

Meeting of the Executive
Monday 12th March 2007 at 7.00 pm

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

Councillors Arnold, Dunwell, Fox, Hashmi, Malik, Mistry and Thomas also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

Councillor O'Sullivan declared a personal interest as a member of Fortunegate Community Association and Willow Housing Board.

2. Minutes of Previous Meetings

RESOLVED:-

- (i) that the minutes of the previous meeting held on 12th February 2007 be approved as an accurate record;
- (ii) that the minutes of the meeting held on 15th January 2007 relating to Clause 14 – Options for Older People be amended with the addition of clauses (ii) – (v) as indicated in the report from the Director of Housing and Community Care.

3. Order of business

The Executive agreed to change the order of business to take the PCT report first followed by reports for which there were members of the public present.

4. Brent PCT Turnaround Plan Task Group – update

The report from the Director of Policy and Regeneration provided an update on the work of the Health Select Committee's (Overview and Scrutiny) Brent PCT Turnaround Task Group. Attached to the report was a position paper agreed by the Task Group which outlined key findings and recommendations. The Leader of the Council, Councillor Lorber, in introducing the report, gave an update on continuing discussions over the PCT budget cuts and the implications for the Council. A meeting scheduled to take place with the Junior Minister of Health, Lord Hunt, had twice been postponed however a meeting had taken place with Brent PCT, representatives from the Strategic Health Authority and Lord Hunt's representative. The Council's view that the PCT cuts were both unacceptable and unachievable was reiterated however the PCT representatives had indicated that the budget cuts programme would continue and that further costs would be transferred to the Council. This was estimated to be £2-3m in the current year and £8-10m for long term continuing care in the next financial year. This, Councillor Lorber said, would wipe out the Council's reserves and budget cuts would have to be considered. The PCT had been assured that the Council would defend its position, that of local residents and the voluntary sector.

Councillor Clues, Chair of the Task Group, outlined the history to the budget position pointing out that prior to the cross-party task Group being established, in the middle of last year, the PCT had indicated a need to 'top slice' their budget however, by November 2006 the size of their budget deficit had become apparent. He stated that the situation remained fluid however the PCT now had until 2008 to find £53m. The Task Group had concentrated on two main issues: the shunting of health cases into social care and secondly the impact on Brent residents. Councillor Clues referred to the lack of consultation particularly as the Turnaround Plan had initially been published in private. Five meetings had taken place with the PCT at which the Trust had resisted changes and now cuts were beginning to take effect. Additionally, neither health nor equalities impact assessments had been conducted beforehand and it was noted that Sarah Teather MP had lodged a complaint with the Commission for Racial Equality regarding the latter especially given the disproportionate impact on BME groups. There was no budget provision to meet the cost of social care transfers and while the PCT had originally offered funding for a post working to accelerate the transfer, funding for this post was now in doubt. Councillor Clues referred the Executive to the Task Group's recommendations.

Councillor Lorber commended Councillor Clues and the Scrutiny Panel for their work adding that the PCT had accepted that they had suffered a governance breakdown. He added that the PCT's auditors had been asked for an explanation as to how their accounts could have been approved. Councillor Clues in turned paid tribute to the voluntary and community organisations that had cooperated fully in the process, in particular the brave individuals who had given personal accounts of their social care experiences. Councillor Blackman (Deputy Leader) recommended that the Executive note and endorse the recommendations of the Task Group which was agreed.

RESOLVED:-

- (i) that the interim findings of the Brent tPCT Turnaround Plan Task Group and its initial recommendations be endorsed;
- (ii) that officers look into the feasibility of undertaking a Health Impact Assessment (HIA) through an independent body, including financial and logistical aspects and the feasibility of holding some form of public hearing;
- (iii) that the intention to establish a Task Group investigation into NHS finances as part of the revised work programme of the Health Select Committee be acknowledged.

5. **Petition - Carlyon Print and RLSB Options**

Mr Brattesani (Unison) addressed the meeting on behalf of petitioners against the proposal to close Carlyon Print and asked the Council to commit to supporting more people with disabilities in employment. He referred to difficulties disabled people had getting and keeping jobs given that both employers and employees were not always sympathetic. He felt that the

workshop would have had a better chance of success had a marketing manager been appointed. Mr Brattesani also felt that the suggestion in the 2006 report from the consultants Peter Fletcher Associates (PFA) that the employees should seek open employment was unrealistic as they could not compete with non-disabled people. He stated that the employees had varying levels of need and this had not been reflected in the report. Mr Brattesani stated that the proposed closure was destructive, uncivilised and would be equivalent to imposing a handicap on disability.

