

**MINUTES OF THE EXECUTIVE MEETING**  
**Tuesday, 14<sup>th</sup> September 2004 at 7.00pm**

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

Councillor H B Patel also attended the meeting.

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

**1. Declarations of Personal and Prejudicial Interests**

There were none at this meeting.

**2. Minutes**

RESOLVED:-

that the minutes of the previous meeting held on 16<sup>th</sup> August 2004 be approved as an accurate record.

**3. Petition – 150 Coles Green Road and 51-57 Waterloo Road, NW2**

The Council had received a petition from Brent Neighbourhood Watch and Tankridge Residents Association to stop the firm Rustins from rebuilding a paint factory damaged in a nearby fire.

Mrs Sukhram addressed the meeting saying that residents were not against the firm nor had any objections to the premises being rebuilt however they would not wish for chemicals to be kept on site, as they felt this constituted a fire hazard. She said that residents had not been formally informed of the cause of the fire and had had to rely on information in press reports. They felt that the wind direction on the night had been to their advantage.

**4. Waterloo Road: Petition from Tankridge Residents' Association**

The report from the Director of Environment outlined events on 30<sup>th</sup> April when a fire broke out apparently in premises at the corner of Coles Green Road and Streakesfield Road and fanned by a strong north wind, spread from Federal Motors in Waterloo Road and a carpet warehouse to the warehouse of Rustins, paint manufacturers. The premises at 51-57 Waterloo Road and 150 a-e Coles Green Road are industrial/storage premises which lie within the Staples Corner Strategic Employment Area. A petition was received on 10<sup>th</sup> June 2004 from the Tankridge Residents Association "to stop the firm of Rustins rebuilding their factory". Residents considered the housing of so many chemicals to be dangerous.

Having heard concerns expressed on behalf of petitioners earlier in the meeting, Councillor Coughlin advised that further consideration would be given by the Planning Committee once an application for planning permission

to rebuild was received. He assured that there would be a further opportunity to raise concerns at this meeting.

The Director of Environment advised that the relevant agencies would be consulted on the reconstruction of the premises and also assured that concerns would again be considered at the Planning Committee. He pointed out that the premises were in was a general employment area but acknowledged the public safety issue and that storage of chemicals was an environmental health concern. Residents would be consulted on the planning application.

Councillor Fox (ward councillor) acknowledged residents' considerable concern which was understandable. He assured that there was no criticism of the firm a valuable part of the local community. The concern was for the proximity of chemicals, particularly when stored adjacent to residential areas. Other factories also stored flammable substances on site. The wish was to ensure maximum safety for residents. Councillor McGovern (ward councillor) assured that the situation would be monitored and endorsed Councillor Fox's sentiments.

The Executive noted that that the health, safety and fire issues raised would be taken on board and fully considered by the Planning Committee when the an application for planning permission was received.

RESOLVED:-

that the concerns of local residents be noted and officers requested to take these into account in respect of any future planning application to rebuild the warehouse.

## **5. Progressing Town Centre Management in Brent**

This report from the Director of Environment sought agreement on a town centre framework document for Brent. This would help guide the further implementation of Town Centre Management initiatives across the Borough whilst outlining the changed approach which might result from the intended production of a borough-wide town centre strategy. The report also identified certain town centres to be prioritised within the resources attributed to the scheme, in addition to the existing centres of Wembley and Kilburn, and highlighted the initial work programme to be undertaken in these areas.

Councillor Jones (Lead Member) drew attention to the detailed assessment of all town centres in the Borough in Appendix B to the report and the criteria for identifying priority areas. The proposals included funding for an additional two town centre manager posts.

The Director of Environment had circulated and addendum to the report which set out feedback from consultation however the Director felt that the concerns raised had been addressed in the original report and therefore recommended that the main report remain unchanged.

