designate a Neighbourhood Planning Forum, gives some discretion on whether it decides to do so or not. In doing so, the Council considers it appropriate to take into account its interactions with STRA since 2019 and also the consultation responses received.

3.2.27 The level of dissatisfaction amongst some existing and former ordinary members is so great that it has been one of the contributing factors to a rival 'Sudbury Matters' submission. This indicates a significant unease in the community with STRA continuing to be a Neighbourhood Forum. STRA has not to any significant degree sought to allay the concerns, either in the material supplied in support of the application, or positive and meaningful on-going engagement with the Urban Vision independent representative who has sought to bring greater consensus on a prospective forum for the area. The matter of respect of members views and behaviours has not been sufficiently addressed in the application. Therefore, there is no expectation that such issues will not remain in affecting the accessibility and transparency of the organisation, likely disenfranchising people who would otherwise want to be active in taking forward neighbourhood planning in the area.

3.2.28 The issue of the differentiation between Neighbourhood Forum business and that of the Residents' Association has not been satisfactorily addressed in the application. The Council has consistently raised this with STRA since 2019. This is important due to the statutory status of neighbourhood forums and their role in planning matters. STRA operates across a wider area than just the designated Sudbury Town Neighbourhood Area and also draws its membership from that wider area. At STRA meetings there is no clear differentiation between what is Forum business and what is Residents' Association business. With regards to voting there is no clear understanding of who can be regarded as

one of the STRA members consistent with the qualifying criteria of where the membership should be drawn from for a forum and those outside. This could adversely impact on decision making, with the opportunity for those outside the qualifying criteria if they vote in sufficient numbers, being given more weight than those who do meet the statutory tests. This could raise unnecessarily issues around the legitimacy of statutory forum related decisions and associated activities, e.g submitting a neighbourhood plan for examination.

3.2.29 Notwithstanding its large membership, the capacity of STRA to fulfil its constitutional obligations is, based on previous performance, uncertain. Whilst the pandemic did impact and effectively meant there were no public meetings from March 2020 to May 2022, there appear to have been no subsequent formal STRA meetings called post the 2022 AGM. This can be regarded as inconsistent with STRA's constitution, which sets out an Ordinary Meeting or Public Meeting of the officers and members will be held at least three times a year. On this basis, there would have been a reasonable expectation that two additional public meetings would have occurred in the six months period to December 2022. The Council is not aware that any such meeting occurred. The website is very dated, and details of meetings minutes are not publicly available on it; the last one being the 2018 AGM. As such, its openness and accountability are unclear.

3.2.30 The five-year timescale of a designated Forum precludes another Forum setting up in an area. Some of the consultation responses indicate little progress on neighbourhood planning matters for some considerable time. To ensure that Neighbourhood Forum activities are therefore effectively addressed, rather than a Forum attaining a designated status and doing little else, the Council has sought clarification on STRA's likely activities or a draft work programme. Again, this has not been forthcoming. This does not give confidence that the prospective Forum will fulfil significant outputs which for the purpose of promoting or improving the social, economic and environmental well-being of an area. In attaining the forum status there is the potential that it would undermine the opportunity for an alternative statutory forum that would be better suited/ more motivated to deliver these outcomes.

3.2.31 Notwithstanding the work that STRA has historically done in taking forward a Neighbourhood Plan, given the issues raised and on-going discussions with STRA since early 2019, plus the responses to the consultation the above issues cannot be regarded as minor, and STRA given the benefit of the doubt that these limitations will resolve themselves. Taking account of the factors set out in paragraphs 3.2.27-3.2.30, it is considered that it would not be appropriate to approve STRA's application as a Neighbourhood Forum.

Conclusion

3.2.32 Overall, therefore, it is considered that in respect of 61F(5)(b) the application fails as membership is not open as set out in paragraph 3.2.23. In respect of 61F(7)(a)(ii) the application fails with regards to membership draw for the reasons set out in paragraph 3.2.24-3.2.25. With regards to the issues identified in paragraphs 3.2.27-3.2.30 around respect of members views and behaviours,

lack of clarity on neighbourhood area vs wider Sudbury issues and associated decision making, and capacity to take forward neighbourhood planning business, these are matters that also indicate STRA's application should not be approved.

Options

3.2.33 There are three options reasonably considered to be open to the Council. These are to:

- a) approve the application as submitted,
- b) seek to continue to negotiate with STRA to resolve outstanding issues with a view to be in a position to positively determine the application or
- c) to refuse the application.

Option a) approve the application as submitted

3.2.34 For the reasons set out in 3.2.23-3.2.31 it is not considered that the application as submitted is sufficiently robust and consistent with the statutory tests to be considered acceptable. It is unlikely to serve the neighbourhood planning interests of the Sudbury Town Neighbourhood Area well. There is a reasonable prospect that a significant minority of local people will feel unable to openly participate as members of a forum. Issues raised previously by the Council could be perpetuated in the future. It is considered this outcome would be exposed to challenge. On this basis this is not the recommended course of action.

Option b) seek to continue to negotiate with STRA

3.2.35 Ideally if circumstances had allowed it, the Council would have got a position where appropriate changes were proposed by STRA by now which would have allowed a positive recommendation to be made. STRA has had over a year to consider and address the matters set out in the Council's August 2022 (appendix B) letter, with limited progress made. STRA gives no real indication of being able to meet the Council's requests. Officers have little confidence that such changes will be forthcoming if additional time is given. The Council has a statutory duty to determine an application within 13 weeks (unless more than one application for the same area is submitted). The application cannot be held in abeyance indefinitely. On this basis this is not the recommended course of action.

Option c) refuse the application

3.2.36 The application due to its inconsistency with the statutory tests and STRA's inability to give confidence from material submitted and actions to date, mean that it is unlikely to change sufficiently to overcome these issues. On this basis it is recommended that the course of action should be for the Council to refuse the application. A draft refusal statement, as required by the regulations, that is a statement setting out the decision and the reasons for making that decision, is set out in Appendix G of the report.

3.2.37 Once the decision is made the Council has to publish a statement on its website and any other manner it considers appropriate. The decision will be sent to the applicants and those who made representations and left their contact details.

4.0 Stakeholder and ward member consultation and engagement

4.1 The application was subject to consultation for a six-week period. Notifications were sent to all statutory consultees as required in regulations and those on the Council's planning policy database. The application material was made available in the Council's main library at Wembley. Councillors were made aware through the members' bulletin. STRA indicated that they separately had been in contact with each of the ward members from the three respective wards within the neighbourhood area.

5.0 Financial Considerations

5.1 It is not anticipated that making the recommended decision will result in any immediate budgetary impacts. If any legal challenge is subsequently made, this cost will be met from existing planning policy budget reserves.

6.0 Legal Considerations

6.1 This paper has been reviewed by the Council's legal services and its content is considered to be robust from a legal standpoint. STRA may seek to challenge the decision. This can be done on the core grounds for bringing judicial review which are based on a number of connected principles, including lawfulness, reasonableness and fairness.

6.2 The legal implications and statutory framework has been set out in section 3 of this report.

6.3 The Council may use its discretion in designating the Neighbourhood Forum.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

7.2 The Neighbourhood Forum membership would be expected to be as representative as possible of the diversity of the local population it represents.

The Council has sought evidence that statutory tests have been complied with and this would be the case if any prospective forum were approved.

8.0 Climate Change and Environmental Considerations

8.1 None directly relevant to this decision. Neighbourhood Forums can progress Neighbourhood Plans which might set out policies or neighbourhood development orders that impact on climate or environmental considerations. Any such work would be subject to Council scrutiny and decision-making with any such impacts likely to be subject to Strategic Environmental Assessment where significant impacts might be anticipated.

9.0 Communication Considerations

9.1 As indicated, the decision is likely to be publicised in accordance with the methods set out in 4.1 and 5.1. Engagement will occur with the communications team regarding any wider social media items/ press releases.