6. **Carlyon Print and RLSB Options**

The report from the Director of Housing and Community Care outlined the issues concerning the viability of Carlyon Print, a Council run print and hand finishing business, which was a 'sheltered workshop'. It described the background to the development of the Carlyon operation, the partnership with Shaw Trust, and the issues facing the business based on an analysis from an independent consultant, Peter Fletcher Associates (PFA). It gave the background to the Workstep contract with Jobcentre Plus and the Department of Work and Pensions. The report also outlined the issues concerning the sponsorship funding of 9 employees of the Royal London Society for the Blind and the Workstep contract for the RLSB employees. 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 person holding that information).

The Assistant Director (Community Care), Christabel Shawcross responded to the petition presented earlier in the meeting and stated that, in coming to their conclusions, officers had been mindful of staff at Carlyon Print and their relatives. She set out the background to the workshop established at a time when it was very difficult for people with disabilities to get employment and drew attention to the funding difficulties faced by the workshop given the uncertainty of Workstep's funding following a national review, the workshop's difficulty in meeting income targets and the failure of the business to become a self managing social enterprise attempted since 2001 with the assistance of the Shaw Trust. The Council also sponsored up to nine places at the RLSB (Royal London Society for the Blind) factory, with part funding from money received under the Workstep contract and the RLSB have agreed to a gradual reduction in grant from the Council until April 2011.

Christabel Shawcross outlined the options for the future of the Carlyon business that had been considered by the independent consultants PFA commissioned in 2005 in response to the Shaw Trust's position that they could not help to further develop the business nor bring in additional income. These included maintaining the status quo, becoming a social enterprise, transfer to the Council's Print Shop and closure with the creation of supernumerary posts. None of these options were seen as viable given the subsidy of a loss making business, past experience and potential conflict with existing HR and corporate practice. The final option was for closure

and for the staff to be subject to a managing change programme, with the opportunity for redeployment or redundancy. The Assistant Director accepted the role of the workshop in providing social support for employees and facilitating friendship groups. She assured that staff eligible for community care assessment would be offered support and that friendship groups would be maintained. However, having assessed the financial situation the workshop was still running at a financial loss and closure was being recommended subject to care needs being met, the release from the Shaw Trust and the tapering of funding to the RLSB. The savings from the closure would be set against the cost of redundancy and the Director of Finance and Corporate Resources was investigating whether enhanced payments could be made.

In discussion, members of the Executive and backbench councillors questioned the degree to which Carlyon could have been successful under social services given their limited experience, the timescales for a decision on the Workstep's grant, scope for the transfer of Carlyon Print assets and the establishment of an arms length company and the income projection and likely financial outcomes in the future. In response it was noted that central Government had indicated that Workstep contracts had now been extended to March 2008, however, there was potential for a funding gap as money may go to another provider. It was noted that the aim of the funding was to provide training to allow employees to move to other employment however none of the Carlyon Print or RLSB employees had wished to do so. The Assistant Director also advised that the option of Carlyon being set up as an arms length organisation had been explored and considered not to be viable and also outside the Council's remit. The Assistant Director confirmed that she would be pleased to discuss further markets for the RLSB business, with the RLSB.

Councillor Van Colle felt that Carlyon Print had operated like a day centre with income and was disappointed with their financial position. The Council was unable to subsidise particularly given the financial pressures currently faced. He accepted the logic behind the recommendations in the report however indicated that he would abstain from voting. In response to a question from the Lead Member (Adults and Social Care) the Director of Finance confirmed that the 2006/7 estimated expenditure and income outlined in the report which indicated a total variance of £132,000 compared with the budgeted subsidy of £269k, did not take into account rent, interest or depreciation of assets. Costs would further increase in the future as new equipment was required and sales income declined. Additionally, the Director confirmed that pensions and redundancy payments to staff could also be at risk if an alternative business option was pursued and staff transferred to a new enterprise. Members agreed that advice on benefits training should also be provided.

Councillor Lorber moved the recommendations in the report from the Director of Housing and Community Care which were agreed.

