



General Purposes Committee

Monday 20 May 2019 at 4.30 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

M Butt (Chair)
McLennan (Vice-Chair)
Agha
Farah
Colwill
Hirani
Krupa Sheth
Tatler

Substitute Members

Councillors:

Aden, S Choudhary, Kabir, Knight, Miller, M Patel and
Southwood

Councillors:

Kansagra and Maurice

For further information contact: James Kinsella, Governance Manager
Tel: 020 8937 1348, Email: James.Kinsella@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit: **democracy.brent.gov.uk**

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
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1	Apologies for absence and clarification of alternate members	
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Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.

2	Declarations of interests	
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Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3	Deputations (if any)	
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To hear any deputations received from members of the public in accordance with Standing Order 67.

4	Minutes of the previous meeting	1 - 6
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To approve the minutes of the previous meeting held on Tuesday 19 March 2019 as a correct record.

5	Matters arising (if any)	
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To consider any matters arising from the minutes of the previous meeting.

6	Review of Representation of Political Groups and Appointments	7 - 10
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At its meeting on 1 May 2019 Full Council reviewed and determined the representation of political groups on its main committees and subsequently made appointments to these bodies, in accordance with the wishes of the political groups concerned. As soon as practicable after such a review, the General Purposes Committee is required to review and determine the representation of political groups on its Sub-committees and then make appointments giving effect to the wishes of the political groups allocated seats.

Wards Affected:

All wards

Contact Officer: James Kinsella

Governance Manager

Tel. 0208 937 2063

james.kinsella@brent.gov.uk

7 Appointments to Sub-Committees / Outside Bodies

11 - 12

To confirm the appointments notified to Sub Committees of the General Purposes Committee.

Wards Affected:

All wards

Contact Officer: James Kinsella

Governance Manager

Tel. 0208 937 2063

james.kinsella@brent.gov.uk

8 Brent Pension Board - Terms of Reference

13 - 30

To receive a report seeking approval to a number of proposed amendments to the Brent Pension Board Terms of Reference.

Wards Affected:

All Wards

Contact Officer: Ravinder Jassar,

Head of Finance

Tel: 0208 937 1487

ravinder.jassar@brent.gov.uk

9 Severance Approval

This report seeks approval for a severance payment in accordance with the Council's Voluntary Redundancy Scheme.

Report to follow.

Wards Affected:

All Wards

Contact Officer: Martin Williams,

Interim Head of Human Resources

Tel: 020 8937 3209

martin.williams@brent.gov.uk

10 Exclusion of Press and Public

The following item is not for publication as it relates to the following category of exempt information as specified under Section 100A (4) of the Local Government Act 1972, namely Para 1. "Information relating to any individual":

Item 9: Severance Approval (Appendix)

11 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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MINUTES OF THE GENERAL PURPOSES COMMITTEE Tuesday 19 March 2019 at 4.30 pm

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Agha, Colwill, Hirani, S Choudhary and Tatler

Also Present (speakers): Councillors Nerva, Long, Shahzad, Dar, Colacicco, and Tessa Van Gelderen (LCF Chair)

1. **Apologies for absence and clarification of alternate members**

Apologies for absence was received from Councillors Krupa Sheth, and Farah (lateness and potential absence), Councillor S Choudhary substituted to attend in place of Councillor Krupa Sheth.

2. **Declarations of interests**

There were no declarations of interests made by Members.

3. **Deputations (if any)**

There were no deputations received.

4. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting held on 18 February 2019 be approved as an accurate record.

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

There were no matters arising from the minutes.

6. **Revoking a Byelaw to Enable Cycling In Parks and Open Spaces**

The Committee received a report from the Strategic Director of Regeneration and Environment informing Members of the steps necessary to revoke the no cycling byelaw which currently prohibited cycling in Brent's parks and open spaces, as well as, the benefits to cyclists and others for such an action. The report also included a regulatory impact assessment relating to the making of any byelaw in order to revoke the no cycling byelaw.

Sandor Fazekas (Highways & Infrastructure) when introducing the report advised that the proposal had been raised at the Brent Active Travel Forum with Brent Cyclists, the Local Group of the London Cycling Campaign in Brent, having highlighted the issue of the byelaw prohibiting cycling in parks and open spaces as being contradictory to transport policy objectives and a potential 'barrier' to

encourage cycling. At the same time, he also highlighted that the Council had recognised the need to ensure that the views of other park users were taken into account with the report setting out the approach, considerations and process to enable cycling in parks and open spaces in order to facilitate its transport objectives.

