

MINUTES OF THE EXECUTIVE MEETING
Monday, 13th March 2006 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.

Councillor J Moher also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

Councillor J Moher declared personal interests in the items relating to Wembley High Technology College as member of the Governing Body and Brent Housing Partnership as a Board member.

2. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 13th February 2006 be approved as an accurate record.

3. Item called in for Scrutiny – Review of the Cemetery Service

This item previously considered at the January Executive was called in for scrutiny at the Forward Plan Select Committee. The Forward Plan Select Committee on 30th January 2006 deferred consideration of this called-in item until their next meeting on 28th February. The Executive considered the discussion and recommendations of the Select Committee as set out in the previously circulated minutes of the meeting. Councillor Jones (Lead Member, Environment, Planning and Culture) who had attended the meeting indicated that she would be taking on board the suggestions for memorialisation of cremated remains and for consultation to be extended to ensure that the Cemetery Service was adequately meeting the needs and desires of all communities in terms of service delivery and burial provision.

RESOLVED:-

- (i) that the suggestions of the Forward Plan Select Committee on 28th February be endorsed;
- (ii) that the review findings and recommendations set out in the report to the 16th January Executive be noted and the action plan as set out in Appendix 1 to that report agreed.

4. Claremont High School – Building Improvement Tender Award

This report concerned the procurement process adopted by Claremont High School's Governing Body in respect of a design and build contract for a new sports hall at the school. The Executive was asked to approve the process undertaken to date in respect of Claremont High School's new

sports hall design and build contract and to give approval to the tender process as outlined in the report.

Councillor Lyon (Lead Member, Children and Families) confirmed that the tender process adopted so far by the Governing Body while not in full compliance with the Council's Standing Orders was nevertheless valid and there were good operational and financial reasons for the procurement to continue. He asked the Executive to approve the tender considerations and evaluation criteria set out in the report from the Director of Children and Families.

RESOLVED:-

- (i) that the tendering procedure followed to date for the design and build contract for Claremont High School's new sports hall be noted and the evaluation criteria stated in paragraph 3.29 of the report be agreed;
- (ii) that it be agreed for the reasons set out in the report there are good financial and operational reasons for the tendering process for Claremont High School Sports Hall to be exempt from the requirements of the Council's Contract Standing Orders as set out in paragraph 3.24 of the report;
- (iii) that the Governors of Claremont High School be authorised to continue with the tender process for the new Sports Hall outlined in the report;
- (iv) that it be noted a further report will be submitted in due course recommending award of the contract.

5. Phase 2 Development of Children's Centres

Councillor Lyon (Lead Member, Children and Families) introduced this report which sought approval to progress the development of individual proposals for up to a further 7 Children's Centres to be delivered between April 2006 and March 2008. He referred to the successful delivery of five Children's Centres in Phase 1 which included the Fawood Children Centre which had been shortlisted for the Royal Institute of British Architects Stirling Prize. Councillor Lyon stated that while the Government had set the Borough a target of creating up to nine additional centres in Phase 2 to be located within the 30% most disadvantaged areas of the borough, it was felt that seven centres was a more realistic target and this would be negotiated with the Sure Start Unit. He outlined the strategy and the proposed locations of the new centres. Councillor RS Patel questioned the status of any lease arrangements at Eton Nursery. The Director of Finance and Corporate Resources clarified that the occupants had been offered only a licence to occupy as an interim arrangement.

RESOLVED:-

- (i) that it be agreed in principle to deliver Children's Centre targets by the development of up to 7 further Children's Centres in Phase 2;
- (ii) that it be agreed to receive a further report should the Council be unsuccessful in negotiations with the DfES Sure Start Unit to reduce the number of Children Centres to be developed in Phase 2 from 9 to 7, whilst retaining our target of outreach services for 7,101 children aged 0-5 and their families;
- (iii) that it be agreed to accept the funding allocation made to Brent in respect of Children's Centre outreach targets, that is capital for further building works, and revenue to sustain Phase 1 Centres and to establish services in Phase 2 Centres;
- (iv) that the preferred locations of Phase 2 Centres as identified in Appendix 1 to the report be noted and officers undertake the necessary work to develop detailed proposals in respect of these locations for approval by Members prior to proposals being submitted to the Sure Start Unit for approval.