Related document(s) for reference:

[Cabinet Member for Regeneration and Planning 6th January 2023 Publication of Sudbury Town Residents' Association Application for Neighbourhood Forum Status.](#)

Report sign off:

Zahur Khan

Corporate Director of Communities and
Regeneration

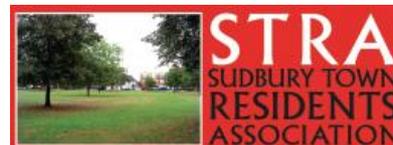
Sudbury Town Resident's Association

Neighbourhood Forum with a Neighbourhood Plan

STRA 809 Harrow Road, Wembley, Middlesex HA0 2LP

Website: www.stra.org.uk

contact: info@stra.org.uk e.media@stra.org.uk



08 December 2022

Planning Policy Officer
Communities and Regeneration Brent Council
London Borough of Brent
Civic Centre, Engineers Way
Wembley HA9 0FJ

Dear _____,

Renewal of Sudbury Neighbourhood Forum

Sudbury Town Residents' Association (STRA) hereby kindly requests that the Sudbury Neighbourhood Forum status for the Sudbury Neighbourhood Area (Appendix A) is renewed in December 2022. On behalf of STRA, the Chairman formally submits this request.

STRA was awarded the status of Sudbury Neighbourhood Forum (SNF) in December 2012. STRA was one of the front runners for GLA funding, receiving £20,000. In collaboration with Brent Council, STRA successfully completed a Sudbury Neighbourhood Plan and with an overwhelming 97% majority at referendum became an integral Planning guidance document as part of Brent Council's Development Plan. With the support of Senior Brent Council Planning Officers and Consultants, Sudbury Neighbourhood Plan, as part was created to remain relevant and continue to play a long and lasting role in shaping Sudbury Town. The Sudbury Neighbourhood Plan states it will continue to be compliant with the National Planning Policy Framework (NPPF). Recent updates to the NPPF require Neighbourhood Forum to have a housing target. STRA supports the Government's need for more housing and accepts Brent Council's recent allocation in the Local Plan of 245 new housing units in Sudbury Town Neighbourhood Forum Area over the next 21 years.

STRA's Neighbourhood Forum status has given our community additional momentum to its residents and businesses. Through its forum status, STRA is empowered to maintain much needed CLEANER, GREENER, SAFER Sudbury Town with a High Street at the heart of the community that we can all be proud of.

As a Neighbourhood Forum, STRA, enables the people of the Sudbury Neighbourhood Forum Area to participate in and influence local planning policies and decisions. STRA was the only Neighbourhood Forum and Community group present at the PINS Examination Hearings of Brent's Local Plan. Community Infrastructure Levy (CIL) funds have been approved for a proposed Community Asset Trust (CAT) project that will rejuvenate a derelict asset in Sudbury and use it for the benefit of the community. STRA's forum status has also facilitated access to High Street Funds, which have allowed tangible changes to the High Street. Since last Neighbourhood Forum renewal in 2017, STRA has organised a numbers of Social and Environmental events:

- Sudbury in Bloom, to gift bedding plants to members of our community that are vulnerable and lonely, reaching out to those in most need, particularly during the Covid pandemic.
- Platinum Jubilee Celebration in the Park encouraging residents and local businesses to participate, with over 1,000 attendees.

- Festive Celebrations planned for 17 December, in Sudbury Primary School
- Cleaning, painting, replanting and taking care of pockets of land owned by Network Railway on Sudbury Town High Street through a lease agreement
- Promoting **No Spitting** on pavement campaign
- Supporting and helping local businesses by promoting local shopping and appealing to the Council to introduce first 30 minute free parking on Sudbury High Street
- Continue to campaign and dialogue with Chiltern Rail to increase number of trains from Sudbury and Harrow Road Station, including STRA possibly adopting the Station
- Speaking and writing to officers at Brent Council for the betterment of our local area. STRA Chair and several members sit on the Ward Panel, regularly attending meetings and arbitrations arranged by the Metropolitan Police
- Working with local Police and community to tackle Anti-Social Behaviour and promoting No Drinking in Parks and Streets
- Arranging highly valued after school activities with the local schools, eg Cricket. Due to Covid, these activities were stopped but STRA is aiming re-start in Summer
- STRA is in dialogue with The Football Association and attended their business/resident meetings to support activities for local children
- STRA helped local school raise necessary funds by organising events for children and encouraging local groups to use the school facilities

Currently, STRA has a membership of 1,837. Our SNF represents everyone with an interest in the local area. This includes residents that live in Sudbury, the businesses and elected officials that operate here. Please refer to Appendix B for a sample list of our members.

The Constitution of the Sudbury Neighbourhood Forum (SNF) reflects the membership of Sudbury Town Residents Association (STRA), is chaired by Renu Kaul and Deputy Chair Michael Elliott with support from all members. Refer to Appendix C for a copy of STRA's Constitution

In an email dated 24 August 2022, Paul Lewin, Team Leader Planning Policy Communities and Regeneration Brent Council, informed STRA's Deputy Chair of some concerns with SNF, which had been raised in 2019 to the Council. STRA believes the Deputy Chair's email response, dated 17 October, appropriately addressed the points raised in the earlier email – refer to Appendix D for copies of both emails.

Renewing the Forum status will give our residents and businesses a strong and united voice, allowing STRA to continue the good work achieved to date.

STRA has designated the undersigned as its representative for the purpose of renewal of the forum status for the next five years.

Your sincerely,

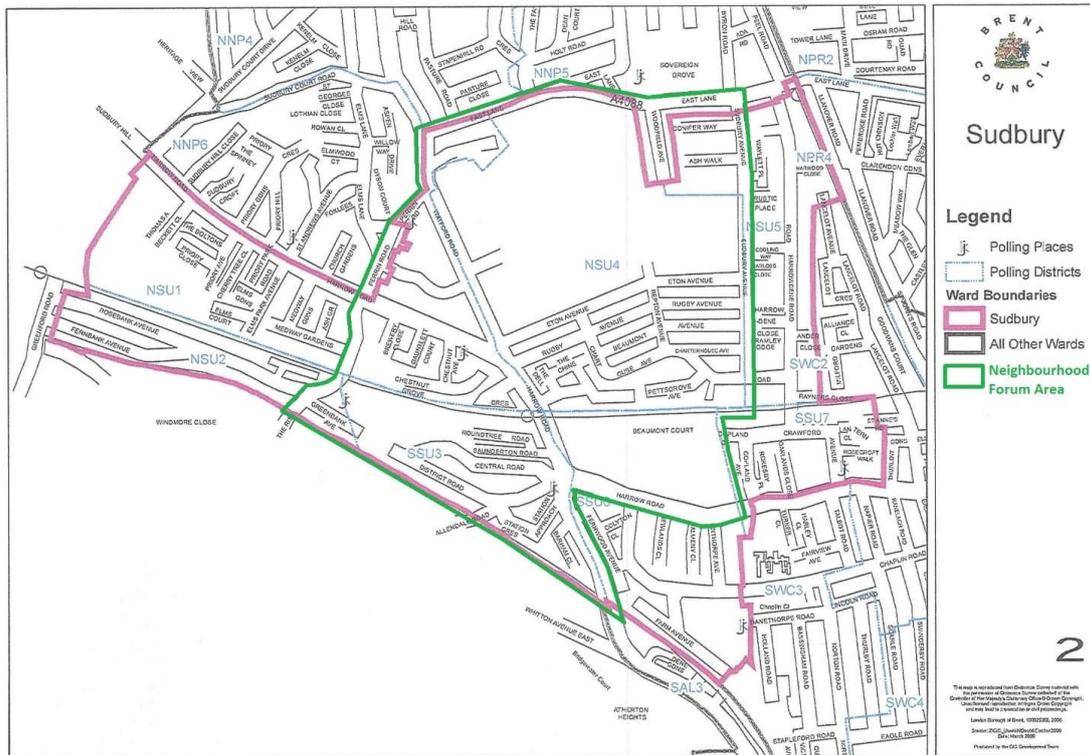
Renu Kaul

Chairman

Vice Chair

Executive Committee members

Appendix A - Sudbury Neighbourhood Area



Sudbury Neighbourhood Forum Area remains unchanged. Government has made changes to Sudbury, Alperton, Northwick Park, and Wembley Central Ward Boundaries.

