

MINUTES OF THE EXECUTIVE MEETING
Monday, 13th December 2004 at 7.00 pm

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

An apology for absence was submitted on behalf of Councillor R S Patel.

Councillors Fiegel, Gladbaum, Moher¹, H B Patel and Van Colle also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None.

2. Minutes of the Previous Meetings

RESOLVED:-

that the minutes of the previous meetings held on 15 November and 25 November (Special) 2004 be approved as an accurate records.

3. Petition – Voluntary Aided Status Funding Campaign for The Avenue School

A petition from The Avenue School had been handed in at the September meeting of the Executive in connection with proposals for creating a new voluntary aided Islamic primary school and a new voluntary aided Jewish high school. At the time, the petitioners were advised that a decision on funding was dependant on the outcome of the financial settlement due to be announced in December. The petitioners Nada Alakraa and Rafaqat Anwar addressed the meeting and Ms Rafaqat, (speaking on behalf of parents) referred to the importance of voluntary aided status and the value of religious freedom. The school would also welcome the resources available from the LEA such as support for special educational needs and school nurses. Ms Rafaqat stated that the school would make a valuable contribution to the borough, promoting equality and teaching children to contribute to society.

Councillor John (Chair) drew attention to correspondence that she had received from a prospective parliamentary candidate, in support of both schools' requests for voluntary aided status and approval of funding.

4. Schools Budget 2005/6

Councillor Lyon (Lead Member) welcomed all present in support of The Avenue School, referred to in the previous item, for attending the meeting. He introduced the report which set out provisional proposals for the 2005/2006 Schools' Budget following various statements by the Secretary

¹ as amended at the 17 January 2005 meeting

of State for Education and Skills. The report proposed a provisional Schools' Budget which met the passporting requirements. In addition the minutes of the meeting of the Schools Forum which met on 6th December had been circulated.

Councillor Lyon was pleased to report that in the provisional Local Government Finance Settlement Brent had received an increase of 5.8% in its grant and the Schools' budget would need to be increased by 7.8% to meet the passporting requirement, sufficient to fund the two new voluntary aided schools. He also referred to OFSTED reports which had been positive. Councillor Lyon moved the recommendations in the report proposing that approval be given to the voluntary aided status of Menorah and The Avenue Schools, expressing a wish that the schools play a full role in the wider community in the borough and be good neighbours. The Director of Education, Arts and Libraries also welcomed the schools' admission and the opportunity to strengthen links.

Councillor John congratulated pupils, teachers and parents on the outcome and welcomed the schools' admission which served as a celebration of the Borough's diversity.

The report from the Director of Finance was circulated less than five clear days before the meeting as the required information in the Provisional Local Government Finance Settlement had been delayed. The Chair certified the report as urgent as the Council is required to notify the Secretary of State for Education and Skills of its provisional 2005/2006 Schools budget by 31st December 2004.

RESOLVED:-

- (i) that the report to the Schools Forum attached at Appendix 1 to the report be noted;
- (ii) that it be noted the passporting figure of £152.330m (Appendix 2 of the report refers) includes the assumption that the Menorah and Avenue schools will become Voluntary Aided (VA) from 1st April 2005;
- (iii) that approval be given to the VA status of Menorah and The Avenue schools from 1st April 2005 and that the schools' revenue funding be allocated through the Individual Schools Budget.
- (iv) that following the approval of VA status for Menorah and the Avenue schools, the provisional Schools' Budget at the passporting level of £152.330m (Appendix 2 refers) be agreed.

5. Draft Service Development Plan

Previously circulated with the Full Council papers for 29th November were the draft Service Development Plans for the five Service Areas for 2005/2006 – 2008/2009. Also included were draft budgets which had been constructed on the basis set out in the Financial Implications of the report.

Councillor Coughlin advised that the position remained as reported to Full Council.

RESOLVED:-

- (i) that the draft Service Development Plans and Budgets 2005/2006 – 2008/2009 be received and noted to help formulate budget proposals in February 2005 for consideration by Full Council on 28th February;
- (ii) that the savings proposals set out in Appendix 1 to the report be agreed.

6. 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 a number of virements and other budget transfers.

