

**MINUTES OF THE GENERAL PURPOSES COMMITTEE**  
**Tuesday, 12<sup>th</sup> July 2005 at 7.00 pm**

PRESENT: Councillor John (Chair), Councillor Coughlin (Vice-Chair) and Councillors R Colwill, D Long, Lyon, H B Patel and R S Patel

Apologies for absence were submitted on behalf of Councillors R Blackman, and Kagan.

The meeting started at 7.00pm with Councillor Coughlin in the Chair.

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

None.

**2. Minutes of the Previous Meeting – 1<sup>st</sup> June 2005**

RESOLVED:-

that the minutes of the meeting of the Committee held on 1<sup>st</sup> June 2005 be approved as a true and accurate record.

**3. Matters Arising**

None.

**4. Deputations**

None.

Councillor John arrived at this point and assumed the position of Chair for the meeting.

**5. 2004/05 Statement of Accounts**

It is a requirement under the Accounts and Audit Regulations that the Council's Annual Statement of Accounts be approved by this Committee. The covering report that had been sent out with the agenda had set out the legal and accounting requirements, and a subsequent supplementary report which had been circulated with the Statement of Accounts set out key issues that had been covered in the accounts.

In presenting the accounts Peter Stachniewski (Deputy Director, Finance and Corporate Resources) emphasised to Members the importance of reviewing the accounts. The accounts recorded what the Council had spent in the previous year and the assets held by the Council. In local government accountability for use of financial resources tended to focus on the budget setting processes and not how those resources had been used. There were increasing

expectations from the Government and Audit Commission that there should be increased accountability for, and transparency about, how resources had been used. For this reason officers had provided the Committee aimed at providing Members with greater clarity about the accounts. In addition, it was planned to make available a Plain English summary of the accounts for members of the public in Brent.

Members were asked to note that the accounts had not yet been audited and might be subject to change during audit. Any material changes that occurred during audit would be reported back to this Committee.

Peter Stachniewski then explained the various elements of the accounts.

In discussion Members enquired about the figures stated for Council Tax Income on page 3 paragraph 2 of the main accounts:- "General Fund Revenue Spending In 2004/2005". It was explained that the figure quoted related to the amount received by the Council after a sum equalling approximately 20% of the gross Council Tax collected had been given to the Greater London Authority (GLA).

Members enquired about the Housing Revenue Account and in particular the reason for rent income going down by 1.2 % between 2003/04 and 2004/05 when the average rent increase had been 3.7%. They pointed out that the reduction in council properties only accounted for a proportion of the reduction and enquired whether the reason was reduced rent collection. Peter Stachniewski said that there were a number of factors that could have affected total rent income, including the level of rent for those properties that had been disposed of. He undertook to provide Members with details of the reasons for change in rental income received in 2003/04 and income received in 2004/05.

Members also enquired why supervision and management accounted for almost a quarter of spending in the housing revenue account. Peter Stachniewski said that there was significant spending on housing that was not included in the HRA – including £55m of capital spending – and therefore that supervision and management accounted for a smaller proportion of total spend. Supervision and management was also a broad term that covered a wide range of activities including rent collection, cleaning of estates, grounds maintenance and so.

In further discussion it was highlighted that there was a greater pressure on the pension fund due to the poor performance in recent years of stocks and shares, the increasing life expectancy of pensioners, and the level of ill-health and other early retirements. The deficit in the pension fund had increased between 2003/04 and 2004/05, principally because of changes to actuarial assumptions.

The Council was addressing the deficit partly through phased increases in employer contributions, which had been taken into account in revenue budget decisions, and partly by managing more effectively the number of ill-health and early retirements.. This was something that affected all employers and was cause for national debate and action.

Members congratulated Financial Services for providing detailed yet clear reports on the accounts for 2004/2005. It was noted that the Accounts had been presented to Committee 19 days ahead of the statutory deadline which itself had been brought forward a month from last year. Councillor Coughlin (VC) recommended that the Committee thank staff in Brent Financial Services and other service areas for their hard work in managing the accounts and providing the Accounts to the General Purposes Committee before deadline.

The full copy of the accounts with a supplementary report had been circulated to the General Purposes Committee after the agenda had been sent out. The following reason for urgency was presented to the Committee and was approved by Members:

“Under the Accounts and Audit Regulations, the General Purposes Committee is required to consider and approve the Statement of Accounts by 31<sup>st</sup> July. The Statement of Accounts has only recently been completed and it was not possible to send it out with the original Committee papers”

RESOLVED:-

- (i) that the Committee thank staff in Brent Financial Services and other service areas for their hard work in managing and providing the 2004/2005 Statement of Accounts.
- (ii) that the 2004/2005 Statement of Accounts be approved;
- (ii) that the Chair sign the accounts and they be forwarded to PricewaterhouseCoopers for audit.