6. Children & Young People's Plan (2006/9)

The Executive received the Brent Children & Young People's Plan (2006/9) which had been produced in response to the Children Act 2004. The single plan covered the work of statutory agencies and voluntary and community groups, whose work impacted on Brent's children and young people.

The Executive was asked to approve the Plan and agree the six strategic priorities listed prior to its submission for final approval to the Children and Young People's Strategic Partnership Board on 17th March and then to Full Council. Members were also asked to note Appendix 2 (Performance Indicators and Targets) was still being developed and would be reported to the Children and Young People's Strategic Partnership Board and will be further reported to Executive in due course.

RESOLVED:-

- (i) that, subject to (ii) below, the Children and Young People's Plan be approved and the six strategic priorities listed in paragraph 3.7 of the report be agreed prior to its onward submission to the Children and Young People's Strategic Partnership Board on 17th March and then to Full Council for adoption;
- (ii) that it be noted that Appendix 2 (Performance Indicators and Targets) of the Plan is still being developed and an updated version will be reported to the Children and Young People's Strategic Partnership Board and to Full Council.

7. **Transfer of Wembley High Technology College**

Councillor Lyon (Lead Member, Children and Families) advised that following Wembley High Technology College Governing Body's application to change from a community school to a foundation school approval was now sought for members' consent to transfer the Council's interests in Wembley High Technology College to the governing body of the school.

RESOLVED:-

that the transfer of the Council's interest in Wembley High Technology College, as shown edged with a heavy black line on the plan annexed to the report from the Director of Children and Families, to the governing body of the school be authorised.

(Councillor J Moher declared a personal interest in this item as a member of the Governing Body).

8. **Main Programme Grants 2006/07**

This report provided the Executive with details of local voluntary organisations that have applied for funding from the Council's Main Grant Programme for 2006/07. Councillor Fox (Lead Member, Adults and Social Care) recommended approval to the allocation of the Main Grant Programme budget as recommended in the report from the Director of Housing and Community Care pointing out that of the 52 organisations that had applied for funding, eight new groups would be funded. In most cases, funding levels for previously funded organisations where an increase was sought, was based on a 2% inflation increase.

RESOLVED:-

- (i) that the recommendations for the allocation of the Main Programme Grants for April 2006/07 as summarised in Appendix B and detailed in the individual reports attached as Appendix C to the report be approved and noted;
- (ii) that it be confirmed all funding be made subject to the Council's Grant Conditions, and to each organisation agreeing a statement of purpose with the Council, and abiding by that;
- (iii) that an allocation of £15,000 be agreed to deliver training and capacity building to voluntary sector organisations by the Voluntary Sector Team;
- (iv) that it be noted there is one organisation (SIRI Behavioural Health) which received funding in 2005/06 but which is not being recommended for funding in 2006/07.

9. **Joint Working with Brent Teaching PCT**

Councillor Fox (Lead Member, Adults and Social Care) introduced this report which provided members with an update on a strategy for improving partnership arrangements between the Council and Brent Teaching Primary Care Trust and provided details of the framework agreement between Brent Council and Brent tPCT. He informed the Executive that the report had been delayed while negotiations between the Council and the Brent tPCT took place and congratulated officers on the successful outcome. The framework partnership agreement would allow the use of powers under section 31 Health Act 1999 and establish a number of arrangements over time, including pooled funds. Councillor Fox reminded members that the recent government initiatives including The Children Act 2004 and the white paper 'Our health, Our Care, Our Say: a new direction for community services' all would require closer working arrangements with the health service and an incremental approach would be adopted to this end. Councillor Fox also referred to the PCT's current budget difficulties and assured of support where possible.