RESOLVED:-

- (i) that agreement be given to the closure of Carlyon Print subject to the Director of Housing and Community Care being satisfied that the employees' assessed care needs will be met;
- (ii) that agreement in principle be given to release the Shaw Trust from the partnership agreement with the Council subject to the Director of Housing and Community Care being satisfied in accordance with paragraph (i) above that the closure of Carlyon Print should proceed;
- (iii) that approval be given to the tapering of funding for RLSB sponsorship as set out in the report with funding to end after the final payment in April 2010;
- (iv) that benefits advice and training be provided to help Carlyon employees.

7. Petition – Town Centre Wardens

Mr Ashley Cumberbatch addressed the Executive on behalf of petitioners wishing for the continuance of the Council's Town Centre Warden Service. He referred to the value of the service as one in which those members of the public who were disaffected with the police, were more likely to confide. This role was particularly valuable given increase in gang culture and gun crime. Mr Cumberbatch queried the rationale behind the proposals and stated that the plan to move from town centre wardens to police community support officers was more costly and would result in a loss of control as PCSOs could be redeployed to work outside the borough. He felt that town centre wardens were a reassuring presence and promoted social inclusion, community spirit and pride. They also helped the fight against anti-social behaviour. Mr Cumberbatch referred to the recent tornado that had passed through Kensal Rise in November 2006 where the town centre wardens had been among the first on the scene able to assist with the elderly and vulnerable. The service also maintained links with young people and visited schools. Mr Cumberbatch also made reference to the aims in the Corporate Strategy and the negative effect of gun culture. He also pointed out that the warden service had been disadvantaged by not having a line manager in post since August 2006 and that as PCSOs staff would have poorer terms and conditions of service with less opportunity for career progression. Mr Cumberbatch urged the Executive to look beyond potential financial savings, to remember past promises and not to dismantle a service which helped prevent crime and protect the people of Brent.

8. Deputation – Future provision of Reassurance and Town Centre Warden Services in the Borough

Mr Monaghan, representing residents in Willesden, addressed the meeting, against the continuation of the town centre warden service. He stated that residents he had spoken to were not convinced of the value of a warden service, of their contribution particularly towards elderly people or of lines of responsibility. He questioned their hours of work and attire and felt that

there was more need for staff to be on duty late at night when the fear of crime was highest. Mr Monaghan felt the service needed to be restructured and submitted a petition the terms of which the Chair read out to the meeting.

9. Future provision of Reassurance and Town Centre Warden Services in the Borough

Councillor D Brown (Lead Member, Highways and Transportation) introduced the joint report from the Director of Environment and Culture and the Director of Policy and Regeneration and responded to the petition and deputation received earlier in the meeting. He outlined the terms of the proposal which was to replace the Borough's existing 17 posts in the Town Centre Warden Service with 16 Police Community Support Officer (PCSO) posts that would be in addition to the existing Safer Neighbourhood Teams established by the Mayor of London. Councillor Brown felt that the warden service was not taken seriously by the community and there was a greater need for a police presence. He added that enviro-crime would be dealt with by officers within the Environment and Culture service area.

Richard Saunders (Director of Environment and Culture) acknowledged that town centre wardens did not work in the evenings and that PCSOs were in a better position to fulfil this role, especially as they would have access to back-up support if required. He added that while the town centre wardens currently covered four wards, the PCSOs would cover the whole borough. While the PCSOs would work under direction from the metropolitan police discussions were underway on how the Council could have an input. In response to a question, Councillor D Brown responded that he felt that the presence of uniformed officers would help reduce levels of gun crime. Richard Saunders confirmed that the 16 PCSOs would be an additional service to complement the safer neighbourhoods teams recruitment for which was currently underway.

The Executive agreed the recommendations in the report.

RESOLVED:-

- (i) that the responses to the consultation with the current Town Centre Warden Service employees and trade unions be noted;
- (ii) that the arguments for and against the proposal to replace the Town Centre Warden Service with additional Police Community Support Officers, as set out in report from the Director of Environment and Culture be noted;
- (iii) that approval be given to the proposal to end Town Centre Warden provision and fund the equivalent number of PCSOs under an agreement with the Metropolitan Police Service (MPS), thus deploying an additional 16 PCSO posts.

10. **Petition – land to the rear of Vivian Avenue; Local Development Framework Site Specific Allocations - Preferred Options**

Dr Patel addressed the Executive on behalf of petitioners in the Tokyngton area who were requesting that land to the land to the rear of Vivian Avenue, Wembley be retained as green space with sports facilities. He referred to a planning application submitted by the current owners in September 2006, for a sheltered housing scheme but pointed out that it was the wish of the donor of the land that it not be built on. Dr Patel said that the land should remain as open space and that the community would work with the owners to restore the land and renovate the social club as a means of promoting social cohesion. He put forward the benefits of maintaining allotments as a means of activity and healthy eating especially for young people. Also some bird species in the area were on the RSPB's red list and in need of urgent conservation action. Dr Patel felt that the Council had a responsibility to protect the environment and increase quality of life. He urged the Executive to designate the area as open space, for the benefit of all age groups.

