

MINUTES OF THE MEETING OF THE EXECUTIVE
Monday, 22nd September 2003 at 7.00 pm

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

Councillors R Blackman, Duffin, Mrs Fernandes, Harrod, Moloney, Rands and Sayers and also attended the meeting.

1. Declarations of Interest

Councillor Jones declared a personal interest as member of the BACES Board.

2. Minutes

(a) 21st July 2003

RESOLVED:-

that the minutes of the meeting held on 21st July 2003 be approved as a true and accurate record.

(b) 18th August 2003 (Special)

RESOLVED:-

that the minutes of the special meeting held on 18th August 2003 be approved as a true and accurate record.

3. Matters Arising

There were none at this meeting.

4. Variation of Tenancy Terms & Conditions

This report informed Members of the outcome of consultation on the proposed variation of the tenancy terms and conditions. It sought Members' approval of the final version of the terms and conditions and the format of the agreement, and for commencement of the formal variation process. Councillor Thomas (Lead Member) advised that the formal consultation period had been extended to 19 July and an undertaking had been given that details would be published on the Brent Housing Partnership website. Concerns raised were considered by a Task Group. The Task Group agreed on all but one item and made recommendations for the amendment to the proposed terms, all of which have been incorporated into the final version of the proposals. The one item on which there was not agreement related to the requirement for the Council to undertake external decoration of premises every 7 years. The Quality of Life Scrutiny Panel in receiving the Task Group's report, agreed to support the tenants' request to retain the 7 year requirement. The proposal has been amended to reflect this for the Executive to make the final decision.

RESOLVED:-

- (i) that the results of the consultation process be noted;
- (ii) that the findings of the Quality of Life Scrutiny Panel Task Group be noted;
- (iii) that the proposed tenancy terms and conditions be agreed, subject to any minor amendments that may be approved by the Director of Housing on the advice of the Borough Solicitor or the Plain English Campaign;
- (iv) that the proposed format for the first 2 pages of the agreement, including the inclusion of digital photographs for new tenants be agreed;
- (v) that the formal variation of the Council's standard tenancy terms and conditions be agreed.

5. The South Kilburn Master Plan

This report set out the proposals for the regeneration in South Kilburn in partnership with South Kilburn New Deal for Communities (NDC). It was necessary, at this stage, for the Executive to consider the Master Plan in the light of the Council's overall statutory obligations and priorities and to further consider and approve officers' recommendations.

Councillor Thomas set out the background to the development of the plan to regenerate the area in partnership with the NDC. A meeting had taken place with the housing minister for additional funds, the outcome of which was still awaited. An additional meeting was due to be arranged on gap funding. The final Master Plan was due to be completed in the near future and it was the intention that there be no loss of social housing.

Martin Cheeseman (Director of Housing) stressed that the Master Plan had not been finalised and what was sought at this stage was consent to the general direction in line with ALMO submission requirements. Councillor John emphasised the need to keep residents informed and to lobby central government ministers. A full report would be submitted to the Executive in December. The Director confirmed that a meeting would be held for members on the Decent Homes programme which would include a visit to the South Kilburn area.

The Executive heard residents' concerns raised by Mr Staunton, Vice Chair of the Alpha and Gorefield Tenants Association, at the possible demolition of some houses, considered to be solid built, as part of the Master Plan. Some residents felt they were not being listened to. Councillor Thomas responded that as a result of concerns on density and cross subsidy issues, some houses would need to be demolished to maximise development opportunities. Visits had taken place and consultation was continuing. Martin Cheeseman reminded that the Master Plan was not presented for agreement at this stage and all options remained open. The Government criteria set out those properties which would qualify to be part of an ALMO and be refurbished. A business case would need to be presented and tenant support indicated.

The Executive agreed the recommendations in the report.

RESOLVED:-

- (i) that the South Kilburn Master Plan framework be approved as a basis for seeking a partner/funding;
- (ii) that it be noted that the obligations suggested in the Master Plan may exceed the resources generated from the net rental stream in South Kilburn and as such the estate has a 'negative value';
- (iii) that it be agreed to commit £10M over a period of 12 years. The phasing of payments being the subject of a further report in the light of further financial analysis and discussions with the Director of Finance;
- (iv) that the Director of Housing be authorised to investigate all possibilities to secure additional funding for the refurbishment of that proportion of the South Kilburn estate, which is anticipated to be retained under Council ownership. In particular authorisation for the Director of Housing to investigate additional funding through a Round 4 ALMO bid and/or an HRA PFI bid;
- (v) that in light of government policy and the need to maximise external funding, Officers be authorised to investigate the possibilities of external funding that may result in solutions that require a proportion of the redeveloped social housing to be owned by a social housing provider other than the Council.

