

MINUTES OF THE MEETING OF THE EXECUTIVE
Monday, 8th March 2004 at 7.00 pm

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

Apologies for absence were given on behalf of Councillors Beswick and D Long.

Councillors Duffin, Fiegel, HB Patel, Sayers and Van Colle and also attended the meeting.

1. Declarations of Personal and Prejudicial Interest

None declared.

2. Investing Powers to a 'Gold' Chief Executive in the Event of a Catastrophic Incident in London

The ALG Leaders' Committee, at their meeting on 9 December 2003, recommended that all London local authorities adopt a resolution on Local Authority Gold Command and Control in the event of a catastrophic incident in London. The purpose of the resolution is to vest the 'Gold' Chief Executive with the necessary powers to act on behalf of all the London local authorities in responding to a catastrophic incident, including the power to incur expenditure.

RESOLVED:

that the following Local Authority Gold Resolution be agreed:

Catastrophic Incident in Greater London: Delegation of Functions

1. This resolution is made in accordance with section 138 Local Government Act 1972, section 101 Local Government Act 1972, section 155 Local Government Act and Housing Act 1989, section 19 Local Government Act 2000, Regulations 7 and 10 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and all other enabling powers.
2. As from the date of this resolution the Council's functions under section 138(1) Local Government Act 1972 (Powers of principal councils with respect to emergencies or disasters) are delegated to the Head of Paid Service as defined in paragraph 3 below in the circumstances set out in paragraphs 4 – 7 below.
3. The Head of Paid Service is the person appointed by one of the Councils under section 4 Local Government and Housing Act 1989 who, at the date of declaration of a Catastrophic Incident as defined in paragraph 4 below, has agreed to discharge the functions under section 138(1) Local Government Act 1972 ("the functions") on behalf of the Councils.

4. A Catastrophic Incident is an incident declared as such by the Minister of State for London Resilience (“the Minister”) where destruction of or danger to life or property in Greater London has occurred, or, in the reasonable opinion of the Minister, such destruction or danger is imminent, or the Minister has reasonable grounds for apprehending such destruction or danger.
5. The functions hereby delegated to the Head of Paid Service shall not be exercised until resolutions delegating the functions to the Head of Paid Service have been made by all the Councils.
6. The powers hereby delegated to the Head of Paid Service shall not include any power to incur expenditure or to make grants or loans to any person unless the Head of Paid Service has received confirmation from the Minister that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property or to prevent suffering or severe inconvenience will be reimbursed by HM Government.
7. In discharging the functions, the Head of Paid Service shall, insofar as reasonably practicable, consult with and inform any Council whose area is affected by the Catastrophic Incident regarding any action proposed to be taken in that Council’s area.

3. **Deputation**

The Executive agreed to receive a deputation from Mr Robert Dunwell (Queensbury Residents and Traders Association) concerning the controlled parking zones consultation process. He argued that currently there was a low level of response to questionnaires he offered assistance in the development of new and more effective process.

Councillor John responded that there were mixed views on CPZs: some residents welcomed them, others did not. She agreed that consultation needed to be carried out with great care.

4. **Controlled Parking Zones Design and Consultation (Scrutiny Committee Road Use Space Task Group)**

The Executive noted the contribution of Mr Robert Dunwell and went on to consider the report outlining recommendations made by the Scrutiny Committee Road Use Task Group concerning: the design and consultation process for controlled parking zones (CPZs) and details the investigations undertaken and recommendation made by officers with regard to reviewing procedures; the enforcement of Controlled Parking Zones (CPZs) with regards to exercising discretion to cancel parking tickets in certain circumstances.

Councillor Jones welcomed the report from the Task Group and stated that consultation on CPZs was an evolving process and ideas emerging from the findings had already been incorporated into revised policy. She accepted that while the Council met legal obligations there was still room for improvement and praised the good practice adopted by the Borough of Camden. A review of enforcement policy would now be carried out following the recent appointment of a Parking Manager.