RESOLVED:-

- (i) that the town centre framework document for Brent attached as Appendix A to the report be adopted and further work supported to develop a more detailed Borough town centre strategy as outlined in the report;
- (ii) that the priority town centres identified in paragraph 7.29 of the report, namely Harlesden, Willesden Green, Kingsbury and Neasden, be agreed as being those in which additional town centre management initiatives will initially be focused and in so doing note the feedback received from an initial consultation with key stakeholders;
- (iii) that it be agreed to strengthen political representation on emerging town centre partnerships through area consultative forum chairs and relevant executive members to support such initiatives (paragraph 7.37 of the report refers);
- (iv) that the work programme, performance management and liaison arrangements being established to enable ongoing implementation, monitoring and review of these initiatives be noted; and
- (v) that the progress and issues arising from existing town centre management activity in Wembley and Kilburn which have helped inform this report be noted.

**6. Proposed Expansion of the Organic Waste Collection Service**

This report informed the Executive of a successful bid made to the London Recycling Fund for the expansion of the Council's existing Organic Waste Collection Service (often referred to as the Garden Waste Collection Service), thus enabling the service to be provided to a further 15,000 households (i.e. from 30,000 to 45,000). An overview of the details of the bid was given in the report as well as the additional revenue budget growth that would be required from 2005/06. The report also proposed the reallocation of capital funds within the current year's budget (2004/05) in order to allow the capital costs of the service expansion to be met.

Councillor Jones stated that a commitment needed to be made in order to access funding and accepted that the development of Twyford Tip would help the Borough meet targets in the future. Councillor Beswick welcomed the financial investment.

RESOLVED:-

- (i) that the successful bid made by officers to the London Recycling Fund for the expansion of the Organic Waste Collection Service be noted;
- (ii) that the expansion of the current fortnightly based service to a further 15,000 households in the Borough be agreed;

- (iii) that it be noted and agreed in principle that the growth of £135k in the revenue budget required from 2005/2006 is the first call on the £500k agreed by Full Council for organic waste collection per paragraph 3.2 of the report;
- (iv) that it be agreed to reallocate £100,000 capital funding in the current year from its intended use in connection with the Twyford Reuse and Recycling Centre, to supplement the £260,000 awarded by the London Recycling Fund.

**7. Wembley Stadium Access Corridor – Appropriation of River Brent Open Space**

This report proposed that the Council appropriates for its highway purposes part of the River Brent Open Space. The land that was proposed to be appropriated is currently held by the Council as public open space. The appropriation was required to rationalise the Council's holdings and to allow the construction of a widened foot and cycle way on the northern side of Great Central Way; this is part of Section 1 of the Stadium Access Corridor ("SAC") project.

RESOLVED:-

- (i) that the progress made on the development of the SAC project be noted;
- (ii) that it be noted that the proposed appropriation of public open space at the River Brent open space north of Great Central Way has been advertised in accordance with the requirements of S122 of the Local Government Act 1972;
- (iii) that it be noted that no representations have been received following the placing of the required statutory advertisements and that the period for objection has now closed;
- (iv) that the land shown on the plan annexed to the report at Appendix 1 of the report, which forms part of the River Brent open space, be declared as no longer required for the Council's Environmental purposes;
- (v) that the appropriation of the area of the River Brent Open Space shown on the plan annexed to the report at Appendix 1 be approved, for the Council's highway purposes pursuant to Section 122 of the Local Government Act 1972, to allow for the construction of the proposed Stadium Access Corridor scheme;
- (vi) that the Council's Director of Finance be authorised to make the required adjustments to the Council's accounts to record the appropriation hereby authorised.

**8. Stonebridge Housing Action Trust (HAT) – Proposed Contract with Hyde Housing Association Limited**

The report from the Director of Housing, a revised version of which had circulated subsequent to the main agenda, described the outcome of the PFI negotiations that have been taking place with Hyde Housing Association Ltd (“Hyde”), for the provision of managing and maintaining (over a thirty year period) those properties that will transfer to the Council upon succession. The Lead Member, Councillor Thomas, stated that negotiations had been taking place on how to meet the funding shortage and a private finance initiative appeared to be the answer. Hyde Housing would be completing the development works. Earlier concerns about the impact on the housing revenue account had been resolved.

