

**Meeting of the Executive  
Monday 17<sup>th</sup> July 2006 at 7.00 pm**

PRESENT: Councillors Lorber (Chair), Blackman (Vice Chair) and Councillors Allie, D Brown, V Brown, Castle, Colwill, O'Sullivan, Van Colle and Wharton.

Councillors Crane, Dunwell, Mrs Fernandes, Fox, Jones and Thomas also attended the meeting.

**1. Declarations of personal and prejudicial interest**

Councillor Blackman declared a personal interest in the item relating to the expansion of Preston Manor School as a governor of both Preston Manor and Wembley Manor Schools and Councillor Wharton declared a personal interest in Fryent Primary School and as a governor at Sudbury Primary School.

**2. Minutes of previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 10<sup>th</sup> April 2006 be approved as an accurate record.

**3. Appointments to Committees**

RESOLVED:

that approval be given to the following appointments to committees and outside organisations:

**Highways Committee:**

<b>Member</b>	<b>alternate</b>
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D Brown	Lorber
V Brown	Castle
Wharton	Allie

Van Colle	O'Sullivan
Colwill	Blackman

**ALG Committees:**

**London Housing Unit Committee**

Allie                      Motley (Deputy)

**London Housing Unit Executive Sub-Committee**

Allie                      Motley (Deputy)

**ALG Grants Committee**

Colwill                      Deputies: O'Sullivan,  
Blackman, Van Colle.

#### 4. **Petition – Stop the demolition**

Councillor Wharton (Lead Member, Children and Families) introduced the petition which had been signed by more than 50 registered borough electors and which opposed plans to create an access route into the Barham Park Estate as part of a housing development by Notting Hill Housing Trust.

Councillor Wharton expressed concern at the plans for the access route and that the size of the development may be such that a second exit would be required. Councillor Wharton felt that at this stage, in advance of receipt of detailed proposals from the housing association the Council should give an indication of what would be acceptable. The Executive agreed with Councillor Wharton's suggestion that a report be submitted on options for vehicular access, including a car free area in the development, and advice on the maximum number of units possible before the need for a second exit. Councillor Lorber proposed that the report also refer to the issue of rent levels, concerns regarding the proposals to substantially expand the estate from the current 214 units, take into account the concerns raised in an earlier petition on Maybank Open Space considered by the Executive in March 2006 and generally put forward options for improved housing. He reminded of the need for a scheme that would meet with the approval of the majority of residents.

RESOLVED:

- (i) that the petition be noted;
- (ii) that officers report to a future meeting on options for the Barham Park development to include concerns raised in the petition; rent levels; the increase in the number of units planned for the area; options for vehicular access to the area, to include an area of car free development, together with advice on the maximum number of units permissible without the need for a second exit.

#### 5. **Petition – Trees in Buchanan Gardens, NW10**

Mr Ben Donald addressed the Executive on behalf of residents objecting to proposals to remove the London plane trees currently on Buchanan Gardens as part of the phased removal and replacement programme. He advised that residents were fully aware of all the implications and were of the opinion that the smaller replacement trees would not be in keeping with the character of the road. They objected to pollarding for aesthetic reasons and felt that the removal of the trees would adversely affect property values. Mr Donald advised that the trees were originally planted for their ability to absorb pollution and felt that the proposals were not compatible with the Council's 'green' image. Additionally, Mr Donald questioned whether the removal of the trees would guarantee an end to subsidence problems and why plane trees in other roads nearby were being retained. Mr Donald urged the Executive to listen to the views expressed by the petitioners whose rights, as Council Tax payers, he felt should be paramount.

The Executive received a report from the Director of Environment and Culture which provided background information for a petition received in respect of trees in Buchanan Gardens, which contained signatures asking for the London plane trees currently planted on this road, to be retained.

The Assistant Director, StreetCare, advised that the phased programme applied only to narrow paved areas identified with the aid of GIS mapping. He also advised that there had been a further public consultation exercise on 13<sup>th</sup> July, attended by an independent arboriculturalist where, though attendance figures were low, the majority of those present had been in support of the removal and replacement programme. He acknowledged that the programme agreed in 2003 was due for review however in view of the level of subsidence insurance claims, and as pollarding was not always successful, action needed to be taken.