Councillor Coughlin made specific reference to position on balances which had improved since last reported to the General Purposes Committee on 24th November 2004. He also drew attention to areas of risk which would continue to be monitored including the housing benefit deficit, Special Educational Needs, Willesden Sports Centre PFI, the Parking Control Account losses and specific areas of overspend in Social Services. Savings from the reduction in the provision for the 2004/2005 pay award would be used to fund virements.

- (i) that the final position on the 2003/2004 General Fund and Schools Balances detailed in Section 3.1 of the report be noted and the proposed treatment of audit adjustments be agreed;
- (ii) that the latest budget in Appendix A to the report be noted;
- (iii) that the virements in Appendix B to the report be agreed;
- (iv) that the change in budgets detailed in Section 3.3 of the report be agreed;
- (v) that the current position on General Fund balances in 2004/2005 in Section 3.4. be noted.

7. Corporate Equality Policy and Action Plan

This report sought member approval for Brent Council's Corporate Equality Policy and Action Plan 2004 -2006. The Corporate Equality Policy formed the basis of the commitment to the Equality Standard for Local Government, which the Council adopted in June 2003. The policy document incorporated a Corporate Equality Action Plan, which set out clear targets and timetables for achieving those objectives and Councillor D Long (Lead Member) assured that with together monitoring, effective implementation was assured.

RESOLVED:-

that Brent Council's Corporate Equality Policy and Action Plan 2004-2006 be adopted.

8. Establishing a New Children and Families Department

The Chief Executive, Gareth Daniel, introduced this report which gave an update on progress made to date and outlined the options considered for implementing the Children Act in Brent. Option 4 was recommended for approval, that is a free standing Children and Families Department, headed by a statutory Director of Children and Families, to achieve better service delivery and to meet the requirements of the Children Act. This would be subject to consultation with a final report back in February 2005. The report also identified those non children's services which would be affected by the new arrangements which would be subject to further review and reported in a separate paper to be produced in February 2005.

Both Councillors Fox and Lyon (Lead Members for Social Services and Education, Arts and Libraries) felt the proposals would enhance partnership working and allow improved service delivery.

RESOLVED:-

- (i) that the options laid out in the report from the Chief Executive be noted;
- (ii) that approval in principle be given to proceed with the proposals to establish a Children and Families Department in Brent, (Option 4) within the timescales laid out in this report, but subject to consultation with staff and unions as appropriate;
- (iii) that the Chief Executive submit a further report in February 2005, on the outcomes of the consultation exercise, and with the final recommendations on the new Children and Families Department;
- (iv) that the Chief Executive present a report outlining the structural implications concerning non children's services which will lie outside this new department;
- (v) that, subject to consultation, to bring forward the appointment of a Director of Children and Families by May 2005, and to note that the appointment will be made by an Appointments Sub-Committee;
- (vi) that the decision to appoint a Lead Member for Children and Families be confirmed at the Council's Annual Meeting in May 2005;
- (vii) that at this stage the Council will not opt to set up a Children's Trust but continue instead to develop comprehensive inter-agency partnership arrangements as laid out in the report.

9. **Access to Information: from need to know to right to know**

Councillor Kagan introduced the report by the Overview Task Group set up by the Overview Committee to look at the Council's implementation of the Freedom of Information Act 2000 (Fol Act) and related environmental legislation.

RESOLVED:

that the report from the Overview Task Group be passed onto the officer information implementation group for its consideration when it oversees the implementation of the Freedom of Information Act.

10. **Freedom of Information Act**

The Freedom of Information Act 2000 comes fully into force on 1st January 2005. This report described the preparation work the Council had already completed and that which is still planned to ensure that the Council fulfils its statutory obligations. Councillor Coughlin indicated that current legal advice was that it was not possible at this early stage to assess the impact on resources. The Director of Corporate Services outlined the charging regime and in response to a question from Councillor HB Patel, how this would be quantified.

RESOLVED:-

- (i) that the progress the Council has made towards meeting its statutory obligations and good practice under the Freedom of Information Act be noted;
- (ii) that the Fol policy given in Appendix A to the report be approved;
- (iii) that it be noted Service Areas will be adopting and implementing document retention policies early in 2005 where these are not already in place;
- (iv) that it be agreed charges should be levied for dealing with Fol requests as set out in paragraph 9 of the report;
- (v) that the organisational structure and procedures proposed to satisfy Fol requests set out in paragraphs 7.3 and 8 be endorsed;
- (vi) that it be agreed the necessary funding should be made available as outlined in the Financial Implications of the report.