Appendix B – STRA Members (small sample)

Name	Post Code	Resident	Business	Company
Daya	HA0 3EH	✓		
Rueani	HA0 3DJ	✓		
Amit	HA0 3HD	✓		
Amoy	HA0 3HF	✓		
C.K. Pharmacy	HA0 3EL	✓	✓	C.K. Pharmacy
Chanosan	HA0 2NX	✓		
David	HA0 2TB	✓		
Disha	HA0 2FR	✓		
Prem	HA0 2LP	✓	✓	Pizza Vilage
Fathiya	HA0 2FU	✓		
Filsan	HA0 2PH	✓		
Francis	HA0 3FD	✓	✓	Daniels Estate Agents
Gauri	HA0 2XB	✓		
Jamvador	HA0 3AZ	✓		
Jennifer	HA0 3EF	✓		
Karol	HA0 3DJ	✓		
L	HA0 3AZ	✓		
Lawson	HA0 3NG	✓	✓	North Wembley Community SDA Church
Louise	HA0 3FD	✓		
Mudassar	HA0 3EL	✓	✓	Sudbury Dry Cleaners
Nali	HA0 3FG	✓		
Partaiv	HA0 3FF	✓		
Patricia	HA0 3AP	✓		
R	HA0 3NR	✓		
Simon	HA0 3NG	✓		
Srinivas	HA0 3EL	✓	✓	Hamptons Supermarket
Sudbury Neighbour hood Centre	HA0 2LP	✓	✓	Sudbury Neighbour hood Centre
Sukhneel	HA0 2LP	✓	✓	The GPT Law Practice
Sunshine Learning (Dixit	HA0 3EY	✓	✓	Sunshine Learning (Dixit Pandya)
Vijay and Derek	HA0 3EW	✓	✓	V.S. Motors

Appendix C – STRA Constitution



STRA
CONSTITUTION.pdf

Appendix D – Email communication with Paul Lewin, Team Leader Planning Policy Communities and Regeneration Brent Council

- Initial email



Paul_L_to_Michael_24_
August_2022.docx

- Response



Paul_Lewin_17_Octob
er_2022.docx

From: Lewin, Paul
Sent: Aug 24, 2022 at 7:53 AM
To:
Subject: RE: STRA

Dear

Yes, it was good to see you and the executive at the meeting, along with the helpful discussion. I've split the e-mail up into sections to address the matters you raise.

Background

As Gerry and I indicated at the meeting, the work that STRA has done in getting an adopted neighbourhood plan is a significant achievement. It required a substantial and sustained amount of community resource. Few London boroughs have active forums that have got to that stage. In addition we agreed STRA has done much good in terms of practical work, such as supporting public realm enhancements to the town centre. The Council (officers and local councillors) supported and worked closely with STRA to enable the neighbourhood plan and relationships were good within the first and early second term of the forum. As with all forums, the Council's approach is to seek to offer a 'light touch' in terms of oversight and involvement. The statutory requirements of a forum are few, and there is little national guidance on how forums should operate. This gives the potential for considerable latitude reflecting the likely wide range of local circumstances across the country. Given the success of the Forum in its first phase the Council had no concerns with approving the Forum's application for renewal which met the statutory tests. It was clear that there was widespread community support for the Forum.

In late 2018/ early 2019 however, officers were made aware of a number of a number of issues with the forum. This included:

1. the significant change to STRA's constitution away from that which was approved by the Council as part of the forum's designation;
2. removal of an executive member in a manner not consistent with the constitution;
3. local councillors indicating they were not informed of meetings or forum business as much as other forum members;
4. concerns from local residents (including existing at that time and former executive members) about how inclusive the organisation was; and
5. a lack of clarity about what was forum as opposed to residents' association business.

When confirmation on the constitution issue was sought by me in early 2019, STRA immediately reverted back to the Council approved constitution. Council officers (including me) had previously attended numerous STRA meetings. In light of concerns raised, to gauge how the forum was working I sought to attend the AGM in May 2019. However, along with councillors present and some members of the local community I was initially prevented entry to the meeting. After prolonged discussion which included STRA's legal representative who was also present, I and some of the councillors were allowed entry, whilst some of the other councillors and residents had left. Given the role of local planning authorities in assessing a forum's status, the denial of access of the Council's officers and councillors to the AGM was a significant concern and inappropriate. It indicated an organisation that wasn't comfortable with scrutiny and didn't allow the Council to perform its role in assessing whether STRA was meeting statutory requirements associated with its forum status. At the meeting, it was clear that relationships between some of the executive and its former members was fractious. It is our experience that this is not necessarily unusual in local residents' meetings. Whilst sometimes this can be personality driven, some of the frustration appeared to be around decision making being taken by individuals rather than the executive as a whole. The process for a decision such as to expel a member of the executive for example is clearly set out in STRA's constitution and it is not clear that this was followed in relation to the person that was expelled.

To seek to address the above matters, officers, some local residents, local councillors, Renu and from the STRA executive and STRA's legal representatives attended a constructive meeting on 2nd August 2019. At the meeting a draft memorandum of understanding (MOU) was circulated drafted by STRA's legal

representatives with input from the Council (attached). A number of actions were set out as a result of the meeting. (attached as part of minutes). This included all reviewing and proposing changes by the 16th August 2019. Although the meeting was positive, Renu indicated that STRA's executive would need to consider the MOU and meeting outcomes before STRA could commit to any response. To facilitate this, I also met you and other executive members on 5th September 2019. We had a useful meeting and it was agreed to set up a meeting between the Executive and the three Sudbury ward councillors so that you could work through their concerns. This was eventually programmed for 11th February 2020. Due to the lack of availability of Cllr Mary Daly, STRA cancelled the meeting and then the pandemic intervened. There has been no follow up from STRA in terms of response to the MOU issued at the 2nd August meeting.

Current Issues

Despite the passage of time, the current issues with the Forum from an officer perspective are considered essentially to be the same as was highlighted three years ago. These need to be addressed sufficiently prior to STRA's likely application in December to renew the forum's status for another 5 years. Gerry and I attended the 2022 AGM which included the elections to the Executive. The meeting was well attended, with a good range of local issues addressed, including guest speakers and was cordial. Nevertheless, it was noticeable that local residents who had raised issues (such as those at 2nd August) meeting were not present. You may wish to get in touch with those people, former executive members and former and existing councillors to understand from their experience how they consider engagement/ decision making can be improved in the future and this is reflected in the way STRA operates.

As identified at our meeting, there needs to be clarity on what is STRA business as a residents' association and that which is Forum business and also which area applies to which. STRA has indicated on numerous occasions that it draws its membership from, and the area it represents is the former (pre 2022) Sudbury ward boundary. This has been reflected for example in STRA's requests for notification of planning applications as per the relevant regulations consistent with the forum's status but that this should apply for the wider Sudbury ward. The Sudbury ward is more extensive than the statutorily recognised neighbourhood boundary for the forum (see attached map with old ward boundary in red). The neighbourhood boundary also stretched into the former Northwick Park ward. Forums can include members from outside their areas. Nevertheless, voting rights on certain matters require either the person to be residing in the area, or operating business premises within it. As such, there is the question of whether when addressing forum matters, if it is appropriate for all STRA members to be able to vote. At the very least there should be an understanding/record of who outside the forum area is voting.

