

**MINUTES OF THE MEETING OF THE EXECUTIVE**  
**Monday, 8<sup>th</sup> December 2003 at 7.00 pm**

PRESENT: Councillor John (Chair), Councillor Coughlin (Vice-Chair) and Councillors Beswick, Fox, Jones, Kagan, D Long, Lyon, R S Patel and Thomas.

Councillors Mrs N Blackman, R Blackman, Duffin, Mrs Fernandes, Fiegel, Freeson, Harrod, Hughes, Kansagra, Moloney, Sayers and Van Colle also attended the meeting.

**1. Declarations of Personal and Prejudicial Interest**

Councillor Moloney declared an interest in the Dollis Hill House item being a local resident. He also declared an interest in the Lynton Close item as an employee of a neighbouring borough.

**2. Petitions – Conservation Area Review – Consultation**

The Executive received six petitions from residents of six conservation areas within the Borough submitted in accordance with Standing Order 69(e) in connection with the report due to be considered from the Director of Environment on the consultation exercise and proposals to review the Borough's conservation areas.

David Miller spoke on behalf of the King Edward VII Conservation Area and referred to the parking difficulties that would be caused were houses to be converted into flats given the narrow roads. He regretted the Council's inability to enforce the conservation legislation in part due to shortage of staff. For Preston Park Conservation Area, Frank Treviss emphasized the strength of feeling against the proposals, that enforcement rules were ignored and added that there would be a legal challenge launched should the designation be the decision. Mr Rapp, on behalf of Slough Lane, stated that most of the premises had been maintained to the standard in existence in 1982. Sue Bowler, representing Queens Walk Residents' Association, referred to the specific architectural and historical features still in existence and felt that most alterations carried out had been sympathetic. Other superficial changes could be restored. She also felt that there was a connection with the nearby St Andrew's Conservation Area and the relationship between them should be maintained. She stated that there had been a 99% response rate which was in favour of the Article 4 Direction and argued that newcomers should be helped to maintain properties the required standards. She offered residents' assistance to help look after the area. Mrs Furlong spoke for Kenton Residents' Association on what she considered was their unanimous concern at the proposals. She reminded the Executive of the history of the area and felt that the park areas and open spaces were of comfort to the old and people suffering with illnesses. She stated that people often returned to enjoy the area

and urged the Executive to re-consider and consider a sensitive renewal of this asset.

Petitions had also been submitted concerning Butlers Green Conservation Area and Wembley Hill Garden Suburb.

Councillor John advised the meeting that the Executive had recently taken part in a tour of the conservation areas in the Borough and were familiar with the concerns. Councillor Lesley Jones (Lead Member) stated that the Executive had a duty to review conservation areas and referred to English Heritage and planning guidance. There were 32 conservation areas in the Borough and she compared this with the numbers in similar local authorities which were far lower. She emphasised that the review had been thorough and carried out by a specialist. She also drew a contrast with conservation areas that had been maintained to higher standards such as Roe Green and Hampstead Garden Suburbs. Councillor Jones stated that the recommendations had been supported by the Planning Committee and it was proposed that the areas concerned be designated as Areas of Distinctive Residential Character. Some of the main concerns arising from the consultation would be addressed through other means, for example, the demolition of dwellings could be controlled and houses of particular historic interest, protected.

In discussion, Councillor Blackman referred to the fact that areas had been designated with conservation status at different times and for different reasons and there were differing degrees of maintenance and standards. He therefore felt that any review should be on the basis of conditions as in existence when designated and not as an ideal standard of how they should appear. He referred to a previous decision to extend Article 4 designation to the Queens Park area in accordance with the residents' request and emphasized the overwhelming concern over the proposals to de-designate. He also raised the question of the legality of the proposals. Councillor Van Colle emphasized that contrary to indications in the report the area consultative forums were not neutral to the proposals. At the Kingsbury/Kenton ACF in particular there was insufficient time for discussion and he felt that the report was not representative of the views expressed. He felt that it only took one property which was out of character to spoil a residential area and regrettably had no faith in the Planning Department's ability to enforce the planning legislation.

Mark Smith (Planning Service) stated that some of the open space of concern to residents was Metropolitan Open Land which provided a better form of control. Other Regulations were also available to control undesirable developments. Richard Saunders (Director of Environment) stated that it was difficult to control the 32 conservation areas and the advice from Government was to concentrate on key areas which often needed protection under Article 4. He stated that

the Council was able to exercise control over demolition. The Borough Solicitor, Terry Osborne, with reference to the legal position, stated she was satisfied that the Council would be able to de-designate conservation areas having given the required notice of cancellation.

Councillor Coughlin (Deputy Leader) reminded the meeting that the proposals were in line with national guidance. He accepted that change did take place and that the condition of one property could destroy the look of an area and he understood the frustrations expressed. However the Council had a responsibility to find a solution. The Executive then moved to the vote on the recommendations which were declared CARRIED.

