

**MINUTES OF THE MEETING OF THE EXECUTIVE**  
**Wednesday, 28<sup>th</sup> May 2003 at 7.00 pm**

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

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

Councillors Colwill, Mrs Fernandes, Kansagra and Rands also attended the meeting.

**1. Welcome**

Councillor Coughlin welcomed Councillors Lesley Jones, Ralph Fox and Michael Lyon to their first meeting as Lead Members for Environment and Planning, Social Services and Education, Arts and Libraries respectively.

**2. Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 28 April 2003 be approved as an accurate record.

**3. Procurement of Frozen Foods Meals Services**

Following the report to the Executive on 10 February 2003 this report requested approval to invite tenders in respect of the procurement of frozen meals for the Meals on Wheels, Day Centre and Luncheon Club Meals. It also provided information on the progress in formulating proposals for the future provision of the entire service.

Councillor Fox reminded the Executive that agreement had previously been given in February for an interim arrangement to commence on 1 May until the tender process had been completed. It has now been decided that a further report with proposals be submitted in September 2003. Councillor Fox stated that he was determined that value for money be achieved and assured that he would be making visits to premises.

The Committee also had before them an appendix to the report which was not for publication as it contained exempt information as specified in Schedule 12A to the Local Government Act 1972, namely:-

“The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.”

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and evaluation criteria as set out in paragraph 6.4 of the report;
- (ii) that officers invite tenders and evaluate in accordance with the approved evaluation criteria referred to above;
- (iii) that the process to be employed to formulate proposals on options for the future delivery of the entire service, be noted.

#### 4. **Report of the Inquiry Into the Care and Treatment of AB**

This report summarised the Mental Health Independent Inquiry Report, into a homicide by a mental health patient known to Brent Mental Health Trust and Brent Social Services, in 1998. It identified issues raised by the Inquiry Team as a result of their investigations, and the Team's recommendations.

Councillor Fox expressed concern at the length of time it had taken for the report to be published. The action plan prepared following the recommendations from the Inquiry Team would be submitted to the Strategic Health Authority. Most of the issues raised had been addressed and those still outstanding were detailed in the report. He stressed that such cases were rare and that this one was particularly tragic. Jenny Goodall stated that the Brent Mental Health Service now provided an integrated service which had been praised in the recent joint review. Integrated systems having been established since 2001, consequently some of the observations made in the Inquiry had already been addressed. In answer to a question from Councillor Beswick, Jenny Goodall confirmed that the action plan was a joint document that would involve both health and social services and other statutory agencies.

RESOLVED:-

that the report be noted and the action plan at appendix 1 of the report be agreed.

#### 5. **Housing Diversity Strategy**

This report set out the background to the production of a Housing Diversity Strategy and, in particular, proposals for consultation, production of the final version and launch of the Strategy.

Councillor Thomas stated that the strategy was designed to address diversity issues particularly in view of the census results and would cover all types of tenure. The aim was to engage partners and stakeholders and consultation would be wide, monitored and reviewed. The strategy would be launched during Respect Week in July. It was

noted that the Director of Housing would approve the draft document for consultation and the final document post-consultation.

RESOLVED:-

- (i) that approval be given to the proposals for the development of a Housing Diversity Strategy;
- (ii) that the proposals for consultation on the Strategy be approved;
- (iii) that the Strategy should be formally launched during Respect Week (10th-20th July);
- (iv) that it be noted that Director of Housing will approve the Strategy and make arrangements for its launch, taking into account the outcomes of consultation.

**6. Petition Concerning Destruction of Green Areas – 57-83 Ealing Road**

The Council had received a petition relating to “the destruction of green areas 57-83 Ealing Road” and the Executive had before them a report responding to the issues raised in the petition and recommending a way forward.