During the discussion, the following points were noted:

- The current situation in relation to dedicated cycle routes/shared use paths and current inconsistency in the existing byelaw regulation and transport policy.
- In terms of the potential impact of cycling on other park users, these had been set out in section 3.9 of the report alongside potential mitigation measures as detailed within section 3.10 of the report.
- In terms of mitigation measures, Members highlighted the potential to consider completely separate lanes for children and adults and were also keen to look at ways in which any speed limits could be more strongly enforced.

In relation to concerns around speeding measures included clear signage and if there were specific and consistent problems in a particular area, for the Council to undertake a specific review. In summing up, the Chair advised that, subject to approval, the proposals would then be open to a formal public consultation process during which time it would be possible to submit further comments, suggestions and concerns about the proposed change. He felt the key issue needing to be addressed, however, was the need to reflect the current position and Council's wider transport policy objectives whilst seeking to ensure a proper and fair balance between different park users.

RESOLVED:

- (1) Having considered the regulatory impact assessment of making a byelaw to revoke byelaw 7(ii) as detailed within the report General Purposes Committee agree:
 - (a) to propose the making of a draft revocation byelaw;
 - (b) to authorise the Strategic Director of Regeneration and Environment to proceed with the process and to consult on revoking byelaw 7 (ii); and
- (2) To note that a further report following consultation will be presented to Full Council in July 2019 for consideration before a final decision made on the revocation.

7. Local Government Boundary Commission for England's (LGBCE) draft recommendations for the new electoral arrangements for Brent Council

The Committee received a report from the Chief Executive detailing the draft recommendations on the new electoral arrangements for Brent as proposed by the Local Government Boundary Commission for England (LGBCE) on which comments and feedback were being sought.

Carolyn Downs (Chief Executive), in introducing the report, highlighted that the key principles, which any comments and feedback were provided would need to focus upon the following statutory criteria that the LGBCE had based their recommendations on:

- electoral equality;
- community identity; and
- effective and convenient local government.

The Committee noted the key draft recommendations made by the LGBCE, as detailed in section 4 of the report, which were now subject to a public consultation process due to close on 15 April 19.

Councillor M Butt (Chair) added that, in light of the criteria established by the LGBCE, he was keen to encourage the Committee to reach a consensus view taking a council-wide approach, wherever possible.

Carolyn Downs (Chief Executive) reminded the Committee that no formal Council submission had been made to the original consultation on warding patterns as it had not been possible to reach a consensus of opinion.

Carolyn Downs (Chief Executive) stated that a number of individual submissions had been made from serving Councillors, and from the Brent North Conservative Association which it appeared the LGBCE had reflected within draft recommendations. The Committee noted the Chief Executive's intention to respond, as Returning Officer, to the Commission with her views on the draft recommendations.

In addition to the Committee Members, further contributions during the discussion were received from Councillors Nerva, Long, Shahzad OBE, Dar MBE, Colacicco, together with, the Chair of Brent Labour Party's Local Campaign Forum (LCF), Tessa Van Gelderen.

During a comprehensive discussion, the following key points were noted:

In terms of comments raised by Committee Members:

- Councillor Agha stated that, based on the feedback, the Council should aim for an agreed Borough-wide response instead of ward-based comments;
- Councillor S Choudhary expressed concern that it appeared the LGBCE had ignored the natural boundaries of various wards as it arbitrarily incorporated significantly differing variances, ranging from 3% to 9%, within some of the newly proposed ward boundaries in their draft recommendations;
- Councillor Tatler emphasised the need for a strong collective voice. She added that the new 'Kingsbury' ward name was a better representation of the area and its identity instead of existing 'Fryent'. However, she was of the view that the Kingsbury Underground station must be within the final boundary of the newly named Kingsbury ward which was currently not the

case in the draft recommendations. Thomas Cattermole (Head of Executive and Member Services) stated that the Elections team would need to ascertain whether any boundary changes affected the electorate size of the proposed wards;

- Cllr McLennan stated that, as a long-standing resident of Willesden Green, she felt that the newly proposed name of 'Roundwood' did not really mean anything to the local community in terms of community identity and local heritage - one of the criterion set out itself by the LGBCE; and
- Councillor M Butt (Chair) reminded everyone present that it was about building consensus and reaching a compromise by working together, wherever possible. It was therefore essential to ensure that local representatives and community stakeholders wrote to the LGBCE to demonstrate the strength of collective feeling for or against a particular proposal in the draft recommendations in order for the LGBCE to have due regard.