## 6. **Capability Policy and Procedure for Managing Poor Work Performance**

The Committee had before them a report setting out the reasons for developing the new Capability Policy and Procedure for managing poor work performance. The report gave an overview of its contents and key benefits and sought approval from the General Purposes Committee to implement the new Policy and Procedure as contained therein.

It was explained that the procedure did not relate to the following categories of staff; temporary staff that had been working for the Council for less than 6 months, teachers, and staff on probation. It was also highlighted that guidance notes would be provided to both managers and staff on the new procedures.

During discussion there were enquiries about the date for implementing the procedures and also the transition period during which the old procedure would still be in process. It was explained that it was reasonable to have this transitional period. It was also noted that it would be unlikely that this period could be viewed as being more favourable to the employer in any circumstance.

Members enquired about the different procedures in place for different issues. It was explained that the guidelines would outline that this procedure is separate to that relating to dealing with employee misconduct.

There were questions about the process allowing for swift dismissal. It was explained that there should be very few cases of this. It was also highlighted that the procedure had been developed to aid managers in supporting their employees.

RESOLVED:-

- (i) that the content of the new Capability Policy and Procedure for Managing Poor Work Performance and its implementation from 5<sup>th</sup> September 2005 be agreed;
- (ii) that where on 5<sup>th</sup> September 2005 employees are being considered at Stage 3 and the appeal stage of the existing Incapability Code and Procedure, it be agreed that the management of the employee's work performance continues under the old procedure;
- (iii) that where on 5<sup>th</sup> September 2005 employees are being considered at Stages 1 and 2 of the existing procedure, it be agreed that these cases be transferred to the new Capability Procedure for Managing Poor Work Performance at Stage 1;
- (iv) that the Director of Human Resources and Diversity, in consultation with the Borough Solicitor, be given delegated authority to develop and adopt Capability Policies and Procedures for Managing Poor Work Performance in respect of staff not covered by the new Policy and Procedure.

## 7. **Northwick Park Footpath Diversion Order**

The Committee received a report seeking their approval to the making of a public path diversion order in respect of Public Right of Way 37 at Northwick Park, Watford Road, Harrow, Middlesex (PROW 37) and more particularly referred to in the report.

It was explained that PROW 37 had to be diverted out of the way of the driving range of a Golf Course Development. It would be redirected through the fairway creating a slightly longer route. It was highlighted that the developers were aware that a diversion of PROW 37 would be necessary as a result of the development.

During discussion it was explained that local residents had been consulted, and were included in discussion about the re-routing of PROW. 37. However Councillor H B Patel queried whether the Residents Association had in fact been consulted.

There was also discussion around maintenance of the path and its signage. It was explained that the Council was responsible for providing signage on the path. However the development would be responsible for providing warning signs or signs related to Health & Safety issues. There were also questions relating to the public liability insurance held by the developer and if this would be affected by this being a Public Right Of Way. It was explained that it was unlikely that the Council would be liable for incidents occurring on the footpath resulting from activity on the golf course.

RESOLVED:-

- (i) that orders be made (“the Orders”) for the diversion of so much of PROW 37 by way of the creation of a new footpath and the extinguishment of the former length of the relevant section of PROW 37 by way of the creation of a new footpath and the extinguishment of the former length of the relevant section of PROW 37 pursuant to Section 119 of the Highways Act 1980 detailed on the plan attached to the report (“the Plan”)
- (ii) that Orders be made pursuant to paragraph (i) above on completion of the requisite statutory and consultation process;
- (iii) that the Director of Transportation Services be authorised to enter into discussions with parties affected by the Orders;
- (iv) that the availability of compensation to persons affected by the closure of accesses pursuant to the Orders be noted;

- (v) that the Director of Transportation Services, in consultation with the Borough Solicitor, be authorised to take all necessary steps for the promotion of the Orders including publishing the requisite notices, considering any objections and representations received and reporting back to Members if they think appropriate, otherwise he is authorised to take all necessary steps in order to confirm the Orders, instruct Counsel and experts to provide evidence and prepare the case for the Orders, for any inquiry whenever required into the making of the Orders including the arrangements for any such inquiry;
- (vi) that upon confirmation of the Orders, the Director of Transportation be authorised to take all necessary steps to implement the Orders made.

**8. Appointments to Outside Bodies**

None.

**9. Any Other Urgent Business**

None.

The meeting ended at 8.07 pm

A JOHN  
Chair

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