RESOLVED:-

- (i) that the report from the Director of Environment be noted in respect of the Review of Conservation Areas and that, although the consultation exercise had identified that a high number of the residents of some Conservation Areas wished to retain Conservation Area designations, approval be given to the following Conservation Areas being de-designated as Statutory Conservation Areas, because they do not retain a sufficient level of preservation to technically justify in planning terms, national conservation status.
  - (a) The de-designation of Butlers Green as a Conservation Area
  - (b) The de-designation of the Kenton Conservation Area.
  - (c) The de-designation of Stanley Avenue as a Conservation Area
  - (d) The de-designation of Woodheyes and Gresham Conservation Area
  - (e) The de-designation of Slough Lane Conservation Area
  - (f) The de-designation of Manor Close as a Conservation Area.
  - (g) The de-designation of Wembley Hill as a Conservation Area
  - (h) The de-designation of Preston Park as a Conservation Area
  - (i) The de-designation of Queens Walk as a Conservation Area.
  - (j) The de-designation of King Edward VII Conservation Area.
- (ii) that following de-designation the Conservation areas below be designated as “Areas of Distinctive Residential Character” through the Council’s BE9, Areas of Distinctive Residential Character in the Unitary Development Plan (replacement) 2000-2010:

- (a) Kenton Conservation Area
- (b) Slough Lane Conservation Area
- (c) Wembley Hill Conservation Area
- (d) Preston Park Conservation Area
- (e) Queens Walk Conservation Area
- (f) King Edward VII Conservation Area

### 3. **Deputation**

The Executive agreed to receive a deputation on behalf of the Dollis Hill House Trust in connection with the report on the Dollis Hill House and Stables Gallery. Alan Ivy referred to the business plan submitted by the Trust for the future development of the House which involved community use and which he considered to be robust. He felt that the report from the Director of Environment did not paint an accurate picture of the situation and had dismissed the plan which had been prepared by a consultant employed by the Trust. The Trust had requested official Council support for the proposal in order for the bid to the Heritage Lottery Fund to be successful. He stated that demolition of the property was not an option as far as English Heritage was concerned and reminded the Executive of the success of the Gladstonbury Festival which took place in the summer. There were also planned outreach projects involving schools with external funding which he felt demonstrated the Trust's skills and commitment. He also felt that the risk involved was no greater than for other projects and considered the Borough would benefit culturally from the proposals, the plans offering what the community wanted. He reminded the Executive of all-party support indicated during the recent by-election campaign.

Mr Chambers, a local resident, also addressed the Executive and referred to what he considered to be a number of errors and omissions from the Director of Environment's report. He considered that the some of the options pre-empted a future cultural strategy and there was no evidence provided in support of the view that the Trustees' figures were over-optimistic. He referred to the Unitary Development Plan and unsuccessful efforts made to include in it, specific commitments to the House and Park. Also raised were whether there were any plans to improve bus and train services to the area and the idea of opening the Cabinet War Rooms as an additional tourist attraction.

### 4. **Dollis Hill House and Stables Art Gallery**

Richard Saunders then introduced the report and at the outset referred to paragraphs 7.1.1 and 7.21.3 of the report which were incorrect. He clarified that the Dollis Hill House Trust had not asked the Council to under-write the rebuilding costs to the value of £500k. On 31<sup>st</sup> August

2003 they did request that the Council demonstrated its commitment to partnership by under-writing 10% of capital expenditure to cover any shortfall in capital once building was underway and up to £5k of revenue in the first year. In a letter from the Trust dated 8<sup>th</sup> December 2004 the DHHT state that they are currently not asking for any under-writing.

Councillor Lesley Jones acknowledged the work of the Trust, however felt it was necessary to be clear as to the financial and long term implications. She stated that the Council's finance officers, at present, felt that the business plan was not sufficiently robust and it contained significant risks to the Council. It was also felt that the income projections were over-optimistic and there were also on-going revenue commitments. The other options were then also outlined to the Executive.

Richard Saunders reminded the Executive of the course of events from November 2000 when the Council decided to put on hold a final decision on the future of the House to see whether a community based trust could make progress. Progress had continued, extensions granted and also additional funding, one of the aims being for a submission to be made for lottery funding. The House in the meantime had suffered an arson attack, pigeon infestation and the business plan had been delayed. He regretted that given the delay in the submission of the business plan it had not been possible for a dialogue between Council officers and the Trust to take place over the Trust's proposals.

On the answer to a question on the financial position, Stephen Hughes, Director of Finance, stated that all the options had difficulties however he felt that the business plan presented did not contain sufficient through-put to justify the running costs and he was concerned at the robustness of the assumptions.