A recurring theme that all of the local councillors prior to 2022 brought up on numerous occasions was the fact that they were either not notified or meetings, or notified at very short notice. It is a statutory requirement that at least one local councillor of the minimum 21 members can, if they wish to do so, participate as members of a forum. From the Council's perspective, given the membership size of STRA, there is no reason to limit the number of councillors if they wish to be members and they should be offered the opportunity. If they request to be members, the forum must ensure that they are treated the same as other members. Following the most recent Council elections, the forum area now includes three wards.

These with their associated councillors are: Sudbury

- Cllr.Teo.Benea@brent.gov.uk Cllr.Paul.Lorber@brent.gov.uk Northwick Park

- Cllr.Narinder.Bajwa@brent.gov.uk Cllr.Diana.Collymore@brent.gov.uk and Wembley

Central Cllr.Rajan.Seelan@brent.gov.uk Cllr.sonia.shah@brent.gov.uk cllr.ketan.sheth@brent.gov.uk We urge you to get in touch with the councillors to see if they wish to be members. In addition to this, you need to understand that officers should be able to attend any of the wider forum meetings if they indicate a desire to do so and we would encourage you to make us aware of any meetings proposed well in advance.

It wasn't something that officers picked up at the time of granting forum status, but on reflection the Council is uncomfortable with a minimum necessary contribution per household to become members. We would prefer this to be voluntary so that it does not unintentionally restrict membership. We understand that STRA has overheads as a forum which need to be recouped. There are opportunities, for example through Council funding streams to support the administrative costs to supplement such donations.

Expectations

When reapplying for forum status we expect some evidence of progress on the above matters and this to be reflected in the necessary supporting material to meet the tests that the Council has to consider when deciding whether to grant forum status. We know that STRA has many more members than the minimum statutory requirement of 21. This is very positive. We will however need to be convinced that the total membership is spatially well distributed and reflective of the demographic of the area applied for and that there are no significant omissions from either, or that best attempts have been at least made to seek representation from these people, even if they have not decided to become members.

We understand that within local communities and democratic organisations people will for whatever reason not always get along and there will be disagreements. However, the Council does want to ensure an environment within the forum where even if there are disagreements/ issues with personalities, that people do not feel that they are explicitly or implicitly being made to feel uncomfortable or excluded from actively contributing to the forum's business.

Next steps

From our perspective, as indicated we feel STRA has done much good work. We want it to continue as a forum. We would be happy to work through any draft information that you may wish to submit in advance of your formal application for the forum's status to be reviewed, taking into account the above matters summarised in the following actions:

In summary it is recommended that you take the following actions:

1. Review the distribution of membership to see that it corresponds with the neighbourhood area and that there are no significant gaps within.
2. Undertake equalities monitoring to see that the membership is truly inclusive and representative
3. Refresh the publicity so that everyone with a business or home in the area is aware of the forum and can join
4. Look at methods of fundraising so that membership is not dependent on a fee or subscription
5. Demonstrate how the organisation acts in an apolitical way and methods used to ensure that
6. Set out how conflict resolution will take place where members are in dispute over contentious issues.
7. Show that the neighbourhood forum is distinct from any role as a residents' group
8. Consider whether there is an intention to proceed with the use of any planning powers if Neighbourhood Forum status is reconfirmed
9. Contact ward councillors to invite them to attend meetings.
10. Set out a schedule of meetings and a work programme and publish this on the website.
11. Refresh and keep the website up to date on the meetings that have happened since the AGM in 2018 and provide the minutes of those meetings to be in the public domain.

I hope that this of use to you and STRA in clarifying our position.

Regards

Paul Lewin
Team Leader Planning Policy
Communities & Regeneration
Brent Council

0208 937 6710

www.brent.gov.uk

[@Brent_Council](https://twitter.com/Brent_Council)

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Dear Paul,

I hope this email finds you well and I apologise for the slow reply which is due to analysing the relevant data and information sent combined with time availability as a volunteer.

Nevertheless, I thank you for your detailed response to the questions I raised at the last meeting of the STRA Executive Committee when you and Gerry Ansell very kindly attended.

STRA refutes ALL accusations made by the Councillors who are no longer in office. The STRA Executive Committee past and present have ALWAYS acted in the interest of the community. The STRA Executive team are all volunteers who volunteer their time, knowledge, and experience FREE OF CHARGE to improve Sudbury Town for the community. We understand STRA is a voice and platform for the community which we take very seriously with a view to Sudbury Town as whole.

As always there are two sides to an argument Paul, and STRA was never given their opportunity to explain. So I am going to take this opportunity to respond to few of your points mentioned in your email. I felt this is important because it definitely seems that the Council have been given a one-sided argument which could be deemed to be biased.

A few Examples to illustrate the point:

Concerns raised by Councillors (no longer in office)

You explained that up until 2018 you and the Council had no concerns regarding STRA. However, in late 2018 to early 2019 officers were made aware of number of issues with the forum. We would like to confirm that these issues have been raised by Ward Councillors that are no longer in office.

As you know, STRA is a non-political organisation and the people of our area choose by vote who will be on the Executive Committee. Whilst we are independent and non-political, our membership is open to local Councillors, and as agreed, we meet the legal requirements.

Removal of an Executive Committee Member

You raised concerns about the alleged removal of an executive member in a manner inconsistent with the constitution. In October 2018. An ex-Councillor of Sudbury Ward informed the STRA Executive Team, at the time that the STRA Treasurer had recently been appointed to a senior position in a local political party. Numerous requests were made of the STRA Treasurer to make full disclosure of the recent political appointment at an Executive Committee meeting, to enable an open discussion regarding how to avoid any conflict of interest. The Ex-Treasurer refused to disclose their recent political appointment at the meeting and voluntarily resigned. So no one was pushed or forced out of STRA. The person in question voluntarily resigned from the post within STRA. The Chair of STRA, at the time, resigned in sympathy with the ex-Treasurer.

STRA is non-political and non-religious and we take this very seriously. No one requested for any resignations, the resignations were voluntary.

Seeking to address the concerns at the time

You have noted in your email to me that to seek to address the above matters, council officers, some local residents, local councillors, Renu and [redacted] as representatives of the STRA Executive team, and STRA's legal representatives attended a meeting at Brent Civic Centre on 2nd August 2019. At the meeting, a draft Memorandum of Understanding (MOU) was circulated.

STRA Executive Team's understanding is that the proposed MOU was initiated by Brent Council and you conveyed this to a solicitor STRA had instructed at the time.

Council Officers were keen for Renu and [redacted] to consent to the MOU at the meeting, which would have been contrary to the requirement of the Quorum of STRA's Constitution.

Renu indicated that STRA's Executive Committee would need to consider the MOU and meeting proposals before STRA could commit to any response.

The basis of the MOU was that you had received certain complaints and to avoid exploring these matters in detail, Brent Council proposed an MOU. Renu conveyed this to the STRA Executive, who were concerned about the sudden change in attitude of Brent Council towards STRA and were keen to explore the complaints in depth. It is on this basis that the full STRA Executive Team asked to meet with you.

At the first meeting of you and the STRA Executive Team on 05 September 2019, you explained that you had received no complaints directly and that Ex-Councillors had raised concerns with you. You shared with the STRA Executive Team that you did not know the details of the complaints. We had a useful and purposeful meeting and it was agreed to set up a meeting between the STRA Executive team and the three Sudbury ward councillors so that we could work through their concerns to a positive conclusion.

Ex-Councillors unable to meet

This led to several meeting dates being set and changed and eventually a meeting was agreed for 11th February 2020. Due to the lack of availability of the Councillors, STRA had to cancel the meeting.

Ex-Councillors have been unable to meet the STRA Executive Team to date and are now no longer in office.

No follow up by STRA / No follow up from Councillors

STRA Executive Team refutes there has been no follow up initiated by us.

