

MINUTES OF THE MEETING OF THE EXECUTIVE
Monday, 13th October 2003 at 6.30 pm

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

Apologies for absence were given on behalf of Councillor Beswick

Councillors Crane, Mrs Fernandes, Fiegel, Moher, Moloney Nerva, Rands, Sayers and Van Colle also attended the meeting.

1. Declarations of Interest

Councillor D Long declared a non-pecuniary interest in the Provision of Indemnities to Capital City Academy Trust against liabilities connected with Willesden High School (item 17) as he was a trustee and had been Chair of the Board of Governors at the school prior to the transfer. He took no part in the discussion and did not vote on this item.

2. Minutes of the Previous Meeting

RESOLVED:

that the minutes of the meeting held on 22nd September 2003 be approved as an accurate record.

3. Matters Arising

None.

4. Order of Business

RESOLVED:

that the order of business be amended to as set out below in order to hear from the Social Services Inspectorate first.

5. Inter-Agency Inspection of Child Protection Services London Borough of Brent May 2003

In May 2003, Brent Children's Services, the Brent Police Child Protection Team and Brent PCT and Hospital Trust were inspected by the Social Services Inspectorate, the Commission for Health Improvement and Her Majesty's Inspectorate of Constabulary. This inspection was one of four carried out in the four local authorities that had contact with Victoria Climbié. The Executive had before them a report presenting the Inter-agency Inspection Report and the Social Services Action Plan that had been drawn up in response to the recommendations for Social Services.

Janis Lloyd and Pam Rowe of the Social Services Inspectorate addressed the report. They explained that the three agencies had inspected separately and then come together with their findings. The

inspection had found there to be overall improvement with good strategic and inter-agency work. Staff morale had been found to be high but there was concern over the high turnover in staff leading to variation in the quality of care.

Councillor Fox noted the additional funds allocated to Children's Services and stressed the Executive's commitment to ensuring the safety of children in the borough. The fact that problems in recruiting and retaining staff in Children's Services was both a national and Londonwide problem was noted and the Inspectors were asked for advice in managing this. They suggested that a range of approaches should be used and stated that some boroughs were addressing high levels of staff turnover by increasing the number of supervisors employed.

RESOLVED:

that the report and improvements made be accepted and noted and the areas for development, as set out in the action plan, be agreed.

6. Street Tree Management Policy

Councillor Jones introduced a report providing information on the importance of new and replacement plantings in sustaining a healthy street tree population, the benefits of trees in the street, the need for regular planned tree maintenance and the criteria for removal of and replacement of trees.

RESOLVED:

- (i) that the Street Tree Management Policy, as detailed in the report and attached at appendices 1 to 5, be approved;
- (ii) that the proposed phased tree removal programme for 2003/4 be approved, subject to consultation with residents in the roads affected (results from the consultation will be reported back to the Executive if they reveal substantial objections or concerns);
- (iii) that it be noted that further programmes for phased tree removal for 2004/5 and 2005/6 would be drawn up on completion of the 2003 Street Tree Survey. These proposed programmes would be subject to consultation with residents in the roads affected and the outcome of these consultations would be reported back to the Executive if they revealed substantial objections or concerns.

7. Enforcement of Parking and Bus Lane Contraventions by CCTV Cameras

The Executive considered a report concerning the introduction of the enforcement and reporting of parking and bus lane contraventions by use of CCTV cameras. It was noted that there would be two methods used to enforce the contraventions, static cameras mounted on the roadside

and cameras mounted on buses travelling in bus lanes, and that the agreement required the Executive to enter into an arrangement for the joint discharge of functions.