A motion in the name of Councillor Thomas was circulated amending the recommendations in the report and the Borough Solicitor’s representative pointed out that the changes sought to clarify the conditions the three succession criteria and an additional recommendation authorising the Director of Finance to sign the Local Government (Contracts) Act Certificate and to note that the Council will need give him an indemnity. A draft contract certificate (Appendix to the report) was circulated at the meeting. It was also noted that in the last sentence of para 7.5 of the report it was ‘officers’ that were seeking control over changes to the criteria for the use of surpluses not ‘the Council as stated.

The motion in the name of Councillor Thomas was agreed.

RESOLVED:-

- (i) That the selection of Hyde Housing as the successor landlord by the Stonebridge Housing Action (the HAT) be noted (this subject to the confirmation by the DPM in 2007) and those tenants who so elect will transfer to this landlord;
- (ii) that it be agreed to enter into a thirty year contract with Hyde Housing Association Limited and subsequently to the novation of the agreement to the Community Based Housing Association upon the succession date, for the provision of housing management services in respect of those properties returning to the Council following the succession procedures, subject to:-
  - (a) consent being given by the Secretary of State under Section 27 of the Housing Act 1985
  - (b) the final terms of the contract being settled to the satisfaction of the Director of Housing and Director of Finance
  - (c) the final terms of the Spare Land Protocol being agreed with the HAT and Hyde Housing Association Limited to the satisfaction of the Directors of Housing and Finance.

- (iii) that the Director of Finance be authorised to sign the Local Government (Contracts) Act Certificate in relation to the contract and the current draft of the certificate at Appendix 1 to this report and that an indemnity will need to be given to the Director by the Council in respect of this.
- (iv) that the previous decision for these properties to be accounted for outside the Housing Revenue Account (HRA) be confirmed.

## 9. **Older Persons' Housing Strategy**

This report from the Director of Housing sought members' agreement of the Older Persons' Housing strategy and its recommendations. Councillor Thomas (Lead Member) stated the proposals offered a more holistic approach and that in depth consultation had been carried out with Social Services and the health authority resulting in an agreed strategy. Needs had been analysed and the main issues set out in the Action Plan appended to the report. Councillor Thomas felt that much could be achieved with the proposed changes in procedures and the additional resources referred to in the report.

Councillor Fox (Lead Member, Social Services) agreed that there would be close working between housing and social services.

RESOLVED:-

- (i) that the Older Persons' Housing strategy be agreed;
- (ii) that the Action Plan in Appendix 1 of the report be agreed, subject to available resources.

## 10. **Proposal for Creating a New Voluntary Aided Islamic Primary School and a New Voluntary Aided Jewish High School**

Councillor Lyon (Lead Member) introduced this report from the Director of Education, Arts and Libraries and welcomed those present on behalf of the schools. The report informed members of a proposal for a new Muslim VA Primary School on the site of the current independent school, The Avenue Primary School, 5 The Avenue, London, NW6. Since the start of formal consultation, as required by statute, the LEA has learnt that neither the DfES nor the ODPM would guarantee the necessary increase in the level of its Revenue Support Grant for 2005/2006. This funding issue would also affect the application of Menorah High School, which was going through the same process and has already gained provisional Council support to become VA in April 2005.

Councillor Lyon referred to the diverse nature of the Borough and that that the schools would add to existing choice. He had the highest expectation that the full range of faiths would be taught. Given the uncertainty regarding Government funding at this time, to proceed now with the proposals would leave a shortfall in the financing of other schools and unacceptable risks of

increased council tax levels or budget cuts. He therefore now proposed provisional approval of voluntary aided status conditional on the outcome of the financial settlement. He promised to keep the schools up to date with information received from the Department of Education and Skills (DfES) and the Office of the Deputy Prime Minister (ODPM).