The Committee received a deputation from residents of Ealing Road. Dr Sheth, a local resident, made available to the Executive additional papers, which he considered to be relevant background information copies of which he had previously circulated to the Chair, Lead Member and Councillor Ramesh Patel. Mr John Hextall (a local resident) addressed the Executive and referred to the remedial work that had been carried out in the area concerned which he considered amounted to “municipal vandalism” with shrub beds being removed. He stated that while a letter of consultation had been circulated in November 2002, a second notification letter had been swiftly followed by the implementation of the plans and the shrub beds removed. He was concerned at the impact given the limited amount of green space in the area and also for the safety of children and cars. He pointed out that there had been discussions over a long period about improvements to the service road but nothing had been done. Action was needed on the issue of safety, illegal parking and the restoration of greenery in the area. The shrubbery under concern was a significant attraction which should have been maintained. He requested action to install speed humps and prevent illegal parking and regretted that the work asked for had not been agreed.

Michael Read (Assistant Director, Environmental Services) introduced the report saying that work commenced on 26 March 2003, initial consultation having taken place in November 2002. He said there had been long standing problems regarding maintenance of the area and

referred to other issues mentioned in the petition dating back to 1985 which had been concluded through the Council's complaints procedure at Stage 3. Further action in respect of these matters was inappropriate. He said that the works had been completed with the exception of trees which would be planted in October and also bulbs. Grass seed had been sown on 16 May and once the grass was established, further works could be carried out in consultation with residents. He stated that traffic calming was not an issue under the petition. In any event he considered it to be unwarranted and also a requested gate to be inappropriate. Michael Read clarified that six trees were proposed to be planted in the autumn and that shrubs could be considered, however any planting needs to be maintainable. A review of treatment could take place once the grass had been established but the treatment of the area should be in line with normal standards for highway land.. The aim was to minimise the possibility of litter collecting in the area and to maintain the area as an attractive space. Regarding ownership of the land, he was satisfied that it did belong to the Council.

Councillor Jones stated that she had visited the site and the tree removal would improve visibility and safety as the height and density of the hedges on the open space had led to problems for residents. She felt that the raised kerbs would lead to a greater protection from vehicles and suggested that perhaps the traffic calming could be reconsidered.

Councillor R S Patel pointed out that there was little time between the receipt of the second notification letter and the start of the remedial works. Michael Read responded that the actual consultation took place in November and that the second letter was only giving notice of the start of the project. There was a need to use the monies available before the end of the financial year.

Councillor Coughlin summarised the position as the petition concerned the destruction of land. He regretted that residents had not raised their concerns at the time of the original consultation. There was a need to spend the finances before the end of the year as the Council had a responsibility to Council taxpayers. He proposed that the review suggested should proceed and that further consultation take place. Michael Read confirmed that money was available for further planting and that the residents would be consulted on how they would like the land to be treated, within the highways standards.

Dr Sheth requested further time for discussion. Councillor Coughlin responded that he considered that there had been a full discussion on the matter this evening that he was happy for further consultation to take place and correspondence to continue.

RESOLVED:-

that in response to the petition the following be agreed:

- (i) not to ask any Member body to investigate the issues referred to which were dealt with through the Corporate Complaints Procedure in August 2000;
- (ii) to note that the planned work in the area has been completed; and
- (iii) to instruct officers to review the treatment of the former shrub beds, once the grass in the beds has become established, in consultation with local residents and in line with the usual standards for highway land throughout the Borough, and to implement any agreed further improvement work.

RESOLVED:-

that in response to the petition the following be agreed:

- (i) not to ask any Member body to investigate the issues referred to which were dealt with through the Corporate Complaints Procedure in August 2000;
- (ii) to note that the planned work in the area has been completed; and
- (iii) to instruct officers to review the treatment of the former shrub beds, once the grass in the beds has become established, in consultation with local residents and in line with the usual standards for highway land throughout the Borough, and to implement any agreed further improvement work.

## **7. Approval of the Award of Contracts for Highways Maintenance**

This report requested authority to award contracts as required by Contract Standing Order No 88. This report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to which supplier the contract should be awarded.

Michael Read stated that it had been found that savings could be made in having a number of smaller contracts with individual local companies and contractual requirements would be met. The Committee also had before them a separate appendix which was not for publication as it contained the following category of exempt information as specified in Schedule 12A to the Local Government Act 1992, namely:-

“Information relating to the financial or business affairs of any particular person other than the authority and the amount of expenditure proposed to be incurred by the authority under any particular contract for the acquisition of goods or services.”

RESOLVED:-

that approval be given to award the contracts for Highways Maintenance to the contractors recommended by the panel.