Councillor Sayers, and other ward councillors for the area, in wider discussion, expressed concern over the delay in a decision being taken on the future of the House which had been expressed by residents at various meetings over the years. Councillor Lyon regretted that the proposals had been found to be insufficiently robust and referred to the need for the Executive to be decisive and yet sensitive to options. He reminded of the assets, namely Gladstone Park and the Stables Gallery and the historical significance of the site. Councillor Fox paid credit to the work of the Friends of Dollis Hill House and questioned how long it would be before the Council would receive a response to the proposals to demolish the building. He also asked whether the Council could concurrently support the Trust's proposals while at the same time make application for permission to demolish the House.

Richard Saunders responded that it would take months before approval was given to the property being de-listed and also a number of months for a planning application for demolition to be approved. He advised the Executive against running the contradictory objectives concurrently as English Heritage would need to be satisfied that there was no viable alternative to demolition. He said that the Trust were indicating that they would be in a position to submit their bid in January 2004.

Councillor John regretted that the Trust had not been able to adhere to the August 2003 deadline which would have given more time for detailed consideration of the proposals. She reminded that the debate over the future of the House had been continuing for many years. The Council had been accommodating and had given the Trust a chance to succeed.

Another Trust representative addressed the Executive and urged them to support the proposals. The bid was on the verge of being completed following which an indication of support or otherwise would be received from the Heritage Lottery Fund. Delays had been experienced due to difficulties in gaining access to the building and it was the intention for the proposal to be finalised during the Christmas holidays collating the work of the various consultants involved. She stated that should the response not be positive then the Trust would concede.

Councillor Coughlin was concerned at the significant financial commitment to the Council which would be for a number of years. Councillor John, in conclusion, emphasised that the Council appreciated the work that had been carried out by the Trust. She said that the Council had to make a difficult decision mindful of the greater responsibility they had to a large number of people who wanted relief from the current condition of the site which was considered an eyesore. The Executive then moved to the vote on the recommendations which were agreed unanimously.

RESOLVED:

that following consideration of the all the options:

- (i) that approval be given to Director of Environment proceeding, subject to relevant consents, with option 5 as set out his report (para 2.6 refers), with the aim of providing both a café and related landscape, namely:

Option 5: Subject to capital funding being identified, demolish the remainder of the premises and create a new landscaped area;

- (ii) that the Director of Environment also proceed with Option 6 set out in the report (para 2.7 refers) subject to formal lease arrangements being agreed, namely:

Option 6 : in addition to the above, subject to capital funding being identified, to undertake repairs to the Stables Art Gallery [para. 7.6-7.9] to a value of £30k and improve access to meet the requirements of the Disability Discrimination Act 1995 [DDA] approx £20k;

- (iii) that the correction to the report relating to paras 3.1.1 and 7.21.3, circulated at the meeting, relating to the underwriting of the building costs, be noted.

## 5. **Review of Personalised Parking Places for Orange/Blue Badge Holders**

The Executive received a report from the Director of Environment which gave an update on changes in legislation which would permit the allocation of 'personal' parking places to orange/blue badge holders. The report also sought members' approval to introduce a permit scheme which would enable the implementation of 'personalised' parking places for orange/blue badge holders who have satisfied the Council's assessment criteria for disabled persons' parking places. Councillor Jones (Lead Member) stated that the proposals would improve conditions for local residents living near rail/tube stations who were holding a DPPP outside their property, still may have to compete for that space with other orange/blue badge holders visiting the area and she referred to the revised assessment criteria as attached to the report.

RESOLVED:-

- (i) that the content of the report be noted;
- (ii) that officers develop a permit scheme for 'personalised' parking places for Orange/Blue Badge holders who have satisfied the Council's assessment criteria for Disabled Persons' Parking Places;
- (iii) that the guidelines in Item 7.7 of the report for the permit scheme for personalised parking places (Recommendation (ii) above) be approved;
- (iv) that that the following changes be made to the criteria at Appendix A to the report:
  - (a) that criterion 2 "There must be no potential for off-street parking on the applicant's premises" be deleted.

- (b) that criterion 4 “The on-street parking density must be severe enough to prevent parking of the applicant’s vehicle close to their premises for the majority of the time” be deleted.
- (c) that the reference to “The driver should also live at the applicant’s address.” be deleted from criterion 5.

**6. Neasden Lane/Birse Crescent Planning Brief**

This report sought approval for a planning brief which has been prepared by the Council following a recent period of public consultation. The brief was based on policies in the revised Deposited Unitary Development Plan 2000-2010. The brief was also produced as part of action arising from the Neasden Town Centre Regeneration Framework to halt the decline in the area.

RESOLVED:-

that it be agreed the Planning Brief be adopted as supplementary planning guidance for developers and as a material consideration for assessing any future planning applications for the Neasden Lane/Birse Crescent site.