In terms of other Members present at the meeting:

- a. Councillor Nerva (Queen's Park), while highlighting various other points, felt that there were difficult and complicated boundaries in Brent. He felt that the proposed recommendation by the LGBCE broadly addressed the geographical challenge and was a granular approach. He said that it was important 'not' to have great inequality between the North and the South of the Borough, now that Brent would have a reduced number of councillors. He added that he was particularly disappointed about the proposed change to the name of 'Queen's Park' ward given its clear identity and prominence and therefore the name of 'Queen's Park' ward ought to be kept in his view. He ended by stating that the proposed boundary changes - between 'Willesden Green' and 'Harlesden' wards - with the newly proposed 'Roundwood' ward also did not make any sense;
- b. Councillor Long (Dudden Hill) stated that, despite some reservations, she and local residents generally supported the changes subject to their comments about the name changes be incorporated - i.e. the ward name should be 'Dudden Hill and Willesden', and not 'Dollis Hill'. She argued that the local petrol station construction on Dudden Hill Lane ought to naturally go into the newly proposed 'Dudden Hill' ward. She added that the newly proposed name of a neighbouring ward 'Gladstone' ward was quite confusing for some because such an electoral ward, i.e. Gladstone, used to exist in another part of Brent hence the new ward name should be anything other than Gladstone to avoid the confusion - perhaps it could be called Neasden. Councillor Hirani (stated that the name 'Dudden Hill' was not widely recognised as a proper place as such and it would be better described as 'Willesden and Dollis Hill' ward since Dollis Hill had its own enduring identity along with a well-established London Underground station. Carolyn Downs (Chief Executive) underlined that the two views expressed by Members seemed at odds with each other which perhaps demonstrated the difficulty faced at times in reaching a council-wide consensus;
- c. Councillor Shahzad (Mapesbury) stated that the draft recommendations proposed by the LGBCE about Mapesbury ward were unacceptable to the

local electorate and its ward councillors. He informed that the local community and all key stakeholders had signed a strongly representative petition protesting the draft recommendations. He informed the Committee that all three ward councillors have reached a local consensus about the new ward name called 'Cricklewood Mapesbury' ward and felt that it must keep the boundaries as explained at the previous Brent Council consultation meeting - i.e. ensure all CMA3 were in the ward boundary, and included Riffel Road, Chandos Road, Kenneth Crescent, Jeymer Avenue and Marley Walk with Park Avenue North as the ward boundary. Councillor Shahzad identified that the local opposition to the draft recommendation was based on the calculation that 1,100 local electors would have to be unnecessarily removed as a result of the change proposed by the LGBCE. He added that this proposed change was not only contradictory to the local consensus, at odds with the community benefit, against the natural boundary lines of the ward but the draft recommendation was also incongruous to its own fundamental principles set out by the LGBCE. He handed in copies of a signed petition to Thomas Cattermole (Head of Executive and Member Services) which had been signed by local residents and all stakeholders that included local businesses, faith groups, public house, community organisations, as well as, the MEPRAs - the 900-strong local residents' association. Cllr Shahzad was reminded to ensure that this petition - together with any other local objection or suggestion letters - was sent directly by the concerned parties to the LGBCE - a reminder which was also highlighted to all about their respective submissions and local community views in relation to the draft recommendations by the LGBCE;

- d. Councillor Dar (Mapesbury) stated that he had lived in Cricklewood for the past 53 years. He highlighted the historical importance, community identity and vibrant diversity of Cricklewood. He confirmed that 'Cricklewood Mapesbury' ward name was agreed as a compromise to reach a local consensus;
- e. Councillor Lia Colacicco (Mapesbury) emphasised that the draft recommendation by the LGBCE, if adopted in current form, would result in the local church and public house being removed from her ward which she felt was unacceptable in terms of the criteria relating to community identity and of concern for the local community; and

In terms of other representatives present at the meeting, Tessa Van Gelderen, (LCF Chair, Brent Labour Party) stated that she was broadly supportive of the draft recommendations, subject to views about the new ward names being incorporated in the final proposals. She felt that two of the new wards should be called 'Harlesden and Kensal Green' and 'Queen's Park and Kensal Rise'. She added that many people who were happy with the proposal often remained silent in her view which should be understood as those people may not come forward to have their say or submit responses.

Councillor M Butt (Chair) reminded those present that the number of responses submitted for or against a given proposal was significant as the volume of comments would be an important factor in the LGBCE's final determination.