6. **Housing Management Services for the Private Sector Leasing Schemes**

The Housing Management Services for the Private Sector Leasing (PSL) Schemes were currently being provided by Brent Housing Partnership Ltd (BHP Ltd) under an interim agreement for a 12-month period. The report requested approval to invite tenders in respect of this service contract as required by Contract Standing Orders 88 and 89. The report also provided a further update on the various issues raised at the meeting of the Executive held on 31st March 2003, in respect of the Housing Management Services for the PSL Schemes.

Additional information had also been circulated as Appendix 2 to the report, marked not for publication because it contained exempt information as specified in paragraph 1 of Schedule 12A of the Local Government Act 1972, namely:

“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 the pre-tender considerations and evaluation criteria as set out in 6.11 of the report be approved;

- (ii) that officers be instructed to invite tenders and evaluate in accordance with approved evaluation criteria referred to in (i) above;
- (iii) that it be noted this report includes an update on the outstanding matters that were highlighted in the report presented to the Executive, at the meeting held on 31st March 2003, in respect of the Housing Management Services For The Private Sector Leasing Schemes (paragraph 7.0 of the report refers).

7. Draft Ofsted Action Plan

The draft Ofsted Action Plan had been prepared to address the issues raised by Ofsted in their report on the inspection of the LEA, undertaken in January 2003. The draft action plan was discussed at the Lifelong Learning Scrutiny Panel meeting, held on 23rd July, and comments made by Members of the panel have been taken into account in preparing the action plan. The draft Action Plan needed to be finalised and sent to Ofsted by the end of September.

Councillor Lyon (Lead Member) stated that while the inspection had been successful there were areas for improvement and the draft action plan addressed the main recommendations, setting out responsibilities and timescales. It was noted that in some cases, part of the responsibility for meeting target rested with partner agencies. Councillor Coughlin drew attention to the fact that growth bids would need to be submitted for 2004/5 and it was agreed that this be reflected in the decision.

RESOLVED:-

that the draft Action Plan, be approved subject to it being noted that a number of growth bids had been submitted for consideration in the Budget setting process for 2004/5.

8. The Role of BACES Advisory Board

This report set out the reasons for reviewing the BACES Advisory Board and options for its future role. The Board would be a consultative body with the remit set out in the report.

RESOLVED:-

- (i) that it be agreed the Advisory Board in its current form should cease;
- (ii) that the Director of Education, Arts and Libraries be authorised to establish a Baces User Consultative Group with a role and membership similar to that outlined in paragraph 6.4.4 of the report.

9. Library Service Position Statement

This report introduced Brent's Library Service Position Statement, which must be submitted to the Government's Department for Culture Media and Sport (DCMS) by the 30th of September 2003. The Public Library Position Statement replaced the

Annual Library Plan within the context of the Local Government White Paper and the move to Freedoms and Flexibilities. It would contribute to the Libraries and Leisure rating of the Comprehensive Performance Assessment. The Position Statement is to be submitted to the DCMS for a maximum of two years from 2003. The Position Statement sets out Brent's intentions in regard to those Public Library Standards which have not yet been met. A full survey on Brent's performance against all the standards had been submitted separately to the Institute of Public Finance (IPF). Councillor Lyon reminded the Executive that the Service had achieved a 3 star rating, had increased funding, the stock fund and staff professionalism.

In accordance with the guidelines issued by the DCMS, and following the Executive's approval, the Public Library Position Statement was signed by Councillor Lyon, the elected member with the main responsibility for the library service, to indicate that the document has political backing within the authority.

RESOLVED:-

that the Library Service Position Statement 2003 be approved and the Lead Member for Education, Arts and Libraries be authorised to sign on behalf of the Council.