**7. Drury Way Lorry Park**

Councillor Jones introduced this report which set out a proposal to close the lorry park facility in Drury Way, NW10. She proposed that the lorry park facility be withdrawn and that the arrangements with Team Relocations (previously known as Trans Euro) be terminated from 31<sup>st</sup> January 2004. This would allow for savings to be made and it was noted that ward councillors would be consulted on the report to be presented in the future on possible alternative uses.

RESOLVED:-

- (i) that the current position with regard to the Council-owned site in Drury Way, NW10 and its current usage for purposes other than a Lorry Park facility, be noted;
- (ii) that approval be given to the withdrawal of the Lorry Park facility and the termination of arrangements with Team Relocations (previously known as Trans Euro) from 31<sup>st</sup> January 2004;
- (iii) that the Core Property Team identify options for the site’s future use and further reports be submitted on the short and long term use of the site.

## 8. **Wembley Stadium Station Hub Feasibility Study**

The Wembley Stadium Station Hub Feasibility Study examined the area between the High Road and land to the south and west of the new English National Stadium at the centre of which is the Wembley Stadium Station. The report from the Director of Environment examined the opportunities for more effective linkage between the High Road and the Station regeneration area, the opportunities for making improvements to the operation and environment of Wembley Stadium Station on event and non-event days and for enhancing the station's function as a public transport inter-change. Richard Saunders advised the Executive that representations had been received from the consultants, Barton Willmore, dated 8<sup>th</sup> December 2003 acting on behalf of their client, R E International (UK) Ltd., the owner of 1.7 hectares of land at Wembley Stadium Station. The representations from Barton Willmore were circulated just prior to the meeting together with a response from the planning officers who concluded there was no reason for delaying consideration of the Hub study given the wide consultation on the Wembley Framework which the Hub study supports. Richard Saunders stated that while extensive consultation had not been carried out on this aspect of the development there had been wide consultation on the Wembley Development Framework and there would be further consultation on the forthcoming planning application.

RESOLVED:-

- (i) that the contents of the report be noted;
- (ii) that the correspondence dated 8 December 2003 from Barton Willmore, on behalf of RE International (UK) Ltd (REIL) and the response from the Director of Environment be noted;
- (iii) that it be noted that while there has not been extensive consultation on this aspect of the development, there has been previous consultation on the Wembley Development Framework and will be further consultation on the forthcoming planning application;
- (iv) that the approach set out in the report for providing a link between the High Road and South Way to support the agreed Supplementary Planning Guidance, the Wembley Development Framework, be agreed.

## 9. **Waste Management and Recycling Overview Task Group**

Councillor Jones introduced this item which set out an officer assessment of the recommendations of the Overview Task Group that examined Waste Management and Recycling in the Borough. She

went through the recommendations in turn setting out the Executive's response and the further action that would be taken in forthcoming years to fulfil the Council's statutory requirements. Councillor Van Colle (Chair of the Overview Task Group) referred to a previous meeting that had taken place over the task group's response and drew attention to a few inconsistencies that he felt now existed in the report which included the role of the current West London Waste authority, Council efforts to raise awareness of recycling and waste minimisation, the need for a waste audit and wardens to help monitor waste and recycling collection. Councillor Van Colle felt that the report amounted to a classic noting response and had hoped that the Executive would adopt the proposals accepting that there was some budget commitment.

Councillor John thanked Councillor Van Colle for his contribution and comments.

RESOLVED:

that the officer response to the Task Group's recommendations together with the observations made at the meeting by Councillor Van Colle (Chair of the Waste & Recycling Overview Task Group), be noted.

#### 10. **The South Kilburn Master Plan**

The report from the Director of Housing sought to update members on the proposals for the regeneration in South Kilburn in partnership with South Kilburn New Deal for Communities. It was necessary at this stage for the Executive to approve the spatial Master Plan framework in the light of the Council's overall statutory obligations and priorities and to further consider and approve the officers' recommendations.

Councillor Thomas (Lead Member) reminded the Executive that this issue had previously been considered in September when the framework had been agreed. Since the September meeting there had been a number of developments including a meeting with the Mayor of London, a further meeting was also planned for the following week. He proposed that an additional recommendation be added for consideration that in view of the funding gap officers seek alternative sources of funding. Councillor Thomas also advised that at the meeting of the New Deal for Communities Board, it was agreed that the spatial Master Plan framework be noted at this date as opposed to agreed as the Board had wished to receive a full presentation on the plan. A meeting would now be arranged with all partners involved. The Executive agreed to accept the recommendations with those amendments.

