

MINUTES OF THE EXECUTIVE MEETING
Monday, 14th February 2005 at 7.00 pm

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

An apology for absence was submitted on behalf of Councillor Kagan.

Councillors Duffin, Moher and Sayers also attended the meeting

1. Declarations of Personal and Prejudicial Interests

None.

2. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 17th January 2005 be approved as an accurate record subject to the addition of Councillors Thomas and RS Patel as being present at the meeting.

3. Establishing a Children and Families Department in Brent – follow up report

The Executive had considered a report in December 2004, which outlined detailed proposals for implementing the Children Act in Brent. The main recommendations centred on the proposal to establish a Children and Families Department, subject to further consultation with staff. This report now gave an update on consultation with staff and partners and outlined plans for future consultation. The report sought agreement to proceed with the creation of the new department.

A motion in the name of the Chair was tabled at the meeting seeking agreement to the draft job description and person specification for the post of Director of Children and Families circulated at the meeting and authorising the Chief Executive to make minor amendments. The motion was agreed. The Chief Executive reported that feedback from staff was positive and enthusiastic.

RESOLVED:-

- (i) that the responses to consultation with staff and partners which broadly offers support for the proposals for the creation of the new department be noted;
- (ii) that a Children and Families department in Brent, be established (Option 4 in the Chief Executives report, 'Establishing a Children and Families Department in Brent) by May 2005;
- (iii) that a new post of Director of Children and Families be created;

- (iv) that it be noted the appointment to the new post will be made by an Appointments Sub-Committee and should be made by May 2005;
- (v) that the appointment of a Lead Member for Children and Families be recommended;
- (vi) that it be agreed the Council will not opt to set up a Children's Trust but continue instead to develop comprehensive inter-agency partnership arrangements as laid out in the previous report from the Chief Executive, 'Establishing a Children and Families Department in Brent.'
- (vii) that it be noted other and consequential structural changes arising from these recommendations are addressed in a separate report on the agenda;
- (viii) that the draft job description and person specification for the post of Director of Children and Families as circulated at the meeting be agreed and the Chief Executive authorised to make minor amendments to these in order to finalise them.

4. **Modernising Brent Council: Proposed Structural Changes**

The report set out initial proposals from the Chief Executive to modernise the structures of Brent Council. It described some of the key drivers which are prompting the need for changes in departmental structures and made proposals for the future shape of the authority. The report re-affirmed the Council's commitment to providing excellent customer-focused services and advocated a process of implementation between April - July 2005 in order to minimise the period of short-term dislocation. The Chief Executive pointed out that a further report would be submitted following consultation to also include proposals for staffing structures within Corporate Services. Account would also be taken of signals from central government on the need for local authorities to have an increased neighbourhood focus.

RESOLVED:-

- (i) that the drivers behind the need for organisational change be noted and the guiding principles set out in paras 3.6 - 3.8 of the report be endorsed;
- (ii) that the broad structural changes proposed in this report including the establishment of a new Adult Services Department under a new statutory director be noted;
- (iii) that it be agreed to initiate a process of briefing and consultation with staff and unions about the possible changes and options for change set out in the report;
- (iv) that a further report be received from the Chief Executive on the outcomes of the consultation exercise;

- (v) that it be noted that a report setting out the Chief Executive's final recommendations for the new departmental structures will be presented to the 12th April 2005 meeting;
- (vi) that it be noted there will soon be a statutory duty to create a new Director of Adult Social Services post and that a further report will be brought before members to create the post once the consultation process is complete;
- (vii) that the Chief Executive be requested to submit a draft job description and person specification for the Adult Social Services statutory director post for approval by members in April 2005;
- (viii) that it be noted the appointment to the Adult Social Services statutory director post will be made by a member-level Appointments Sub-Committee before the end of May 2005;
- (ix) that consideration be given to whether a new Lead Member for Adult Services should be appointed at the Council's Annual Meeting in May 2005.