The basis of the MOU, as stated above is alleged complaints from three ex-Councillors. The STRA Executive Team has repeatedly agreed to meetings dates, in order to gather information regarding the alleged complaints and resolve them. The councillors cancelled the meeting dates, which were mutually agreed on several occasions. The ex-Councillors have unfortunately neither provided any information directly to the different STRA Executive Teams from 2019 to date nor met in person. The said ex-Councillors have attended all STRA AGMs and many General Meetings from 2019 to date. However, they have not made any attempt to share information with the STRA Executive Team, to enable us to address their concerns.

Outstanding MOU

The basis of the MOU was the complaints raised by ex-Councillors. As the Ex-Councillors have not shared any information with STRA and have been unable to meet with STRA's Executive Team for 3 years, there can be no justification for an MOU. The MOU remains unjustified.

The Present and the Future

I have sought to redress the imbalance in information provided to you. Having said that, however, Paul that was in the past and I am about the present and the future.

We are well known in Sudbury Town and all members of the community are truly welcome. STRA is non-political as well non-religious. Membership is FULLY inclusive and is open to ALL with no discrimination or bias.

You and Gerry Ansell attended our AGM, which you found to be positive.

As I mentioned it's about moving forward and it's about the present and future. We are keen to take your advice from our meeting regarding the inclusion of Councillors. As a result of the changes of boundaries in the London Borough of Brent, STRA will invite ALL 10 Councillors to STRA meetings.

We are always keen to maintain a very good working relationship with Brent Council and wish to continue to do so.

VOICE of the Community

We look forward to completing the Forum Renewal Application while meeting the criteria as STRA wishes to continue to be the Volunteer VOICE of the Community.

Relevant Changes

Since our recent meeting, the STRA team has been very busy and active in implementing and creating relevant changes which incorporate suggestions made in that meeting such as:

- A 24hr complaint procedure on the STRA website
- Creating detailed questionnaires for the Sudbury Community
- Leaflets relating to the Public Consultation
- Drop off boxes within Sudbury Town
- Reviewing the new ward boundaries
- Attending meetings with Chiltern Rail
- Attending meetings at Wembley Stadium regarding the Sudbury Community
- Setting dates for a Sudbury Town Public Consultation
- Hand delivering the Public Consultation Questionnaire and Leaflet
- Using multi-media for the Public Consultation
- Knocking on doors and explaining the purpose and relevance of the Public Consultation

As you can see Paul, STRA is taking its responsibilities seriously and wants to continue to be an active VOICE of the Community. STRA wishes to continue to have a GOOD working relationship with the Local Council and be a relevant part of the BIG team.

STRA will always seek Council support now and in the FUTURE.

Contact Person – Name and Number

At the last meeting with you, there was a suggestion that a contact person at Brent Council and phone number would be provided to STRA as this would be so useful. It was also agreed that the contact name and number would be used by two STRA designated representatives.

I am looking forward to leaving the past behind and moving on to build a positive future with you and the team.
Regards

STRA Vice Chair

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Sudbury Town Residents' Association and NEIGHBOURHOOD FORUM

For more information

Website: www.stra.org.uk email: info@stra.org.uk

Postal address: c/o Church Hall, 80th Harrow Road, Wembley, Middlesex HA0 2LP

STRA contact: Deputy Chair Ronu Kaul 07840 491 142 email: deputychair@stra.org.uk

Cleaner Greener Safer Sudbury

Appendix 3

1. NAME

The name of the Association is 'Sudbury Town Residents' Association' hereinafter called "the Association" also the Neighbourhood Forum.

2. AIM and OBJECTIVE

The aims and objectives of the Association are non-party and non-sectarian and will encourage community involvement working together to improve the area we live in.

Also to improve and promote the social, economic and environmental well-being of the defined neighbourhood area.

- To create a Cleaner, Greener, Safer Sudbury;
- To be the voice of our neighbourhood;
- To promote Community spirit within Sudbury through social interaction.

3. MEMBERSHIP

Open to those who live, work or are elected members in the neighbourhood area. Anybody who lives, works, shops, uses the services in Sudbury OR wish to be a member of STRA.

4. SUBSCRIPTIONS

The annual subscription to the Association is from 1 January to 31 December. The subscription is payable in advance in the month of November of each year. The current enrolment fee per annum is £6 per household and £10 per business..

5. OFFICERS

The officers of the Association, all of whom are honorary, consist of a Chairman, Vice-Chairman, Secretary and Treasurer. In addition to the honorary officers STRA will also have a Membership Administrator and Webmaster/Social Media. These 6 officers make up the executive committee and additional officers can be added as deemed necessary. The officers will be elected annually from the members of the association at the Annual General Meeting. The retiring officers will be eligible for re-election. The Association will have the power at an Ordinary Meeting to fill any casual vacancy.

6. MANAGEMENT

The management of the Association shall be vested in the officers elected at the AGM. The Management or executive committee represent the interests of its members and will act on their behalf as required. Each member of the committee will have an equal vote when voting on a particular issue. The Chairman will have the casting vote should the vote be split. The Chairman will manage the meetings and minutes will be taken by the Secretary.

The management can form sub committees to carry out specific tasks and these committees are accountable to the management committee. Once a subcommittee has completed its task it will be dissolved by the management committee

7. MEETINGS

An Ordinary Meeting or Public Meeting of the officers and members of the association will be held at least three times in a calendar year. The management will choose the date, time and venue in advance. These meetings will be hosted by the Chairman and minuted by the Secretary.

8. ANNUAL GENERAL MEETING

The Annual General Meeting of the Associations' members shall be held no later than 31st October of each calendar year. (The date and time to be determined at an Ordinary Meeting.)

The Annual Report, Audited Income and Expenditure Account and Balance Sheet must be presented at the Annual General Meeting to be ratified and accepted. Election of officers and appointment of an Independent Examiner for the ensuing year must take place at the Annual General Meeting.

9. SPECIAL MEETING

The Chairman may call a Special Meeting. The SP can also be called upon receipt by the Secretary of a requisition in writing, specifying the object of the meeting, and signed by not less than three members. Any such meeting must be held within 28 days from the receipt of the request and the business transacted at the meeting must be confined to the reasons as stated in the notice.

10. QUORUM

Five delegates, including at least two officers, representing not less than three members personally present at any meeting shall form a quorum.

11. VOTING POWERS

Each member being personally present will be entitled to one vote on each proposal and in the case of an equal number of votes being given for or against any proposal the Chairman of the meeting will be entitled to give a second vote. Co-opted members will not have any voting powers.

12. MINUTES

The Association must keep accurate minutes of all meetings. Minutes will be submitted for approval at the next meeting and, if approved, be signed by the Chairman at the meeting.

The minutes of Public meetings will be made available on the Association's website and can be viewed by any member of the public. The minutes of Management meetings and other meetings will be posted on our website and available in our members only section.

13. ACCOUNTS

The Association will keep accurate books of accounts in respect of:

- (a) All sums of money received and expended by the Association and receipts for any expenditure that has taken place.
 - (b) The assets and liabilities of the Association.
- The books and accounts will be kept at the residence of the Treasurer and must be available for inspection at all times. The accounts will be laid before the Annual General Meeting showing Income and Expenditure for the preceding twelve months together with a Balance Sheet.

14. AUDIT

An Independent Examiner will be appointed at the Annual General Meeting each year. The Independent Examiner need not be a member of the Association.

15. SUSPENSION OF MEMBERS

The Association may at any time by resolution of not less than six members - two must be officers - determine that the continuance of a member is prejudicial to the interests of the Association, his / her membership will be suspended for such a period as the Association may in its discretion deem fit. The Secretary will notify the member concerned in writing of his/her suspension. No resolution passed under the provision of this Rule shall have any validity unless the Member shall have had a reasonable opportunity of attending the Special Meeting called to consider the case and of being heard in his/her defence.

