

MINUTES OF THE EXECUTIVE
Monday, 6th April 2009 at 7.00 pm

PRESENT: Councillor Lorber (Chair), Councillor Blackman (Vice Chair), and Councillors Allie, D Brown, Detre, Matthews, Sneddon, Van Colle and Wharton.

Councillors Dunwell, Mistry, Motley, H B Patel and H M Patel also attended the meeting.

Apologies for absence were submitted on behalf of Councillor Colwill.

1. Councillor Colwill

Members expressed best wishes for Councillor Colwill and his wife in celebrating their 40th Wedding Anniversary.

2. Declarations of Personal and Prejudicial Interests

Councillor Sneddon declared a personal interest in the item relating to main programme grant funding 2009/10 as a volunteer working with Brent Bereavement Project.

3. Deputations

None.

4. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 16th March 2009 be approved at an accurate record.

5. Environment and Culture Capital Spend 2009/10: Highway Major Works Programme

The report from the Director of Environment and Culture made recommendations on the prioritised programme for major footway upgrade projects, carriageway resurfacing schemes, improvements to grass verge areas and accessibility, renewal of marginal highway land, public realm improvements on primary routes, new street signage, gulley maintenance, concrete roads, carriageway resurfacing – short sections, footway upgrades – short sections, the maintenance of road channels and footway boundaries to facilitate street cleaning, and highway improvements in the Park Royal area. The Executive were asked to approve expenditure of the £4,000k capital budget allocation for the 2009/10 capital works programme, agreed at the meeting of Full Council on 2nd March 2009. This included £500k extra capital brought forward from later years of the programme to 2009/10 to help combat the effects of the recession on the borough. The Lead Member, Councillor Brown, stated that an independent survey had been conducted to suggest the areas for improvement.

RESOLVED:-

- (i) that approval be given to utilise the main highways capital programme of £4,000k as follows:

Footways amount	% budget	(£ 000's)
▪ Major footway upgrade	39.5	1,580
▪ Footway upgrades – short sections	2.5	100
▪ Renewal of marginal highway land	2.5	100
▪ Public realm improvements on primary routes	2.5	100
▪ Improvement to grass verges and accessibility	2.5	100
▪ New street signs	2.5	100
total	52	2,080

Carriageways

▪ Major carriageway resurfacing of non-principal unclassified (borough road) network	28	1,120
▪ Major carriageway resurfacing of non-principal classified (B & C) network (CAA NI169)	7.5	300
▪ Gulley replacement/maintenance	2.5	100
▪ Concrete roads	2.5	100
▪ Carriageway resurfacing – short sections		
total	43	1,720

Miscellaneous

▪ Maintenance of road channels and footway boundaries to facilitate street cleaning	1.25	50
▪ Highway improvements in Park Royal (match funding to be provided by PRP)	1.25	50
▪ Contingencies for TfL funded schemes	2.5	100
total	5	200

- (ii) that approval be given to the schemes and reserve schemes, as listed in Appendices 1 – 3 to the report from the Director of Environment and Culture.

6. **Graffiti Policy**

The report made available the results of a recent community consultation on tackling graffiti. It gave the outcomes of the consultation, and identified policy options for improving the borough's response to graffiti vandalism. The report requested approval from the Executive to approve a new

Borough Graffiti Policy, which would consolidate the council's approach to this envirocrime, and set the scene for more effective partnership working.

RESOLVED:-

- (i) that the consultation results on Brent's proposed Graffiti Policy be noted;
- (ii) that approval be given to the new Graffiti Policy Statement for Brent as attached at Appendix A to the report from the Director of Environment and Culture.

7. **Achieving Fairtrade Borough Status for Brent**

The report outlined the work undertaken to date within the council and through the voluntary Brent Fairtrade Network to promote Fairtrade in the borough and to achieve Fairtrade borough status. It also sought Executive approval to agree a new Fairtrade resolution to support the application for Fairtrade Borough status.

The Executive noted the recommendations of the Forward Plan Select Committee at their meeting on 1st April to extend the use of Fairtrade products and requested that a further report be submitted to allow full consideration of the implications.

RESOLVED:-

- (i) that agreement be given to support the application for Fairtrade Borough status by Brent, thereby supporting the Fairtrade Foundation's Fairtrade Towns Initiative;
- (ii) that Fairtrade tea and coffee products continue to be served at Council and Executive meetings and that this arrangement be encouraged in other meetings organised by the Council where the public is involved;
- (iii) that the wide use of other Fairtrade products at meetings of the Council, Executive and other meetings organised by the Council where the public is involved be encouraged;
- (iv) that it be noted that a range of Fairtrade products will be provided in Council refreshment areas and where appropriate support for the promotion of the Fairtrade Borough initiative will be provided in internal and external communications;
- (v) that the work of the Brent Fairtrade Network continue to be supported;
- (vi) that a further report be submitted on the implications of recommendations made by the Forward Plan Select Committee on

1st April 2009, the report to also the possibility of purchasing better quality Fairtrade coffee.