11. **Local Development Framework Site Specific Allocations - Preferred Options**

Councillor Van Colle (Lead Member, Environment, Planning and Culture) presented the report which set out a draft set of Site Specific Allocations that constituted an important document of the new Local Development Framework (LDF). The preferred options for the Site Specific Allocations have been drawn up after a round of public consultation on 'Issues and Options' in Autumn/Winter 2005, and have been subject to Sustainability Appraisal. Also, circulated at the meeting was a supplementary report which responded to the petition presented earlier and which recommended a further site specific allocation for the Vivian Avenue site based on option 4 in the supplementary report, which provided as much open space/sports use as possible while providing a funding route.

Councillor Van Colle advised that the Vivian Avenue site had not been included as a SSA as it had not been part of the 2004 Unitary Development Plan and added that any proposed future development should be minor. The Director of Environment and Culture referred to one of the decisions of the Planning Committee in relation to the SSA and the Pupil Referral Unit which required clarification. The Executive agreed that for the purposes of consultation to proceed with the SSA document as printed.

Councillor Blackman enquired as to the status of the revised SSA in relation to the appeal against the decision not to award planning permission. The Executive were advised that the revisions would eventually give more weight to the Council's case.

RESOLVED:

- (i) that the views of the Planning Committee held on 31st January 2007 be noted and approval given to the changes recommended by Planning Committee as set out in paragraphs 3.26 to 3.39 of the report from the Director of Environment and Culture except in

relation to allocation number 42, Kingsbury Library and Community Centre (see paragraph 3.29);

- (ii) that approval be given to the Site Specific Allocations (preferred options) for six weeks public consultation;
- (iii) that authority be delegated to the Director of Planning to make minor changes to the SSA;
- (iv) that approval be given to a further Site Specific Allocation for the Vivian Avenue site based on option 4 set out in the supplementary report; and
- (v) that the final wording of the SSA be delegated to the Head of Planning in consultation with the Borough Solicitor.

12. Reference of items called in for Scrutiny

Two reports, considered at the February 2007 meeting, were called in for scrutiny by the Forward Plan Select Committee on 27th February 2007, namely the Meals Service and the Future of Customer Contact. Councillor Lorber reminded the meeting that there had been full discussion on both of these items at the Select Committee, an extract from the minutes of which had also been circulated, and as such the number of speakers would be restricted.

Meals Service

A supplementary report was circulated in advance of the meeting which responded to issues raised by the Select Committee and provided advice concerning the possibility of including the use by the contractor of the Council's drivers as an option in the tendering process and the possibility of an in-house bid.

The Executive were advised of the issues considered by the Select Committee in particular how to ensure that food was served at the correct temperature, the separation of kosher and vegetarian foods, procedures for food handling and reporting non-deliveries. It was noted that the use of Brent Transport Staff to deliver meals was potentially problematic, unlikely to be accepted by tenderers and its consideration would introduce further delay reducing half year savings. There was also the possibility of disrupting the school run arrangements.

Councillor Wharton (Lead Member, Children and Families) referred to the difficulties that would ensue if drivers were put on short hours, resulting in a recharge to social services and education services. He stated that it was not unusual for some facilities of an in-house service to be offered to new contractors and supported this option. The Assistant Director, Community Care, pointed out that there was a need to go to tender to meet the greater requirements of black and minority ethnic groups that could not be catered for under the existing service and assured that the tender would meet high quality requirements.

The Executive noted advice that while legal powers would allow use of BTS drivers for the cook on route service, it would be a complex operational decision. The Executive agreed the proposal put forward by Councillor Wharton that the option of including BTS drivers in the tender continue to be explored and that the matter be brought to conclusion as quickly as possible.

RESOLVED:-

- (i) that the observations of the Forward Plan Select Committee held on 27th February 2007 be noted;
- (ii) that Clauses (i) to (iv) of the decisions taken at the previous meeting of this Executive held on 12th February 2007 be reaffirmed;
- (iii) that it be noted that the Director of Children and Families, in consultation with the Director of Housing and Community Care, would decide in accordance with his general delegated powers whether or not to submit an in-house bid;
- (iv) that it be re-affirmed that officers should explore the possibility of saving money through making the Council's drivers available to any new contractor for the cook on route service;
- (v) that this matter be brought to a final conclusion as quickly as possible.