## 8. **Review of Conservation Areas**

Michael Read reminded the Executive that the original report on this issue had been considered by the Scrutiny Committee on 31 March and two key changes were recommended relating to the appointment of an additional post of Planning Enforcement Officer instead of budget provision for a Conservation Grants Scheme and a request that the results of consultation be submitted to Scrutiny in advance of their consideration by the Executive. Councillor Jones then proposed a motion in her name which proposed agreement to the inclusion in the 2004/5 budget process (for consideration) of funding for two enforcement officer posts with associated budget, however that the results of the consultation be reported to the Executive in the first instance. The report should go to the Executive in the first instance and then on to the Scrutiny Committee if they so wished.

RESOLVED:-

that following the recommendations of Scrutiny Committee on 30 April, the earlier decisions taken on 31 March be revised and agreement be given to the provision of an extra enforcement officer and a remedial works budget rather than a conservation grant scheme. That it not be agreed that the report on the outcome of the consultation be first be brought back to Scrutiny Committee. Therefore the following be AGREED:

- (i) that due to the erosion of the historic and architectural character in many Conservation Areas the following 10 Conservation areas are considered for de-designation and a programme of consultation is undertaken and officers are instructed to report the results back to the Executive to make a decision. The areas recommended for de designation are:
  - a) The de-designation of Butlers Green as a Conservation Area
  - b) The de-designation of the Kenton Conservation Area
  - c) The de-designation of Stanley Avenue as a Conservation Area
  - d) The de-designation of Woodheyes and Gresham Conservation Area
  - e) The de-designation of Slough Lane Conservation Area

- f) The de-designation of Manor Close as a Conservation Area
  - g) The de-designation of Wembley Hill as a Conservation Area
  - h) The de-designation of Preston Park as a Conservation Area
  - i) The de-designation of Queens Walk as a Conservation Area
  - j) The de-designation of King Edward VII Conservation Area
- (ii) that approval be given to the creation of a post for a Conservation Assistant, subject to approval during the 2004/5 Budget process;
  - (iii) that approval be given to the creation of two Enforcement Officer Posts to carry out more pro active and promotional work and a budget of £20,000 for remedial work, subject to approval during the 2004/5 Budget process;
  - (iv) that approval be given to the priorities and programme for the implementation of the character appraisals, production of Design Guides and the imposition of Article 4 Directions."

**9. 'A Plan for Brent' Brent's Community Plan**

This report introduced Brent's first community plan, 'A Plan for Brent'. This plan incorporates a number of priorities identified during consultation with residents and outlines how local agencies are planning to address these priorities. It will help guide the work of Brent's Local Strategic Partnership 'Partners for Brent' over the next five years and will be updated by Partners for Brent.

Councillor R S Patel reminded that under the provisions of the Local Government Act 2000 this was the Borough's first Community Plan designed to promote the economy and lead to a sustainable development. It would be the basis of Partners for Brent work over the next five years and would be updated to reflect the changing priorities of local residents. The Executive were requested to agree the priorities and refer the report to Council for consideration. Councillor Beswick stated that the Community Plan was comprehensive and the Executive congratulated all the officers and partners involved in producing the document which set out the key objectives and reflected the aspirations of the community.

RESOLVED:-

- (i) that the priority objectives of the Plan for Brent be agreed;
- (ii) that the plan be referred to Full Council for formal adoption.

**10. Remuneration Strategy – Recruitment, Retention and Single Status**

The Council's budget for 2003/2004 contains provision of £1m (with future growth built in) to meet the costs of a remuneration strategy, in particular for the introduction of Recruitment and Retention initiatives and the cost of implementation of the National Agreement on single status employment. In addition pay anomalies require action to ensure standardisation of service conditions.

The purpose of the report from the Interim Director of Human Resources, was for members to consider the allocation of the £1m growth budget in order to alleviate recruitment and retention difficulties and to determine how best to allocate remaining funds to achieve single status employment and remove pay anomalies once recruitment and retention priorities have been met.