RESOLVED:-

- (i) that the spatial Master Plan framework as set out in the Master Plan Executive Summary (Appendix 1 to the report refers) be noted;
- (ii) that it be noted that a further report on the completed Master Plan and the relevant Impact Assessment Studies would be presented to the Executive;
- (iii) that a bid for the fourth round ALMO programme be progressed for submission by the 31 December 2003 deadline;
- (iv) that if the ALMO bid is successful, a further report on the implications and implementation of the fourth round ALMO programme would be presented to the Executive for approval;
- (v) that it be noted that the funding gap has increased by £8m to £32m from what was previously reported in September 2003;
- (vi) that the approximate timescale for further reports and the delivery mechanism for the regeneration process be noted;
- (vii) that in view of the funding gap, officers seek alternative funding sources.

**11. Housing Partnership Housing Inspection**

Councillor Thomas was pleased to advise on the result of the recent external inspection of Brent Housing Partnership and the report detailed the actions that were required by the Council as a result of that inspection. Councillor Thomas stated that a three-star award for performance had been awarded in July which had given the Council access to £45m of additional funding. This was the highest rating that could be awarded and he paid tribute to its staff for this achievement. There were also areas of good practice which had been well received by the Audit Commission. Notwithstanding this there were also areas of improvement and these were set out in the action plan in the report. The Executive joined Councillor Thomas in congratulating staff for the achievement and also the Housing Directorate for their efforts.

RESOLVED:-

- (i) that the Inspector's report and rating given to Brent Housing Partnership be noted and the staff and board members of BHP be congratulated for achieving the 3 star rating;
- (ii) that BHP's action plan as set out in appendix 3 to the report be noted;

- (iii) that the action taken as detailed in para 6.9 to address those recommendations specific to the Council be endorsed;
- (iv) that the report be referred to Performance and Finance Select Committee; (P&F)
- (v) that it be noted that a further report would be submitted detailing progress made in respect of such of the Audit Commission's recommendations as remain outstanding at the date of this report, including the outcome of BHP's service reviews.

## 12. **Social Services Performance Assessment 2003**

The report from the Director of Social Services gave an update and progress report on Social Services' performance for 2002/3 as judged by the Social Services' Inspectorate (SSI) and Department of Health in terms of Performance Assessment Framework National Indicators for Social Care; star ratings which are based on the PAF indicators and other evidence such as inspections and reviews and an annual performance letter from the SSI which was required to be presented to an open Council committee. The overall message from the performance assessment was that Social Services continued to make progress.

Councillor Fox in introducing the report noted that the Department was still rated as a one star authority however was pleased that the prospects for improvement in services for both children and adults were now judged to be "promising". The Executive joined him in congratulating staff and noting the improvements.

RESOLVED:-

- (i) that the performance assessment judgements as set out in the report and appendices attached to the report from the Director of Social Services be noted;
- (ii) that the performance against national indicators as set out in Appendix 1, be noted;
- (iii) that the improved judgement in the star ratings as set out in Appendix 2, be noted;
- (iv) that the improvements in performance and areas for further improvement as set out in the Annual Review of Performance letter (Appendix 3 of the report refers) be formally accepted and noted;

- (v) that the staff concerned be congratulated on the improvements to date.

**13. Children and Young People's Services Strategic Plan 2003/04**

Councillor Fox in introducing this report referred members to the plan accompanying the report which was commissioned by the Children and Young People's Priority Action Group, one of the sub-groups of the Brent Health and Social Care Partnership Board. As required under the Constitution, the report had been considered by the Overview Committee on 22<sup>nd</sup> October where it was welcomed with the suggestion that reference should be made in the report to the role of School Governing Bodies in relation to children in need and the role of Education in raising awareness on the prevention of teenage pregnancy. Councillor Fox was happy to accept the recommendations and proposed that the report be commended to Council for approval with these amendments.

Councillor Lyon congratulated the Director and her staff for carrying out the consultation on this report during a difficult period.

RESOLVED:

that the Children and Young People's Services Strategic Plan in Appendix 1 to the report be agreed, subject to changes identified in paragraph 6.7 of the report for onward submission to Full Council for approval and adoption.

**(Council)**

**14. Best Value Reviews Action Plans for the Physical Disabilities Assessment and Care Management Service and Occupational Therapy Service**

The report from the Director of Social Services outlined the key points addressed and actions arising from the Brent Best Value Reviews of the Physical Disabilities Assessment and Care Management Service and the Occupational Therapy Service. Improvement action plans of the reviews were appended to the report and Councillor Fox indicated that these were being worked on.

RESOLVED:-

that the recommendations within the Improvement Action Plans set out by the Scrutiny Panels for the Physical Disability and Care Assessment Management and Assessment Services, and Occupational Therapy Service be agreed, subject to the budgetary process.

15. **Authority to Award Contract for Supply of Standard and Kosher Frozen Meals and to Negotiate for the Supply of Asian, Vegetarian and Halal and Caribbean Frozen Meals**

The report from the Director of Social Services requested authority to award contracts as required by Contract Standing Order No 89. The report before the Executive summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded. The report also requested approval to negotiate with contractors in respect of the procurement of Asian, Vegetarian, Asian Halal and Caribbean frozen meals due to the unacceptability of the tender submission.