Thomas Cattermole (Head of Executive and Member Services) also reminded Members of the need to encourage responses from the local community as a means of further being able to influence the final recommendations from the LGBCE

After a comprehensive discussion, Councillor M Butt (Chair) reminded everyone of the need to ensure their views and comments were submitted to the Commission before the deadline of 15 April 2019 - the final recommendations from the LGBCE would then be published in July 2019.

RESOLVED:

- (1) To note the content of the report and comments highlighted during the meeting
- (2) A summary of the views and comments highlighted during the meeting would be produced and circulated to the Committee for final approval, prior to being submitted to the LGBCE in response to their current consultation process.

8. Appointments to Sub-Committees / Outside Bodies


There were none.

9. Any other urgent business

None.

The meeting closed at 5.36 pm

Councillor M Butt
Chair

	General Purposes Committee 20 May 2019
	Report from the Director of Legal and HR Services
Review of Representation of Political Groups and Appointments	

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	James Kinsella Governance Manager Email: james.kinsella@brent.gov.uk Tel: 020 8937 2063

1.0 Summary

- 1.1 At its meeting on 1 May 2019 Full Council reviewed and determined the representation of political groups on its main committees and subsequently made appointments to these, in accordance with the wishes of the political groups concerned. As soon as practicable after such a review, this Committee is also required to review and determine the representation of political groups on its Sub-committees and then make appointments giving effect to the wishes of the political groups allocated seats.

2.0 Recommendations

That the Committee:

- 2.1 Agrees the size of each sub-committee to be appointed by the Committee;
- 2.2 Agrees the allocation of seats to political groups on each of the sub-committees in accordance with political balance rules; and
- 2.3 Appoints Chairs and Vice-Chairs, Members and Substitutes to each Sub-committee.

3.0 Detail

- 3.1 As General Purposes Committee has three Sub-committees, it has a statutory duty to review and determine the representation of political groups on its Sub-committees as soon as practicable after any review undertaken by Full Council. The Committee then has a duty to make appointments to the Sub-committees giving effect to the wishes of the political group allocated seats.
- 3.3 The allocation of seats is determined by applying the political balance principles prescribed by the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990. These principles are set out below and are designed to ensure that the political composition of committees and sub-committees, as far as reasonably practicable, replicate the political composition of Full Council.
- 3.4 The political balance principles are:
- (i) That not all the seats on the sub-committee are allocated to the same political group.
 - (ii) That the majority of the seats on the sub-committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership.
 - (iii) Subject to paragraphs (i) and to (ii) above, that the number of the seats on the sub-committee which are allocated to each political group bears the same proportion to the number of all the seats on that sub-committee as is borne by the number of members of that group to the membership of the Council.
- 3.5 There is a 4th principle which applies to appointment of ordinary committees and which was therefore applied at the recent annual meeting. The legislation does not apply this principle to appointment to sub-committees.
- 3.6 The Membership of the Council stands at 63 councillors with the composition of political groups as follows:
- 60 Labour Group councillors (95.24%) and 3 Conservative Group councillors (4.76%).
- 3.7 The application of the 3 principles listed above results in the following allocation of seats:

Committee	Sub Committee	Size of Sub-Cttee	Labour 60 (95.24%)	Conservative 3 (4.76%)
General Purposes	Pension Fund Sub-Committee	7	6	1
	Senior Staff Appointments Sub-Committee	5	4	1
	Senior Staff Appeals Sub-Committee	5	4	1

4.0 Financial Implications

4.1 There are none arising directly from this report.

5.0 Legal Implications

5.1 These are addressed in the body of the report.

6.0 Diversity Implications

6.1 None.

Report sign off:

DEBRA NORMAN

Director of Legal and HR Services

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PROPOSED APPOINTMENTS TO THE GENERAL PURPOSES SUB-COMMITTEES

FOR THE MUNICIPAL YEAR: MAY 2019 – MAY 2020

➤ GENERAL PURPOSES SUB-COMMITTEES

SENIOR STAFF APPOINTMENTS SUB-COMMITTEE

M BUTT (C)	LABOUR
MCLENNAN (VC)	LABOUR
COLWILL	CONSERVATIVE
HIRANI	LABOUR
KRUPA SHETH	LABOUR

SUBSTITUTE MEMBERS:

LABOUR: AGHA, FARAH, MILLER, M PATEL, SOUTHWOOD, TATLER

CONSERVATIVE: KANSAGRA, MAURICE

SENIOR STAFF APPEALS SUB-COMMITTEE

M BUTT (C)	LABOUR
MCLENNAN (VC)	LABOUR
HIRANI	LABOUR
KANSAGRA	CONSERVATIVE
KRUPA SHETH	LABOUR

SUBSTITUTE MEMBERS:

