

MINUTES OF THE MEETING OF THE EXECUTIVE
Monday, 9th February 2004 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, Kansagra, H B Patel, Sayers and Van Colle also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None declared.

2. 2004/2005 Budget and Council Tax

The main purpose of this report was to obtain Members' proposal for the 2004/2005 capital and revenue budgets and the Council Tax to be levied and to recommend this to Full Council for approval. It also brought together into one document key information relating to the Council's current financial position and future projections. Councillor Coughlin (Deputy Leader) in introducing the report firstly extended his gratitude to the Finance staff, in particular Stephen Hughes (former Director), Duncan McLeod (Deputy Director), Neil Wilcox and other finance staff across the Council. He was also grateful to colleagues and service directors for their work in helping to ensure that the Council's priorities are met.

Councillor Coughlin drew attention to two issues yet to be finalised: the Greater London Authority precept and the decision from the Department of Education and Skills on the application increase the non devolved element of the Schools Budget at a higher percentage than the devolved element. On the basis of available information Councillor Coughlin anticipated that the Council tax increase would be in region of 7.3 to 6.6%, the lowest increase for a number of years. He referred to a number of priorities for which increased funding would be made available to improve services including community safety wardens, anti-social behaviour orders, anti-graffiti resources and waste management. There were also Education, Arts and Libraries priorities such as full passporting, increased capital expenditure and a full and safe festivals programme. Councillor Coughlin referred also to housing and social services priorities. Increased funding would be provided to deal with hate crimes, domestic violence and to improve occupational therapy, fostering and performance ratings. In summary, the Administration's aims were to protect core, key services, provide a safe and clean environment while keeping Council tax rises to an acceptable level.

Councillor Coughlin dismissed a question on reports in the press about the impact of asylum seekers on Council tax levels as misinformed speculation. The Executive thanked Councillor Coughlin for his presentation.

RESOLVED:-

- (i) that the report, which contains the latest budget proposals, be noted and forwarded to the Full Council on 1st March 2004 who are asked to agree recommendations 2.1 to 2.41, subject to three potential amendments:
 - (a) the agreement of the final Greater London Authority precept for 2004/2005 by the Assembly;
 - (b) the decision by the Department of Education and Skills on the Council's application to have a higher limit of increase on its non-devolved schools budget than the devolved budget;
 - (c) any other significant changes to the budget figures currently presented in this report.
- (ii) that if a change is necessary officers, after consultation with the Leader and Deputy Leader of the Council, are instructed to update the report accordingly prior to the Full Council meeting

3. **Section 106 Update Report**

Following consideration of a Planning Service S106 update report the Capital Board instructed Brent Financial Services to undertake a review of S106 Funds to determine whether the money was being utilised. The review was now complete and this report set out the findings from the review.

Councillor Coughlin outlined the findings and stated that both Social Services and Education, Arts and Libraries had been allocated monies from the fund having not benefited to a great extent in the past. All cash balances had been reconciled and an additional £500,000 had to be found.

RESOLVED:-

- (i) that the findings from the original review be noted;
- (ii) that it be noted a follow-up review is currently in progress and upon completion an update report will be presented;
- (iii) that it be noted the £278k StreetCare Monies have been claimed and it be agreed the funds should now be returned to balances within the capital programme.

4. **Future of the CRE Leadership Group**

This report outlined the achievements in recent years of Brent Council in relation to race equality. It recommended that the council's existing arrangement with the Commission for Racial Equality is brought to a

conclusion. The report had been submitted to the Full Council on 26th January 2004 where the matter had been fully debated and referred for a decision.

Councillor D Long (Lead Member) advised that a full written response to the proposal had yet to be received from the CRE however he was he was satisfied that the Council was making significant improvements in equalities issues. He outlined achievements over the past years, and stated that work was continuing and that the Council was not complacent. Councillor Long asserted that the voluntary agreement was due to be terminated as the level of scrutiny was unwarranted and not given to other local authorities. He was proud of the Council's achievements and was confident that systems were in place to continue the fight against discrimination. Councillor Long recommended that agreement be terminated and the Executive agreed.