Councillor RS Patel raised concerns that he wished to be taken into account during the tender evaluation process regarding the packaging of foods to reduce the possibility of contact between vegetarian and non-vegetarian items; the adequacy of the food provided in terms of quality and quantity; and that advertisements be placed in Asian newspapers to obtain expressions of interest. The Director of Social Services, Jenny Goodall, advised that extensive consultation would take place with Asian elders and was happy to take on board Councillor Patel's concerns. She assured that there would be no interruption in the service during the negotiation period.

Additional information had also been circulated as an appendix to the report marked "not for publication" because it contained exempt information as specified in Schedule 12A of the Local Government Act, 1972, namely:-

"Information relating to the financial or business affairs of any particular person other than the authority, and

"The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services."

RESOLVED:-

- (i) that it be agreed the contract for the supply of frozen Standard Meals be awarded to Apetito Ltd;
- (ii) that it be agreed the contract for the supply of frozen Kosher Meals be awarded to Hermolis & Co Ltd;
- (iii) that the failure of the tender process in relation to the Asian Vegetarian, Asian Halal and Caribbean meals be noted and it be agreed that the process be discontinued for these meals;

- (iv) that approval be given to negotiate with contractors for the supply of Asian Vegetarian, Asian Halal and Caribbean meals and also to the considerations and the criteria to be used to evaluate bids as set out in paragraph 10.5 of the report;
- (v) that approval be given to officers to evaluate bids for the supply of Asian Vegetarian, Asian Halal and Caribbean frozen meals in accordance with the approved evaluation criteria referred to in paragraph (iii) above;
- (vi) that the observations made at the meeting relating to double layered packaging (to prevent vegetarian food from coming into contact with non-vegetarian food); quality and quantity concerns and advertising for expressions of interest in Asian newspapers be taken into account in the tender process.

## 16. Hospital Reimbursement Grant Proposals

The report from the Director of Social Services outlined the purpose of the delayed discharge budget which reimbursed hospital trusts where users are delayed for Social Care reasons, in hospital beds. The report explained the background and conditions of the grant and action taken in Brent to implement the new hospital discharge requirements. The report proposed ways of spending the budget to avoid delays and “fines”, projects potential expenditure to build capacity and also proposed consideration of a pooled budget arrangement to ensure any fines are used to meet shared objectives between Social Services and Health in line with the Department of Health’s requirements. Councillor Fox advised the Executive that the Council was working closely with the Primary Care Trust to identify alternatives to patients staying in hospital when not required. Jenny Goodall stated that a further report would be submitted following the trial period.

### RESOLVED:-

- (i) that the implications of the Community Care 9 (Delayed Discharges etc) Act 2003 and the Delayed Discharges (England) Regulations 2003 and the proposed expenditure of the delayed discharge grant of £273K for October 2003 – March 2004, be noted;
- (ii) that it be agreed to implement the option of an ‘up front’ investment approach (described at 3.2 of the report) with our health partners within the Primary Care Trust and North West London Hospital Trust for the delayed discharge, subject to any necessary formal agreements being approved by the Borough Solicitor;

- (iii) that it be noted there will be a further report in respect of the expenditure of the delayed discharge grant for 2004/5 as part of the budget planning process.

**17. Proposals for Future Delivery of a Cleaning Service for Some Social Services and Education Centres**

The report explained proposals for temporary and long term cleaning services for some Social Services and Education Centres because Housing through Brent Building Cleaning Services were no longer able to provide a viable office and school cleaning service. The report also set out the various options and issues for consideration. However, the Director advised that since writing the report, negotiations had progressed and revised recommendations were now put before the Executive recommending that option 1 be approved whereby Brent Building Cleaning continued to provide the service in-house until an external provider is appointed, following the tendering exercise, in relation to Housing and also that approval be given to a tendering exercise in relation to Social Services and Education cleaning services. The Executive agreed the recommendations as amended.

Additional information had also been circulated as an appendix to the report marked “not for publication” because it contained exempt information as specified in Schedule 12A of the Local Government Act, 1972, namely:-

“The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.”

RESOLVED:-

- (i) that approval be given to Option 1 as detailed in paragraph 6.14 of the report from the Director of Social Services;
- (ii) that approval be given to a tendering exercise in relation to the Social Services and Education Cleaning Services as detailed in paras 6.10 and 6.13 of the report.

**18. Investing to Raise Standards – Building Schools for the Future**

This report from the Director of Education, Arts and Libraries informed the Executive of the Government’s plans to introduce Building Schools for the Future (BSF) which was aimed at transforming the infrastructure of schools, mainly in the secondary sector to contribute to raising standards of education. The initiative would allocate resources that can be used with effect from 2005/6 by authorities that meet the criteria. The report sought members’ approval for officers to develop the Council’s proposals and associated recommendations.