LABOUR: AGHA, FARAH, M PATEL, SOUTHWOOD

CONSERVATIVE: COLWILL, MAURICE

BRENT PENSION FUND SUB-COMMITTEE

CHOUDHARY (C)	LABOUR
ADEN (VC)	LABOUR
ABDIRAZAK	LABOUR
DALY	LABOUR
MAURICE	CONSERVATIVE
PERRIN	LABOUR
STEPHENS	LABOUR

CO-OPTED NON-VOTING:

ELIZABETH BANKOLE (UNISON)

SUBSTITUTE MEMBERS:

LABOUR: CHOUDRY, KABIR, MCLEISH, NAHEERATHAN

CONSERVATIVE: COLWILL, KANSAGRA

BRENT PENSION BOARD

FULL MEMBERS:

DAVID EWART (C)
CRANE
KABIR

INDEPENDENT CHAIR
LABOUR
LABOUR

CHRIS BOLA
BOLA GEORGE
ROBERT WHEELER
SEBASTIAN STEER


PENSION SCHEME MEMBER
TRADE UNION (UNISON) MEMBER
TRADE UNION (GMB) MEMBER
EMPLOYER MEMBER (NON-BRENT COUNCIL)

SUBSTITUTE MEMBERS:

LABOUR: MARQUIS, R.PATEL

GENERAL NOTE

Please note the expiry date for the appointment of certain Independent Co-opted Members is automatically extended until the Annual Council Meeting in 2020, as per standing order 50.

	General Purposes Committee 20 May 2019
	Report from the Chief Finance Officer
Brent Pension Board Terms of Reference	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two: <ul style="list-style-type: none"> Appendix A – Current Brent Pension Fund Terms of Reference Appendix B – Proposed Brent Pension Fund Terms of Reference
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Conrad Hall, Chief Finance Officer Conrad.Hall@brent.gov.uk Tel. 0208 937 6528 Ravinder Jassar, Head of Finance Ravinder.Jassar@brent.gov.uk Tel. 0208 937 1487

1.0 Purpose of the Report

- 1.1 The purpose of this report is to update the terms of reference of the Brent Pension Board, taking into account relevant guidance from The Pensions Regulator and advice from the Fund actuary. The aim of the revised terms of reference will be to further clarify the roles and responsibilities of the Pension Board to board members, pension fund members, officers and other interested parties.

2.0 Recommendation(s)

- 2.1 It is recommended to approve the revised terms of reference.

3.0 Detail

- 3.1 The current terms of reference for the Brent Pension Board were agreed in July 2015 following the implementation of the Public Service Pensions Act 2013. Since then, the knowledge and experience of the Pension Board has increased significantly, primarily via training events and through matters regularly reported to the board. Also, a number of guidance documents have recently been released to support Pension Boards in their roles and responsibilities. It is therefore an appropriate time to update the terms of reference in order to comply with this new guidance.
- 3.2 It is important to note that the fundamental principles of the terms of reference will not change (for example membership and quorum) rather the purpose, roles, responsibilities and core functions of the board will be further clarified as required by The Pensions Regulator.
- 3.3 The current terms of reference are attached as Appendix A and the proposed terms of reference are attached as Appendix B. Other than typographical and similarly minor changes the principal amendments are to:
- Clarify the roles, responsibilities and remit of the Pension Board,
 - Clarify the appointment process for board members,
 - Explain the knowledge and skills required by board members to carry out the role effectively,
 - Set out the procedure for publishing Pension Board reports, agendas and minutes of meetings.
- 3.4 The revised terms of reference were endorsed by the Pension Board at its last meeting on 13 March 2019.

4.0 Financial Implications

- 4.1 There are no direct financial implications from this report.

5.0 Legal Implications

- 6.1 The General Purposes Committee discharged the Council's statutory duty to establish the Pension Board.
- 6.2 The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the Council's constitution, standing orders or scheme of delegation apply to the Board unless expressly included in its terms of reference.
- 6.3 Paragraph 8 of The General Purposes Committee Terms of Reference provides that it can "determine matters referred to it by the Chief Finance Officer or the Pension Fund Sub-Committee concerning the Council's functions under the Local Government Pension Scheme (Para 7).
- 6.4 The constitution enables the General Purposes Committee to confirm appointments to the Pension Board. This report does not seek to change this

process and aims to further clarify the existing terms of reference of the Pension Board.