Councillor Thomas, ward councillor, acknowledged that there were divergent views among residents and queried whether it would be possible for the Council to be indemnified against insurance claims for damages which, the Director of Finance and Corporate Resources confirmed, was not possible. Councillor Van Colle (Lead Member, Environment, Planning and Culture) felt that outcome of the public meeting should be taken into account and referred to the Executive's wider responsibilities to all residents. He suggested that further negotiations take place on alternative trees that might be more acceptable as replacements.

**RESOLVED:**

- (i) that it be noted the consultation period was extended from the 31<sup>st</sup> March 2006 to the 13<sup>th</sup> July 2006 to facilitate a further public meeting, and that the results from the consultation be noted;
- (ii) that it be agreed to proceed with the removal of the London plane trees in Buchanan Gardens, and to replace these with more suitable species in line with the Council's policy subject to alternative tree types being considered in consultation with residents;
- (iii) that notwithstanding (ii) above London plane trees be retained in Buchanan Gardens where safe and possible.

**6. Petition – CCTV Cameras in the Church Lane, Kingsbury**

Mr Nigel Fletcher presented a petition on behalf of residents and shopkeepers requesting the installation of CCTV to help prevent graffiti and environmental crime. He referred to the number of murders, stabbings and other attacks that had taken place in what was a relatively small area and police reports revealed an upward trend in crime statistics. Mr Fletcher considered it unusual for an area containing public houses and a night club not to have CCTV and urged the Executive to rectify the situation before further problems occurred and for the safety of the residents.

The Assistant Director, StreetCare, advised that the Council's CCTV policy was based on priorities dictated by crime statistics and in any event, there was no available funding in the capital programme for additional schemes.

CCTV was an expensive process which also required revenue funding to support cameras in future years. It was the intention to submit a revised strategy at the end of the year.

Members endorsed the importance of residents' safety and also for them to be involved in decision making. The Assistant Director confirmed that there was adequate funding to support for existing CCTV but not new schemes. Monies had in the past been obtained from a variety of sources including the Office of the Deputy Prime Minister, local projects and Section 106 agreements. He added that a report on a new strategy would have to include options and present a balanced view, mindful that not all residents would be in favour.

Councillor Van Colle suggested, and the Executive agreed, that Mr Fletcher should take back the message to residents that a borough wide CCTV strategy report would be considered and the funding issue would be resolved once the new Administration had been able to revisit priorities. Councillor Lorber (Lead Member, Corporate Strategy and Policy Co-ordination) pointed out that a new strategy would involve bidding and that past requests for security should all be included. The Executive agreed that where appropriate, proposals should link in with London Underground plans for CCTV at train stations. It was agreed to add to the recommendations that CCTV not be provided *at the present time*.

RESOLVED:-

- (i) that the petition be noted but that it be resolved not to proceed at the current time with provision of CCTV cameras in the Church Lane, Kingsbury area;
- (ii) that a CCTV strategy report be submitted for consideration as soon as practicable.

**7. Deputation - re-tendering Leisure Management of Vale Farm and Charteris Sports Centres – review of options and award of contract**

Mr Phillip Bromberg addressed the meeting in connection with proposals in the report to award the leisure management contract for Vale Farm Sports Centre to Leisure Connection Ltd in view of what he considered to be their poor performance. He referred to past complaints relating to health and safety that had been raised and felt that these should be taken into account in the decision to award the contract. Mr Bromberg circulated to members for information a copy of a report from a website relating to Leisure Connections.

## 8. **Re-tendering Leisure Management of Vale Farm and Charteris Sports Centres – Review of options and award of contract**

The Executive received a report providing an update on the progress with the retendering of Brent's leisure management of Vale Farm and Charteris sports centres and sought the award of the Leisure Management Contract subject to final negotiations on contractual matters.

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).

