



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE GENERAL PURPOSES COMMITTEE Thursday 4 July 2013 at 7.00 pm**

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors Hirani, Hopkins, Lorber, J Moher and Pavey

Apologies for absence were received from: Councillors Brown and Mashari

#### **1. Declarations of personal and prejudicial interests**

None declared.

#### **2. Minutes of the previous meetings**

RESOLVED:-

- i. that the minutes of the meeting held on 28 March 2013 be approved as an accurate record of the meeting
- ii. that the minutes of the meeting held on 20 May 2013 be approved as an accurate record of the meeting.

#### **3. Matters arising**

Councillor Lorber drew members' attention to the discussion set out in the minutes of the meeting held on 28 March 2013 regarding the pay multiple; the ratio between the highest paid salary and the lowest/median average salary of the council's workforce. Councillor Lorber queried whether there were any implications for senior officer pay of the 1:9 ratio between the highest and lowest salary as shown in the Pay Policy Statement agreed by Council on 25 February 2013. Cara Davani (Interim Operational Director HR) advised that an explanatory note had been circulated on this issue following the Council meeting on 25 February. With regard to the Chief Executive position, it had been clarified at the Council meeting that the intention was to use a starting salary of less than the maximum salary agreed, to bring it into line with the 1:9 ratio. This information had been based on a vacant position. Now that there was a proposal to fill the position via a fixed term contract, it would be possible to provide further clarification on this matter.

#### **4. Deputations (if any)**

There were no deputations.

#### **5. Hay management contract**

Cara Davani (Interim Operational Director HR) introduced a report to the committee proposing a revised Hay contract for senior managers. It was considered timely to review and update the contract in light of the senior management restructure currently taking place and in order to bring the contract into line with the Brent Core Contract which had been in 2012. There were no substantive changes proposed to the terms and conditions and the contract would retain those which were recognised as specific to Hay graded posts; these included a 40 hour working week, 32 days annual leave and payment of increments on the anniversary date. It was proposed to remove the current car loan scheme as, in practice, this was no longer in use. Existing car loans would be allowed to expire.

In response to a number of queries raised by the committee, Cara Davani confirmed that it was proposed that the existing arrangements for salary increments remain the same. It was noted that salary increments were paid subject to satisfactory service. The policies which underpinned the contract, including the council's appraisal scheme, provided clear guidance on what constituted 'satisfactory service' and the relevant policies were provided to employees within the employment pack. It was the council's policy that Hay grade appointments would start at the bottom of the salary scale. Any action to the contrary would be required to be signed off by the appropriate director and by the Operational Director of HR. Employees were also required to complete a declaration of interests form when their employment commenced which encompassed questions relating to any private or business interests and additional employment with, or membership of, other organisations. Any interests declared would be considered by an employee's line manager and a decision would be taken as to whether they constituted a conflict of interest. Similarly, if an employee wished to engage in additional employment, a request would have to be made to the employee's line manager.

Noting the current arrangements for the award of annual salary increments, Councillor Lorber queried why increments were not paid following 12 month's service, irrespective of start date. Cara Davani explained that the present arrangements ensured a minimum of six month's service prior to an increment being paid; this was historic practice in Brent and common practice elsewhere. Following further discussion it was agreed that a report setting out the pros and cons of awarding increments on the anniversary of employees' start dates be submitted to the committee.

RESOLVED:

- i. That the proposed changes to the Hay Contract be agreed;
- ii. That the updated Hay Contract be issued to all existing senior managers on Hay contracts and subsequent new appointments.

## 6. **Disclosure and Barring Service (DBS) Policy**

In December 2012 the Criminal Records Bureau and the Independent Safeguarding Authority were merged to form a new public body, the Disclosure and Barring Service. Cara Davani (Interim Operational Director HR) explained that the report before the committee introduced a new DBS policy which was to replace the now defunct CRB policy. The DBS policy detailed the process for conducting DBS checks during recruitment and established that these would be kept up to date via three-yearly repeat checks. The policy also set out useful guidance on the use,

storage and disposal of disclosure information. The implementation of the policy would ensure that a consistent approach was applied across the council for all staff, including those who were not paid directly by the council; contractors were now required to evidence that DBS checks had been carried out where required.

It was queried whether the proposed policy was in line with standard practice across the London Boroughs. Members also sought clarification on the statutory requirements for repeat checks and the arrangements for checks for overseas candidates. Cara Davani advised that when drafting the policy work had been undertaken to find out what approach other local authorities had adopted. Many had not advanced to the stage that Brent had in developing a policy to address the legislative changes. Internally, all heads of service had been consulted when the criteria determining whether DBS checks should be carried out were drawn up. The proposal to carry out repeat DBS checks after three years was not underpinned by a statutory requirement but it was considered prudent to do so, given the level of associated risk for the council. Turning to the issue of checks for overseas candidates, Cara Davani advised that it was the responsibility of the candidate to produce an equivalent check from their country of origin. This information would be obtained direct from the relevant authorities where possible, otherwise the candidate would be expected to make a data subject request to the police force of their country of origin.

RESOLVED:

- i. That the draft Disclosure and Barring Service (DBS) policy be approved with immediate effect;
- ii. That the Assistant Director, Human Resources (or Deputy), in consultation with the Director of Legal and Procurement (or Deputy) and subsequent consultation with the relevant trade unions, be authorised to make such other changes as may be necessary from time to time to this policy.