The Future of Customer Contact

The Executive had before them an extract from the minutes of the Forward Plan Select Committee held on 27th February which had considered the report from the Director of Housing and Community Care following its call-in for scrutiny. Ward councillors present for the Kingsbury and Kilburn One Stop Shops raised questions on information they claimed had not been available to the February Executive and questioned the lack of consultation, the gap in service provision and, in respect of Kilburn, the extent of negotiations with partner agencies for new premises. *A school student* present at the meeting spoke against the relocation of the library in Kingsbury from Stag Lane and reminded the Executive of stated intentions to improve education. She asked that consideration be given to children who have little access to libraries and use facilities after school.

Councillor Allie (Lead Member, Housing and Customer Care) responded that there had been a full discussion at the Select Committee and proposed a motion which endorsed the decision made by February Executive and outlined arrangements for the future development of customer contact. He assured that residents would be consulted on arrangements for new premises and the outcome of the pilot project would be fed back. Councillor Allie also referred to the Welfare Take Up Service and that the previous Administration's decision to reduce its staffing from full time to part time. He announced that his motion also proposed a review of advice services. Councillor Van Colle (Lead Member, Environment, Planning and Culture) responded to the issues raised at the Forward Plan Select Committee and

advised that the current proposals for Kingsbury Library were different from previous plans in that with a smaller Customer Contact Point, there could now be a larger library facility. He apologised for the earlier lack of consultation but emphasised there would be full consultation on the new service. Members endorsed his wish for the library to be a success.

The motion in the name of Councillor Allie was agreed.

RESOLVED:-

- (i) that this Executive notes the recommendations from the Forward Plan Select Committee held on 27th February 2007 but resolves to proceed with:
 - a modern library and customer contact point at the existing Kingsbury One Stop Service premises
 - the closure of Kilburn One Stop Local Office;
- (ii) that this Executive notes that the Council will work in partnership with the Tricycle Theatre to provide a Kilburn local appointment service from mid May 2007;
- (iii) that officers consult residents and customers on the arrangement of services to be provided at the new premises including the provision of pay and display bays and parking arrangements for people with disabilities;
- (iv) that officers review the new customer contact arrangements and report any recommended changes in early 2008;
- (v) that it be noted that the call in procedure has delayed implementation of the scheme and officers are therefore instructed to proceed using the revised dates below.

Additionally, that this Executive resolves to:

- (vi) agree the main principles for the strategy for customer contact with the Council as set out in the report from the Director of Housing and Community Care;
- (vii) agree to the replacement of Kingsbury Library in Stag Lane and the One Stop Local Office in Kingsbury with a modern Library and Customer Contact Point in the Kingsbury One Stop Service premises;
- (viii) note that the Kingsbury Local Office will close from mid April 2007 until the new Library and Customer Contact Point opens in Autumn 2007;
- (ix) agree to the closure of Kilburn One Stop Local Office in mid April 2007;

- (x) that it be noted that full Council on 5th March 2007 approved a 'spend to save' investment of £649,000 during 2007/08 and £347,000 during 2008/09 to fund this strategy;
- (xi) that officers proceed with the cessation of the One Stop Service Welfare Benefits Take Up at the end of March 2007;
- (xii) that officers review existing Welfare Benefits take up advice arrangements and report any recommended changes back to members in the summer of 2007.

13. Section 31 Partnership Agreement – Brent Mental Health Service – One Year Extension

This report recommended a one-year extension to the current partnership arrangement between the Council and Central and North West London Mental Health NHS Trust (CNWL), which would expire on 31st March 2007, and the establishment of a Steering Group with CNWL to review the options for further integration using Section 75 flexibilities. It also sought agreement to consider options to use S75 flexibilities for older people's mental health services. Both groups would report back by March 2008.

RESOLVED:

- (i) that approval be given to a one year extension of the partnership until 31st March 2008;
- (ii) that approval be given to a fundamental review of the partnership arrangements with CNWL through the establishment of a Steering Group with a view to developing further integration through Section 75 flexibilities;
- (iii) that the Director of Housing and Community Care set up a joint steering group with CNWL to consider options for use of S75 flexibilities for older people with mental health needs and to report back by March 2008.