The Deputy Director of Education confirmed that efforts to get either the DfES or ODPM to agree to alternative options had not been successful consequently the funding position remained uncertain. The Director of Finance indicated that a concession had been won insofar as the January pupil numbers could be used and he went on to outline the restrictions on the Council relating to educational funding. The Director also stated that due to a rule change this situation would not be repeated in 2006/7.

Councillor Coughlin thanked the school representatives for attending the meeting and confirmed that there would be a report back on both schools following the announcement of the financial settlement. A petition handed in at the meeting would also be considered at that time.

The Executive agreed the revised recommendations.

RESOLVED:-

- (i) that given the continuing uncertainty about the effect of the schools' inclusion on the financial positions of other schools and the Council more generally, we agree to approve provisionally the applications for a new voluntary aided Islamic primary school and a new voluntary aided Jewish high school subject to Department of Education and Skills and Office of the Deputy Prime Minister adopting a funding mechanism that would minimise any such detrimental effects. This position will be reviewed when details of the Local Government Finance Settlement are announced in November;
- (ii) that a policy be formally adopted whereby although applications for VA status from faith schools are welcome, they will normally only be agreed to if there is no disadvantage financially to the Council or other Brent schools;
- (iii) that members' decision in respect of each of these applications be referred to the SOC.

## 11. **Public Library 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 2004. 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 would be submitted to the DCMS for a maximum of two years from 2003.

Councillor Lyon outlined achievements including the Grange Museum, improved public libraries and the summer reading scheme. The challenge was now to modernise and pursue opportunities for a new civic centre with library as part of the redevelopment of Wembley.

RESOLVED:-

that the Library Service Position Statement 2004 be approved and the Lead Member for Education, Arts and Libraries be authorised to sign on behalf of the Council.

## 12. **The Connexions Service in Brent**

This report provided members with updated information concerning the proposal for the Council to become the accountable body in respect of the Connexions Services in Brent and for a new model for co-ordinate the provision of the Connexions service in West London. The report sought approval to the proposed new arrangements.

The Deputy Director of Education advised that the contract required completed by 1<sup>st</sup> October 2004. Grant funding was expected and activity would be tailored to match the funding received.

RESOLVED:-

- (i) that it be agreed the London Borough of Brent becomes the accountable body responsible to the DfES through the Supporting Children and Young People Group (SCYPG) for the delivery of Connexions in Brent, subject to the following issues being resolved to the satisfaction of the Director of Finance and the Borough Solicitor;
  - (a) Funding arrangements with the Government Office for London
  - (b) Contractual arrangements with Lifetime Careers
  - (c) Contractual/grant arrangements with the other service providers that provide services for Connexions in Brent as set out in paragraph 6.15 and Appendix 1; and
  - (d) Any TUPE/pension implications
- (ii) that the Director of EAL, in consultation with the Director of Finance and the Borough Solicitor undertake the detailed negotiations and arrangements for the transfer;
- (iii) that it be noted that the Financial Memorandum between the Council and SKYPG and main contractual documentation is scheduled to be completed to come into effect on 1 October 04 although the full confederacy model described in the report will be completed through a staged process over the next 6 months;
- (iv) that it be agreed that there are good financial and/or operational reasons not to seek 3 written quotes in accordance with Contract

Standing Orders in respect of the novation of the contracts identified in paragraph 6.18 of this report to the Council;

- (v) that it be agreed that the Council take over responsibility for the Grant Agreements set out in Appendix 1 of the report from the date on which the Financial Memorandum comes into effect.

13. **NNDR Discretionary Relief for Charities and Non 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 June 2004.

A motion proposing funding allocations in accordance with the criteria was circulated in the name of Councillor Coughlin (Lead Member) and agreed.

