



# LONDON BOROUGH OF BRENT

## MINUTES OF THE GENERAL PURPOSES COMMITTEE Tuesday, 7 September 2010 at 6.30 pm

PRESENT: Councillor Butt (Vice-Chair in the Chair) and Councillors Beswick, Lorber, J Moher, Colwill (alternating for H B Patel) and Van Kalwala (alternating for Thomas)

Apologies were received from: Councillors John, Brown, Long, Matthews, HB Patel and Thomas

1. **Declarations of personal and prejudicial interests**

None

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on Wednesday 11 August 2010 be approved as an accurate record of the meeting.

3. **Matters arising (if any)**

None

4. **Deputations (if any)**

None

5. **Pension arrangement for staff transferred between contractors**

On the 27 September 2007, the General Purposes Committee agreed the council's policy in respect of pension arrangements for staff transferred to provide contracted services to the council. Before the committee was a report asking members to consider an amendment to this policy which was intended to bring about cost savings and clarity for bidders.

Andrew Gray (Pensions Manager) explained that the council policy adopted for second and subsequent generation outsourcings required the contractor to ensure that there was made available to former council employees either access to the LGPS or an alternative pension scheme at least broadly comparable to the LGPS. However, the 2007 Direction, issued by the Secretary of State for Communities and Local Government, stipulated that transferred staff should have access to a pension scheme that was broadly comparable to the scheme offered by the incumbent. Andrew Gray explained that current council policy therefore imposed a more

stringent requirement than that imposed by the 2007 Direction. This, he reported, meant it was likely that some bidders would have to increase their contract cost to accommodate the enhanced pension protection. To avoid these additional costs and to ensure that the procurement process runs more smoothly, Andrew Gray explained that members were being asked to agree an amendment, as set out in paragraph 3.6 of the report, which would mean that for second and subsequent generation outsourcing, rather than the new contractor being required to ensure that staff as a minimum have access to a broadly comparable pension scheme provided by the LGPS, they would be required to provide a scheme which was at least broadly comparable to the pension scheme provided by their current employer.

In the discussion which followed, Mick Bowden (Deputy Director of Finance and Corporate Resources) reiterated that the amendment would ensure value for money for the council and a simplification of the procurement process. He added that no individual would be worse off than they were before the transfer as the new contractor would be required to provide a pension scheme which was either comparable to or which counted as better than the pension scheme made available to the individual by their current employer. Following a query, Andrew Gray stated that a contract which the council entered into with a new contractor would require that the pension arrangements be upheld for the duration of the contract.

RESOLVED:-

that the amendment to the council's policy, as set out in paragraph 3.6 of the report, concerning the pension arrangements for former council staff who transfer pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 from an existing contractor providing services to the Council to a successor contractor be agreed.

#### **6. Stopping Up Order, South Kilburn Site 3C, Carlton Vale/Kilburn Park Road**

Phil Rankmore (Civil Engineer Manager, Transportation Unit) introduced a report which was seeking authorisation to make a Stopping-up order for areas of public highway at the junction of Carlton Vale/Kilburn Park Road under section 247 Town and Country Planning Act 1990, in order to carry out the development of 133 dwellings at site 3C of the South Kilburn regeneration area. He reported that the Stopping-up order had been advertised in accordance with the requirements of Section 247. He drew the committee's attention to the objection which had been received from the City Commissioner of Transportation on behalf of the City of Westminster. Phil Rankmore reported that the Mayor of London had considered the objection and resolved that an inquiry was not required and that the council could proceed to make the Stopping-up order.

Having considered the information before them, the committee agreed the recommendations as set out in the report.

RESOLVED:-

- i) that it be noted that a Stopping-up order was advertised in accordance with the requirements of section 247, and the one objection received was referred

to the Mayor of London, who resolved that an inquiry was not required and that Brent Council could proceed with the Order;

- ii) that the Stopping-up order under S247 Town and Planning Act be approved and duly made and advertised.

**7. Appointments to Sub-Committees / Outside Bodies**

None

**8. Any Other Urgent Business**

None

**9. Date of next meeting**

It was noted that the next scheduled meeting of the committee is on 25 January 2011 but that additional meetings will be convened if business requires this.

The meeting closed at 6.44 pm

M Butt  
Vice-Chair in the Chair