## **7. Recruitment and retention**

A report outlining the potential difficulty in sourcing a suitable candidate for the Strategic Director, Education, Health and Social Care position on the current salary level was presented to the committee by Cara Davani (Interim Operational Director, HR). It was highlighted that this position had been established as part of the new senior management structure. The portfolio of responsibility attached to the post was considered significant and the advice of external recruitment consultants, Gatenby Sanderson, was that it would be preferable to appoint a candidate with substantial experience, including those with existing experience of working at Strategic Director level. The current salary scale for the post was £124,296 to £140,508 per annum and advice received was that experienced candidates would be seeking a salary of around £155,000. Approval was therefore being sought provide the Chief Executive the discretion to pay an additional market supplement, no greater than £15,000 to the successful candidate for the position, if this was considered necessary to attract the best possible candidate.

In the subsequent discussion, members acknowledged the magnitude of risk associated with the post of Strategic Director, Education, Health and Social Care, and the importance of securing a high calibre candidate with suitable experience.

Members also raised several queries regarding the proposal to allow a market supplement to be paid if considered necessary. The committee noted that work had been undertaken which revealed that a number of other London boroughs were presently paying in excess of £140,000 for similar posts and it was queried whether many were paying below this figure. It was further queried whether response to the advertised post had been poor.

Responding to the queries raised, Cara Davani advised that she could not recall that any London local authority paid significantly below the salary scales set out for position. The post was currently being advertised and issues had been raised about the salary, with expectations of a salary of £150,000 to £155,000 having been expressed. It was emphasised that the possible additional payment of up to £15,000 would be a market supplement only and not an increase to the salary scale.

RESOLVED:

- i. That the payment of a market supplement, no greater than £15,000, to the successful candidate for the Strategic Director, Education, Health & Social Care post, if an enhancement is required to attract the best possible candidate for this high profile role, be authorised.

Councillor Lorber and Councillor Hopkins wished their dissent from the above decision to be recorded.

#### **8. Stopping Up Order - Elmwood House, Harlesden Road**

Eric Marchais (Highway and Transport Delivery) introduced the report to the committee. The report requested authorisation to make a Stopping-Up Order for an area of public highway in the access road, formerly known as Harlesden Lane, between numbers 1 to 47 Longstone Avenue and Knowles House, Number 51 Longstone Avenue, Under 247 of the Town and Country Planning Act 1990 (TCPA 1990). The Order was required to complete the development of the Elmwood House site and provide off-street parking, communal garden, play space and associated landscaping related to the erection of a new building comprising 38 flats. The planning consent for this development, which was granted by the Planning Committee on 20 July 2010, did not include a Stopping-Up Order; however, this would be necessary. A draft Stopping-Up Order was therefore made and advertised under Section 247 TCPA 1990 in March 2013 and one qualified objection was received from Thames Water; this had since been withdrawn. Concerns had also been expressed by another body, but these had also been resolved.

RESOLVED:

- i. That it be noted that a draft Stopping Up Order had been advertised in accordance with the requirements of Section 247 TCPA 1990 and that one qualified objection was received from Thames Water.
- ii. That the responses to the objection as set out in the report be noted.
- iii. That the Stopping Up Order for the area of public highway in the access road, formerly known as Harlesden Lane, between numbers 1 to 47 Longstone Avenue and Knowles House, Number 51 Longstone Avenue, be approved.

- iv. That it be noted that the Stopping Up Order would be duly advertised following committee approval.

## 9. **Stopping Up Order - Bronte House and Fielding House, South Kilburn**

The committee considered a report requesting authorisation to make a Stopping-Up Order for areas of public highway in Cambridge Road and Kilburn Park Road, including the Podium Car Park and area of mostly elevated footpath leading to the car park room, under Section 247 of the Town and Country Planning Act 1900 (TCPA 1900). The Order was required to enable the development of 229 flats at site 11b of the South Kilburn Regeneration area to be carried out. The planning consent granted for the development specified that the stopping-up of Cambridge road and the formation of a new access road through the rearrangement of the existing Cambridge Road / Kilburn Park Road Junction would be required. It had also been agreed that a section of footway of Kilburn Park Road would need to be stopped up for the development to proceed. The Brent legal department had also advised that the mostly elevated footpath to and including the podium car park room should be considered public highway and also be stopped up.

The draft Stopping-Up Order was made and advertised under Section 247 TCPA 1900 in December 2012. Four objections were received from the following utility companies with apparatus in the vicinity; OpenreachBT, Thames Water, Cable and Wireless UK and T-Mobile UK Ltd. Following discussion with council officers all four objections had been formally withdrawn, as set out in Appendix 2 to the report.

RESOLVED:

- i. that it be noted that a draft Stopping Up Order had been advertised in accordance with the requirements of Section 247 TCPA 1990 and that 4 objections were received, one from OpenreachBT, one from Thames Water, one from Cable and Wireless UK, directly from the company and also via their agent Atkins Telecoms, and one from T-Mobile UK Ltd.
- ii. That the responses to these objections as set out in the report be noted;
- iii. That the progression of the Stopping Up Order for areas of public highway in Cambridge Road and Kilburn Park Road, including the Podium Car Park and area of mostly elevated footpath leading to the car park room, under Section 247 of the TCPA 1900, be approved.
- iv. That it be noted that the Stopping Up Order would be duly advertised following committee approval.

## 10. **Appointments to Sub-Committees / Outside Bodies**

RESOLVED:

That the following appointments to sub-committees and outside bodies be approved:

- i. Councillor Crane to be appointed as member of Senior Staff Appointments sub-committee in place of Councillor Denselow for the meeting to be held on 15 July 2013 only, after which Councillor Denselow to be re-appointed in place of Councillor Crane.

- ii. Councillor S Choudhary to be appointed to the Chalkhill Community Centre in place of Councillor Aden for the remainder of the 2013/14 municipal year.
- iii. Councillor Aden to be appointed to the Chalkhill Community Trust fund in place of Councillor S Choudhary for the remainder of the 2013/14 municipal year.

11. **Any other urgent business**

None.

The meeting closed at 8.04 pm

M BUTT  
Chair