5. **2005/06 Budget and Council Tax**

The main purpose of the report from the Director of Finance was to obtain Members' approval for the 2005/2006 capital and revenue budgets and to agree the Council Tax to be levied prior to final approval by Full Council. It also brought together into one document key information relating to the Council's current financial position and future projections.

Councillor Coughlin (Deputy Leader of the Council) was pleased that the recommended Council Tax increase of 3.3% was lower than that set by many neighbouring boroughs and below the rate of inflation. He reported on budget increases for schools which would be fully passported and street cleaning which would allow deep cleaning four times per annum. There was a proposed increase of 6.3% in the social services budget to provide an additional £1.8 for children services. There was also additional budget provision for protecting tenants, the youth service and to combat housing benefit fraud. An extra £½ m for the library service and the new Grange Museum with additional funding for neighbourhood renewal. On the capital programme there was additional provision for schools, roads and pavements, parks, housing, social services and customer service reception improvements. There was also £3.2m for Willesden Sports Centre.

Councillor Lyon (Lead Member for Education, Arts and Libraries) stated that the capital programme was a priority for the service with building improvements at Wembley Manor and John Kelly Schools and also for school repairs with additional monies for Hay Lane and Grove Park Schools. There would also be additional funding for an expansion of school places at existing secondary schools.

Councillor Jones (Lead Member, Environment) welcomed the growth and the push on the recycling and the waste collection programme. There were proposals to appoint additional streetcare officers with individual ward responsibilities. Special advice would also be sought on the retendering of the Onyx contract and the street sign replacement programme would continue. There would be particular emphasis on the organic waste collection and Councillor Jones was pleased to report that the Council had been fortunate in obtaining the last available spot at the West London composting site.

Councillor Beswick (Lead Member, Community Consultation and Public Safety) assured that the Council was taking its public safety remit seriously. There was additional funding for the Youth Offending Team and funding under Neighbourhood Renewal Fund for crime and community safety initiatives. The Government has also doubled the national allocation to help implement new responsibilities under the Civil Contingencies Act which had improved the budget situation.

For social services, Councillor Fox (Lead Member) welcomed the additional resources for health and social care which would help build on progress being made, particular provision was included for occupational therapy. He was pleased to report on the excellent feedback received for the Asian meals on wheels service and on the progress being made to integrate services with the health service.

Councillor John thanked her colleagues on the Executive for their contribution to the budget making process and Councillor Coughlin added particular thanks to the Director of Finance Duncan McLeod, his Deputy Peter Stachniewski and the Finance staff for their hard work and assistance.

The Chair certified this item as urgent as the report was not circulated within the required five days of the meeting. This was because information from the levying bodies and the Greater London Authority had not been received. The final budget and Council Tax level could be finalised until this was available.

RESOLVED:

that the report, which contained the latest budget proposals, be noted and forwarded to the Full Council on 28th February 2005 who are asked to agree recommendations 2.1 to 2.38.

6. **Brent Council's Annual Workforce and Equalities Monitoring Report 2004**

Councillor D Long (Lead Member, Equalities and Service Improvement) introduced this report which summarised the findings of the Council's Annual Workforce and Equalities Monitoring Report 2004. The report provided a profile of Brent's workforce by gender, ethnicity, and disability. It also reported on the impact of Brent's employment practices. Councillor Long was pleased at the substantial progress being made but felt that more

work needed to be done in particular areas. He thanked the Executive for the provision of funding for the new management information system which would help improve the accuracy of data. The Director of Human Resources added that the action plan appended to the report would help concerns to be addressed.

RESOLVED:-

that the draft Annual Workforce and Equalities Monitoring Report 2004 for publication be approved.

7. Progress Report on Implementation of Key Issues within 2003/4 Joint Audit and Inspection Letter

This report provided an initial progress report of the implementation of the key recommendations in the 2003/2004 Joint Audit and Inspection Letter to Brent Council. The Director of Finance reminded that the Audit Letter had been reported to the 17th January meeting and that this was the first response on significant issues. Councillor John reiterated that the Audit Letter was considered to be the best ever received by the Council.