The Executive had received earlier in the meeting a deputation in connection with the proposals to award the contract. The Assistant, Director, StreetCare, introduced the report and outlined the arrangements for centres in the borough. He commented that a lot of work had been done to improve the contract specification including the option of introducing a payment mechanism with penalties for underperformance and also to manage capital investment at the centre in-house. The Assistant Director stated that the evaluation process had been key in drafting the contract and set out the reasons why option 2 to manage Vale Farm and Charteris Centres in-house and option 4, to bring Charteris in-house and retender the contract for Vale Farm Centre, were not being recommended. He also added that by managing the centre via a Trust, Leisure Connection would be eligible for national non-domestic rate relief.

Councillor Lorber referred to the concerns raised by Mr Bromberg and sought assurances of meaningful improvements. The Assistant Director, Leisure and Registration, assured that within the tender there had been service improvements, performance indicators would be in place and staffing levels and salaries had been raised resulting in improved staff commitment. Furthermore, the contract included the sanction of termination if necessary. Councillor Van Colle (Lead Member, Environment, Planning and Culture) stated that the contract was an improvement on the previous as the Council gained experience from procurement processes. He added that the Council's financial position would not allow the service to be taken back in-house and he hoped for improved partnership relations with the contractor.

The Assistant Director (Leisure and Registration) confirmed the arrangements in place for user feedback and complaints recording and the Executive agreed to receive a future monitoring report which should also set out responses to any concerns raised.

RESOLVED:-

- (i) that approval be given to award the leisure management contract for Vale Farm Sports Centre to Leisure Connection Ltd based on their variant bid subject to final negotiations on contractual matters and the Director of Environment and Culture, in consultation with the Borough Solicitor, being satisfied that all outstanding contractual matters have been agreed and finalised;
- (ii) that Charteris Sports Centre be brought in-house and operated by the Council's Sports Service;
- (iii) that it be noted that the above recommendations cost £49,360 in a full year above the existing Sports Service budget. During this year (2006/07) the part year additional costs will be met from existing budgets, funded in future years from either the corporate budget or from savings elsewhere in Environment and Culture;
- (iv) that a report be submitted nine months after the start of the contract on the monitoring of the contract and customer responses.

9. **Award of contracts for services for people with mental health illness and substance misuse problems**

The report from the Director of Housing and Community Care requested authority to award three contracts for the provision of health and social care services, housing support and floating support services for people with mental health illness and substance misuse problems as required by Contracts Standing Order 88. The three contracts were for a period of 3 years, with an option to extend the contracts for a further two-year period. This report summarised the process undertaken in tendering these contracts and following the completion of evaluation of the tenders, recommended to whom the contracts should be awarded.

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 award of the following contracts be approved for a period of 3 years commencing on 25 September 2006 with an option to extend the contracts for a further two-year period:
  - a) the contract for accommodation based housing support for up to 11 adults with mental health difficulties and drug or alcohol problems (dual diagnosis) ("Contract a") to St. Mungo's Community Housing Association

- b) the contract for health and social care accommodation based provision for up to 11 adults with mental health difficulties and drug and alcohol problems (“Contract b”) to St. Mungo’s Community Housing Association
- (ii) that the award of the following contract be approved for a period of 3 years commencing on 4<sup>th</sup> September 2006 with an option to extend the contract for a further two-year period:
  - a) the contract for floating housing support to a total of 50 adults with mental health difficulties who may or may not have drug and alcohol problems (“Contract c”) to Thames Reach Bondway Housing Association Limited.

## 10. **Supply and Demand**

This report sought members’ approval of the lettings targets for 2006/07, and provided members with an updated supply and demand analysis for housing, including lettings performance in 2005/06. Councillor Allie, (Lead Member, Housing and Customer Services), in introducing the report, referred to the need to prioritise pressing demands. In response to a question, the Director of Housing and Community Care advised on current central government initiatives for additional housing units referring to some Housing Corporation funding for west London. One hundred units were to be built in the coming year but this was insufficient to meet demand. There was also a need to reduce temporary accommodation by 2010 and grants would be available in the prescribed manner. The Director responded to questions on the procedures for monitoring registered social landlords and the housing assessment process. It was agreed that the supply of available housing in the borough was inadequate and that there was a need to lobby central government.