10. **Mobile Phone Mast Policy**

Councillor Jones introduced this report acknowledging the continuing interest and concern from the public and media with regard to the health, safety and environmental impacts associated with the use of mobile phones, base stations and associated technology. The report summarised the available information and proposed a policy approach for the Council in its role as landowner. The Stewart report concluded that on the evidence currently available there was no general risk to people living near base stations but, but children were more likely to be susceptible. Research was continuing. The Government's best practice code suggested considerations for the positioning of masts, consultation guidelines and that annual discussions take place. Given the current public perception of phone masts and the costs and benefits, it was proposed that there be no change to current policy.

Richard Saunders acknowledged that there were certain permitted development rights over which planning authorities had no control. The Borough Solicitor suggested minor amendments to the recommendations at (iii) which were agreed.

RESOLVED:-

- (i) that the conclusions of the Stewart Report "Mobile Phones and Health" and the subsequent response by Government described in paragraph 7.2 of the report be noted;
- (ii) that it be agreed to make full use of the opportunities for better engagement with the operators afforded by the non-statutory Code of Best Practice on Mobile Phone Development;

- (iii) that it be agreed siting of base stations on Council property will be acceptable in principle (subject to planning and other relevant considerations) where concentrations of children and young people will not spend extended periods of time in close proximity (100m) to base stations;
- (iv) that before agreeing to site base stations on Council property full consultation be undertaken with local stakeholders and the outcome of that consultation be taken into account;
- (v) that before agreeing to site base stations on Council property, it be agreed a full assessment of associated costs and overheads be undertaken to ensure that the deal offers real benefit.

11. **Wembley Development Framework**

The Wembley Development Framework set out the Council's planning requirements for the production of a master plan for the area surrounding the new English National Stadium, including the Comprehensive Development Area. It provided a more detailed interpretation of Brent's vision document – Our Vision for a New Wembley and of Wembley related policies within the Replacement Unitary Development Plan, as modified following the Inspectors Report.

The report updated Members on the changes made to the Development Framework, in consultation with partners the GLA and LDA and sought approval to adopt the Framework as Supplementary Planning Guidance. The report also summarised the results of the broad public consultation round which was undertaken in 2001 and the consultation rounds in March 2003 and August/September 2003.

Councillor Van Colle (Chair of the Waste Management and Recycling Overview Task Group) asked the Executive to consider including in the Framework specific reference to recycling. The Executive agreed that while the issue would be covered under sustainable development and referred to in the subsequent more detailed documents, specific reference to recycling should be added under the 'Principles for Development' section of the Framework .

RESOLVED:-

- (i) that the responses of the public consultation exercise be noted;
- (ii) that the Wembley Development Framework (Appendix C to the report refers) as Supplementary Planning Guidance pursuant to the emerging Unitary Development Plan be adopted, subject to the inclusion of specific reference to recycling under the 'Principles for Development' section;
- (iii) that it be noted this must be read in conjunction with the Adopted and Emerging Unitary Development Plan;
- (iv) that the Director of Environment be authorised to publish an illustrated version, with any minor editorial amendments as necessary.

12. **UDP - Response to Representations and Further Proposed Modifications**

This report set out and explained the Council's proposed response to the representations received to the Proposed Modifications to the UDP and recommends Further Proposed Modifications before the Plan is adopted. It also explained the procedures for progressing the Plan to adoption and sets out a likely timescale.

RESOLVED:-

that following consideration of the proposed response to the representations, and the Further Proposed Modifications to the UDP as contained in the schedule 'Proposed Modifications – Council's Response' and the schedule of 'Proposed Further Modifications' accompanying this report:

- (i) that Full Council agree the responses to the representations set out in the report and attachments;
- (ii) that the Full Council agree that the Further Proposed Modifications, be placed on deposit from November 3rd to December 15th;
- (iii) that the Full Council approve the revised UDP, as amended by the Further Proposed Modifications, be adopted as the Council's Replacement Plan unless, in the opinion of the Director of Planning further substantive objections to the proposed further modifications are received.

(Council)

13. **Review of Environment Protection Service**

The Environmental Protection Group, part of the Environmental Health Service Unit, which provides a range of services, including Dog Welfare, Nuisance control, Public Health and EnviroCrime has undergone an internal review. The service changes included different service hours better able to meet customers expectations and fully able to comply with Working Time Regulations; new working arrangements (separate teams, one of which will provide a service beyond normal working hours through a new shift system); and defined staff competency and qualification standards within a new career grade. The recommendations have been subject to a wide consultation involving unions, staff, community groups, Brent Police, local public-sector landlords and members of the public. The response was supportive of the recommended changes. In addition, feedback from the staff has resulted in modest and agreed changes to the shift work compensation package.