RESOLVED:-

- (i) that a framework agreement agreed substantially as described in Appendix 1 to the report be entered into between the tPCT and the Council, the final terms of the agreement to be approved by the Borough Solicitor;
- (ii) that the arrangements in respect of partnership governance structures set out in paragraph 3.20 of the report be noted;
- (iii) that it be agreed to receive further reports in respect of individual projects to be incorporated into the framework agreement as they are developed.

10. **BACES Fees and Charges 2006/07**

This report set out proposals for changes to the Fees and Charges Schedule of Brent Adult and Community Education Service, which is part of the Arts and Learning Division of the Environment and Culture Department. Members were asked to approve BACES' fees and charges for the academic year 2006/07 as set out in Appendix A to the report from the Director of Environment and Culture.

Councillor Jones reminded the Executive that BACES received all its funding from the Learning and Skills Council and referred to the set criteria for fees and charges. It was anticipated that there would be a reduction of approximately £15,000 in the assumed fee contribution however action was already in place to cover the loss. Councillor Jones pointed out that some of the proposed changes would adversely affect learners however she felt the concessions available as detailed in the report compared favourably with other authorities.

RESOLVED:-

that BACES' fees and charges for the academic year 2006/07 as set out in Appendix A to the report from the Director of Environment and Culture be approved.

11. Local Development Framework – Preparation of a Joint Waste Development Plan

This report presented the progress made so far and the preferred method for sub-regional working towards the production of a Joint Waste Development Plan Document (DPD) for West London. The Executive noted that other member boroughs of the DPD were Harrow, Hillingdon, Richmond, Hounslow and Ealing who would submit similar reports to the March cycles of their respective Executives. Councillor Jones referred to the collaboration that had taken place and the acceptance of the need for Planning Services of the West London group to have expert waste management advice. She outlined the stages for the production of the joint Waste DPD which would end with an examination in public. Councillor Jones acknowledged that it was possible that the Mayor of London's powers would be extended to provide for a single waste authority for London however the proposals for West London would continue in the meantime.

RESOLVED:-

- (i) that the progress being made with regard to joint working on Waste planning within the LDF be noted;
- (ii) that the preparation of a joint Waste DPD for West London, and the signing of a Memorandum of Understanding (MOU) be agreed;
- (iii) that the lack of waste expertise within the planning services of the West London boroughs and the intention to employ consultancy support for this joint process be noted.

12. Lease of Chancel House by Brent Housing Partnership – Property Implications for the Council

This report advised members on the proposal by Brent Housing Partnership (BHP) to decant from their current main office premises and to relocate to Chancel House. It advised on the implications arising from this decision and also sought authority for the Council to act as guarantor to the proposed lease. Councillor Coughlin (Lead Member, Finance and Corporate Resources) advised that the proposed changes would provide additional savings for the housing revenue account and allow BHP to consolidate staff in one building and offers the opportunity of more Housing and Community Care staff to be brought to a single location. Councillor Coughlin also pointed out that the Council would be acting as guarantor to the new lease and would be responsible for any liabilities should BHP default.

The Executive also had before them an appendix to the report which was not for publication as it referred to:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED;-

- (i) that the financial and space implications of the proposed decant from Council premises be noted;
- (ii) that the Council be approved as acting as guarantor to the lease to be taken by BHP on the heads of terms appended to the report, but subject to final approval of the lease terms (Appendix B to the report refers) and settlement of any financial compensation from BHP being delegated to the Director of Finance and Corporate Resources.

13. Authority to Tender Contract for a Client/Business Index

This report requested approval to invite tenders in respect of the supply of a Client/Business Index as required by Contract Standing Orders 88 and 89. Councillor Coughlin (Lead Member, Finance and Corporate Resources) referred to the advantages of the proposed index which would allow for key information held on various databases in departments across the Council to be stored in a single corporate storage of customer and business information. This would help the Council to work more efficiently and help improve customer satisfaction levels.

RESOLVED;-

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.16 of the report;
- (ii) that officers be authorised to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

14. Vital Signs Quarter 3

This report introduced the Vital Signs for the period October to December 2005 and members were asked to note the Council's performance against key performance indicators. The Executive noted that the report was also considered in detail by the Performance and Finance Select Committee.