RESOLVED:

- (i) that the proposals for the enforcement of parking and bus lane contraventions by using CCTV cameras be approved;
- (ii) that the Code of Practice, set out at appendix A to the report, be approved and officers instructed to set up the procedures necessary to enforce parking and bus lane contraventions in accordance with the Code of Practice;
- (iii) that it be agreed to enter into an arrangement under s20 of the Local Government Act 2000 with Transport for London to enable the joint working proposed for the enforcement of parking and bus lane contravention, as detailed in the report; and
- (iv) that it be agreed to enter into an agreement with Transport for London detailing how those arrangements will be effected; and
- (v) that the Director of Streetcare be authorised to undertake the necessary actions, as Responsible Officer, to give effect to the agreement.

8. Stadium Access Corridor (SAC)

The Executive was reminded that the Stadium Access Corridor (SAC) was proposed to improve access to the Wembley Park Estate and the new Wembley National Stadium and in so doing aid regeneration of the area and create a processional route for stadium event traffic from the North Circular Road, which would be capable of operating tidally. It was also noted that the scheme had received planning consent. The SAC was to be funded principally from the Single Regeneration Budget (SRB) but also with contributions from section 106 sources. When construction of the National Stadium was delayed, the SRB funding was frozen and it was not possible for the project to progress until the present time. However, the timescales would not allow construction of the full scheme before stadium opening in September 2005 and, due to rising cost estimates, there was now a considerable shortfall in available funding. The report before Members recommended construction of the first stage of phase 2 of the SAC project.

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

“Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:

- (a) any legal proceedings by or against the Authority, or
 - (b) the determination of any matter affecting the Authority.
- (whether, in either case, proceedings have been commenced or are in contemplation)”.

RESOLVED:

- (i) that it be agreed that in principle the Council should exercise its compulsory purchase powers to acquire the land for highway widening to complete Section 1 phase 2 of the SAC scheme with the Director of Transportation to report back on the details of the submission for Members to exercise those powers;
- (ii) that the Director of Transportation be authorised to negotiate with the frontagers and acquire voluntarily the requisite land from the frontagers, whilst the CPO is being progressed;
- (iii) that drawing KBKSB/SAC/PA/26A (Extract), or such other drawing prepared in substitution, be regarded as the scheme plan to facilitate design for CPO purposes, and ultimately for construction;
- (iv) that it be noted that the recommendations were explicitly limited to Section 1, being Great Central Way (Hannah Close to Fourth Way), and did not give or infer any commitment on behalf of the Council to progress Section 2, or Section 3, being the remainder of the SAC to First Way;
- (v) that, whilst the estimated costs include the costs of the western footbridge within the Section 1 works, any decision on its implementation be deferred until a further report is submitted.

9. **Barham Park Estate: Options for Regeneration**

Councillor Thomas introduced a report concerning the options for regeneration of Barham Park estate and possible funding sources. The report sought the Executive’s agreement to investigate the possibility of a redevelopment scheme involving the transfer of the estate to a partner Registered Social Landlord.

RESOLVED:

- (i) that it be noted that the best solution for the regeneration of Barham Park, having consulted the residents, was most likely to be complete demolition and new build;
- (ii) that the appointment of Public Participation Consultation and Research (PPCR) as Independent Residents’ Adviser or

Residents' Friend organisation to provide independent advice to local residents be noted;

- (iii) that officers be instructed to make enquiries of the Registered Social Landlords (RSLs) that were the Council's Joint Commissioning partners, with a view to seeking their ideas on how to achieve the regeneration of Barham Park estate; and
- (iv) that officers also be instructed to report back on the potential for a Council/ALMO-led funding solution;
- (iv) that the objectives as a basis for discussions with the RSL's (paragraph 6.25 of the report refers) be agreed;
- (v) that officers be instructed to inform the Government Office for London of a possible stock transfer for Barham Park;
- (vi) that officers be instructed to bring a further report incorporating the following:
 - a) detailed proposals setting out how they would impact on residents and the Council,
 - b) an examination of the options of prudential borrowing and stock transfer,
 - c) a financial impact and risk assessment,
 - d) criteria for selection of an RSL partner, if that was the recommended vehicle to secure the regeneration of the estate.