14. Homelessness Strategy Update

This report provided an update on progress against the Council's five year Homelessness Strategy (2003-08), including an action plan for delivery of the strategy for 2007/8. The Executive was pleased to note that preventative measures outlined in the report had brought success.

RESOLVED:

- (i) that the strategy review and progress on delivering the strategy to date, at Appendix A to the report from the Director of Housing and Community Care, be noted;
- (ii) that approval be given to the Homelessness Action Plan for 2007/8, at Appendix B to the Director's report;

- (iii) that authority be delegated to the Director of Housing and Community Care, to make any minor amendments to the Homelessness Review and the Action Plan referred to above.

15. New Supporting People Contracts for Floating Housing Support for Single Homeless People

The report from the Director of Housing and Community Care set out the background to a West London boroughs joint tendering project for a framework agreement for floating support services for single homeless people, funded through the Department of Communities and Local Government (DCLG) Supporting People Value Improvement Project (VIP). It sought approval to participate in the collaborative procurement with other West London boroughs. The report also sought authority to award the necessary agreements to access the Framework Agreement and the authority to award call-off contracts following a mini-tender using the nine providers being appointed to this Framework Agreement.

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 person holding that information).

RESOLVED:

- (i) that the Collaborative Procurement of multi-supplier framework agreements for the provision of floating support to single homeless people with Hammersmith and Fulham as lead borough be authorised and that this procurement comply with the lead borough's standing orders and financial regulations, instead of those of Brent;
- (ii) that authority be given to enter into access agreements with the nine organisations selected by the boroughs participating in the collaborative procurement (and listed in paragraph 6.10 of the report) so that Brent can participate in the four-year Framework Agreement (which sets out the hourly rates submitted and outline specification);
- (iii) that the process, pre-tender considerations and the criteria to be used to evaluate mini-tenders to be sought from the nine framework agreement providers for the provision of a single homeless floating support service in Brent as set out in sections 7 and 8 of the report, be noted;
- (iv) that authority be delegated to the Director of Housing and Community Care to award one or more specific contracts following the mini-tendering process referred to in the previous recommendation, such contracts to run until the expiry of the 4-year Framework agreement in 2011.

16. Authority to invite tenders for the new-build post 16 building at Grove Park and Hay Lane Special Schools

The Lead Member, Children and Families, Councillor Wharton, introduced this report which concerned the procurement of a design and build contract for a new building for 16-19 year old special needs students at Grove Park and Hay Lane Special schools. It requested approval of the procurement process undertaken to date and sought authority to continue with the tender process outlined. Councillor Wharton added that the new unit would provide for up to 50 additional pupils and confirmed that it was designed to accommodate for those whose needs were currently not catered for.

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 person holding that information).

RESOLVED:

- (i) that the procurement process undertaken to date in respect of the design and build contract for the new building for special needs students at Grove Park and Hay Lane Special Schools be noted and approval given for the process to continue;
- (ii) that approval be given to the pre-tender considerations and the evaluation criteria as set out in paragraphs 3.11 and 3.13 of the report from the Director of Children and Families;
- (iii) that approval be given to invite tenders and evaluate them in accordance with the approved evaluation criteria, as referred to in paragraph (ii) above.

17. Local Development Framework – Joint Waste Development Plan Document

This report presented a draft Memorandum of Understanding (MOU) and sought authority to sign it. The MOU will commit the Council to joint working with other West London Boroughs (Harrow, Hillingdon, Richmond, Hounslow and Ealing) on the preparation of a Development Plan Document for Waste.

RESOLVED:

to recommend to Full Council:

- (i) that the Memorandum of Understanding (appended to the report from the Director of Environment and Culture) be signed on behalf of the Council;

- (ii) that any further minor alterations to the Memorandum of Understanding be agreed by the Borough Solicitor before it is signed.

18. Draft S106 Planning Obligations SPD (Standard Charging)

This report outlined the proposed new Supplementary Planning Document (SPD) on Planning Obligations, which included the introduction of a standard charge, and highlighted the key implications for Brent's planning service and the wider Council.

RESOLVED:

that the proposal to consult on the Planning Obligations SPD in the April and May 2007 be agreed.

19. The Fouling of Land by Dogs (Land Specified in the London Borough of Brent) Order 2007

The report from the Director of Environment and Culture outlined the provisions of The Clean Neighbourhoods and Environment Act 2005 (CNEA) which gave Local Authorities additional powers to deal with offences relating to dogs and their control. A new Dog Control Order under the Act would replace the existing one under the Dog Fouling of Land Act 1996. The Lead Member, Councillor Van Colle reminded that a report on the issue of dangerous dogs remained outstanding.