Councillor Fiegel (Chair of the Scrutiny Road Use Task Group) outlined for the Executive the process by which the Task Group had produced their report early in the scrutiny process when limited officer support was available. He praised the London Borough of Camden which had responded positively to enquiries and had a flexible scheme and effective scheme. Councillor Fiegel thanked Councillor Jones for her support and welcomed the implementation of the Task Group's recommendations. He also hoped that given more support, other Task Groups would be able to report their findings in a more timely manner.

Councillor Van Colle raised the issue of when does parking 'consultation' amount to a 'referendum'. Councillor Jones acknowledged the problem and stated that it would soon be practice for reminder cards to be sent to non-responding households. Councillor Van Colle also raised the issue of the Wembley Stadium Parking scheme to which Councillor John replied that event day parking was a separate issue and where it would be impossible to accede to all requests. However, she assured that all views would be listened to and taken into account. It was noted that a consultancy firm had been appointed to carry out this work and a timetable was awaited.

On behalf of the Executive, Councillor John thanked the Task Group for their report.

Councillor Jones moved the recommendations which contained suggestions from the Task Group not previously taken on board. In connection with the recommendation at 2.4 of the report, Councillor Jones proposed additional recommendations at (vi) and (vii) below, relating to the suggestion of a survey of residents' perception of current parking problems and expectations and also a trial of a cross boundary permit scheme [paras 8.46 (a) and (d) refer].

RESOLVED:-

- (i) that the current public consultation processes used by the Transportation Service Unit be endorsed and the improvements approved in March 2003 by the Highways Committee be noted;
- (ii) that the detailed assessment of the Task Group report be noted;
- (iii) that the additional improvements to be made to the public consultation process as detailed in 8.46 (b) and (c) be endorsed;

- (iv) that the existing cancellation policy for PCNs set out in paragraphs 8.32 to 8.43 of the report be noted and endorsed;
- (v) that officers' concerns regarding further relaxation of the PCN cancellation policy, as proposed by the Task Group Report noted;
- (vi) that the improvement suggested in paragraph 8.46 (a) of the report be accepted only in respect of ward councillors being consulted in advance of public consultations on the design and content of consultation material / questionnaires and their comments being given sufficient time for consideration;
- (vii) that the improvement suggested in 8.46 (d) be considered at a future date, as detailed in paragraphs 8.27 and 8.28 of the report, when the extent of CPZs and associated parking problems in the borough is more stable and the consideration of cross boundary permit operation between CPZs can be reviewed in the light of more detailed and accurate impact assessments.

5. Audit of Brent Food Enforcement Service

Brent was selected by the Food Standards Agency for a themed audit on 'food sampling' in December 2002 and a further audit on all other aspects of food enforcement in June 2003. The FSA concluded that Brent had effective food sampling and food enforcement services. The FSA require that the reports are formally brought to the attention of Members.

RESOLVED:

that the key findings of the FSA audit reports and the use of additional resources by Environmental Health's Food Safety Team to make measurable improvements to Brent's food enforcement service be noted

6. Wembley Stadium Station Hub Adoption of Pedestrian Bridge

This report described progress on the Hub scheme which included the construction of a new pedestrian bridge at Wembley Stadium Station and sought Members' approval to the principle of adopting the new bridge structure as public highway.

RESOLVED:-

- (i) that the progress of the current project be noted;
- (ii) that the principle of adoption of the new bridge structure and route as a highway maintainable at public expense be approved;

- (iii) that it be noted that the Highways Committee will be asked to approve the making of a Traffic Management Order, at the appropriate time, to restrict the use of the new route to pedestrians only, whilst allowing access for maintenance/cleansing and emergency vehicles.

7. Future of New Bridge Park Complex

This report set out for Members the main findings of a recent independent review of the new Bridge Park Complex and its key recommendations for the future management of the facility. Councillor Jones stated that proposed changes would provide the Complex with clear objectives with a focus on sports and physical activities, improved reception facilities, staff accommodation, customer service and operations. There would also be enhanced promotion and marketing.