8. **Cemetery Fees and Charges 2009-10**

The Lead Member for Environment, Planning and Culture introduced this report which sought approval for the levels of fees and charges within Brent cemeteries for the period from 1st May 2009. As Brent had taken on the management of the new London Borough of Harrow Cemetery at Carpenders Park, adjacent to the Brent Cemetery and with shared facilities it was felt necessary to bring Brent and Harrow charges for the two cemeteries into alignment. The Chair proposed an amendment to the recommendations to phase in, over a four year period, those charges relating to babies and children, in order to avoid undue hardship, and this was agreed.

RESOLVED:-

that approval be given to the fees and charges set out in Appendix 1 to the report from the Director of Environment and Culture to apply from 1st May 2009 with the exception of those relating to children and baby charges which are to be phased over a four year period.

9. **Local Development Framework - Core Strategy and Site Specific Allocations**

Councillor Van Colle (Lead Member, Environment Planning and Culture) reminded the Executive that the LDF Core Strategy had been agreed in December 2008 for public consultation with the intention of reporting back the results of the consultation in May 2009. Following meetings with Government Office for London and the Planning Inspectorate in the New Year, they have advised making further changes to the Core Strategy. They have also suggested an alternative approach to the consultation that would allow the council to bring forward the Examination into the plan as it would cut out one of the proposed stages in the process. The Site Specific Allocations document had also been agreed previously for consultation and there were no further changes proposed to this document. Members were therefore asked to recommend that both the revised Core Strategy and the Site Specific Allocations document be agreed by Full Council for public consultation and then submission to Government in July 2009 for Examination in Public.

Councillor Van Colle also referred to the revised timetables and pointed out an additional requirement for all London boroughs to look at travellers site arrangements which had been addressed in the report.

RESOLVED:-

- (i) that Full Council be recommended to agree the proposed Submission version of the LDF Core Strategy for consultation and submission as set out in Appendix 1 of this report;

- (ii) that Full Council be recommended to agree the revised timetables in paragraph 3.15 (table 1) of the report from the Director of Environment and Culture to form the basis of Brent's Local Development Scheme (LDS), and to submit both the Core Strategy and Site Specific Allocations documents for Examination in Public;
- (iii) that agreement be given to the inclusion of the Infrastructure and Investment Framework for the purposes of public consultation as set out in Appendix 3 of the Director's report; and
- (iv) that approval be given to delegate minor changes of the Core Strategy to the Director of Environment and Culture.

10. **Main Programme Grant Funding 2009/10**

This report provided the Executive with details of local voluntary organisations that have applied for funding from the Council's Main Programme Grant (MPG) for 2009/10. This report followed on from a previous report presented to the Executive on 17th November 2008, where it was agreed to renew funding to existing organisations not affected by the proposed three year funding programme. It was also agreed that funding would be allocated for one year and renewed at the same level as in 2008/9. The report provided details of the funding renewal process and provides information on the organisations and projects that have applied for funding.

RESOLVED:-

- (i) that the recommendations for the allocation of the Main Programme Grants for 2009/10 as summarised in Appendix A and detailed in the individual reports attached as Appendix B to the report from the Director of Housing and Community Care be noted and approved;
- (ii) that all funding be made subject to the Council's Grant Conditions, and that the funding be subject to each organisation agreeing and abiding by a statement of purpose with the Council;
- (iii) That approval be given to an allocation of £10,000 to deliver training and capacity building to voluntary sector organisations by the Voluntary Sector Team.
- (iv) that it be noted that of the 30 organisations that previously received funding in 2008/09, 29 have re-applied. One organisation did not re-apply and therefore has not been recommended for the grant.

Councillor Sneddon declared a personal interest in this item as a volunteer with Brent Bereavement Project.

11. Main Programme Grant Funding 2009/12 – Three Year Funding - Children and Young People

This report provided members with details of local voluntary organisations that have applied for funding from the Council's Main Programme Grant (MPG) for 2009/12. The report followed on from a previous report presented to the Executive on 17th November 2008, where it was agreed to develop a new 3 year funding process based on a specific theme from the Council corporate strategy. The theme selected for this funding programme was Children and Young People's Services. The report provided details of organisations and projects that have applied for the fund. It asked members to agree the allocation to organisations based on recommendations made by officers in this report. It should be noted that the decision to establish a new funding process was taken following a review of the voluntary Sector funding carried out by a Scrutiny Task Group in May 2007. The Executive noted that the number of applications had exceeded funds available and outputs would have to be renegotiated.