RESOLVED:-

- (i) that the Council approve the making of The Fouling of Land by Dogs (Land Specified in the London Borough of Brent) Order 2007 with a commencement date of 1st May 2007;
- (ii) that it be noted that The London Borough of Brent Dogs (Fouling of Land) Order 1998 will cease to apply after the coming into force of the 2007 Order on 1 May 2007 (pursuant to Regulation 4(2)(a) of the CNEA (Commencement No1, Transitional and Savings Provisions)(England) Order 2006);
- (iii) that it be noted that section 8 of the Bye-Laws for the Good Rule and Government in the London Borough of Brent 1977 shall cease to have effect on the 2007 Order being made (pursuant to s64(3) of the CNEA);
- (iv) that approval be given to a level of £75 for Fixed Penalty Notices issued under the new Order with a reduction to £50 for prompt payment.

20. Environment & Culture Capital Spend 2007/8: Highway Major Works Programme

This report 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, new street signage, gulley maintenance, the maintenance of road channels and footway boundaries to facilitate street cleaning. The Executive also was asked to approve the sum of £3,500k for the 2007/8 capital works programme.

RESOLVED:

- (i) that approval be given to utilise the main highways capital programme of £3,500k as follows:

	% budget	amount (£)
▪ Major footway upgrade	31.4	1,100k
▪ Major carriageway resurfacing of non-principal unclassified (borough road) network (BVPI 224b)	34.3	1,200k
▪ Major carriageway resurfacing of non-principal classified (B & C road) network (BVPI 224a)	15.7	550k
▪ Improvement to grass verges and accessibility	2.9	100k
▪ Renewal of marginal highway land	2.9	100k
▪ New street signs	4.8	170k
▪ Gulley replacement/maintenance	2.9	100k
▪ Concrete roads	2.9	100k
▪ Maintenance of road channels and footway boundaries to facilitate street cleaning	2.2	80k

- (ii) that authority be delegated to the Director of Environment and Culture to apportion on the basis of the results of the SCANNER survey commissioned by TfL, which are due in May 2007, £550k of capital funding to the resurfacing of the borough's non-principal classified (B & C) road network;

- (iii) that approval be given to the use of the revenue budget allocation of £296k;

- (iv) that approval be given to the schemes and reserve schemes, as listed in Appendices 1 – 4 of the report from the Director of Environment and Culture.

21. Brent's Economic Development Plan 2007-09

Brent has a well established and highly regarded 20 year regeneration strategy covering the period until 2021. Supporting the delivery of this strategy is a series of Action Plans, the most recent covering 2007-09. A key action within the latest plan is to produce an Economic Development Plan to set out Brent's role in the London economy and establish clear areas for public sector intervention within the local economy. It is the first time in the lifetime of the strategy that such a Plan has been produced. This report presents the new draft 'Economic Development Plan' covering the period

2007 to 2009. The plan sets a clear and focussed work programme for economic development in Brent under four themes. The report is being presented to Brent's Executive for final approval.

RESOLVED:

- (i) that approval be given to the 'Economic Development Plan 2007-2009';
- (ii) that responsibility be delegated to the Director of Policy and Regeneration to make any necessary minor changes to the plan prior to publication.

22. LAA Quarterly Performance Review, 2006/07 Quarter Three

This report introduced the third performance report for the Local Area Agreement in 2006/07. The LAA Quarterly Performance Review provided an overall summary of performance against the LAA including the stretch targets for the period October to December 2006. The Director of Policy and Regeneration was confident that the Council would meet stretch targets although had some concerns for those relating to health given the current situation regarding PCT funding. The situation would be kept under review.

RESOLVED:

that the Council's performance against key performance indicators be noted.

23. Vital Signs Performance Digest Quarter Three October to December 2006

The Director of Policy and Regeneration introduced the Vital Signs report for the period October to December 2006 (quarter three). It was noted that monitoring of the Council's performance against key indicators would continue under the high level review process.

RESOLVED:

that that the Council's performance against key performance indicators be noted.

24. Best Value Performance Indicators A Comparison of Brent's Performance 2005 – 2006

The report from the Director of Policy provided detailed information on these results for the data set of Best Value performance indicators for the year 2005/06. The Director added that as the Council's performance continued to improve, efforts would have to be concentrated on particular indicators to improve overall outcomes.