On behalf of the Executive, Councillor Lorber commended front line staff trying to meet residents’ needs within available resources. The report was agreed.

### RESOLVED:-

- (i) that the updated supply and demand analysis for housing, including lettings performance in 2005/06, given in Appendix A to the report be noted;
- (ii) that the lettings targets for 2006/07, as detailed in paragraph 3.7 and in Appendix E to the report be approved.

**11. The Treasury Management Annual Report 2005/06**

The report from the Director of Finance and Corporate Resources detailed Treasury Management Activity and performance during 2005/06.

RESOLVED:

that the report be recommended to full Council for approval.

**12. Provisional 2005/06 Capital Outturn and 2006/07 to 2009/10 Capital Programme Monitoring**

The Capital Programme and Prudential Indicators were considered and approved by Full Council on the 6<sup>th</sup> March 2006. The report from the Director of Finance and Corporate Resources set out the closing position on the 2005/2006 capital programme and revised programme for 2006 to 2010. The report also provided monitoring information on prudential indicators, in line with arrangements the Council has to ensure affordability and value for money of its capital programme.

The Director of Finance and Corporate Resources in introducing the report, referred to the pressures on the capital programme and drew attention to a number of issues including the school loan scheme, repair and maintenance of council buildings and the disposals programme. Further reports would be submitted on potential risks within the 2006/7 programme throughout the year as part of the monitoring process.

Councillor Van Colle suggested that any slippage in the current year should be identified to allow consideration of alternative uses such as road improvements and CCTV in line with the new Administration's priorities. Councillor Colwill enquired as to progress on the sale of the John Billam Sports Pavilion to which the Director responded that a report would be submitted to the August meeting. Councillor Lorber referred to the disposals programme, in particular Winkworth Hall, and proposed a motion in respect of one of the occupants, Hopscotch Nursery, which was agreed.

RESOLVED:-

- (i) that the outturn position for the 2005/06 capital programme be noted;
- (ii) that approval be given to the revised budgets for the 2006/07 capital programme, and that the forecast position on the 2007/08 to 2009/10 programmes be noted;
- (iii) that the progress made on the School Loans Scheme, as detailed in paragraph 6.4 be noted and that it also be noted that the Director of Children and Families intends to confirm the issue of a loan to Woodfield School;
- (iv) that the proposals for progression of the Priority 1 Backlog repairs works, as detailed in paragraph 6.5.of the report be noted;



- (v) that approval be given to the draft outturn position for 2005/06 and the revised position for years 2006/07 to 2009/10 on the Council's Prudential Indicators be noted together with the contents of the Treasury Management Annual Report also before this meeting, which contained further details on the Prudential Indicator outturn position for 2005/06;
- (vi) that approval be given to the submission of an updated version of the Capital Strategy to the September meeting of the Executive that will consider revised capital investment priorities of the Council for the period 2006/07 to 2010/11;
- (vii) that in respect of Section 6.6 of the report we note that the Council has agreed for Hopscotch Nursery to remain in Winkworth Hall until at least 31<sup>st</sup> July 2007 and the Council will continue to assist with the finding of alternative premises.

13. **The 2005/06 Provisional Revenue Outturn and Revenue Budget and 2006/07**

This report from the Director of Finance and Corporate Resources set out the provisional revenue outturn for 2005/06. It showed an improvement in the position to that assumed when the 2006/07 budget was set. The report also set out the latest position on the 2006/07 revenue budget and sought approval for a number of virements and other budget transfers.

The Director advised that outturn had been close to forecasts but that spending pressures were already building for 2006/7. The figures represented an initial assessment based on clients' demands particularly for Adults and Social Care services and anticipated costs transferred from the Primary Care Trust. A further report would be submitted in September. Work had commenced on the 2007/8 budget in advance of the Local Government Finance Settlement, the prospects for which were not good. The Director confirmed that the Council would be participating in the campaign for additional central government funding to bridge an identified gap at national level of £1.3 billion in adult and social funding.