RESOLVED:-

that the progress to date be noted.

8. Report on the Overview Task Group - Increasing Household Recycling in Brent

This report contained officer's comments regarding the financial, legal and diversity implications of the Report of the Overview Task Group on Increasing Household Recycling in Brent. Circulated at the meeting were additional comments from the Lead Member for Environment, Councillor Jones, who reported back on meetings between the Task Group Chair, Councillor Wharton and the Assistant Director. Most of the Task Group's recommendations were already in hand or partly implemented and she commended the recommendations for more promotional work with schools, the parks service and retailers. Other recommendations would also be taken forward. Councillor Wharton emphasised the need to encourage use of the recycling facilities available and recommended that the Council be bold with its message, for example pointing out that recycling can be beneficial to council tax levels.

RESOLVED:-

that the response from the Lead Member to the recommendations of the Overview Recycling Task Group be noted and the recommendations approved:

- (i) that Brent Council should secure the cooperation of other West London boroughs to jointly lobby West London Waste and address the over complex system of charging currently

practised, thereby improving the recycling incentive for all boroughs.

- (ii) that the Council should pursue a bolder approach to marketing the message that 'Recycling saves money' via the following mechanisms:
 - a) Reinforcing the message that recycling brings savings to the Council and residents, in all appropriate Council publicity material.
 - b) Linking the recycling message to a stated reduction in the Council Tax. Council Tax documentation would carry the message 'How to reduce next years Council Tax by £x'
 - c) Using competitions with prizes for good recycling performance, where the prize is Council spend on improving facilities for residents.
- (iii) that StreetCare enlist the help of the Communications unit in the design of all promotional material.
- (iv) that StreetCare establish stronger links with other departments and work together to improve recycling, in particular with:
 - a) Education; to increase recycling in schools, by increasing the contact from the current 19 schools (out of 80), encouraging school governors to lobby for recycling initiatives, and developing better education programmes with teachers which support the national curriculum.
 - b) Brent Housing Partnership; to provide welcome packs for new residents with recycling information and marketing messages. To provide publicity material for communal notice boards in flats.
 - c) Parks Department; To consider demonstration of composting benefits on allotments.
- (v) that StreetCare to enlist support from the following outside organisations;
 - a) Letting Agents to promote information
 - b) Retailers who produce much package waste, to assist with its recycling.
- (vi) that facilities be improved by introducing the following measures;
 - a) On street recycling waste bins outside stations
 - b) More facilities for recycling plastics.

- c) Improve the appearance and signage of the bring sites, which will remain important elements of recycling infrastructure.

9. **Schools' Funding Formula Review 2005/6**

This report informed the Executive of the results of the schools' funding formula consultation process and asked Members to approve the changes to the funding formula recommended for 2005/06. Circulated prior to the meeting were the minutes of the Schools Forum held on 9th February which considered the funding formula. Councillor Lyon stated that the Forum had agreed with the recommendations in the report. He tabled a motion accepting the recommendations in the report, to revised primary pupil weightings and to increase the secondary weighted pupil values to take account of changes that had occurred since the circulation of the report.

The Executive agreed the motion.

RESOLVED:-

- (i) that in relation to NNDR in Foundation schools, the 2.01% model protection for secondary schools be agreed as set out in the consultation document (Circular 1183 at Appendix 1 to the report) and an equivalent sum be added to the secondary protection (£676,000) into the primary schools' funding (see paragraph 3.4 of the report);
- (ii) that in relation to non-statemented SEN, continue to use Action and Action Plus data with a cap of 25% (which can be raised if schools prove their need); the LEA to issue guidance on the categorising of pupils into Action and Action Plus; both Action and Action Plus to have the same cash value and no protection for loss compared to previous years (see paragraph 3.5 of the report);
- (iii) that it not be agreed to the decoupling proposal for statements of SEN (see paragraph 3.6 of the report);
- (iv) that it be agreed to increase the lump sum to include 50% of the cost of a deputy head in group 2 schools and 75% of the cost in group 3 schools (see paragraph 3.7 of the report);
- (v) that in relation to the factor for Free School Meals, it be agreed instead of scaling down the cost to schools of a free school meal by 9% as at present to take account of non-take up, free school meals should be funded at 100% plus inflating the cost to take account of the minimum funding guarantee (see paragraph 3.8 of the report);
- (vi) that the nursery school Minimum Funding Guarantee methodology proposed in paragraph 3.10 of the report be agreed;
- (vii) that we note the proposals from the Schools Forum on 9th February 2005 and agree to revise the Weighted Pupil values in the 2005/06