RESOLVED:-

- (i) that the schemes and funding allocation recommended in the report from the Director of Housing and Community Care (paragraph 3.13) that will commence from April 2009 for a period of 3 years, be noted and approved;
- (ii) that officers' individual assessment reports of all organisations that have applied for funding in Appendix E be noted, noting also that a summary of all the applications received and officers' recommendations is also attached as Appendix D of the report from the Director of Housing and Community Care;
- (iii) that it be noted that all funding will be made subject to the Council's Grant Conditions and that each organisation approved will sign an agreement with the Council, stating the purpose of the grant before funding is released;
- (iv) that approval be given to the allocation of £8,774 to organisations previously funded from the MPG but who were either unsuccessful in their bid for the new fund or chose not to re-apply for funding from the MPG.

12. Sub Regional Temporary to Settled Housing Scheme

The Lead Member (Housing and Community Care) introduced the report which was part of the drive to find innovative ways of housing people on the waiting list. Approval had been given approval to award a contract for the Sub Regional Temporary to Settled Housing Scheme (the Scheme) to the Special Purpose Vehicle to be established by the LloydsTSB Consortium in February 2008, and delegated authority to the Director of Housing and Community Care to finalise negotiations and contract documentation in consultation with the Director of Finance and Corporate

Resources and the Borough Solicitor. In view of the changes to the Scheme since it last came before the Executive, the report updated members and again requested authority to award the contract as required by Contract Standing Order No 88, on the basis of the revised contractual requirements, to LHP. The Executive was also asked to delegate authority to the Director of Housing and Community Care to finalise the contractual documentation in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor. The Director of Housing and Community Care advised that he would report back should the other local authorities involved request changes that fell outside the existing criteria that were critical or affected the scheme's viability. The Executive noted that should one of the local authorities involved decide to withdraw, it would be difficult for the scheme to be extended at this stage to other local authorities due to its complexity.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that the key changes to the Sub Regional Temporary to Settled Housing Scheme since the Executive initially approved the award of the contract to the Special Purchase Vehicle to be established by the Lloyds Consortium in February 2008 as outlined in paragraph 3.14 of the report from the Director of Housing and Community Care be noted;
- (ii) that following changes to the Scheme, the previous decision of this Executive to approve the award of contract for the procurement and supply of units of accommodation and the provision of management and maintenance services for Brent Council to the Special Purchase Vehicle now established by the Lloyds Consortium, namely London Housing Partnerships Limited (LHP) be re-confirmed;
- (iii) that the previous decision of this Executive to delegate authority to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to agree the contractual agreements summarised in paragraph 3.14 which shall be entered into by the council and LHP or their sub contractors be re-confirmed;
- (iv) that the previous decision of this Executive to authorise the Director of Housing and Community Care to agree a form of agreement with the other participating West London boroughs for the effective working of the Scheme be re-confirmed;

- (v) that the Borough Solicitor, or any authorised delegate on her behalf, be authorised to execute all of the legal agreements, contracts, leases and other documents on behalf of the council referred to in this report (and such other legal agreements and documentation which may be necessary to give full effect to the Scheme), subject to receiving confirmation of the grant allocation to LHP from the Homes and Communities Agency, or executing such contracts and other documentation with the pre-condition that they shall only come into effect upon the issuing of the said grant allocation;
- (vi) that the Director of Finance and Corporate Resources be authorised to sign a certificate or certificates under the Local Government (Contracts) Act 1997 to LHP in respect of the Scheme and to LHP's funders, LloydsTSB, in respect of any direct agreement entered into between the council, such funders and LHP;
- (vii) that the Director of Finance and Corporate Resources will be fully indemnified by the council in the event of any claim against him arising from the provision of any certificate he may issue in accordance with recommendations/decision in paragraph (vi) above.
- (viii) that the Director of Housing and Community Care shall seek to obtain any necessary Secretary of State consents and approvals in respect to this Scheme.

13. **North Circular Road (NCR) Regeneration Area**

Councillor Detre (Lead Member, Regeneration and Economic Development) introduced this report which set out a regeneration scheme to reduce pollution and noise, improve transport and increase green space in the North Circular Road area. The report presented the 'vision' document, A New Image for the North Circular: Framework for change (appendix one of the report), that outlined the strategic approach to the regeneration of the area adjacent to the North Circular Road. This area had been identified within the Core Strategy of the Local Development Framework as an area requiring improvement. The report outlined the consultation undertaken on the North Circular Road regeneration area 'vision' document. It presented the key findings and results from this process and how this was to be incorporated into the Regeneration Action Plan and 'vision' document. The report provided a project regeneration action plan that outlined the proposed next steps for the project and foreseeable timeframe.

Councillor Detre outlined the consultation process which had involved leaflets, interviews, area consultative forums and responses via the internet which had indicated support for the general proposal for the regeneration of the North Circular Road area however there was a lower level of support for the some of the specific proposals within the overall scheme. The Executive noted that the Forward Plan Select Committee had called-in this report for consideration one of the reasons being a suggestion of inadequate consultation with local residents and local councillors.