Additional information on staffing accommodation and security issues was 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 any particular occupier or former occupier of, or applicant for accommodation provided by or at the expense of the Authority.”

The recommendations in the report and the appendix were agreed.

RESOLVED:-

- (i) that the findings of the consultants review of the new Bridge Park Complex be noted;
- (ii) that officers implement the action plan appended to the report from the Director of Environmental Services;
- (iii) that approval be given to improving staff accommodation and reception arrangements at the New Bridge Park Complex by expanding the area used by the service;
- (iv) that approval be given to the use of Capital funding as outlined in Appendix 1 of the report;
- (v) that approval be given to the renaming the complex, the ‘Bridge Park Community Leisure Centre’;
- (vi) that Officers to set up the Members Working Party as set out in paragraph 7.9.2;
- (vii) that officers be instructed to take all necessary action required to obtain possession of any additional floor space required for the new staff accommodation and reception arrangements.

8. Authority to invite tenders for the Contracts for the provision of Domiciliary Care for Older People and Adults with Disabilities

This report concerned the re-tendering of the provision of domiciliary care services for older people and adults with disabilities. The report requested approval to invite tenders in respect of domiciliary care services for older people and adults with disabilities as required by Contract Standing Orders 89 and 90.

RESOLVED:-

- (i) that approval be given to the packaging of the contracts as set out in paragraph 3.7 of the report from the Director of Social Services;
- (ii) that approval be given to the outline evaluation criteria to be used to evaluate tenders as set out in paragraph 3.10 of the report;
- (iii) that approval be given to officers inviting expressions of interest and shortlisting in accordance with minimum standards on financial standing and technical ability to be developed by officers and to invite tenders and evaluate them in accordance with evaluation criteria based on the outline criteria set out at paragraph 3.10 of the report.

9. Transport Grant to Voluntary Organisations

Councillor Fox (Lead Member) introduced this report which asked the Executive to agree new criteria for providing transport grants to local voluntary organisations. The report provided details of the organisations currently funded and made recommendations for future funding if the new criteria were approved. The new criteria would be effective from April 2004.

Councillor Fox advised that grants were due for review and that those organisations that met the new criteria were recommended for grant assistance. The aim was to give financial assistance to allow access to services as opposed to transporting for social or recreational purposes. Jenny Goodall (Director of Social Services) advised that discussions were taking place with organisations not qualifying for grant assistance to help them find alternative funding sources with the help of the Voluntary Sector and Grants Unit. She also assured that her Department would give careful consideration to organisations suffering hardship as a result of the changes. Every effort had been made to contact organisations that had not responded to letters. Councillor John emphasised that the priority was to assist Brent residents.

The recommendations in the report were agreed.

RESOLVED:-

- (i) that the contents of the report be noted;
- (ii) that approval be given to the new criteria for providing transport grants to voluntary organisations as set out in paragraph 6.13 of the report;
- (iii) that approval be given to the allocation of £18,256 to the voluntary organisations that meet the new criteria as detailed in section 6.16 of this report.

10. Integrated Community Equipment Store – Approval for Pooled Budget

This report provided the background to the Department of Health (DoH) requirement for Health and Social Services to establish Integrated Community Equipment Services (ICES) by April 2004. It detailed the position in Brent, work undertaken by a joint project group and proposals for meeting the requirements. A key requirement was to establish a pooled budget by March 2004, and set up a partnership arrangement between Social Services and the Primary Care Trust.

The Director of Social Services introduced additional information circulated at the meeting making minor revisions to the report. The figure of £688,000 in para 3.1 was deleted and it was noted that the PCT increase to the operational costs of running the joint equipment store would be on a 50/50 basis from April 2004 for new operational costs. The estimated PCT contribution was confirmed to now be £180,000. The estimated contribution was not as stated but is still subject to negotiation as this is based on a 50/50 split of the current operating costs. The current contribution as stated in para 3.1 of the report would continue and further work would be carried out on reaching a fair split of costs although Social Services has higher activity levels reflected in its higher financial contribution. Finally, the final paragraph of report was corrected to read the Brent Social Services Department may have additional funds to be determined as stated above.