funding formula so as to allocate £500,000 into the primary sector and to increase the secondary Weighted Pupil values so as the allocate the additional £100,000 generated by the decision of Menorah school not to seek VA status into the secondary sector.

10. **Freeman Family Centre**

This report sought agreement to the Council entering into a partnership with Barnardo's and the Freeman Trust to build a family centre on the vacant site at Longstone Avenue NW10. Councillor Fox explained how the project would be funded, described the proposed agreement between the parties and outlined the benefits to children and families in Brent. This would be the first family centre in Brent hopefully completed by the end of 2006.

RESOLVED:-

- (i) that approval be given to Brent Council officers working with the Freeman Trust and Barnardo's in order to enable the establishment of a family centre in the vacant site at Longstone Avenue;
- (ii) that it be agreed:
 - (a) that a 100-year Lease be granted to Barnardo's for the purposes of the centre, the exact terms of which to be determined by the Head of Property Services on the advice of the Borough Solicitor and with the agreement of the Director of Finance and to note that the establishment of the centre will involve the entering of a works contract and a refurbishment contract with contractors and that these contracts would not be with the Council, but rather with either Barnardo's or the Trust.
 - (b) that the Council enter into a 20-year Service Contract (with breaks at 5 year intervals) with Barnardo's once the works have been completed and the centre is ready to open subject to the revenue funding being available from 2006/7. The exact terms of this Service Contract to be determined by the Director of Social Services on the advice of the Borough Solicitor and with the agreement of the Director of Finance. that, as provided for by Standing Order 85(a), there are good financial and/or operational reasons not to comply with the requirements of Standing Orders in relation to the procurement of the 20-year service contract.
 - (c) that, as provided for by Standing Order 85(a), there are good financial and/or operational reasons not to comply with the requirements of Standing Orders in relation to the procurement of the 20-year service contract.

11. The Creation of an In-house Housing Advice Service and Housing Advice Related Services Review

This report sought approval to create an in-house housing advice service to enhance existing advice provision within the borough. Councillor Thomas (Lead Member, Housing) referred to discussions over a number of years regarding voluntary sector provision and value for money concerns. Consultation had taken place on the provision of an in-house service which aimed to enhance arrangements particularly those for homelessness. Arrangements for working with the voluntary sector would remain unchanged and budget provision had been made for improved welfare advice to be available in one-stop-shops and to meet other costs. The Director of Housing stated that the next stage would be to agree a reasonable timetable for implementation with realistic targets on both sides.

RESOLVED:-

- (i) that approval be given:-
 - (a) to the creation of an in-house housing advice service (Section 5 of the report from the Director of Housing refers)
 - (b) for Housing Services to negotiate new agreements with both the BCLC and the CAB to include new robust monitoring and referral arrangements, subject to the requirements of Standing Orders and procurement regulations
 - (c) to the creation of a new post of Welfare Benefits Advice Co-ordinator to be located in the One Stop Shop (Section 6.9 of the report refers)
- (ii) that it be noted that a growth bid for £100k would be included in the budget process for 2005-6, and that inflation increases will be applied to the advice and associated budgets from 2006/7 onwards.