RESOLVED:-

- (i) that the Council's achievements in relation to race equality and diversity and that the Council has debated the ending of the informal monitoring arrangement with the CRE and Leadership Group, be noted;
- (ii) that, in light of the comments of the Council, the existing arrangement of the CRE and Leadership Group be ended given that other arrangements now exist to monitor the Council's commitment to race equality;
- (iii) that it be noted the Council expresses its appreciation to the CRE for its help and support throughout this partnership arrangement and confirms its commitment to continue working with the CRE in the future.

5. Consultants' Study on Possible Civic Centre Development in Wembley

Gareth Daniel (Chief Executive) introduced his report which set out the vision document and which described what he considered to be a once in a lifetime opportunity to maximise the National Stadium's impact as a catalyst for regeneration of the area. At the core and integral to the vision was a new civic building that would be the centrepiece of the community in Brent. In addition such a physical stake in the development of the Wembley area would give the Council greater leverage and influence over the wider regeneration of Wembley.

The Chief Executive advised that the Jonathan Edwards Consulting had produced their final report and concluded that the proposal was viable and the feasibility work should continue. A project team needed to be established to carry out further detailed work to report in October 2004. It was noted that environmental impact and sustainability issues would be covered in that report.

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

“Any terms proposed, or to be proposed, by or to the Authority in the course of negotiations for a contract for the acquisition or disposal of property or supply of goods or services.”

RESOLVED:-

- (i) that the contents of JEC’s study and its findings as summarised in Section 1, page 4 and 5 of the report be noted;
- (ii) that officers be authorised to take the feasibility study to the next level by scoping the feasibility for a more integrated multi purpose facility with key public and private partners;
- (iii) that officers report back to the Executive on the next stage of the study by October 2004.

6. Relationship Manager Letter 2003 from the Audit Commission

This covering report introduced the Relationship Manager Letter 2003 from the Audit Commission. This letter is produced as part of the Comprehensive Performance Assessment process by the Council’s relationship manager at the Audit Commission. The purpose of the Letter is to record the views of the Audit Commission on the progress made by Brent in improving the performance of their services. The Executive noted that progress continued to be made in many areas with the current assessment rating the Council at the top of ‘fair’.

RESOLVED:-

- (i) that the comments of the Audit Commission with regard to the progress made in improving the performance and quality of services provided by the Council be noted;
- (ii) that the Relationship Manager Letter be referred to the Performance and Finance Select Committee for consideration.

7. Housing Revenue Account Rent Setting

This report presented to members the Revised Estimates for 2003/2004 and the Estimates for 2004/2005 as required by the Local Government and Housing Act 1989. Members were required to consider these estimates and the associated options. There was a requirement to set a budget that does not show a deficit and consideration needed to be given to the level of rents for 2004/2005.

Councillor Thomas (Lead Member) reminded the Executive that the aim was now for rents to be based on those of registered social landlords and to converge towards the London average.

The Executive noted that the Quality of Life Scrutiny Panel at its meeting on 21st January considered the report draft HRA report. The Panel had suggested adjustments that they felt would result in a nil rent increase and their recommendations were read out to the meeting. Councillor John also advised members that Brent Housing Partnership were in support of the recommendations in the report. The Executive agreed to note the Scrutiny Panel's recommendations and to agree the recommendations as detailed in the report from the Director Housing.

RESOLVED:-

- (i) that the recommendations of the Quality of Life Scrutiny Panel meeting held on 21st January 2004 regarding the HRA report be noted;
- (ii) that the Revised Estimates 2003/2004 (Appendix 1, Table 1 to the report) be approved;
- (iii) that the Estimates (in Appendix 1, Table 1) 2004/2005 be noted in the light of Officers' advice contained in this report (including consideration of the growth items);
- (iv) that an average rent increase (excluding service charges) of £2.56 per week be approved. This to be applied on an individual basis to each property based on the government's rent convergence guidelines as detailed in paragraphs 7.31 to 7.37. This will raise an additional £1,281,631.
- (v) that it be agreed to increase service charges by 2.8% raising an additional £70,000;
- (vi) that it be agreed to increase the rents on Middlesex House (including Service Charges) by 2.8% raising £21,000.
- (vii) that delegated authority be granted to the Director of Housing to agree the ALMO management fee after negotiations with that organisation on the basis it is funded from agreed overall financial resources for the financial year 2004/05.