RESOLVED:-

that it be agreed:-

- (i) the following local charities be granted 100% discretionary relief for 2004/05:

***COST TO COUNCIL***

6 <sup>th</sup> Wembley Scout Group	£ 112
Addaction	£ 265
Afri-Caribbean People's Organisation	£ 1026
Brent Adolescent Centre	£ 1026
Brent Deaf Peoples Group	£ 370
Brent Deaf Peoples Group	£ 16
Brent Mental Health User Group	£ 314
Brent Mind	£ 534
Caribbean Cultural Organisation	£ 260
Churchend & Roundwood Community Assoc	£ 410
Family Outreach Project	£ 257
Kenton Youth Aid Trust	£ 2086
Mandhata Youth & Community Assoc	£ 971
Samaritans of Brent	£ 636
Samaritans of Brent	£ 527
Shishukunj	£ 735
Stanmore & District Scout Council	£ 140
Stanmore & District Scout Council	£ 53
The Minster Centre	£ 1663
Tricycle Theatre Co Ltd	£5308

the following non-local charities be granted 25% discretionary relief for 2004/05;

22 <sup>nd</sup> Hampstead Sea Scout Group	£ 15
Charity Logistics	£ 1948
Joshua Generation Ministries	£ 45
RSPCA	£ 315

(iii) the following non-profit making organisations should be granted 25% discretionary relief for 2004/05;

An-Nisa Society	£ 197
An-Nisa Society	£ 265
Elmwood Tennis Club	£ 297
Heritage Family Centre	£ 399
Immigration & Employment Consultancy	£ 307
Information Centre	£ 214
Kingsbury Bowling Club	£ 13
South Hampstead Club Ltd	£ 299
Stonebridge Tenants Advancement Committee	£ 105
Stonebridge Tenants Advancement Committee	£ 217

(iv) the following applications for discretionary relief for 2003/04 not be allowed as they did not apply during 2003/04

Brent Mental Health User Group  
Stonebridge Tenants Advancement Committee  
Stonebridge Training & Employment Project

(v) the following application from a local charity for 100% discretionary relief for 2003/04 be allowed as they applied during 2003/04

Brahim Society	£ 269
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**TOTAL COST TO COUNCIL** **£ 21,614**

(vi) the Foundation School, J F S School, be granted 100% discretionary relief for 2003/04 and 2004/05.

#### 14. Revenue Budget 2004/2005 Monitoring Report

This report set out the latest position on the 2004/2005 Revenue Budget which was originally agreed by Full Council on 1st March 2004. It also sought approval for the release of £30k to fund a contribution to the domestic violence budget.

Councillor Coughlin outlined significant issues including a decline in the parking account due to reduced income from the parking meters and increased costs following vandalism and also overspending within Social Services and action taken remain within cash limits. The Executive joined

Councillor Beswick in welcoming the virement that would allow £30k to be allocated to the domestic violence budget.

RESOLVED:-

- (i) that the latest budget in Appendix A to the report be noted;
- (ii) that the allocation of £30k to the domestic violence budget per section 6.3 of the report be agreed.

#### 15. **Award of Contract for Access Consultancy Services**

The report from the Director of Corporate Services requested authority to award the access consultancy contract as required by Contract Standing Order No 89. It report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended that the contract should be awarded to Vectra Group Limited.

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

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

The Director stated that there had been three bidders shortlisted and account had been taken of the requirements of the Disability Discrimination Act. Councillor Coughlin referred to past good service the Council had received from Vectra.

RESOLVED:-

that it be agreed to award the contract for Access Consultancy Services to Vectra Group Ltd.

#### 16. **E-Government Priority Outcomes**

This report supplemented the April 2004 report on the E-Government Programme and proposes the allocation of further funding to meet the requirements of the ODPM Priority Outcomes report. The Director of Corporate Services pointed out that most of the funding would be from capital grant and he outlined the projects planned which included on-line checking of council tax and business rate balances, applications for school places and road works information.

Councillor Coughlin asked that the Executive's appreciation of the good work being done by the IT Unit be conveyed to staff.

RESOLVED:-

- (i) that the proposed further funding arrangements for 2004/5 as detailed in section 7 of the report be agreed;
- (ii) that the Director of Corporate Services be authorised to agree any necessary variations to the proposals to ensure best use of the available e-Government funding.