Councillor Lyon (Lead Member) advised that an expression of intent was required this month. As a result of the initiative there would be an impact on the deployment of capital resources which it was now felt should be allocated at this stage to primary schools and it was suggested that a previous decision taken on 16<sup>th</sup> December 2002 in respect of privatisation for a hut removal programme which directly affected John Kelly Girls' School be revisited. John Kelly Girls' School had agreed to this re-allocation.

RESOLVED:-

- (i) that the Government's proposals for this major Investment initiative be welcomed;
- (ii) that the approach, set out in paragraphs 6.10 to 6.12 of the report, to developing the LEA's response to the Building Schools for the Future (BSF) programme be agreed noting that the DfES will announce by 31 March 2004 which year Brent is likely to benefit from the BSF initiative;
- (iii) that the broad framework, set out in Paragraph 6.13, for "The Expression of Interest for Brent's Building Schools for the Future" due to be submitted to the DfES by 19 December 2003 be agreed;
- (iv) that, in the period leading up to the BSF funds coming on stream, the approach to re-prioritising the deployment of available capital resources as set out in Paragraphs 6.18 to 6.19 be agreed;
- (v) that it be agreed therefore to review its prioritisation (Executive, 16 December 2002) of the Hut removals programme in line with Paragraphs 6.20 to 6.25.

19. **DfES/LEA Compact**

The DfES have proposed the drawing up of a compact with each local education authority on a voluntary basis to be piloted for 2004/5. The compact was designed to give public expression to the partnership between the DfES and LEAs and to include local priorities for the Borough. A draft compact was attached to the report from the Director of Education, Arts and Libraries who stated that the review was worth doing and would be re-visited in a year's time.

RESOLVED:

that the draft Compact be agreed.

20. **Authority to Invite Tenders for Schools Meals Contract**

Councillor Lyon introduced this report which concerned the re-tendering of the Schools Meals Contract on behalf of the schools who have expressed an interest in being part of a centrally negotiated contract. Approval was requested to invite tenders in respect of the contract as required by Standing Orders 89 and 90. Councillor Lyon drew attention to the fact that a number of schools have no kitchen facilities and as a result food quality sometimes deteriorated in the transportation process. The focus was now on children's eating and the report emphasized the need for school meals to contribute positively to children's healthy and enjoyable eating in terms of attractiveness, diversity and by improved staff training.

Additional information had also been circulated as an appendix to the report marked "not for publication" because it contained exempt information as specified in Schedule 12A of the Local Government Act, 1972, namely:-

"Information relating to the financial or business affairs of any particular person other than the authority, and

RESOLVED:-

- (i) that the pre - tender considerations and the criteria to be used to evaluate, as set out in paragraph 6.14 of the report be approved;
- (ii) that officers be authorised to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

21. **Draft Service Development Plans - 2004/2005 - 2007/2008**

Previously circulated with the Full Council papers for 17th November were the draft Service Development Plans for the five Service Areas for 2004/2005 – 2007/2008. These are now due for consideration at this meeting. Also included were draft budgets which have been constructed on the basis set out in the financial implications of the report from the Director of Finance report. Councillor Coughlin proposed an amendment to the savings proposals and for the Kingsbury One Stop Shop to open for three days per week instead of the two indicated. This was agreed.

RESOLVED:-

- (i) that the draft Service Development Plans and Budgets 2004/2005 – 2007/2008 be received and noted and forwarded to Overview Committee for consideration prior to the Executive

making budget proposals in February 2004 for consideration by Full Council on 1st March;

- (ii) that the savings proposals set out in Appendix 1 to the report be agreed, however, given that there is significant demand for Kingsbury One Stop Shop on Fridays in addition to Mondays and Tuesdays, in contrast to the far lower use on Wednesdays and Thursdays, the relevant savings proposal be amended from 2 day per opening to 3 day per week opening, reducing the related savings from £45k to 37k, with the £8k to be found from other OSS budgets.

## 22. **2004/2005 Schools' Budget**

This report from the Director of Finance set out provisional proposals for the 2004/05 Schools' Budget following various statements by the Secretary of State for Education and Skills. The Executive had before them the minutes of the Schools Forum which commented on the Schools' Budget on 3rd December. The report to the Forum was attached to the report.

Councillor Lyon advised that the report to the Executive proposed a provisional Schools' Budget which met the passporting requirements and which was above the 4% per pupil minimum. He added that an application would need to be made to the Secretary of State to allow a higher limit for the non-devolved schools' block increase compared with the devolved schools' block. He noted that the Schools Forum did not agree with the proposals, favouring instead an increased budget to be met by a Council Tax rise. Councillor Lyon expressed the view that this would not be fair on council tax payers and consequently proposed that the Schools Forum recommendations be not adopted. The Executive agreed to note the views of the Schools Forum and to agree the recommendations in the report.