Councillor Jones welcomed the outcome of the review which she felt was imaginative and still met legal duties and residents concerns. The service would be improved at no extra financial cost. The Executive congratulated officers concerned for the initiative.

RESOLVED:-

- (i) that the revised hours and days of service of the Environmental Protection Group as set out in paragraph 7.3.3 of the report from the Director of Environmental Services be agreed;
- (ii) that the revised service aims as detailed in para 7.1 of the report be agreed.

13. Progress Report on Implementation of Key Issues Within 2001/2002 Audit Letter

This report provided an updated progress report of the implementation of the key recommendations in the 2001/2002 Audit Letter issued by PricewaterhouseCoopers (PwC, in the role of external auditor) to Brent Council. Councillor Coughlin was pleased to report that following from the initial report to the Executive in January 2003, the action plan had been updated and good progress was being made.

RESOLVED:-

that progress to date be noted.

14. The Treasury Management Annual Report 2002/03

The report detailed treasury management activity and performance during 2002/03.

RESOLVED:-

that it be recommended the report go to full Council.

(Council)

15. Authority to Invite Tenders for the Provision of Agency Staff Contracts

This report sought approval to invite tenders for the provision of agency staff covering all major expenditure categories identified in appendix 1, and to establish a set of framework agreements which will regulate the procurement of agency staff within these categories across the Council.

Additional information had also been circulated as Appendix 3 to the report, marked not for publication because it contained exempt information as specified in paragraph 1 of Schedule 12A of the Local Government Act 1972, namely:

- 9. 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 the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 6.12 (vi) of the report be approved;
- (ii) that officers be authorised to invite tenders and evaluate them in accordance with the details set out in 6.12 ((i) – (x)) of the report.

16. **National Non Domestic Rate – Discretionary Relief for Charities and on Profit Making Organisations**

The Council has the power to grant discretionary relief to charities and to non-profit making organisations which meet specified criteria. This report included details of the applications received since the last report to the Executive in July. The applications from the organisations concerned that had met the criteria were recommended for approval.

RESOLVED:-

- (i) that approval be given to the granting of discretionary relief 2003/2004 as shown in the appendix to these minutes
- (ii) that approval be given to applications received up to 31 August 2003 for the 2003/04 financial year, for the reason stated in paragraph 6.1 of the report from the Director of Finance.

17. **Migration of National Non Domestic Rate IT System**

The Revenues & IT Contract with Capita commenced on 1 May 2003. This contract covers Council Tax and NNDR administration and the provision of IT for Council Tax, NNDR, and Benefits. As part of Capita's bid for this contract they stated that they would migrate the Council's NNDR IT system from the current ICL (Anite) platform to Academy. This report gave details of this proposed migration.

RESOLVED:-

that Project Plan (Appendix 1 to the report) and the Council's User Acceptance Document (Appendix 2) be noted.

18. **Authority to Invite Tenders for a Contract to Supply and Install Data Network Equipment and Circuits**

This report concerned the requirement to upgrade the authority's data network and seeks approval of members, in accordance with contract standing orders 89 and 90, to invite tenders for the supply, installation, maintenance and rental of equipment and associated circuits.

RESOLVED:-

- (i) that the pre-tender considerations and criteria to be used to evaluate as set out in paragraph 6.2 of the report be approved;
- (ii) that officers be authorised to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

19. **Exclusion of the Press and Public**

RESOLVED:

that the press and public be now excluded from the meeting as the following item contains categories of exempt information as specified in paragraphs 7 and 9, Schedule 1, of the Local Government (Access to Information) Act 1985, namely:-

7. Information relating to the financial or business affairs of any particular person (other than the Authority).
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.

19. **Willesden Sports Centre PFI – Selection of Preferred Design Option**

This report updated members on the situation regarding the site of the all-weather pitch and recommends the preferred design option for the new Willesden Sports Centre.