Councillor Van Colle welcomed the indication expressed in the report that there would be opportunity for Full Council to reconsider budget priorities and also that consultation would commence on 2007/8 to 2010/11 budget. However, he regretted the overspend in StreetCare resulting from increased lighting charges.

RESOLVED:-

- (i) that the provisional outturn be noted;
- (ii) that approval be given to all 2005/06 under-spends being added to balances, unless in specific earmarked reserves;
- (iii) that the latest budget and forecast in Appendix B to the report be noted;
- (iv) that all directors ensure that spending is kept within budget and to take measures, in consultation with relevant portfolio holders, to achieve this;
- (v) that approval be given to allocate £54k from balances in 2006/07 to fund preparation for a potential flu pandemic in order to minimise potential disruption to services;
- (vi) that approval be given to the virements in Appendix C to the report;
- (vii) that it be noted that the current budget, agreed at Full Council on 6<sup>th</sup> March, is based on priorities of the previous administration and that changes to the 2006/07 budget may be made after due consideration of the issues, subject to approval of Full Council;
- (viii) that it be noted that officers have started the process of preparing the 2007/08 to 2010/11 budget and directors will be consulting with portfolio holders on options to consider as part of this in line with the evolving corporate strategy.

**14. Joint Procurement of Internal Audit Services**

This report sought approval of evaluation criteria and approval to invite tenders for the collaborative procurement of Internal Audit Services as required by Contract Standing Orders 88 and 89.

RESOLVED:-

- (i) that approval be given to the criteria to be used to evaluate tenders as set out in Appendix 2 of the report;
- (ii) that approval be given to officers to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in (i) above;
- (iii) that it be agreed that there are good operational reasons for the Council's Standing Orders and Financial Regulations to not apply to the procurement and that Ealing Council's Standing Orders and Financial Regulations will apply instead.

**15. Outcome of Joint Area Review (JAR) inspection of Children's Services**

Councillor Wharton (Lead Member, Children and Families) introduced this report which set out the outcome of the Joint Area Review (JAR) inspection of Children's services in Brent that took place during December 2005 and January 2006. The inspection report was published on 11<sup>th</sup> April 2006 and concluded that outcomes for most children and young people in Brent were good. The action plan based on specific recommendations was before members for approval.

RESOLVED:

that the JAR report be noted, the Joint Area Review Action Plan be agreed and it be noted that full delivery is subject to appropriate resources being made available.

**16. John Kelly Boys and Girls Technology College – outcome of consultation to expand by 1 form of entry**

This report from the Director of Children and Families set out the findings of the public consultation process (informal stage) on the Governing Bodies' proposal to expand John Kelly Boys' Technology College and John Kelly Girls' Technology College by one form of entry each (an expansion of each year group by approximately 30 pupils creating approximately 150 additional places per school). This was dependent on the purchase of adjacent land and the report requested endorsement of the Governing Bodies' decisions to proceed with the proposal to publish statutory notices under section 28(1) of the School Standards and Framework Act 1998 to expand both schools by one form of entry each, given the need for secondary school places in the Authority. Also circulated to members in advance of the meeting as an addendum to the report, was the final outcome of the consultation and details of the responses received.

The Executive agreed that there was a need to put pressure on central government for additional funding for school places in view of the shortage in the borough. The Executive also agreed that residents' concerns over additional traffic in the area should be addressed, with highways officers being involved at an early stage. It was hoped that the Council, the school and the residents would work together for the benefit of the students.

RESOLVED:-

- (i) that the outcome of the informal consultation referred to in paragraph 3.6 of the report be noted;
- (ii) that it be noted that the governing bodies of John Kelly Technology Colleges will issue separate statutory notices to expand both colleges by one form of entry each;
- (iii) that the decisions of the Governing Bodies of each school to proceed with expansion by one form of entry, dependent on the purchase of adjacent land be noted;
- (iv) that approval be given to the expansion by John Kelly Boys' Technology College of one form of entry and by John Kelly Girls'

Technology College of one form of entry and approve all necessary action including action before the School Organisation Committee to give effect to these expansions.