10. **The Council's Second Workforce Monitoring Report**

Members considered a report introducing the Council's second Workforce Monitoring Report (2003). It was noted that the publication of this report was key to the Council's obligation under the Race Relations Amendment Act 2000.

Members endorsed the importance of collecting workforce data and commented that, although the majority of Brent's workforce was from Ethnic minorities and many were in managerial positions, there was concern from some quarters that this was not reflected at the top of the organisation. The view was put forward that such positions were recruited from a national pool which did not reflect the make-up of the local population. The importance of developing local candidates to enable to compete at that level was therefore highlighted.

The Chair took the opportunity to welcome Val Jones, newly appointed Director of Human Resources and Diversity to her first Executive meeting.

RESOLVED:

- (i) that the report be approved for publication;
- (ii) that it be noted that the report had also been circulated for comment to senior officers in the Council who made up the Strategic Human Resources and Organisational Development Group.

11. Vital Signs – Quarter One

The Executive had before them a report setting out the Council's performance in key areas for the quarter April to June 2003.

RESOLVED:

that the report be noted.

12. Scopes for 2003/04 Best Value Reviews

Members received a report outlining the scopes for the 2003/04 Best Value reviews of Sports Services, Regulatory Services and the Early Years Development Service

RESOLVED:

- (i) that the following standard clause be added to all future Best Value Review scopes:

“All Best Value Reviews will seek to identify at least 2% efficiency savings, which will be used to secure performance improvements in the specific service area in line with their own service development priorities, or the Corporate Strategy, or, CPA Action Plan Priorities;

- (ii) that the scopes for the 2003/04 Best Value Reviews be approved, subject to the inclusion of the new standard clause.

13. Complaints Annual Report 2002/03

The Executive considered the fourth annual report on the operation of the Council's complaints procedure. The report provided information about complaints made to the Local Government Ombudsman, the processing of complaints under the Council's own procedure, lessons learnt from complaints, key developments in complaint handling in 2002/03 and targets for 2003/04. The Corporate Complaints Team were congratulated for their work in changing Brent's position on complaints from being one of the worst to one of the best. It was noted, however, that there were still issues with service delivery in some areas, which would attract complaints, and that effective complaints handling could not negate this fact.

RESOLVED:

that the report be noted.

14. Best Value Review of Property Services, Asset Management & Facilities Management

Councillor Coughlin introduced a report informing Members of the outcome of the thematic Best Value Review of Property Services, Asset Management & Facilities Management. He highlighted the deficiencies that had been identified in the current arrangements and expressed a wish to re-build this core function of the Council.

RESOLVED:

- (i) that the main findings of the review be noted;
- (ii) that the 18 recommendations in the report, summary recommendations and Improvement Plan (the final report) be noted;
- (iii) that the Financial Implications arising from the review be noted;
- (iv) that, subject to the outturn of the budget bidding process in progress and the allocation of financial and staff resources to implement the Improvement Plan, the Improvement Plan (paragraph 9 of the final report refers) be agreed;
- (v) that it be noted that the Audit Commission had already undertaken its inspection of this Best Value Review and its inspectors would be presenting their preliminary findings to officers on 07 October 2003, with a view to completing their inspection report by the end of October 2003.

15. Implementing Electronic Government Statement 3 (IEG3)

The Executive had before them a report introducing the third Implementing Electronic Government (IEG) Statement, which the Council was required to submit to the Office of the Deputy Prime Minister (ODPM) by 10th November 2003. The IEG3 statement described the Council's preparedness for e-government, its plans for achieving the target of having all relevant services available electronically and was necessary to enable the Council to receive e-government funding from the ODPM in 2004/5.

RESOLVED:

that the IEG3 Statement be approved.

16. Children's Centres Strategic Proposal

Members received a report setting out the strategic proposal to develop Children's Centres and seeking Members' approval for its submission to the Sure Start Unit on 15th October 2003. Children's Centres will combine education, care, health and outreach services for children aged 0-5 and their families. They are to be developed by local authorities in line with Sure Start Unit guidance, and within the Unit's capital and revenue allocation.