Councillor Lyon set out the current position regarding discussions on options and facilities to be made available to users during development. Richard Saunders set the reasons why the variant (single building) option was being recommended and also concerns over the relocation strategy. Consultation would be starting on alternative facilities for dry sports and swimmers and, while users would be inconvenienced, it was hoped interest would be retained. It was noted that special facilities may have to be made for daily users who need facilities for medical reasons. It was agreed that that the area would be transformed by the new premises and improved bus services provided.

RESOLVED:-

- (i) that it be agreed:
 - (a) the variant (single building) option be selected as the preferred design option
 - (b) that officers progress negotiations with Linteum/Leisure Connection on the basis of the above design
- (ii) that in accordance with the decision of the Executive on August 18th 2003, authority be delegated to the Director of Environment to submit a final business case to the Department of Culture, Media and Sport (DCMS) on the basis of the chosen option.

The meeting ended at 8.15 pm

A JOHN
Chair

/Mins0304/Executive/exe22sj

APPENDIX

NATIONAL NON DOMESTIC RATE-DISCRETIONARY RELIEF FOR CHARITIES AND NON-PROFIT MAKING ORGANISATIONS

1. We agree that the following local charities are to be granted 100% relief for 2003/04:

COST TO COUNCIL

Addaction Brent	£ 839
Afri-Caribbean People's Organisation	£1022
Age Concern Brent	£ 473
Brent Adolescent Centre	£1028
Brent Community Transport	£163
Brent Family Service Unit	£683
Brent Indian Community Centre	£786
Brent Mediation Service	£40
Brent Mediation Service	£160
Church of God (Seventh Day)	£766
Elders Voice	£619
Family Outreach Project	£250
Hopscotch	£2065
Kenton Youth Aid Trust	£2031
Kingsbury Community Association	£276
New Life Christian Centre	£400
Oxford Boys Club Trust	£1765
Samaritans of Brent	£ 513
Stanmore & District Scout Council	£48
Tricycle Theatre	£5168
7 th Willesden Scout Group	£116
9 th Willesden Scout Group	£184
13 th Willesden Scout Group	£140
37 th Willesden Scout Group	£113

2. We agree that the following non-local charities are to be granted 25% relief for 2003/04;

British Association of Psychotherapists	£554
British Wizo	£135
Dar Al-Islam Foundation	£379
Greenford & District Scout Council	£61
Hope Charity	£167
Liberal Jewish Synagogue	£125
Muslim Council of Britain Charitable Founda	£54
PWA The Pakistan Centre	£149
Preston Mall/Magnolia Club	£162

Rainbo	£171
Relief Fund for Romania	£3,906
RSPCA	£306
Stadium Housing Assoc Ltd	£491
Stadium Housing Assoc Ltd	£550
Stadium Housing Assoc Ltd	£1016
Stadium Housing Assoc Ltd	£2831
Tamil Refugee Training & Education Centre	£137
TRAID	£944
22 nd Hampstead Sea Scout Group	£14

3. We agree that the following non-profit making organisations should be granted 25% relief for 2003/04;

Abbey Estate Community Association	£308
An-Nisa Society	£258
Immigration & Employment Consultancy	£298
Information Centre	£208
Kingsbury Bowling Club	£15
Learie Constantine WI Association	£261
L N E R Club	£280
Preston & Mall Residents Association	£81
South Hampstead Club Ltd	£486
South Kilburn Festival Committee	£58
S Kilburn Learning Access Ctre(INNIT Project)	£86
Sudbury Court Sports Club	£320
Wembley Sports Association	£333
Wembley & Sudbury Tennis Squash Social	£278

4. We agree that the following charities and non-profit making organisations should not be granted relief for 2002/03 as they did not apply during that financial year;

Afro-Caribbean People's Organisation
Immigration & Employment Consultancy
S Kilburn Learning Access Ctre(INNIT Project)
Liberal Jewish Synagogue
7th Willesden Scout Group
9th Willesden Scout Group

5. We agree that the following charity should be treated as local as they operate solely in Brent and that the appeal is allowed and 100% relief granted for 2002/03;

ORFACT	£426
--------	------

6. We agree that the appeal from the following charity is not allowed as they have been awarded 25% relief in accordance with the Council's guidelines.

Miracle Signs & Wonders Ministries

TOTAL COST TO COUNCIL	£ 35,496
------------------------------	-----------------