12. HRA Budget Report

This report presented to members the Revised Estimates for 2004/2005 and the Estimates for 2005/2006 as required by the Local Government and Housing Act 1989. Members were required to consider these estimates and the associated options. Councillor Thomas advised that discussions had taken place with Brent Housing Partnership on the proposed levels of rent and service charge increases, which were among the lowest in London.

RESOLVED:-

- (i) that the Revised Estimates 2004/2005 (Appendix 2 Table 1 of the report refers) be approved;

- (ii) that, in the light of Officers' advice contained in the report from the Director of Housing, the Estimates (in Appendix 2 Table 1 of the report) for 2005/2006 be approved;
- (iii) that approval be given to an average rent increase (excluding service charges) of £2.76 per week. This to be applied on an individual basis to each property based on the governments rent convergence guidelines as detailed in paragraphs 3.20 to 3.26. This will raise an additional £1,303K;
- (iv) that it be agreed to increase service charges by 3.4% raising an additional £72K;
- (v) that it be agreed to increase the rents on Middlesex House (including Service Charges) by 3.4% raising £25K;
- (vi) that the growth totalling £190K (as identified in Para.3.19 of the report) be agreed;
- (vii) that the Director of Housing be given delegated authority 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 2005/06;
- (viii) that it be agreed to reduce the revenue contributions to capital by £1,451K and utilise prudential borrowing as an initial strategy to achieve both the decent homes programme and a balanced budget;
- (ix) that a joint review with Brent Housing Partnership of the HRA expenditure/income (including those budgets that are controlled by Brent Housing Partnership) be agreed and to report back to the Executive as to the outcome of this review;
- (x) that the levying of service charges of £6.02 per week in respect of William Saville House for security services be agreed.

13. **The Draft Local (Transport) Implementation Plan**

The Local Implementation Plan (LIP) was a statutory document that every London Borough must prepare for Mayor of London approval in 2005. The document detailed how the Borough planned to implement the relevant priorities and policies included within the Mayor's Transport Strategy. This included broad programmes of physical works that the Council will continue to progress over the course of the plan. The Transportation Unit was currently preparing the Draft LIP document which is subject to detailed consultation to be undertaken during March and April. The final LIP was expected to be completed and ready for submission to the Mayor in September 2005.

RESOLVED:-

- (i) that the Local Implementation Plan timetable as described in Section 3.4 of the report be agreed;
- (ii) that the consultation process in section 3.5 – 3.9 and the text for inclusion in a consultation document, detailed in Appendix A of the report be agreed;
- (iii) that officers complete a draft Local Implementation Plan for consultation by February 2005;
- (iv) that officers report back on the results of the consultation with a recommended LIP document for submission to the Mayor of London in September 2005.

14. Joint Municipal Waste Strategy

This report set out the background to the requirement for a Joint Municipal Waste Strategy and the information to be used by this authority and by the West London Waste Authority (WLWA) in assessing the actions necessary to ensure that West London is able to meet the demands of the European Union Landfill Directive using the best practicable environmental options without incurring excessive cost. Councillor Jones added that the proposals tied in with the suggestions of the Overview Task Group and had been agreed by the West London Waste. The process would coincide with the municipal waste strategy. Local public meetings would also be arranged for residents to discuss the strategy.

RESOLVED:-

- (i) that the development of the joint municipal waste strategy and its present implications for waste management in the West London area be noted;
- (ii) that the contribution of £20,000 from WLWA towards the additional staff costs for senior Brent waste officers be noted.

15. Award of Contracts for Expansion of the Organic Waste Collection Service

This report sought the approval to award a contract for the delivery of specified household waste to a Composting Facility in relation to the Council's proposals to expand the Organic Waste Collection Service, thus. The Executive noted that 60,000 households would benefit from the service to meet statutory targets. Councillor Jones outlined the reasons for recommending the award of the contract to West London Composting Limited pointing out that West London Waste would reimburse costs. The funding required had been offset by reductions in the waste disposal budget, savings in the sack based collection service and receipt of the Government's Waste Performance and Efficiency Grant.