RESOLVED:-

- (i) that the report to the Schools Forum attached at Appendix 1 to the report from the Director of Education, Arts and Libraries, together with the minutes of the Forum meeting held on 3<sup>rd</sup> December, be noted;
- (ii) that the provisional Schools' Budget at the passporting level of £132.515m be agreed;
- (iii) that application be made to the Secretary of State for Education and Skills to allow a higher limit for the increase in the non-devolved schools block compared with the devolved schools' block.

23. **Vital Signs – Quarter 2**

This report introduced the Vital Signs for the period July to September 2003. The Vital Signs set out the data on the Council's performance against the key priority indicators.

RESOLVED:-

that the summary table attached to the report from the Chief Executive, which provides a clear and concise indication of where performance has improved or fallen against the previous quarter, be noted.

24. **Authority to Award Contract for Banking Services and Credit Card Services Contract**

This report requested authority to award contracts as required by Contract Standing Order No 89. It report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded. Councillor Coughlin stated that economies of scale expected from letting both the credit card services contract and the banking services contract had not materialised and so it was felt necessary to tender separately the credit card contract at a later date.

Additional information had also been circulated as an appendix to the report marked "not for publication" because it contained exempt information as specified in Schedule 12A of the Local Government Act, 1972, namely:-

"Information relating to the financial or business affairs of any particular person other than the authority, and

RESOLVED:-

- (i) that the contract for banking services be awarded to The Royal Bank of Scotland PLC as agents for Nat West Bank PLC to take effect from 1 April 2004, subject to the Director of Finance being satisfied that any outstanding contractual issues have been resolved;
- (ii) that the credit card contract be not awarded at this time and that the contract for credit card acquiring be tendered to wider competition.

**25. Corporate Governance Framework**

The report from the Director Finance sought approval from the Executive for the adoption of a Local Code of Corporate Governance and to recommend to Full Council that the Code be included in the Constitution. The report also suggested a mechanism for monitoring a Corporate Governance action plan and seeks approval for this mechanism.

RESOLVED:-

- (i) that it be agreed to adopt a separate code of corporate governance and recommend to Full Council that it be included in the Constitution;
- (ii) that the action plan items contained in Appendix 1 to the report be endorsed and that the Performance and Finance Select Committee take responsibility for monitoring progress against the action plan.

**(Council)**

**26. Scope for Charging Policy Best Value Review 2003/04**

This report outlined the scope for the 2003/04 Best Value Review of Charging Policy

RESOLVED:

that the scope attached to the report be approved.

**27. Service Tenancies – Position Statement**

This report followed on from an earlier report to the Executive on 21 July 2003 dealing with Service Tenancies, setting out the latest position and proposed course of action regarding parks and cemeteries and Education, Arts and Libraries caretakers Service Tenancies.

Additional information had also been circulated as an appendix to the report marked “not for publication” because it contained exempt information as specified in Schedule 12A of the Local Government Act, 1972, namely:-

“Information relating to the financial or business affairs of any particular person other than the authority, and

RESOLVED:-

- (i) that the progress made on service tenancies in parks and cemeteries be noted;

- (ii) that the progress made on caretaker service tenancies in Education Arts and Libraries be noted;
- (iii) that the proposed course of action in the final stage for the review of caretaker service tenancies in Education, Arts and Libraries be agreed, in particular:
  - a) re-housing on basis of need (Option b in the report), namely, all Residential Caretakers employed after 1 August 1990 with at least 5 years service will be re-housed in accordance with a Housing assessment of their needs at the time of termination of employment, where this termination is covered by age retirement, retirement on the grounds of ill-health or redundancy. Residential Caretakers who have been in post prior to 1 August 1990 will retain their existing re-housing rights)
  - b) re-housing with a Registered Social Landlord if a suitable Council property is not available

**28. Exclusion of Press and Public**

RESOLVED:

that the press and public be now excluded from the meeting as the following items contain categories of exempt information as specified in Schedule 12A, of the Local Government (Access to Information) Act 1972, namely:-

The amount of expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

**29. Future Management of Lynton Close Travellers Site**

This report informed Members of the proposals for the future management of the Lynton Close Travellers Site and seeks Members' in principle approval for additional funding for an enhanced housing management service at the site (subject to a final decision by Full Council in respect of the budget).

- (i) that the background issues and management problems affecting the site be noted;
- (ii) that the outcome of the tendering process undertaken by BHP be noted;

- (iii) that approval be given to an increase in Licence Fees as stated in the report (which will only be implemented if Full Council approve the growth bid);
- (iv) that approval be given to revised management arrangements subject to growth of £124K being approved by Full Council as part of the 2004/05 budget process.

The meeting ended at 9.30 pm

A JOHN

Chair

*Mins0304/executive/exec/exec08di*