The Executive agreed the recommendations as amended.

RESOLVED:-

- (i) that the updated information provided by the Director of Social Services at the meeting be noted;
- (ii) that agreement be given to the Council entering into a partnership arrangement for provision of an integrated community equipment service (ICES) with the Brent PCT under Section 31 of the Health Act 1999 as set out in the report from the Director of Social Services;

- (iii) that agreement be given to the setting up of a pooled budget for 2003/04 and to the council contribution of £47,000 to that budget;
- (iv) that approval be given to the expansion of the pooled budget from April 2004/5 as detailed in paragraph as amended (with the PCT estimated contribution now being £180,000 for equipment and £45,000 towards running the OT store), to include both Social Services and the Primary Care Trust;
- (v) that approval be given the Council being the provider of the ICES established pursuant to the partnership agreement as set out in paragraph 6.17;
- (vi) that it be noted that a written agreement is required to be entered into between the Council and Brent PCT in respect of the proposed partnership and to authorise the Director of Social Services, in consultant with the Borough Solicitor, to agree the form of that agreement.

11. The Regeneration Action Plan 2004–2006

This report introduced draft Regeneration Plan 2004 - 2006. In 2001 Brent Council and the Local Strategic Partnership (LSP), Partners for Brent, published a twenty year Regeneration Strategy detailing a range of activities under six key themes. This was the second three-year action plan setting a clear and focused work programme for regeneration in Brent in support of the Regeneration Strategy 2001-2021.

Councillor RS Patel advised that in preparation for the Plan six summit meetings had been held seeking ideas, suggestions and contributions on activities to be included, the outcome of which had shaped the draft Plan. There was a range of activities and targets which set a clear direction for the regeneration of the Borough for 2004/2006.

RESOLVED:

that the draft Regeneration Action Plan 2004-06 be endorsed in advance of formal consideration and approval by the Local Strategic Partnership and that authority be delegated to the Director of Policy & Regeneration to make any necessary changes to the Plan following consideration by the LSP.

12. National Non Domestic Rates - Relief for Charities & Non Profit Making Organisations

The Council has the power to grant discretionary relief to charities and to non-profit making organisations which meet specified criteria. This report included details of the applications received since the last report to the Executive in September 2003.

Councillor proposed a motion granting relief to those organisations that fell within the specified criteria.

RESOLVED:-

(i) that the following local charities be granted 100% relief for 2003/04:

COST TO COUNCIL

Age Concern Brent	£41
Age Concern Brent	£213
Age Concern Brent	£830
Brent Private Tenant Rights Group	£168
Fortunegate Community Housing	£1,032
Hillstream Care Ltd	£1,349
Loud & Clear Mental Health Advocacy	£526
Stanmore & District Scout Group	£127
Samaritans Brent	£619

(ii) that the following non-local charities be granted 25% relief for 2003/04:

Eagle Eye Assoc for Afghan Displaced Youth	£44
Foundation for Women's Health Research	£70
Joshua Generation Ministries	£41
Salvation Army	£83

(iii) that the following non-profit making organisations be granted 25% relief for 2003/04;

Ahkom Enterprises Ltd	£181
An-Nisa Society	£128
Elmwood Tennis Club	£289
Heritage Family Centre	£389
Trojan ABC	£874

(iv) that the following charity should be treated as local as they operate mainly in Brent and that the appeal is allowed and 100% relief granted for 2003/04;

Greenford & District Scouts	£181
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TOTAL COST TO COUNCIL £7,185

- (v) that the 16 Foundation Schools as shown below and detailed in Appendix 5 of the report be granted 100% relief for 2003/04:

Malorees Junior
Kilburn Park Junior
NW London Jewish
Oakington Manor
St Joseph RC
Islamia Primary
Alperton High
Cardinal Hinsley
Claremont
Convent of Jesus and Mary
John Kelly Girls & Boys
John Kelly Girls
Kingsbury High
Preston Manor
Queens Park Community
St Gregory's

13. National Non Domestic Rates – Hardship Relief

The Council has the discretion to remit an individual National Non Domestic Rate liability in whole or part on the grounds of hardship. For the last few years, the Council has considered the applications received during the financial year each March, and the report from the Acting Director of Finance included all the applications received since April 2003.