11. **One Stop Shop Annual Performance Report: March 2003 – April 2004**

The report introduced the performance information for the entire One Stop Shop service for the period April 2003 to March 2004 which included achievements, challenges and development initiatives.

RESOLVED:-

- (i) that the report be noted together with broad role that the One Stop Shop performs which includes customer care standards organisational leadership, performance, challenges and service priorities for 2004/05.
- (ii) that staff be congratulated on the Annual Report.

12. Implementing Electronic Government Statement 4 (IEG4)

The Council was required to submit the fourth Implementing Electronic Government (IEG) Statement to the Office of the Deputy Prime Minister (ODPM) by 20 December 2004. The IEG4 statement described the Council's preparedness for e-government and its plans for achieving the targets of having all relevant services available electronically by the end of 2005. The approval of this statement by the ODPM is necessary to enable the Council to receive e-government funding of £150,000 from the Office of the Deputy Prime Minister (ODPM) in 2005/06.

RESOLVED:-

that the IEG4 Statement be approved.

13. Civic Centre Project

Councillor John reminded the Executive that there had been previous discussion and reports on the case for a new civic centre. A new centre would provide Brent's residents with better public services and would enable better value for money in the provision of services and in the management of the Council's property portfolio. Councillor John stated that the opportunity was here and now and would span more than one administration hence she was moving an additional recommendation to facilitate future cross party consultation on the proposals. The Chief Executive highlighted the need for change in the Council's property portfolio outlined in the report and supported by the Council's external accountants. Presentations to individual political groups had been offered.

Councillor Van Colle questioned the visitors parking facilities to be available and Councillor Fiegel emphasised the importance of good infrastructure. Councillor John agreed and while detail designs were not yet available, stressed the need for 'brave' decision making and for all party involvement in what should be an environmentally sound, exciting and efficient project. Councillor Moher commended the architects' overview and referred to the need for public involvement and support for the project which should be an inclusive centre for the whole borough.

RESOLVED:-

- (i) that it be agreed in principle to proceed with a new civic centre for Brent located in or near the Wembley regeneration area;

- (ii) that officers be instructed to take the civic centre project to the next stage by:
- considering the merits of appointing a professional team to represent the council in taking forward the project. Any such appointments will comply with the European Union public procurement regulations and standing orders.
 - carrying out further work to develop the options.
 - negotiating with property owners about potential sites and identifying a preferred site preferably within the area adjoining Wembley Stadium Station, along the new boulevard and north of South Way.
 - discounting the car park on Ealing Road, Chesterfield House and Town Hall sites from further analysis.
 - finalising which services and partners will be located in the new facility.
 - choosing a procurement route and planning based on a formal business case.
 - preparing a risk management strategy.
- (iii) that another report be brought to the Executive within six months for a final decision when a suitable site has been identified and that the remit of the cross party working group currently receiving updates on Wembley Stadium/Wembley Regeneration be expanded to consider these proposals. In doing so, we would expect that group to meet more regularly.

14. North West London Online Project – Implications for Brent after December 2004

This report outlined the main implications of the termination of the North West Online Project after the end date of December 2004. This time limited joint project between Harrow and Brent delivered New Opportunities Funded ICT learning via 21 Brent community organisations. The report proposed a way forward to enable a number of Brent community organisations to continue to provide ICT learning and outlined the impact of the exit strategy of the project for Brent.

RESOLVED:-

- (i) that the implications of the termination of the North West London Online Project for the community organisations involved be noted;
- (ii) that it be noted officers in both Brent and Harrow are working with the North West London Online Management Board to offer organisations in both boroughs a range of options to sustain online learning for the majority;
- (iii) that it be agreed to contribute towards the probable redundancy costs of those North West London Online staff not placed with other positions subject to the Director of Education, Arts & Libraries and the Director of Finance being satisfied as to the exact cost to the Council and that they can be met from existing budgets.

15. Library Service Fees and Charges 2005

This report sets out officers' proposals for the schedule of Library Service fees and charges for the year beginning January 2005. The proposed introduction of the new charges was timed to coincide with an increase in library opening hours. Councillor Lyon felt that the proposed increase in fees was not excessive and pointed out that there would also be additional financial implications arising from the short term closure of Willesden Green Library during building of the new Grange Museum.

RESOLVED:-

that the proposed schedule of charges set out in Appendix 1 to the report be agreed.