8. Mental Health Assertive Outreach Team Supplementary Credit Approval – Set up Costs

This report gave the background to the current Mental Health Assertive Outreach service in Brent. It explained the reasons why the contract, which was contracted by the previous Brent and Harrow Health Authority, not Social Services, for provision of this service by a voluntary sector partnership terminated on the 31st August 2003. It detailed the new service provided by

the Brent Mental Health Partnership which commenced from the 1st September 2003. It requested that members agree to draw on the Mental Health Supplementary Credit Approval (SCA) for 2003/4 in order to fund a share of the capital/non recurrent costs of establishing a new service, in new premises in February 2004.

The Lead Member, Councillor Fox, pointed out that PCT had agreed to meet the revenue costs for additional staff for a three year period removing the need to proceed with a growth bid. He also corrected the report to indicate that additional social work staff would be employed by the Council and not the Trust as indicated in the staffing implications paragraph.

RESOLVED:-

- (i) that the establishment of the current Assertive Outreach Service be noted;
- (ii) that it be agreed Assertive Outreach be added as an additional Joint Function in Schedule 2 of the Brent Mental Health Partnership Agreement with effect from September 2003;
- (iii) that it be agreed to use the Mental Health Supplementary Credit Approval of £136,974 as the Council's contribution to the establishment of the new Assertive Outreach team.

9. **Authority to Award Contract for Arboricultural Services**

This report requested authority to award a contract as required by Contract Standing Order No. 89 (authority to award required from the Executive given the contract value). It summarised the process undertaken in tendering this Arboricultural Services Contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

Councillor Jones outlined the outcome of the tender process and assured that monitoring including that of shrub beds, would be improved together with performance against other indicators.

RESOLVED:-

- (i) that the tendering and evaluation process that has been undertaken for this Contract be noted;
- (ii) that the Arboricultural Services Contract be awarded to Gristwood & Toms;
- (iii) that approval be given through the Council's Revenue Budget setting process for 2004/05 of a further growth sum of £50,000 for the StreetCare (Arboricultural Services) Revenue Budget.

10. **Admission Arrangements**

This report advises members of the need to agree proposed admissions arrangements for Brent's Community Schools for the September 2005 intake. Once agreed, these arrangements will be formally consulted upon, and Members will be asked to determine the final admission arrangements for these schools in April 2004.

Councillor Lyon (Lead Member) indicated that the recommendation in the report need to be corrected to refer the Appendices C and D.

RESOLVED:-

that the proposed admissions arrangements as outlined in Appendices C and D to the report be agreed and that these be allowed to go forward for statutory consultation.

11. **School Funding Formula Review 2004/05**

This report informed Members of the responses to the 2004/05 school funding formula review consultation process and asked Members to approve changes to the funding formula in the light of those and other considerations.

Councillor Lyon reminded the Executive that if the application to the Secretary of State for dispensation was not successful then the funding formula would have to be revisited and regard taken of representations made especially those from primary schools. He also drew attention to the recommendation that the social deprivation factor be amended to help those schools in deprived areas. Councillor Lyon proposed that agreement be given to creating a contingency for funding schools with reducing standard numbers and noted that the Schools Forum had been unable to meet on 28th January due to bad weather conditions. Any recommendations arising from the rearranged meeting would be reported to Full Council.

RESOLVED:-

that the following amendments to the funding formula for 2004/05 be agreed:

- (i) To amend the social deprivation factor to reflect the percentage of pupils on roll entitled to Free Schools meals from the 200 most deprived wards in London and to agree to increase the allocation to £500,000 (by transfer from the weighted pupil factor), with a £1,000 cut-off floor (paragraph 6.7.4)
- (ii) No change to the needs-led factor (paragraph 6.8)
- (iii) Agree to there being a nursery school place factor with a value of £596 per place; to 2003/04 funding being treated as though it is within the fair funding regime and that the nursery schools can carry forward any unspent balance of budget at 31st March 2004 (paragraph 6.9).