Additional information on individual applications was 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.”

Councillor Coughlin proposed that none of the applications be approved as they were not considered to be sufficiently exceptional and this was agreed.

RESOLVED:

that none of the applications included in the report are of a sufficiently exceptional nature to warrant the granting of hardship relief, all the applications are therefore refused.

14. National Non Domestic Rates - Write Offs Over £3,000

The Council's Financial Regulations require write-offs over £3,000 to be reported to the Executive twice a year. This report includes a schedule of NNDR write-offs of over £3,000 that have been agreed by officers since July 2003.

Additional information on the individual applications was 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."

RESOLVED:

that the write-offs detailed in Appendix 1, 2, and 3 of the report from the Director of Finance be noted.

15. Annual Report on Education Standards 2002/2003

Councillor Lyon introduced this report which advised Members of the standards achieved in Brent schools in the last academic year, drawing on an analysis of the relative performance of different groups of pupils and on the findings of OFSTED reports on schools. He advised that the Chair of the Lifelong Learning Scrutiny Panel had agreed that the next meeting consider the report in detail.

RESOLVED:-

- (i) that the information on education standards summarised in the conclusions in paragraph 7.8 and the key issues to the schools in paragraph 7.8.13 be noted and approval given to the approach to the key issues outlined in paragraph 7.8.14 of the report from the Director of Education Arts and Libraries;
- (ii) that it be noted that the report will be considered in detail by the Lifelong Learning Scrutiny Panel.

16. Main Programme Grants Criteria

This report sought Members' approval of the criteria to be used in the assessment of applications for funding from the Main Grants Programme, July 2004 – March 2005. It summarised the background to revision of the criteria and the rationale for selecting them.

RESOLVED:

that approval be given to the general criteria for the Main Grants Programme, as set out in Appendix 1, and the priorities for 2004/5, as set out in Appendix 2 of the report from the Director of Social Services.

17. Exclusion of the Press and Public

RESOLVED:

that the press and public be now excluded from the meeting as the following item contains exempt information as specified in Schedule 1 of the Local Government (Access to Information) Act 1985, namely:-

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

18. Granting a Lease for the Grange Museum Site

This report informed of the interests received following the marketing of the property and sought approval to proceed with a disposal to one of the applicants.

RESOLVED:-

- (i) that it be noted that interested parties were invited last Autumn to bid for the Grange Museum for suitable uses on the basis of either sale on long lease at a premium and annual peppercorn rent or for a lease at a market rent. Details of the various proposals and conditional offers received are provided in the Appendix to this report;
- (ii) that approval be given (subject to the Director of Education Arts and Libraries receiving written confirmation from the Heritage Lottery Fund that the Council's application to relocate the Grange Museum has been successful and provided that the proposed relocation of the Grange Museum will definitely be proceeding) to:
 - (a) dispose of the Grange Museum site as indicated in the report under a short-term lease on the main terms set out in the report from the Director of Education, Arts and Libraries;
 - (b) that in the event of failure to exchange within the timescale indicated officers are authorised to offer and dispose of the property to the second choice bidders and then third choice bidders as indicated in the report.

- (iii) that the capital receipt from the disposal of the Grange Museum site be ring-fenced for use as partnership funding on the project to relocate the Grange Museum to Willesden Green Library Centre as outlined in the Council's application to the Heritage Lottery Fund.

The meeting ended at 8 pm

A JOHN
Chair

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