16. Library Service Opening Hours 2004/2005

This report set out officers' proposals for the extension of Library Service opening hours for the financial year 2004/5, in order to work towards achieving the Public Library Standards. Councillor Lyon was pleased to report on the 37% increase in opening hours over the past 3 years and Sunday opening in Preston Road library. All library opening times would now be either 9am or 11am.

RESOLVED:-

that the proposals for extending the Library Service opening hours as outlined in Section 3 and in Appendix 1 to the report be approved.

17. Barham Park Estate Regeneration: Selection of Partner Registered Social Landlord

This report concerned the selection of a preferred partner registered social landlord (RSL) for the regeneration of Barham Park estate. Councillor Thomas reported on an open day arranged for residents and the reasons why it was proposed to proceed with the RSL option. He also made reference to the funding risks and that, at present, no commitment had been made to any particular scheme.

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 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'

‘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 of the supply of goods or services.’

RESOLVED:-

- (i) that the process that has been carried out, including the assessment criteria, to select a preferred partner RSL for the regeneration of Barham Park estate be noted and approved;
- (ii) that it be agreed to select Notting Hill Housing Trust as preferred partner, provided that NHHT produce a viable and deliverable regeneration scheme which is acceptable to the Council and estate tenants;
- (iii) that officers begin negotiations with NHHT on a revised regeneration scheme, which meets as far as possible, the development objectives previously agreed;
- (iv) that officers identify and secure alternative sources of funding to meet any deficit which may arise in the revised proposals.
- (v) that officers bring a further report incorporating the following:
 - a) detailed proposals and how they would impact on residents and the council,
 - b) an examination of the option of prudential borrowing compared with the RSL proposal,
 - c) a financial impact and risk assessment, including the availability of any gap funding,
 - d) an equality impact assessment, and
 - e) a final decision on the selection of the delivery partner and regeneration scheme.

18. Adoption and Permanency Policy

This report informed members of the Adoption and Permanency Policy and the Statement of Purpose for the Adoption Service in Brent. The Statement of Purpose is required by the Fostering Services Regulations 2002 and the Local Authority Adoption Service (England) Regulations 2003. Councillor Fox pointed out that the policy covered long term fostering, kinship placements and residence orders as well as adoption. He also made reference to the diversity implications noting that policy would help the Council adhere to the guidelines. The full detail of the policy and Statement of Purpose was presented in Appendices 1 and 2 to the report.

RESOLVED:-

that the Adoption and Permanency Policy and the Statement of Purpose be agreed.

19. Forced Marriages – Multi Agency Protocol

A report informing members of the guidance on Forced Marriage was presented to the August Executive meeting. It was agreed at that meeting that a multi agency protocol should be written following consultation with key stakeholders in the community. This report from the Director of Social Services presented that protocol. Councillor Fox added that there had been no dissent from the need to work together to address infringement of human rights and stressed the need for a sensitive approach.

RESOLVED:-

that the draft multi agency draft protocol, which includes procedures for professionals working with young people and vulnerable adults, be agreed.

20. Revised Parks Strategy 2004-2008

This report provided Members with an overview of the revised Parks Strategy for Brent. The Strategy identified key issues affecting the use and management of parks and open spaces in the borough. It also identified the various partners involved in the provision of improvement opportunities for parks. This Revised Park Strategy was a strategy for the development of parks and open spaces in Brent and is a framework document which outlines how the Parks Service (BPS) would deliver improvements to the borough's parks and allotments.

RESOLVED:-

- (i) that the findings of the revised Parks Strategy be noted;
- (ii) that the key themes and key service priorities within the Revised Parks Strategy be noted;
- (iii) that the revised Parks Strategy be adopted.

21. Brent's Local Development Framework revised Local Development Scheme

This report presented a revised Local Development Scheme (LDS), a detailed project plan showing the various documents which would comprise the Local Development Framework (LDF) and the timetable and procedures to be followed in producing them. It was proposed that the number of Development Plan Documents prepared in the first three years be reduced from five, agreed in July, to three. Councillor Jones advised that the next steps were to obtain Government Office for London approval once a service level agreement had been agreed with the Planning Inspectorate. A community conference would also be arranged to consider key planning issues and options.