RESOLVED:

that the Council's performance against the national Best Value set of performance indicators be noted.

25. Exclusion of Press and Public

RESOLVED:-

that the press and public be now excluded from the meeting as the following items contain information which is not for publication as it contains 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 person holding that information).

26. Retention or Disposal of Granville New Homes

The report set from the Director of Housing and Community Care explained the current position on the Granville New Homes (the New Development) contract. It provides an update on the total development costs and it considers the options for long term ownership of the development. The Assistant Director, Maggie Rafalowicz, explained the reasons why it was necessary for decisions to be made now on the funding and ownership and outlined the options available. In respect of the recommended option of disposal there remained a funding gap and the Assistant Director set out how this could be bridged through property sales.

A question was raised regarding the views of residents regarding the transfer to Hyde Housing Association and the degree to which alternate options were fully considered. Maggie Rafalowicz reminded that residents had originally selected Hyde Housing Association as the preferred delivery partner for the regeneration of South Kilburn. The Lead Member, Councillor Allie, welcomed the transformation of the development.

RESOLVED:-

- (i) that the content of this report in particular the options and financial implications be noted;
- (ii) that agreement be given to the increase in the development budget as proposed in para 4.6 of the report from the Director of Housing and Community Care;
- (iii) that approval be given to the disposal of Granville New Homes to the Council's preferred delivery partner for South Kilburn – Hyde Housing Association, as indicated at Option 2 in the Director's report;
- (iv) that authority be delegated to the Director of Housing and Community Care to negotiate the terms of the disposal with Hyde Housing Association;

- (vi) that the funding gap as set out in the report be noted together with the options to close the gap as indicated in paragraph 5.8.7 of the Director's report;
- (vii) that the Director of Finance and Corporate Resources be authorised to procure an interim loan in the event that negotiations in (iv) are not concluded by May 2007 to enable the development to be continued.

27. St. Joseph's Close, Bevington/Portobello Road W10 - Change of Landlord and Tenancies status at lease end dates

St. Joseph's Close was a 75 unit scheme owned by Paddington Churches Housing Association (now PCHA) in the Royal Borough of Kensington & Chelsea. The scheme was a new-build estate in Bevington/Portobello Road, funded by PCHA through the use of a 25 year index-linked mortgage that does not end until 2012. The estate was leased for twenty years to Brent and Camden Councils as a joint initiative for use as Council accommodation. It has been used to provide secure Council tenancies for the past 20 years. The lease for this contract is due to come to an end on 28th April 2007. The report explored the implications of the lease coming to an end. The Assistant Director referred to the options that had been considered and the reasons why Option 5 in the report was being recommended.

RESOLVED:-

- (i) that it be noted that the lease of St Joseph's Close is coming to an end on 28th April 2008;
- (ii) that the Director of Housing and Community Care be authorised to negotiate an agreement with PCHA and, if necessary, with the London Borough of Camden and to ensure the continued use of the scheme for social housing on the basis set out in paragraph 3.10.8 of the Director's report;
- (iii) that it be noted that in the event an agreement as authorised under (ii) above cannot be reached, a further report would be brought to the Executive concerning the future of this scheme;
- (iv) that it be noted that the current secure tenancies for the tenants in St. Joseph's Close will come to an end at the lease end on 28th April 2007 and that it is currently expected that PCHA would offer assured tenancies to these tenants to commence at that time.

28. Pyramid House, Fourth Way, Wembley -Lease Renewal

This report sought the Executive's approval to renew the Council's lease of Pyramid House and the adjoining land upon the heads of terms agreed and set out in paragraph 3.5 of the report from the Director of Environment and Culture.

RESOLVED:-

- (i) that approval be given to the heads of terms agreed with the landlord for a new lease of the property for 3 years from 5 March 2007.
- (ii) that the Head of Property and Asset Management be authorised to agree all such other terms as are considered to be in the best interest of the Council.

29. The Mead, Oxhey, Herts - open market disposal

This report sought the Executive's approval for the Head of Property and Asset Management to arrange for the open market disposal of the above property, previously utilised as the cemetery caretaker's dwelling house, now surplus to operational requirements.

RESOLVED:

that approval be given to the open market disposal of 3 The Mead, Oxhey, Herts by the Head of Property and Asset Management for a capital receipt.

The meeting ended at 10.15pm.

P Lorber
Chair

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