RESOLVED;-

that the Council's performance against key performance indicators be noted.

15. **Amendments to the Local Authority Gold Resolution to enable action to be taken to deal with Non-Catastrophic Incidents**

The ALG Leaders' Committee, at their meeting on 7th February 2006, agreed the text of a resolution to be recommended to London local authorities. This would amend the previous 'Gold' resolution agreed by the Brent Executive on 8th March 2004. The purpose of the amended resolution was to broaden the powers of the 'Gold' Chief Executive so as to enable him or her to act on behalf of all the London local authorities in responding to an emergency in London, not just an event classified by the Minister as a catastrophic incident.

RESOLVED:-

that the Local Authority Gold Resolution, attached as Appendix B to the report and set out below, be agreed subject to any further changes considered necessary by the Borough Solicitor following consultation with the ALG and other London boroughs who shall have delegated authority to make such changes to it:

1. This resolution is made in accordance with section 138 Local Government Act 1972, section 101 Local Government Act 1972, 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. The resolution has regard to "Emergency Response and Recovery" the non-statutory Guidance issued pursuant to the Civil Contingencies Act 2004.
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 Council which has appointed 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, following the convening of the Strategic Co-ordinating Group ("Gold Command") to respond to an incident requiring a "Level 2" response (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. An emergency requiring a Level 2 response is a single site or wide-area disruptive challenge which requires a co-ordinated response by relevant agencies.
5. The functions hereby delegated shall not be exercised until resolutions delegating the functions have been made by all the Councils.

6. The powers hereby delegated to the Council which has appointed the Head of Paid Service shall not include any power to incur expenditure or to make grants or loans to any person unless either:
- 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; or
 - the Head of Paid Service has received confirmation on behalf of the Council(s) in whose areas(s) the incident has occurred that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property; to prevent suffering or severe inconvenience and to promote community cohesion and a return to normality, will be met by the Council (or the Councils in proportions to be agreed by them).
7. In the event the Minister has confirmed that expenditure will be reimbursed by HM Government, the Head of Paid Service shall, insofar as reasonably practicable, consult with and inform the Council(s) in whose areas the incident has occurred regarding any action proposed to be taken.

16. Deputation - Wembley Regeneration - Response to the Casino Advisory Panel

Mr Dunwell (representing Queensbury Area Residents Association QARA) addressed the meeting requesting that the Executive do not agree to the submission for a regional casino, the report for which was to be considered later in the evening. He argued that the casino would make profits for local people and for any consultation to be full and extensive. He estimated that the proposed size of the premises would be excessive and not complement the national stadium but turn the area into the gambling centre of the UK. Mr Dunwell also felt that the jobs created would be low skilled and argued instead for real jobs for local people. He also felt that the planning regulations would not be an effective control and urged members to consider the hidden social costs of such a development. Mr Dunwell also referred to the possible adverse impact on local residents of traffic congestion and increased noise levels.

17. Wembley Regeneration - Response to the Casino Advisory Panel

This report set out the findings of independent economic and social impact assessments of a potential regional style casino at Wembley. It asked members of the Executive to consider the findings of the assessments and to determine whether to submit a formal Statement of Case to the government's independent Casino Advisory Panel by the 31st March 2006 deadline.

Members had earlier in the meeting received a deputation from Mr Dunwell (representing QARA) in connection with the report asking that the

Executive do not proceed with the submission for a regional casino and if so, that consultation be full and extensive. Councillor John responded that in relation to planning arrangements in place for the national stadium she felt that the Council had been responsive to residents and local business concerns and had adapted schemes accordingly.

Councillor RS Patel (Lead Member, Regeneration and Economic Development) added that the economic and social impact assessment had been independent and in the light of the findings the statement of case should be submitted. Councillor RS Patel outlined the findings in terms of the new employment opportunities and increased number of visitors to the borough. It was also accepted that there would be an increase in the level of problem gambling, crime levels and traffic congestion, particularly late night journeys. It was felt that the statement of case should be submitted to allow Wembley to have the potential to be a main entertainment centre and in view of the significant regeneration benefits that would follow.