6.0 Equality Implications

6.1 Not applicable.

7.0 Consultation with Ward Members and Stakeholders

7.1 Not applicable.

8.0 Human Resources


8.1 Not applicable.

Report sign off:

CONRAD HALL

Chief Finance Officer

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 Brent	Pension Board 7 July 2015 Report from Democratic Services Manager
Constitutional matters	

1.0 Recommendations

- (i) to note the membership, terms of reference and arrangements for meetings of the Board as set out in this report;
- (ii) to agree a quorum.

2.0 Description

On 25 February 2015, the General Purposes Committee agreed to establish a Pension Board in accordance with Section 5 of the Public Service Pensions Act 2013 and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).

- 2. The Board operates independently of the Brent Pension Fund Sub-Committee.
- 3. The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the Council's constitution, standing orders or scheme of delegation apply to the Board unless expressly included in this document.

Membership and quorum

- 2.1 The membership of the Board was agreed by the General Purposes Committee on 27 May 2015 as follows:

Brent employer representatives - Councillors Choudhary and Kabir
Brent employer representative from another employer within the pension fund
– awaiting nomination
Brent member representative (Trade Union) – Unison – Bola George
Brent member representative (Trade Union) – GMB – Euton Stewart

Brent member representative (Pension Scheme member) – Trevor Dawson

Recruitment of an Independent Chair was at that time still in progress. Mr David Ewart has since been selected and his appointment will be ratified at the next meeting of the Committee. The Chair is a non-voting member of the Board.

Guidance suggests that a meeting of the board is only quorate when at least 50% of both member and employer representatives are present. The Board is asked to agree a quorum that should ensure at least one member and one employer representative is present.

Members of the Pension Board will be appointed by the General Purposes Committee and no substitutes will be permitted. The term of office for members will run for an initial two year period. Any representative who ceases to hold the relevant office or employment that qualifies them to serve shall cease to be a member and an alternative representative will be sought.

Terms of reference

- 2.2 The terms of reference of the Board were agreed at the Annual meeting of Full Council on 20 May 2015 as follows:

Under the Local Government Pension Scheme Regulations 2013 (as amended):

- (i) To assist the Council as scheme manager in securing compliance with:
 - a. The Local Government Pension Scheme Regulations 2013 (as amended),
 - b. any other legislation relating to the governance and administration of the Local Government Pension Fund Scheme (LGPS),
 - c. requirements imposed by the Pensions Regulator in respect of the LGPS,
 - d. such other matters as the LGPS regulations may specify;
- (ii) to assist the Council in securing the effective and efficient governance and administration of the scheme;
- (iii) to consider cases that have been referred to the Pension Regulator and/or the Pension Ombudsman, recommending changes to processes, training and/or guidance where necessary;
- (iv) to produce an annual report outlining the work of the board throughout the financial year to the General Purposes Committee.

Meetings

- 2.3 A sufficient number of meetings will be called to enable the Board to discharge its functions effectively, as decided by the Chair of the Board with the consent of the other Board members, with no fewer than two meetings a year being held. A further meeting of the Board has been scheduled in the Council's programme of meetings for 2 February 2016.

- 2.4 The Council shall give notice to all the Board members of every meeting of the Board, which will be held in public (apart from confidential matters), with all members normally being sent an agenda and papers at least five working days before the meeting unless an urgent meeting is required.
- 2.5 Any meeting of the Board will include provision for confidential matters or matters that would involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 to be dealt with privately by means of passing a resolution excluding the press and public.
- 2.6 The Council shall ensure that a formal record of Board proceedings is maintained. All agendas, reports and minutes will be available on the Council's website except for any confidential or exempt matters

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Brent

London Borough of Brent Pension Fund Terms of Reference

Terms of Reference for the Brent Pension Board

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1. Introduction

- 1.1 The purpose of this document is to set out the terms of reference for the local Pension Board of the London Borough of Brent Pension fund.

2. Role of the Local Pension Board

- 2.1 The role of the local Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013, is to:
- Assist the London Borough of Brent Administering Authority as Scheme Manager;
 - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
 - to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
 - in such other matters as the LGPS regulations may specify
 - Secure the effective and efficient governance and administration of the LGPS for the London Borough of Brent Pension Fund.
 - Provide the Scheme Manager with such information as it requires ensuring that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.
- 2.2 The Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.
- 2.3 The Pension Board will also help ensure that the London Borough of Brent Pension Fund is managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.
- 2.4 The Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively.