16. ALTERATION OF RULES

No rule may be added to, repeated or otherwise altered except at an Annual General or Special Meeting. Notice of such alterations must be given to the Secretary not less than 28 days before the date of the Meeting, who must circulate the alteration to the members not less than seven days before the Meeting. A resolution to alter the Rules must be passed by not less than six members including two officers.

17. DISSOLUTION

In the event of not less than six members (including two officers) present at the Annual General or Special Meetings voting that the Association be dissolved, any remaining funds shall be given to the local charity Sudbury Neighbourhood Centre.

The Constitution was adopted at the Annual General Meeting held on Tuesday, 30 May 2017

Signed by

Chairman

Signed by

Secretary

Dated: Tuesday, 30 May 2017

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Letter of Appreciation and support

Dear Renu,

We want to express our great appreciation for your efforts and those of the STRA team of volunteers for enriching our community and working hard to make Sudbury a better place to live.

We know it takes a huge amount of time to successfully manage the social and environmental events you hold locally to support local businesses, schools, and community. We are grateful for your efforts and will continue to support you for uniting Sudbury and giving us a voice.

We hereby support STRA's request to renew the Sudbury Neighbourhood Forum for the Sudbury Neighbourhood Area.

Daniels	
Himalayan Restaurant	
Irvin Leisure	
Jalsa	
LNER	
Metropolitan Police SNT Team	
Nice and Spice	
Pizza Village	
Quality Pan and Parcel	
Saint Andrew's Church	
Saint Baptist Church	
Sudbury Dry Cleaners	
Sudbury Neighbourhood Centre	
Sudbury Post Office	
Sudbury Primary School	
V S Motors	

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STRA Forum Application – Consultation Responses Received.

In summary 30 responses were received. 7 in support, 16 objecting and 7 with no opinion (generally from statutory consultees)

Respondent	Support Application	Summary of representation
Transport For London Spatial Planning	N/A	No comment.
Canal and River Trust	N/A	No comment.
Coal Authority	N/A	No comment.
National Highways	N/A	No relevant comments.
Historic England	N/A	No relevant comments.
Transport Trading Limited Properties (part of TfL)	N/A	TTLP own Sudbury Town Station Car Park which is a Brent Local Plan (BSWSA14) site allocation. We look forward to working with the Forum and Council to bring forward development on this site.
Natural England	N/A	No relevant comments.
Resident 1 – survey	Yes	Support designation. STRA are the only resident organisation protecting local interests and against over development.
Resident 2 – survey	Yes	Support designation. STRA has always supported the wishes and views of the community
Resident 3 – survey	Yes	Support designation and have a role in managing their website.
Resident 4 – survey	Yes	Support designation. No additional comments.
Resident 5 – survey	Yes	Support designation. No additional comments.
Resident 13 – survey	Yes	Support designation. As a contributor to the Sudbury Neighbourhood Plan, I am keen to see through and progress on the policies in the Plan, which are now being used on the first significant development. There is no other viable and suitable alternative residents' group. A number of local decisions have been

Respondent	Support Application	Summary of representation
		made, fought for and instigated and it is important to keep these policies as Brent policies are not fully in touch with local requirements.
Resident 15 – survey	Yes	Support designation. It is good for the community.
Barham Village Residents Association – survey	No	<p>Oppose designation. This is due to their:</p> <ol style="list-style-type: none"> 1. Lack of transparency. 2. Not reaching out to the wider community of Sudbury with clear unbiased information. 3. Denying access to AGM minutes with response they will be issued two weeks before the next meeting. 4. Information withholding, limiting any sort of informed public intercourse. 5. In effect running a 'private committee' rather than forum. 6. Lack of progress - the proposal looks the same as before - weak: <p>There is no plan of action. They need to do a lot better to include the community. They need to do more on how we protect/ use our green open space.</p>
Resident 6 – survey	No	<p>Oppose designation. STRA were good, but are now secretive and ineffective. They need to be more active, transparent, and better managed to support the Neighbourhood Plan. The webpage for instance is poorly managed and not regularly updated.</p> <p>Most recent updates have principally been since submission of the forum application.</p> <p>Transparency and openness is reduced by website password protection for members and executive.</p> <p>Not clear if any AGM was held between 2019 and 2022. This may partly be due to Covid, but other organisations learnt to use Zoom or similar when faced with the same challenges.</p> <p>High street planters are now neglected and full of weeds/ dead plants and open space adjacent to the railway bridge is massively overgrown.</p>

Respondent	Support Application	Summary of representation
Resident 7 – survey	No	<p>Oppose designation. The responses STRA set in the application material appendix in relation to the points raised by the Council are poor. The time taken to respond indicates a lack of interest in addressing those issues.</p> <p>A Neighbourhood Forum requires the constitution to be followed. STRA seems to ignore this.</p>
Resident 8 – survey	No	<p>Oppose designation. STRA:</p> <ol style="list-style-type: none"> 1. Although a forum for 10 years, no positive performance as this or a residents' association. 2. Has continued to circulate petitions, ignoring the Council's advice that individual objections are likely to be given more weight. This and raffles are a mechanism to capture residents names for their purposes including unsolicited messaging. 3. Lacks diversity, in not appreciating the area's large Asian population, e.g STRA celebrate with residents Christmas but not Diwali or Eid. They have no voice for renters, but seems only worried about property owners. 4. Claim to maintain Sudbury Town's high street despite the overgrown and broken planters which were provided free of charge to STRA and having subsequently been poorly maintained. The high street looks tatty. 5. Don't hold the required 3 open public meetings per year with residents who pay their annual membership fees and are not transparent in their election process of the same chair for at least 5 years.
Resident 9	No	<p>Oppose designation. STRA:</p> <ol style="list-style-type: none"> 1. Has failed to follow their own constitution rules. Appears only held one meeting in the last few years: the 2022 AGM. 2. Has failed to regularly update its website and done a poor job of keeping residents informed about Sudbury issues such as overdevelopment or crime 3. Engage in unethical fund raising, trying to scare residents into donating funds. For example https://www.gofundme.com/f/Sudbury-Town-Residence-Association includes the following allegation: "Brent

Respondent	Support Application	Summary of representation
		<p>council plans to build within and around our green spaces, force the sale of homes and turn our wonderful neighbourhood into rows of high rises." This is factually incorrect, is partisan, and breeds resentment towards local government which should not be allowed.</p> <p>4. Are a partisan organisation republishing Liberal Democrats tweets but not other political parties.</p> <p>5. Are not transparent, for instance not disclosing which legal firms they were using.</p> <p>6. Should not require membership payments or give greater favour those that do.</p>
Resident 10	No	<p>Object to designation. Many residents are omitted from email/ postal notifications of meetings or informed of meeting at very short notice, e.g. 2 days before - this discourages participation.</p> <p>Meeting minutes are inaccurate and not made available to all or posted on the website. Because of the above, I don't feel the Forum is inclusive.</p>
Resident 11	No	<p>Object to designation. They do not engage with the community. It seems secretive and not democratic. There is a lack of recent minutes on the website, it is not kept up to date.</p>
Resident 12	No	<p>Object to designation. STRA is no longer playing a positive role in the neighbourhood. I was involved with the Forum in the Sudbury in Bloom project, but channelled my efforts elsewhere when the committee dispensed with the services of the treasurer.</p> <p>The high street planters are now looking sad very indeed derelict.</p>
Resident 14 - survey	No	<p>Object to designation. No additional comment.</p>
Resident 16 – survey	No	<p>Object to designation. Most things on the STRA website are out of date.</p>
Resident 17 – survey	No	<p>Object to designation. Having fulfilled the conditions to join a STRA meeting, I had previously provided in written form to the organisers the speech which I was then refused the opportunity to make. I was shouted at and had no option but to leave and let my views be known to the membership at large.</p> <p>I have attended and had experience of many civic meetings, and therefore understand the protocol/ courtesies of such meetings. I regret to say that I have no confidence in the integrity of the STRA committee members encountered.</p>