Councillor Detre pointed out that the Director of Policy and Regeneration was available for discussions.

RESOLVED:-

- (i) that the outcomes of the consultation on the draft 'vision' document for the North Circular be noted;
- (ii) that approval be given to the 'vision' document for the North Circular Road Regeneration, A New Image for the North Circular: Framework for Change (appendix 1 to the report from the Director of Policy and Regeneration);
- (iii) that the NCR Regeneration Action Plan (appendix 2 to the Director's report) be endorsed and approval given to proceed with works to further develop the proposals contained within it.

14. Healthy Relationships - Reducing Teenage Pregnancy Task Group report

Councillor Motley was present as Chair of the Task Group to introduce the report which set out the findings and recommendations of the Children and Families Overview and Scrutiny task group investigation into how parents and faith groups can be encouraged to share positive messages with young people about sex and relationships. He advised that the report had arisen from discussion at the Youth Parliament where it was felt that there was a disparity between influences from peers, the media, parents and churches and a need to get faith groups involved in efforts to reduce the levels of teenage pregnancy. The Faith Forum in previously considering the problem felt it was not a relevant issue for them. The report put forward a series of recommendations and it was hoped that work would contribute to the reducing teenage pregnancy agenda which was a corporate priority and target within the Local Area Agreement.

Councillor Motley contributed that the more faith groups could understand the issues involved it would decrease the likelihood of teenage girls not being excluded from their communities as a result of becoming pregnant. The Executive thanked the Task Group for their work and also the Children and Families Overview and Scrutiny Committee for being willing to tackle difficult and sensitive issues. The Executive suggested that the report be put before the Faith Forum for further discussion.

RESOLVED:-

- (i) that the recommendations in the task group report and the service department response be noted;
- (ii) that members of the task group be thanked for their work;
- (iii) that consideration be given to placing the task group report before the Faiths Group Forum for consideration.

15. **References from the Forward Plan Select Committee – 1st April 2009**

In addition to references considered earlier in the meeting, the Forward Plan Select Committee at their meeting on 1st April 2009 also made recommendations in relation to the following:

- (i) Housing Strategy 2009-14
- (ii) Sustainable Communities Act

The Housing Strategy 2009-14 report was considered by the Executive in March 2009 and the Select Committee suggested that an action plan be put in place to expand the HMO registration scheme. The Director of Housing and Community Care responded that the cost implications could exceed the statutory limit and a case would have to be made to the Secretary of State. The Executive agreed that a briefing note be prepared for the Select Committee suggesting the need for central government lobbying or for them to put forward a growth bid.

The Select Committee referred to the absence from the Forward Plan of any report on the regarding the Sustainable Communities Act for which sign up was required by the end of July 2009. Councillor Sneddon (Lead Member, Human Resources and Diversity, Local Democracy and Consultation) advised that there was no need for a committee report as any resolution would be symbolic, committing the Council to use the legislation for the benefit of local citizens. It was the intention to put a resolution before Full Council and consideration was being given to appropriate matters for inclusion.

16. **Exclusion of press and public**

RESOLVED:

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in the Local Government Act 1972 namely:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

17. **Proposed Acquisition of 79A and 79B Tubbs Road, NW10**

This report recommended the use of the Leasehold Reform Act 1967 by the council to compulsorily acquire the freehold of this property, which comprises two flats, through a process known as enfranchisement. Previously, the council has used enfranchisement to purchase two vacant properties in order to generate receipts to be accumulated to fund the acquisition of replacement properties. The Director of Housing and Community Care referred to the options available and once the property was acquired and recommended that the council retained the freehold of

the property, in this specific case, in order to ensure that the flats could continue to be used to meet the council's statutory housing obligations. The Executive noted that the Forward Plan Select Committee at their meeting on 1st April had also suggested this as the preferred option.

RESOLVED:-

- (i) that the Head of Property and Asset Management be authorised to agree the terms of the acquisition, at a price set out in the report from the Directors of Housing and Finance and Corporate Resources, or if a price cannot be agreed, as determined at a Leasehold Valuation Tribunal (together with the freeholder's reasonable costs); subject to this figure being confirmed as reasonable in the circumstances by an external professionally qualified valuer. Arrears of ground rent and modern ground rent shall also be paid to the Freeholder;
- (ii) that the options available to the Council following acquisition be noted and it be noted that the preferred option is to retain the property so that both flats can continue to be used to meet the council's statutory housing obligations;
- (iii) that approval be given to the preferred option which is to retain ownership of the property in order to prevent further loss of supply within the council's overall housing portfolio.

The meeting ended at 7.50 pm.

P LORBER
Chair