3. Appointment of members of the Pension Board

- 3.1 The Pension Board shall consist of 6 members and be constituted as follows:

- i) 3 employer representatives;
- ii) 3 scheme member representatives;

- 3.2 There shall be an equal number of Member and Employer Representatives.

3.3 Member representatives

- 3.3.1 Member representatives shall either be scheme members or have capacity to represent scheme members of the Fund.

- 3.3.2 Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

- 3.3.3 Substitutes shall not be appointed.

- 3.3.4 3 scheme members shall be appointed to the Board and will consist of:

- 2 Trade Union representatives who are members of the scheme.

- 1 pensioner of the Fund shall be appointed following an open and transparent process administered by the Administering Authority with a recommendation to the General Purposes Committee.

3.4 Employer representatives

- 3.4.1 Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of the Administering Authority who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.
- 3.4.2 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 3.4.3 Substitutes shall not be appointed.
- 3.4.4 3 employer representatives shall be appointed to the Board and will consist of:
- 2 elected councillors appointed by the London Borough of Brent.
 - 1 employer in the Fund shall be appointed following an open and transparent process administered by the Administering Authority with a recommendation to the General Purposes Committee.
- 3.5 Members of the Pension Board will be appointed by the General Purposes Committee and no substitutes will be permitted. The term of office for members will run for at least two years, subject to compliance with conditions of employment.
- 3.6 Each Board member should endeavour to attend all Board meetings during the year and is required to attend at least 3 meetings each year. In the event that a Board member fails to attend 3 consecutive meetings, that individual will automatically be disqualified, unless the failure was due to some reason approved by the Board before the date of the 3rd consecutive meeting.
- 3.7 Board membership may be terminated prior to the end of the term of office due to:
- (a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.
 - (b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied.
 - (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
 - (d) A Board member no longer being able to demonstrate to the London Borough of Brent their capacity to attend and prepare for meetings or to participate in required training.
 - (e) The representative being withdrawn by the nominating body and a replacement identified.
 - (f) A Board member has a conflict of interest which cannot be managed in accordance with the Board's conflict policy.

- (g) A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any function of the Administering Authority under the Regulations.

3.8 The Board may, with the approval of the Scheme Manager, co-opt persons who are not members of the Board to serve on sub committees, particularly where this would add skills and experience.

4. Appointment of Chair

4.1 An independent Chair is to be appointed through an open and transparent process, administered by the Administering Authority, and ratified by the General Purposes Committee. The Chair is a non-voting member of the board. In this respect the term independent means having no pre-existing employment, financial or other material interest in either the Administering Authority or any scheme employer in the Pension fund or not being a member (active, deferred or retired) of the Local Government Pension Scheme in Brent.

4.2 The Chair of the Board:

- (a) shall ensure the Board delivers its purpose as set out in these Terms of Reference;
- (b) shall ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered; and
- (c) shall seek to reach consensus and ensure that decisions are properly put to a vote when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

5. Quorum

5.1 The Board shall have a formal quorum when at least 50% of both member and employer representatives are present.

5.2 Advisers and officers do not count towards the quorum.

6. Conflicts of Interest

6.1 All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

6.2 A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.

6.3 On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Administering Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Board's 'Conflicts of Interest' policy and the requirements of the Code.

7. Board Review Process

7.1 The Board will undertake each year a formal review process to assess how well it and its committees, and the members are performing with a view to seeking continuous improvement in the Board's performance.

8. Advisers to the Board

- 8.1 The Board may be supported in its role and responsibilities through the appointment of advisers and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers to the Board and on such terms as it shall see fit to help better perform its duties including:
- A Governance Adviser
 - The Fund's Actuary;
 - The Fund's Administrator;
 - The Fund's Legal Adviser;
 - The Fund's Investment Adviser(s);
 - The Scheme Manager.
 - Other advisers, so approved by the Scheme Manager.
 - The Pensions Regulator
- 8.2 The Board shall ensure that the performances of the advisers so appointed are reviewed on a regular basis.

9. Knowledge and Skills

- 9.1 Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority in line with the requirements outlined in paragraph 2 above.
- 9.2 A member of the Pension Board must be conversant with:
- The legislation and associated guidance of the Local Government Pension Scheme (LGPS).
 - Any document recording policy about the administration of the LGPS which is adopted by the London Borough of Brent Pension Fund.
- 9.3 A member of the Pension Board must have knowledge and understanding of
- The law relating to pensions, and
 - Any other matters which are prescribed in regulations.
- 9.4 It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.
- 9.5 In line with this requirement Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.
- 9.6 Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.
- 9.7 Pension Board members will comply with the Scheme Manager's training policy.