RESOLVED:-

- (i) that the revised Local Development Scheme for preparing Brent's Local Development Framework be agreed;
- (ii) that the Director of Planning be authorised to make changes to the programme set out in the LDS, in light of discussions with the Planning Inspectorate, which he considers would not have a significant effect upon service delivery and budget requirements.

22. Exclusion of Press and Public

RESOLVED:-

that the press and public now excluded from the meeting as the following reports are not for publication as they contain the following categories of exempt information as specified in Paragraph 9 Schedule 12A of the Local Government Act 1972:

'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'.

'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'

23. Proposed Expansion of the Organic Waste Collection Service

This report sought permission to vary the existing Materials Recycling and Associated Services Contract to extend the Organic Waste Collection element of the Contract from 30,000 to 60,000 households and increase the collection frequency from fortnightly to weekly.

RESOLVED:-

that officers be authorised to vary the existing Materials Recycling and Associated Services Contract with ECT Recycling Ltd., to include additional Organic Waste Collection Services, expanding the service from 30,000 to 60,000 households and increase the collection frequency from fortnightly to weekly, subject to reaching agreement with ECT and subject to the costs of the additional services being funded.

24. Appointment of Contractor to construct Stadium Access Corridor Section

This report concerned Section 1 of the Stadium Access Corridor (SAC) Phase 2 project, which would provide the main vehicular access to the English National Stadium currently being redeveloped to the west of the SAC. The report summarised the results of tenders submitted to the Council for the construction of Section 1 of the SAC road scheme and

requests approval to award the contract for the road improvement and the Western Footbridge over the Chiltern Line. The report also gave an update on the current budget position and estimated costs for Section 1 and outlines the position regarding funding to complete funding to complete the scheme.

Councillor Jones proposed an amendment to the recommendations in the report from the Director of Environment to exclude the Western Footbridge from the scheme which was agreed.

RESOLVED:-

- (i) that the content of the report from the Director of Environment be noted and in particular:
 - (a) the progress to date on the Stadium Access Corridor scheme,
 - (b) the risks to the Council of proceeding or not proceeding with the Stadium Access Corridor, and
 - (c) the tendering process for constructing the road.
- (ii) that agreement be given to proceed with the construction of Section 1 of the Stadium Access Corridor but excluding the Western Footbridge over the Chiltern Line, and that officers be authorised to commence negotiations for the disposal of Network Rail land previously acquired by compulsory purchase powers;
- (iii) that the Stadium Access Corridor Section 1 construction contract (excluding the Western Footbridge) be awarded to PJ Carey (Contractors) LTD subject to the Director of Finance in consultation with the Borough Solicitor being satisfied that WNSL has agreed in writing to release the S106 money for use against works for Section 1 of the SAC.

25. Kensal Rise Station – Disposal of Former Store Room and Land at Station Terrace

This report sought the Executive's approval to dispose of the derelict former store room and small area of land at Station Terrace to London Buses Services Limited, a part of Transport for London, for the purpose of providing a bus drivers' rest room and WC facilities

Circulated at the meeting was additional information received since the completion of the report concerning proposals submitted by Councillor Lorber and the Director of Environment's response which was noted. The initial response from London Buses concerning additional access to the facilities (para 3.8 of the report refers) and officers' continued efforts was also noted.

RESOLVED:-

that it be agreed to dispose of the derelict former StreetCare store room and land at Station Terrace (identified on the attached plan to the report by

red verge) to London Buses Services Limited (LBSL), part of Transport for London (TfL), on the terms set out in the report, strictly only for the purpose of providing rest facilities for drivers of LBSL operating local routes. The agreement will be on the main terms set out in the Detail of this report and on such other terms which the Director and the Manager of Corporate Property Services consider to be in the best interest of the Council.

26. Authority to Invite Tenders for the Installation of Closed Circuit TV Cameras for Brent Council and Wembley National Stadium Contract

This report requested retrospective approval from the Executive to invite tenders in respect of the installation of CCTV cameras for Brent Council and Wembley National Stadium as required by Contract Standing Orders 89 and 90. The Executive noted the intention for the new cameras to be an improvement on previous.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the outline evaluation criteria to be used to evaluate tenders as set out in section 3.8 of the report;
- (ii) that officers invite tenders and evaluate them in accordance with the outline evaluation criteria referred to in section 3.8 of the report which shall be developed further by officers prior to the tender return date.

The meeting ended at 8 pm

A JOHN
Chair

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