**17. Preston Manor – outcome of consultation to expand by 1 form of entry**

This report set out the findings of the public consultation process (informal stage) on the Governing Body's Proposal to expand Preston Manor High School by one form of entry (an expansion of each year group by 34 places, creating 170 additional places in Years 7 – 11). Councillor Wharton (Lead Member, Children and Families) advised that the Executive was being asked to endorse the Governing Body's decision given the need for secondary school places in the borough and proposed that this be agreed subject to the Council's capital contribution being no more than £2m, mindful of responsibilities to other schools.

It was noted that the governing body considered the proposed two stage approach feasible and the Executive expressed wholehearted support for the proposals.

RESOLVED:-

- (i) that the outcome of the informal consultation referred to in paragraphs 3.9 of the report be noted;
- (iii) that it be noted that the Governing Body of Preston Manor High School issued statutory notices to expand by 1 form of entry on 29 June 2006;
- (iii) that approval be given, subject to the Council's contribution to the Capital scheme being limited to £2m with the DfES funding £2.5m, to the expansion by Preston Manor High School of one form of entry and all necessary action including action before the School Organisation Committee to give effect to this expansion.

**18. Children's Centres - Phase 2 Capital Programme**

On 13<sup>th</sup> March 2006 agreement was given to officers undertaking further work to develop proposals for the seven phase 2 Children's Centres agreed in principle to be delivered between April 2006 and March 2008. The report also indicated the capital allocation available from the Sure Start Unit for phase. At that stage, detailed studies had not been completed to provide evidence that the seven recommended site options noted were deliverable. The report before members now sought approval to recommendations aimed at managing and reducing the risks of delivering the seven centres agreed in March 2006.

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:

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RESOLVED:-

- (i) that approval be given to the Children's Centre Phase 2 Generic Development Brief (Appendix 3 to the report from the Director of Children and Families) to be adapted by officers for each individual Children's Centre;
- (ii) that approval be given to the development of a Children's Centre (including crèche) at Wembley Primary School and agree to allocating the corresponding capital provision of up to £415,000 (£300,000 from the Children's Centre capital allocation and a further £115,000 from the General Sure Start Grant capital allocation for Extended Services in schools) (subject to Sure Start approval);
- (iii) that approval be given to the development of a new build Children's Centre on the site of Fryent Primary School and to agree to allocating a provisional capital sum of £400,000 from the Children's Centre capital budget;
- (iv) that approval be given to the caretaker's house at Lyon Park Infant and Junior Schools (217 Mount Pleasant) being surplus to the school's requirements, to transfer the asset to the Children and Families Department service's requirements and thereafter to deploy it as a Children's Centre - noting that both schools will benefit from enhanced education and community provision with capital investment in the Children's Centre in the order of £365,000 and that the schools will receive no share of a notional or actual capital receipt;
- (v) that approval be given in principle to the change of use of the St Raphael's Youth and Community Centre to become a combined Children's, Youth and Community Centre;
- (vi) that approval be given to the Council making representation at the PCT Board to ensure accommodation at Wembley and Willesden Centres for Health and Care is made available to provide Children's Centres and in the event that agreements are not reached by 30<sup>th</sup> September 2006, to agree to officers developing proposals for alternative sites namely Sudbury Primary School for the Wembley area and Tree Tops nursery for the Willesden area;
- (vii) that approval in principle be given to the development of a combined Children's Centre and Primary Care Centre on the site of Queens Park Community School and to officers undertaking further work in order to confirm this option is deliverable as a phase 2 centre;
- (viii) that pending detailed cost estimates (subject to DfES Sure Start Unit approval) approval be given to receive a report with proposals to reduce the number of Children's Centres delivered to a number below 7 that can be afforded within the capital budget should either

the available Sure Start capital funding be insufficient or additional capital cannot be made available;

- (ix) that approval be given to the submission of future reports seeking further commitment of capital resources from the Children's Centre capital allocation for all projects except Wembley and Fryent Primary Schools.

**19. Date of Next Meeting**

It was noted that the next meeting would take place on Wednesday 23<sup>rd</sup> August 2006.

The meeting ended at 9.10 pm.

P LORBER  
Chair