Respondent	Support Application	Summary of representation
Resident 18 – survey	No	Object to designation. STRA do not allow open discussion at meetings and do not act upon emails received.
Resident 19 – survey	No	Object to designation. STRA in their early years was an effective residents' association. However, it seems from the letter of appreciation and support that businesses now have the greater input.
Resident 20 - letter	No	<p>Object to designation. Neighbourhood Forums have a statutory status and powers in relation to planning, and particular influence with planning authorities. If not properly exercised, residents could be greatly disadvantaged. In recent years STRA did not seem to have the membership diversity or skill set to deliver the neighbourhood plan, work with partners or manage the forum's business. Much work will be needed, for it to continue as a forum, to bring it into compliance.</p> <p>As Sudbury Ward member from 2010 to 2022, as anticipated in regulations, I was an active forum member. Whilst there was an ambiguity about my voting rights, due to the cordial, mutually supportive and welcoming Forum with common objectives in relation to the delivery of the Neighbourhood Plan, this was not a concern. Initially the forum was diverse. From 2018 onwards, it became secretive and hostile. Many active members were excluded and forced to resign. I received a large number of complaints which I raised with the Council. The below is an account of their operation since 2018:</p> <ol style="list-style-type: none"> 1. Exclusivity - The 2019 Annual General Meeting (AGM) only permitted invitees issued with membership cards to enter, with other residents being excluded, including councillors. Eventually entry was permitted, but participation was not. Their lawyer advised that the meeting was for the residents' association, not the forum. 2. Ineffective operation - I do not believe those who organised the 2022 AGM understand what it is. Participants eligible to vote were not identified. I received complaints from eligible residents who did not vote because they didn't think they could. There was no clarity about or opportunity to nominate candidates for office other than those proposed by the existing committee. 3. Late notice - Prior to the pandemic I was invited to a small number of ordinary meetings as an afterthought, days in advance of the meeting, and on one occasion, 24 hours in advance. 4. Not addressing concerns - I cannot recall the last time the neighbourhood plan was discussed, or any effort was made to deliver it.

Respondent	Support Application	Summary of representation
		<p>5. Continued residents' complaints - unable to renew STRA membership, unable to contact STRA, unable to obtain meeting minutes, unnecessary personal information requests, Go Fund Me requests without clarity and accountability on expenditure of donations received. Where appropriate, I addressed those to the council.</p> <p>6. Hostility and misinformation - Last year STRA became particularly hostile to elected councillors, making one demonstrably false allegation. This resulted in mistrust between residents and councillors including one alarming encounter fuelled by false information circulated by STRA where I feared for a colleague's safety.</p>
Sudbury Matters - letter	No	<p>Object to designation. Whilst the application references many worthwhile activities conducted by STRA over the last 5 years, it is unclear whether or not any of the operations arise from their status as a forum. The purpose of a Forum is summarised in legislation as 'promoting or improving the social, economic and environmental well-being of an area.' STRA's purpose is summarised as 'Cleaner, Greener, Safer'. These related but distinct purposes are not properly reflected in the application.</p> <p>Forum and Neighbourhood Planning Issues concerns: The essential foundation for the role was the production and on-going stewardship of a Neighbourhood Plan (which was 2015). One key role is to provide a residents' and businesses' voice when major developments are planned. No reference is made to such activities.</p> <p>STRA's constitution concerns: Constitution is from 2017. There is no recognition of a forum's distinct role, including acting as the community voice on planning issues. It seeks payment of a fee, even though council officers have identified this as an issue. Membership subscriptions are identified as being payable in November, it is unclear if this limits new membership outside this time. STRA's resident membership is drawn from wider than the neighbourhood area, this is not dealt with in how neighbourhood forum matters voting/ decision making is made. Specific details can be provided on residents refused membership with their subscriptions returned. Concerned that in 2018 the treasurer was dismissed inconsistent with processes set out in the constitution.</p> <p>STRA website concerns: The website is complicated with very limited updates since 2018. There is a lack of detail on meeting dates, frequency and where to find additional information. For the last few years there are no minutes of general member/ AGM or executive meetings. No future meeting dates are identified. Most worryingly, this opens up the possibility that STRA is breaching its constitution by no longer holding</p>

Respondent	Support Application	Summary of representation
		<p>regular face-to-face meetings. The password protected 'Members' and 'Executive' areas are not transparent and lack public accountability. A new complaints procedure page has recently been added, this process has not been agreed with local councillors who are identified as potential arbiters.</p> <p>Lack of a Work Plan concerns: No work programme is set out to address neighbourhood plan policies/priorities, e.g. given the four significant neighbourhood plan local green spaces, work with partner agencies to prepare enhancement plans may open up funding opportunities. Similarly this is the case for the high street.</p>
Resident 21 – letter	No	<p>Object to designation. STRA have ignored the ethos of a forum and their own constitution. Examples show how STRA is not representative of the community, and operates in a most unprofessional way:</p> <ol style="list-style-type: none"> 1. Dedicated committee members were dismissed without following due process. 2. Open discussion is not encouraged. Any issues raised are met with a response of “send us an email” and either ignored or a totally inadequate response is received. 3. False statements in meeting minutes. Requests for amendment prior to following meeting were refused. This was despite other meeting members present stating at the next meeting that minutes were not accurate. 4. Statements in their application of the sample list of resident members are incorrect as they are not from the forum area. 5. Some of the businesses no longer support STRA as a forum.

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Neighbourhood Planning forum Refusal Statement Town and Country Planning Act 1990 (section 61F) (the Act) and The Neighbourhood Planning (General) Regulations 2012 (Regulation 10(2)) (the Regulations)

Name of designated neighbourhood planning area: Sudbury Town Neighbourhood Area

Name of Applicant: Sudbury Town Residents' Association (STRA)

Consultation Period: 12th January and 23rd February 2023

Decision:

Notice is hereby given that the London Borough of Brent, pursuant to a decision made on the 13th November 2023, has refused the designation of the Sudbury Town Residents' Association Neighbourhood Forum.

Consultation feedback:

In relation to the desirability to designate, through the public consultation regarding the designation of the Sudbury Town Neighbourhood Forum whilst a small number were supportive, greater than half of all respondents who submitted representations objected to the designation of the forum. Reasons included lack of transparency of the organisation and representation in relation to meetings and other material, lack of meetings of a frequency consistent with the constitution, lack of focus and clarity on neighbourhood planning matters, lack of political impartiality and the requirement of a membership fee.

Reasons for Decision:

The Act Section 61 F(5)

The Council considers STRA's submitted constitution's requirement for payment of a membership fee as incompatible with Section 61 F(5) (b) (ii) of the Act in that membership is considered to not be genuinely open to any individual who lives or works in the area and therefore is considered to fail 61(5)(b) in this respect.

The Act Section 61F(7)

Taking account of the application and responses, the Council considers that the application does not satisfactorily evidence that STRA's membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area. The potential reflectiveness of the membership of the area due to the actions of STRA in the past is also a concern in relation to a number of matters associated with the constitution. The residents' concerns raised to the Council in 2019, as well as (former) local councillor concerns and consultation responses indicate that a significant minority do not feel comfortable with previous conduct of some of the STRA executive in relation to other STRA executive members or other STRA members, or the way business is conducted at STRA meetings. Without any proposed changes, they have no confidence in the ability of the organisation to address this satisfactorily. Taking account of these factors, it is considered the application does not meet the 61(7)(a)(ii) test.

Other matters taken into account for the purposes of the Section 61F(5) decision

The level of dissatisfaction amongst some existing and former ordinary members is so great that it has been one of the contributing factors to a rival 'Sudbury Matters' submission. This

indicates a significant unease in the community with STRA continuing to be a neighbourhood forum. STRA has not to any significant degree sought to allay the concerns, either in the material supplied in support of the application, or positive and meaningful on-going engagement with the Urban Vision independent representative who has sought to bring greater consensus on a prospective forum for the area. The matter of respect of members views and behaviours has not been sufficiently addressed in the application. Therefore, there is no expectation that such issues will not remain in affecting the accessibility and transparency of the organisation, likely disenfranchising people who would otherwise want to be active in taking forward neighbourhood planning in the area.