**17. Appointments to the London Housing Unit Executive Committee**

This report detailed the background to the Association for London Government ('ALG') London Housing Unit Sectoral Joint Committee ('LHUC') and the requirement for member representation.

RESOLVED:-

- (i) that the Leader of the Council be appointed to the LHUC and the Lead Member for Housing as an alternate member to this committee.
- (ii) that Lead Member for Housing be nominated for appointment by the LHUC onto their executive sub committee.

**18. Vital Signs Quarter One**

This report introduced the Vital Signs for the period April to June 2004. The Vital Signs set out the data on the Council's performance against the key priority indicators.

Cathy Tyson (Policy and Regeneration Unit) highlighted good performance in the areas of waste recycling, reducing staff sickness, benefits processing and delivery of occupational therapy equipment.

The Executive congratulated all officers involved in the improved performance.

RESOLVED:-

- (i) that it be noted the digest provides a clear and concise summary of performance over the previous 5 quarters, with comments from Executive Lead Members and key officers;
- (ii) that it be noted the changes in reporting as some vital signs within Social Services have been replaced, and in the case of indicator BV 99 (Environmental Services) the ODPM definition has changed.

**19. Exclusion of Press and Public**

RESOLVED:-

that the press and public be now excluded from the meeting as the following items contain exempt information as specified in Paragraph 9 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 or for the acquisition or disposal of property or supply of goods or services.

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

**20. Madison House, London Road, Wembley - Lease Renewal 2nd Floor and Acquisition of 3rd Floor**

This report sought members' consent to the renewal of the Council's lease of the above property on the terms detailed in this report.

RESOLVED:-

that it be agreed to renew the Council's lease of the 2nd floor offices in Madison House for a term of 6 years from 2<sup>nd</sup> September 2003, the expiry date of the current lease, on the main terms set out in the Detail of the report and such other terms which the Manager of Corporate Property Services considers to be in the best interest of the Council.

**21. Willesden Sports Centre PFI – Final Business Case**

This report asked members to note the progress on the negotiations for the Willesden Sports Centre PFI and the content of the draft Final Business Case and to agree in principle to award the PFI contract as set out in the report.

The Director of Environment advised that nearly all of the negotiations had been completed and drew attention to the final business case attached to the report referring to the long term risks.

The Executive also had before them a supplementary report which gave additional information on the progress of the PFI and also setting out an additional recommendation relating to the need for additional PFI credits. A further report would be submitted if these were not forthcoming or if the negotiations were not concluded.

RESOLVED:-

- (i) that the progress on negotiations for the Willesden Sports Centre PFI be noted together with the content of the draft Final Business Case which will be finalised by the Director of Environment and submitted to DCMS for approval;
- (ii) that it be agreed, in principle, to award the PFI contract to the Linteum Consortium to design, build, finance and operate the new Willesden Leisure Centre and, subject to recommendations (iii) and (iv) of the report, authority be delegated to the Director of Environment to conclude negotiations with the consortium and finalise contract terms within the parameters set out in this report;
- (iii) that for the reasons outlined in the supplementary report circulated at the meeting it be agreed that it is not possible for Brent Council to bridge the affordability gap without serious financial consequences and adverse impact on other priority projects and services and therefore additional PFI credits are required for the project to succeed;
- (iv) that it further be noted that there are two outstanding contracts and leases with Leisure Connections, part of the consortium, in respect of Vale Farm and Charteris and that the PFI contract will not be finalised by officers unless and until those outstanding contracts and leases are concluded satisfactorily;
- (v) that the Director of Environment be authorised to sign a Local Government (Contacts) Act Certificate in respect of the PFI contract and note that the Director of Finance will be required to sign a letter to accompany the Final Business Case confirming the Council can meet its obligations within the agreement;
- (vi) that it be noted an indemnity will need to be given to the Directors of Environment and Finance by the Council in respect of their signing of the documents referred to in (v) above.

The meeting ended at 8.05 pm

D COUGHLIN  
Vice-Chair, in the Chair

*Mins0405/Executive/exec14sj*