10. Board Meetings – Notice and Minutes

- 10.1 The Scheme Manager shall give notice to all Pension Board members of every meeting of the Pension Board. The Scheme Manager shall ensure that a formal record of Pension Board proceedings is maintained. Following the approval of the minutes by the Independent Chair of the Board, they shall be circulated to all members.
- 10.2 There will be at least 3 Pension Board meetings a year to be held per year, approximately 2 weeks after the Pension Fund Sub-Committee meeting.

11. Remit of the Board

- 11.1 The Pension Board must assist the Scheme Manager with such other matters as the scheme regulations may specify. It is for scheme regulations and the Scheme Manager to determine precisely what the Pension Board's role entails.
- 11.2 In accordance with the Regulations, the Pension Board shall secure compliance with:
- the Regulations
 - other legislation relating to the Governance and administration of the LGPS; and
 - the requirements imposed by The Pensions Regulator in relation to the LGPS, and
 - to ensure the effective and efficient governance and administration of the LGPS.
- 11.3 In support of its core functions the Board may make a request for information to the Pension Fund Sub-Committee with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.
- 11.4 In support of its core functions the Board may make recommendations to the Pension Fund Sub-Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

12. Standards of Conduct

- 12.1 The role of Pension Board members requires the highest standards of conduct and therefore the "seven principles of public life" will be applied to all Pension Board members and embodied in their code of conduct.

These are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

13. Decision Making

- 13.1 Each voting member of the Pension Board will have an individual voting right but it is expected the Pension Board will as far as possible reach a consensus. The Independent Chair of the Pension Board and any advisors are non-voting members of the Board.

14. Publication of Pension Board information

- 14.1 Scheme members and other interested parties will want to know that the London Borough of Brent Pension Fund is being efficiently and effectively managed. They will also want to be confident that the Pension Board is properly constituted, trained and competent in order to comply with scheme regulations, the governance and administration of the scheme and requirements of the Pension Regulator.
- 14.2 Up to date information will be posted on the London Borough of Brent Pension Fund website showing:
- The names and information of the Pension Board members
 - How the scheme members are represented on the Pension Board
 - The responsibilities of the Pension Board as a whole
 - The full terms of reference and policies of the Pension Board and how they operate
 - The Pension Board appointment process
 - Who each individual Pension Board member represents
 - Any specific roles and responsibilities of individual Pension Board members.
- 14.3 The Board meetings will be open to the general public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the general public).
- 14.4 Pension Board papers, agendas and minutes of meetings will be published on the London Borough of Brent Pension Fund website, <https://www.brent.gov.uk/pensions>. These may at the discretion of the Scheme Manager be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.
- 14.5 The Scheme Manager will also consider requests for additional information to be published or made available to individual scheme members to encourage scheme member engagement and promote a culture of openness and transparency.

15. Accountability

- 15.1 The Pension Board will be collectively and individually accountable to the Scheme Manager.

16. Review of terms of reference

- 16.1 These Terms of Reference shall be reviewed on each material change to those part of the Regulations covering local pension boards and at least every year.
- 16.2 These Terms of Reference were reviewed on 13 March 2019.

17. Definitions

17.1 The undernoted terms shall have the following meaning when used in this document:

<i>“Pension Board” or “Board”</i>	Means the local Pension Board for the London Borough of Brent administering authority for the London Borough of Brent Pension Fund as required under the Public Service Pensions Act 2013
<i>“Scheme Manager”</i>	Means the London Borough of Brent as administering authority of the London Borough of Brent Pension Fund.
<i>“Chair”</i>	Means the Independent Chair of the Pension Board
<i>“LGPS”</i>	<p>The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009</p> <p>In Scotland;</p> <p>The Local Government Pension Scheme as constituted by the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008, the Local Government Pension Scheme Administration) (Scotland) Regulations 2008, The Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 and the The Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 2010]</p>
<i>“Scheme”</i>	<i>Means the Local Government Pension Scheme as defined under “LGPS”</i>
<i>‘Pensions Regulator’</i>	<i>Means the UK regulator of work-based pension schemes.</i>
<i>‘the Committee’</i>	<i>Means the committee which has delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.</i>
<i>‘the Fund’</i>	<i>Means the Fund managed and administered by the Administering Authority.</i>

18. Interpretation

18.1 Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be determined by the Scheme Manager.

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