STRA's capacity to fulfil its constitutional obligations is, based on previous performance, uncertain. The frequency of meetings has been inconsistent with STRA's constitution, which sets out an Ordinary Meeting or Public Meeting of the officers and members will be held at least three times a year. This has not occurred since 2019. STRA's website is very dated, and details of meetings minutes are not publicly available on it; the last one being the 2018 AGM. As such, its openness and accountability are also unclear.

The Council considers STRA's submitted constitution fails to sufficiently address the Council's previously raised need for STRA to clearly address the different spatial coverage and clarity around decision making in relation to how it operates as a residents' association and in matters related to the statutory role as a neighbourhood forum.

STRA has not submitted a creditable response to requests from the Council for an indicative work plan related to neighbourhood planning matters. This lack of clarity on priorities and likely outcomes for the local community is considered to be inconsistent with the desire shown in consultation responses from a significant body of the local community for meaningful momentum on neighbourhood planning matters to occur.

Notwithstanding the work that STRA has historically done in taking forward a neighbourhood plan, given the issues raised and on-going discussions with STRA since early 2019, plus the responses to the consultation the above issues cannot be regarded as minor, and STRA given the benefit of the doubt that these limitations will resolve themselves. Taking account of the factors set out above and considered in full in the [Report to Cabinet](#), it is considered that it would not be appropriate to approve STRA's application as a neighbourhood forum.

PROTOCOL ON CALL-IN

1. INTRODUCTION

- 1.1 The basic premise of call-in is that it is a failsafe mechanism enabling non executive Councillors to make the Cabinet, Cabinet Committee, Cabinet Member or an officer making a key decision, re-consider a particular decision if it is of major concern or in Members' eyes profoundly flawed.
- 1.2 The statutory guidance on call-in states that there needs to be an appropriate balance between effectively holding the executive to account, being able to question decisions prior to them being implemented and allowing effective, efficient decision making. It also balances the need to make the process accessible and the need to ensure that call-in procedures are not abused or used to delay or slow down the decision making process.
- 1.3 As call-in can inevitably result in a delay to the implementation of decisions it should not be used for party political purposes to seek to further discuss a decision that some members do not agree with. Equally, the rights of non executive members to call-in a decision and exercise their right to question the decision, the decision maker and consider alternative options needs to be respected.
- 1.4 This protocol is designed to provide a locally agreed framework within which call-in can operate, a clear set of criteria against which an otherwise valid call-in request can be judged and a format for the effective conduct of the meeting considering the call in.

2. WHAT IS A CALL-IN?

- 2.1 A decision made by the council's Cabinet or a Cabinet committee, or a key decision by an officer, can be called in for review before it is implemented. Decisions can be called in by five non-executive members or by the Scrutiny Committee. If a Cabinet decision is called-in, that decision cannot normally be implemented until it has been considered by a scrutiny committee. An urgency procedure is in place in Standing Orders for any decision that cannot afford to be delayed.
- 2.2 The Scrutiny Committee is required to meet within 15 working days of the date on which a call-in is accepted as valid. The Committee may decide to refer the matter back to the Cabinet or other decision maker, along with the reasons why the Committee thinks it should be reconsidered. The Cabinet or other decision maker will then decide whether to implement the original decision or review the decision based on the views of the Scrutiny Committee. Alternatively the Committee can decide that the matter should not be referred back to the Cabinet or other decision maker in which case the original decision will be implemented.

3. THE CALL-IN PROCESS

- 3.1 A call in request must be submitted in accordance with the requirements of Standing Order 14 within 5 days of the relevant decision being made or in the case of a key decision made by officers within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. When submitting the call in request members must either complete the call-in form available [LINK]) or include in their written request all the information required by the form. In particular this includes:
 - an explanation as to why they are calling in the decision and if they are calling in all or part of the decision(s).
 - an outline of the suggested alternative course of action.

3.2 When a call-in request is submitted to the Head of Executive and Member Services which meets the requirements of Standing Order 14(b)((i) – iv) the Head of Executive and Member Services will refer it to the Chief Executive, who, in consultation with the Head of Policy and Scrutiny (the council’s designated Scrutiny Officer) and the Corporate Director of Governance, will decide whether or not an otherwise valid call-in conforms with the following requirements of this protocol. The call-in request will be assessed against the following criteria:

- Is the call-in process being used as a means of gaining information / understanding or discussing general concerns with Members and officers? If this could be achieved through the general overview and scrutiny process or by talking to the relevant officer or lead member informally the call-in will not be valid,
- Does the call-in duplicate a recent call-in on the same issue? If the call-in duplicates another call-in made within the previous 6 months it will not be valid,
- Have the reasons for calling in the decision already been discussed by the Scrutiny Committee? If the reasons for calling in the decision have been discussed by the Scrutiny Committee prior to the decision being made the call-in will not be valid,
- Call-in of a decision of the Cabinet referring a matter to Full Council for consideration will not be valid,
- Call in of operational management decisions taken by officers will not be valid
- If the call in request is considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions it may be deemed invalid.

Prior to deciding the validity the Corporate Director of Governance and the Head of Policy and Scrutiny may seek clarification from the members concerned.

4. THE CONDUCT OF THE CALL-IN MEETING

4.1 Scrutiny Committees are official committees of the council and it meets in public.

4.2 The purpose of a call-in meeting is for non executive members to examine and consider the decision made by the Cabinet, Cabinet Committee, or officers (in respect of key decisions) and for members of the committee to make suggestions and recommendations they consider appropriate to the decision maker. The Scrutiny Committee meeting provides an opportunity for members to seek clarification of the methodology used in enabling a decision to be made, as well as explore work undertaken by officers culminating in the matter coming before the decision maker .

4.3 The relevant Cabinet Portfolio Holder and chief officer (or his/her representative) will be invited to attend the scrutiny committee meeting to explain the reasons for the decision, respond to the issues raised in the call-in request and answer questions at the meeting.

4.4 It is the chair of the scrutiny committee’s responsibility to manage the meeting effectively by applying standing orders, maintaining good discipline and fostering a culture of respect. All contributions to the meeting should go through the chair and the chair should ensure that no purely personal disagreements or comments are allowed to continue.

4.5 To ensure that the meeting is effective the procedure at the meeting (subject to the Chair’s discretion) shall be as follows:

- (a) The chair will ask a representative of the members who called in the decision to set out the reasons for the call in for up to 5 minutes. In the event that different members have identified different reasons the chair may in their discretion as

more than one member to speak in which case the available time under (b) below shall be shared equally between the members.

- (b) The chair will consider whether to permit any member of the public who has made a request to address the meeting to do so, the rules relating to members of the public addressing a meeting as set out in Standing Orders apply. Members of the public can be allowed to speak for 2 minutes. If a number of requests to speak have been received then the chair should seek to limit the number of contributions to avoid hearing the same points repeated and should seek advice from the Head of Executive and Member Services about how this should be managed.
- (c) All of the members of the public who it has been agreed will address the meeting will be heard prior to the lead member and any relevant officers being asked to respond to the issues raised by the call-in.
- (d) The lead member shall then be invited to respond to the issues raised in the call in.
- (e) The chair will then invite members of the committee to question the lead member and officers and discuss the issues. Members who are not members of the committee but wish to ask a question can be invited to do so.
- (f) Having considered the call-in invite members of the committee are required to come to one of the following conclusions:
 - That the matter should be referred back to the decision maker for reconsideration with reasons for its request and what the committee wants the decision maker to do.
 - That it does not object to the decision and the decision can be implemented.

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