RESOLVED:-

- (i) that the tendering process for the delivery of specified household waste to a Composting Facility be noted and the evaluation criteria in paragraph 3.4 of the report be approved;
- (ii) that the award of the Composting Facility Contract to West London Composting Limited be approved.

16. Willesden Leisure Centre PFI – Authority to Issue Certificates

The report from the Borough Solicitor requested approval to delegate authority to the Director of Environment to conclude negotiations on the PFI transaction and to enter into and/or sign all necessary contracts, agreements, deeds or other documents connected with it as he sees fit including any certificates to be given under the Local Government (Contracts) Act 1997 ("the 1997 Act") on behalf of the Council in relation to the Project Agreement for the Willesden Sports Centre PFI project and the connected Direct Agreement with the PFI Contractor's financier and trustee of the financier (and the PFI Contractor) in respect of that project and/or any other certificates. Michael Read (Deputy Director of Environment) reminded members that the PFI contract had been agreed in principle at their meeting on 25 November 2004. It had since been considered by lawyers advising on the transaction that the previous delegated authority given to the Director of Environment needed further clarity, hence the need for this report.

The Chair certified this item as urgent business pursuant to Standing Order 65 and section 100B of the Local Government Act 1972 as the PFI transaction to which the report related was likely to be completed within the next week and the authority sought by officers was required before the transaction can be finalised.

RESOLVED:

that approval be given to delegate authority to the Director of Environment to conclude negotiations on the PFI transaction and associated documentation and to enter into and/or sign all necessary contracts, agreements, deeds or other documents connected with the Willesden Sports Centre PFI as he sees fit including any certificates to be given on behalf of the Council under the Local Government (Contracts) Act 1997 ("the 1997 Act") in relation to:

- (a) the Project Agreement for the Willesden Sports Centre PFI project; and
- (b) the connected Direct Agreement with the PFI Contractor's financier and trustee of the financier (and the PFI Contractor) in respect of that project,

17. Exclusion of Press and Public

RESOLVED:-

that the press and public be now excluded from the meeting as the following reports are not for publication as they contain the following category of exempt information as specified in Paragraph 9, Schedule 12A of the Local Government Act 1972:

‘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 of property or supply of goods or services’.

18. Nos 33 and 37 Wrights Place NW10 and 61 Kilburn High Road NW6: Proposed Sale

This report sought approval to dispose of the freehold of 33 and 37 Wrights Place NW10 by public auction or by sale to the individual lessees in occupation prior to auction.

RESOLVED:-

- (i) that approval be given to the disposal of the freeholds of both 33 and 37 Wrights Place NW10 by public auction at the best price reasonably obtainable at the auction (as detailed in the report from the Director of Corporate Services) as soon as practical or by sale to the individual lessees in occupation prior to the auction at such price (as detailed in the report from the Director of Corporate Services) as may be considered by the Manager, Corporate Property Services to be the best price reasonably obtainable by the Council having regard to the detail part of this report;
- (ii) that the Manager, Corporate Property Services be authorised to agree such other terms as are in the best financial interest of the Council.

19. Land Fronting Watford Road – Disposal to Acton Housing Association

This report sought approval to dispose of the freehold of the strip of land fronting Watford Road Harrow at market value to Acton Housing Association, subject to suitable indemnity insurance being put in place, for incorporation into Acton HA’s affordable housing development site.

RESOLVED:-

- (i) that it be agreed to dispose of the freehold of the strip of land fronting Watford Road Harrow for the sum as contained within the report to Acton Housing Association for incorporation into Acton HA’s affordable housing development site;

- (ii) that the Manager, Corporate Property Services be authorised to put into place by the date of the disposal suitable indemnity insurance at the purchaser's cost as a condition of the sale to protect the Council from enforcement of the covenant on title to incorporate the land into the highway;
- (iii) that the Manager, Corporate Property Services be authorised to agree such other terms as are in the best financial interest of the Council.

The meeting ended at 8 pm

A JOHN
Chair

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