Phil Newby (Director of Policy and Regeneration) emphasised that the recommendation to submit a statement of case for a apply Regional casino was a means to an end, namely to enhance regeneration opportunities, in particular conferencing facilities which could not be possible without significant public subsidy. He referred to the number of jobs that would be provided. Phil Newby reminded that the Borough was still considered to have high levels of unemployment which had serious adverse effects on health, social and life chances, and as such should be a priority for the Council. He also felt that there would be a wide range of jobs available crossing various sectors including, for example, hotel management. He reminded the Executive that both the studies had been open and honest and based on facts. Phil Newby accepted that problem gambling was likely to increase but pointed out that at least casinos were in the open whereas other gambling opportunities available such as internet gambling, was more widespread but took place in relative secrecy. He felt there was a need for legislation to bring the problem under control. On balance Phil Newby felt the Council should proceed with the expression of interest and he outlined the consultation arrangements. Richard Saunders questioned Mr Dunwell's calculation of the space that would be need to be set aside for the Casino, which he felt was rather more equivalent to approximately one football pitch.

Councillor John added that it was apparent that the local authorities submitting expressions of interest were from across the political spectrum. Councillor Lyon contributed that it was possible to support the submission for a casino in view of the potential regeneration opportunities providing that it was part of a larger, more balanced package of developments including for example, hotels, a conferencing centre, and wholesome recreational facilities for younger people. Councillor Lyon also felt that any casino development should also be a 'classy operation, not a 'dive' and that there must be stringent and effective controls to prevent problem gambling. Councillor Beswick added that the aim was to regenerate Wembley to make it a first class destination and considered that betting shops were a greater and more widespread problem. Councillor Moher contributed that arguments for and against were valid and appropriate and

also acknowledged the damage caused by problem gambling. He argued that clear caveats should be included in any bid. Members agreed that consultation would be full and extensive once concrete proposals were available.

Councillor John concluded any development would have to conform to the Council's vision of the borough as an international venue. She was keen the borough to have conferencing facilities and associated business to allow the associated revenue to be spent in Brent bringing further employment opportunities. Councillor John stated that she felt that it was for central government to give opportunities and build in requisite safeguards.

As this report was not available five clear days of the meeting, the Chair certified it as urgent as the deadline for the submission of a Statement of Case to the Casino Advisory Panel is 31st March 2006. The Executive therefore need to make a decision on this issue in good time, either to allow time for a robust statement of case to be prepared, or to avoid abortive officer work.

RESOLVED:-

- (i) that in the light of the findings of the Economic and Social Impact assessments, the preparation and submission to the Casino Advisory Panel of a full statement of a case for a regional casino in Wembley be approved;
- (ii) that it be noted officers are preparing a schedule of consultation to inform any Examination in Public that may be called by the Casino Advisory Panel.

18. Exclusion of Press and Public

RESOLVED:-

that the press and public be now excluded from the meeting as the following report is not for publication as it contains a category of exempt information as specified in Paragraph 9, Schedule 12A of the Local Government Act 1972.

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”
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19. Wembley Sports Association - Lease Extension for 11 years

This report sought the Executive's consent to extend the lease held by the trustees of Wembley Sports Association (WSA) over its pavilion and playing fields at the Vale Farm Sports Complex.

RESOLVED:-

- (i) that it be agreed to extend WSA's lease of its premises by a term of years so as to provide an unexpired term of 21 years from the date of actual completion, on the main terms set out in the Detail of the report and on such other terms which the Director of Environment and Culture and the Head of Property and Asset Management consider to be in the best interest of the Council;
- (ii) that the Director of Environment and Culture be instructed to advertise the proposed disposal within the open space as required by Section 123(2A) of the Local Government Act 1972 and to consider any objections received and take such actions as he considers appropriate after considering all relevant matters (including taking all actions as necessary to implement the recommendation in i) and to report back to the Executive only if he considers it reasonably necessary.

The meeting ended at 8.15 pm

A JOHN
Chair

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