Councillor D Long advised the Executive that the General Purposes Committee on 22 May 2003 had agreed the recommendations in the report, subject to the Executive's approval of the expenditure of the £1m growth. Marco Henry set out the priorities for funding, how the resources would be allocated for the various initiatives which were urgently required. It was hoped that the package would be agreed for implementation in April 2004 following negotiations with trade unions and a national agreement on a 36-hour week.

RESOLVED:-

that approval be given to the allocation of the necessary funding from the £1m growth budget for 2003/2004 to fund a remuneration strategy and implement the cost of the national agreement on single status the detail of which was agreed by the General Purposes Committee on 22 May 2003.

**11. The Council's Draft Race Equality Scheme 2003/4**

This report introduced the Draft of Brent Council's Race Equality Scheme for 2003/04.

Councillor D Long advised that this was an update of the existing scheme to take account of new legal provisions. The Executive considered the scheme to be an excellent document which encompassed the visions and values of the Council. Tracie Walters (Human Resources Policy Adviser) said that funding had been set aside so that the document could be published in large print, various languages and be available on audio tape. A summary would also be included with staff pay slips. She confirmed that consultation had taken place with staff panels, managers and community groups. Final approval of the document was delegated to the Chief Executive.



Councillor Thomas questioned the links between this document and the Housing Diversity Strategy and was assured that the document would be revised and reviews would take place. It was noted that this document was a scheme and an action plan would follow.

Councillor Long wished to place on record, on behalf of the Executive, an appreciation of Tracie Walters's efforts and those of the Human Resources' staff.

RESOLVED:-

that approval in principle be given to the draft Race Equality Scheme as detailed in the Appendix to the report and to delegate the finalisation of the Scheme for publication as Brent's Race Equality Scheme for 2003-04 to the Chief Executive.

## 12. **Lamppost Advertising**

This report asked members to consider allowing the Council lampposts to carry advertising co-ordinated by an external company.

Toni McConville (Director of Communications and Consultation) in introducing this report stated that the required funding would be included in the draft budget and should the scheme not proceed, the funding would be taken back. The initiative was an opportunity to generate income, a recommendation in the Council's Comprehensive Performance Assessment and is operated by other local authorities. Joint working would be taking place on the contract would be taking place with legal and finance officers.

The Executive also had before them an appendix to the report which was not for publication as it contained exempt information as specified in Schedule 12A of the Local Government Act, namely:-

9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

RESOLVED:-

- (i) that approval be given to allowing the Council's lampposts, to carry advertising co-ordinated by an external company;
- (ii) that in view of the decision at (i) above, it be noted that the preferred bidder for providing lamppost advertising will be Company A, subject to the following matters:

- (a) review of the Council's Streetlighting PFI Contract and satisfactory re-negotiation and variation of that contract as necessary following the review;
- (b) Negotiation of suitable contract terms with Company A;
- (c) Environmental issues being addressed: and
- (d) J C Decaux Contract.

**13. Transport Policy for 16 to 19-year olds**

This report informed Members of the changes to post 16 transport legislation arising from Schedule 19 of the Education Act 2002, and sets out the LEAs responsibilities in relation to these changes.

RESOLVED:-

that approval be given to the adoption of the pan London baseline for Post 16 Transport, which will reduce the distance criteria from 5 miles travelling distance from the nearest suitable provision to 3 miles, and require applications for support to be subject to a means test.

**14. Evan Davies Nursery Replacement**

This report asked Members to approve the allocation of £250,000 of the EAL capital allocation towards the cost of the replacement of Evan Davies Nursery. Councillor Lyon advised that the development was in line with the Stonebridge Housing Action Trust's programme. There would additional nursery places including provision for children with autistic disorder. It was planned that the nursery would also have additional facilities provided under the Neighbourhood Nursery Initiative. The Borough Solicitor sought to clarify a contradiction in the report and confirmed that it was the intention the Heads of Terms to be drawn up by the HAT would propose a lease of 25 years at a 'peppercorn rent' per annum.

RESOLVED:-

that approval be given to the allocation of £250,000 towards the cost of the new Evan Davies Nursery subject to the Director of Education, on the advice of the Borough Solicitor, entering into an agreement with the Stonebridge Housing Action Trust for a lease of the new nursery.

The meeting ended at 8.15 pm

D COUGHLIN  
In the Chair

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