RESOLVED:

that the strategic proposal for Children's Centres be endorsed and approved.

17. Provision of Indemnities to Capital City Academy Trust Against Liabilities Connected with Willesden High School

Councillor Lyon introduced a report concerning whether the Council should enter into a deed of indemnity with Capital City Academy Trust. It was noted that the deed had been requested by the Trust and that its principal purpose was to ensure that any liabilities the Council had to staff, prior to their transfer from Willesden High School to Capital City Academy on 1st September 2003, would remain the responsibility of the Council.

RESOLVED:

- (i) that it be noted that:
 - (a) Officers of the Council, having investigated whether there appear to be any liabilities that would transfer back to the Council if an indemnity in respect of TUPE liabilities were given to the Trust, were not aware of any outstanding claims.
 - (b) The goodwill of the Trust was important to the Council in its collaboration with the Trust over the Sports and Leisure strategy and Secondary School partnerships to which the Trust would make a significant contribution in terms of staff time and use of facilities.
 - (c) Other Councils had granted similar indemnities in respect of TUPE liabilities to Academy Trusts based in their areas.
 - (d) Had the Trust sought an indemnity in respect of TUPE liabilities at an early stage in discussion in respect of the establishment of the City Academy, officers would have advised that such an indemnity should be given.

- (ii) that a deed of indemnity be granted to the Trustees of the Capital City Academy for any liabilities transferring under TUPE, which referred to the period up to 31/08/03, save that, at the discretion of the Director of Education, Arts and Libraries on the advice of the Borough Solicitor, any liabilities arising from or connected with any failure by the Council to comply with its obligations to inform and consult with trade union or employee representatives under Regulation 10 of TUPE might be excluded from the indemnity; and
- (iii) that the Borough Solicitor be authorised to finalise the wording of the indemnity in liaison with the Director of Education, Arts and Libraries.

18. Any Other Urgent Business

None at this meeting.

19. Exclusion of the Press and Public

RESOLVED:

that the press and public be now excluded from the meeting as the following items contain categories of exempt information as specified in Schedule 12A, of the Local Government (Access to Information) 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 supply of goods or services”

20. Redevelopment of 255 Carlyon Road Alperton Middlesex

The Executive considered a report asking for their consent to the disposal of the parking spaces at the rear of Unit 1, 255 Carlyon Road, Alperton, Middlesex (also know as Carlyon Print) and the disposal of the Council’s shares in Corkfield Limited.

RESOLVED:

that it be agreed:

- (i) to dispose of the Council’s freehold interest in parking spaces at the rear of unit 1, 255 Carlyon Road Alperton Middlesex also known as Carlyon Print to Marvelfairs Limited;
- (ii) to dispose of the Council’s shares in Corkfield Limited to Marvelfairs Limited;

- (iii) to acquire the freehold interest in the car park in front of Unit 1. 255 Carlyon Road Alperton Middlesex (also known as Carlyon Print) from Marvelfairs Limited;
- (iv) that the Manager, Corporate Property Services be authorised to agree such other terms as are in the best financial interest of the Council;
- (v) to approve additional expenditure of £25,000 on the Property Capital Programme for 2003/04 to meet the cost of required works to enable the property to be self-contained .

21. Part of Technology House, Unit 40 The New Bridge Park Complex – New Life Christian Centre

The Executive were asked to give approval to the granting of a lease of part of Technology House, known as Unit 40 New Bridge Park Complex, to New Life Christian Centre on terms as described in the report before them.

RESOLVED:

- (i) that the granting of a lease on the above property to New Life Christian Centre on the proposed heads of terms and the terms and conditions contained therein be agreed;
- (ii) that the Manager, Corporate Property Services agree all such other terms as are in the Council's best interest.

The meeting ended at 7.30 pm

A JOHN
Chair

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