- (iv) Agree to the creation of a minimum guaranteed funding factor in accordance with the requirements of the DfES and that the cost of this “floor” be spread across the ISB with no ceiling (paragraphs 6.10 and 6.17.2).
- (v) Agree to the creation of a split site factor for the Convent/Cardinal Hinsley federation, this factor to last for three years only, from 2004/05 to 2006/07 (paragraph 6.13).
- (vi) Agree to the creation of a new unit factor for the English as an Additional Language unit attached to the John Kelly Schools, with a 2004/05 value of £150,000 (paragraph 6.11).
- (vii) Agree to the amendment to the factor relating to pupils with non-stated Special Educational Needs as set out in paragraph 6.19.6, subject to consideration of the views of the Schools Forum on 28th January 2004.
- (viii) that agreement be given to the creation of a contingency for funding schools with reducing standard numbers (paragraph 6.12)

12. **Granville Plus Development**

This report set out plans for the re-development of the Granville Centre, as one element of the overall regeneration of South Kilburn, and sought Members’ approval to let the construction contract and to enter into all the necessary legal agreements with Brent Primary Care Trust (PCT) and other partners to enable the project to take place. The new centre would include an extension and direct link to the existing nursery school, enhanced youth and community facilities, and a base for South Kilburn Sure Start. The PCT would have a lease of the first floor extension and other parts of the premises, together with appropriate access and services provisions coupled with proportionate service charge recovery.

RESOLVED:-

- (i) that it be agreed to participate in the proposed extension and refurbishment of the Granville Centre broadly as outlined in the current planning application (ref. 03/2942) submitted by Anne Thorne Architects Partnership. This is detailed in paragraphs 7.5 and 7.6 of the report;
- (ii) that it be agreed to tender a contract to undertake the construction work in accordance with the detail of the report and it be agreed to waive standing orders to the extent necessary to enable the Council to take forward the process begun by the PCT and shortlist tenderers for final bids and note the tendering timetable. It is also further agreed that the Director of Education Arts and Libraries may agree a reduced specification to avoid any cost overruns;

- (iii) that it be agreed to enter into agreements with the various partner agencies detailed in the report to ensure that funding is confirmed;
- (iv) that the appointment of EFM Ltd as initial consultants to advise on aspects of finance, risk, and deliverability be agreed, and that further consultants will need to be appointed in due course to manage the construction contract;
- (v) that it be agreed to lease the newly constructed upper floor and other parts of the premises to the PCT on the terms detailed in this report;
- (vi) that the Manager, Corporate Property be authorised, in consultation with the Director of Education, Arts and Libraries and the Borough Solicitor, and the Director of Finance, to agree both the detailed terms of the legal agreements with the partners to the project and the mechanism for procuring the works, subject to the latter's compliance with the Council's Scheme of Management.

13. Exclusion of the 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:-

“Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services”

14. Sure Start Central, Bridge Road, Neasden NW10 – Acquisition of a Strip of Land

This report sets out a proposal to enter into a lease and grant a sub-lease of additional land to facilitate the development of the Council's adjoining land to create the proposed 'Sure Start Central' facility in partnership with the Brent Primary Care Trust (the PCT). The strip of land is currently held by Brent on a Licence with the Metropolitan Water Board (now Thames Water Ltd) granted on 19th October 1942. A longer duration assignable lease is required.

The land comprises some 0.063 ha of landscaping land and will be used for 12 car parking spaces and landscaping in connection with the Sure Start facility, in accordance with Planning requirements, as detailed in paragraphs 6.1 and 6.2 of the report.

RESOLVED:-

- (i) that it be agreed to enter into a lease of the strip of land with Thames Water Ltd on terms as detailed in paragraphs 6.3.1 and 6.3.2 of the report;
- (ii) that it be agreed to grant an underlease of the strip of land to the PCT on terms as detailed in paragraphs 6.3.1 and 6.3.2 of the report;
- (iii) that the Manager, Corporate Property be authorised, in consultation with the Borough Solicitor, to agree the detailed terms of the above legal agreements

The meeting ended at 7.55 pm

A JOHN
Chair

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