

Meeting of the Executive
Monday 29th May 2007 at 7.00 pm

PRESENT: Councillor Lorber (Chair) and Councillors Allie, D Brown, Clues, Colwill, Matthews, Van Colle and Wharton.

Councillors Beswick, Butt and Dunwell also attended the meeting.

Apologies for absence were submitted on behalf of Councillors Blackman and O'Sullivan.

1. Declarations of personal and prejudicial interests

Councillor Clues declared a personal interest in the item relating to the Church End Redevelopment as Vicar of St Mary's Church, Neasden and Chair of Governors at St Mary's C of E Primary School, would leave the room and not take part in the discussion. Councillor Van Colle declared a personal interest in the Chalkhill Redevelopment report as a Council representative on the Chalkhill Joint Development Board.

2. Minutes of previous meeting

RESOLVED:

that the minutes of the previous meetings held on 16th April and 5th May 2007 be approved as accurate records.

3. Matters Arising

Councillor Lorber on behalf of the Executive thanked and paid tribute to the work of Councillors V Brown and Castle, former members of the Executive and welcomed Councillors Clues and Matthews to their first meetings as new holders of the Human Resources & Diversity, Local Democracy & Consultation and the Crime Prevention & Public Safety portfolios respectively.

4. Order of Business

The Executive agreed to consider early in the meeting the reports relating to the Local Development Framework and the Church Road Development and to consider the Chalkhill Redevelopment report at the end of the meeting.

5. Local Development Framework – Development Policies Preferred Options and Site Specific Allocations

This report from the Director of Environment and Culture presented the proposed draft Development Policies Preferred Options document for consideration as part of Brent's new LDF. The Lead Member for Environment, Planning and Culture, Councillor Van Colle, reminded the Executive that the document would ultimately replace much of the UDP and drew members' attention to the recommendations made by the Planning Committee on 9th May 2007 and officer comments on these, as included in the report. Additional minor amendments would be made by the Director of

Environment and Culture and following which the document would go out for consultation.

RESOLVED:-

- (i) that the draft Development Policies Preferred Options and the additional Site Specific Allocations be agreed for public consultation commencing on 18th June 2007 and ending on July 30th;
- (ii) that in light of the Planning Committee's comments on Development Policies and further Site Specific Allocations, agreement be given to amend the parking standards as set out in paragraphs 3.41 - 3.43 of the report from the Director of Environment and Culture, to the other changes as set out in paragraphs 3.44 – 3.52 and to support the affordable housing threshold of 10 units;
- (iii) that the Director of Environment and Culture be authorised to make changes to the document as indicated in the recommendations on the Sustainability Appraisal set out in Appendix 3 as well as further minor, non-material changes as necessary.

6. Results of Public Consultation for New Park at Church End

Following the consultation undertaken in October 2006 on the regeneration and transportation proposals for the wider Church End area, the Council undertook further consultation on the proposals to create a new park and a new Multi Use Games Area (MUGA) on part of the former cemetery land at Willesden Old Cemetery (also known as St Mary's Cemetery), which would be paid for from part of the proceeds of the housing development on Mayo Road open space, for the park and, in the main, a Big Lottery Fund (BLF) award for the MUGA. In response to questioning, it was confirmed that responses from the public to the consultation were low key, with no significant objections being raised.

RESOLVED:-

- (i) that the proposals to create a new park and Multi Use Games Area in Church End as set out in paragraphs 3.9 to 3.15 of the report from the Director of Environment and Culture, as previously approved by the Executive on 13th November 2006, be confirmed, subject to the outcome of consultation currently being carried out by Cemeteries and Mortuaries;
- (ii) that approval be given to the creation of a passive recreation/wildlife area to be used by St Mary's C of E School as detailed in the report from the Director of Environment and Culture.

(Councillor Clues declared a personal interest in the above item and left the meeting, taking no part in the discussion thereon).

7. **Appointments to Committees for 2007/8**

The Executive has the responsibility to make appointments to the Highways Committee and to certain London Councils Committees (formerly the ALG).

RESOLVED:-

that approval be given to the following appointments:

London Housing Unit Committee (Sectoral Joint Committee)

ALLIE Motley (Deputy)

London Councils Grants Committee (Associated Joint Committee)

COLWILL O'Sullivan (Deputy)
Blackman (Deputy)
Van Colle (Deputy)

London Housing Unit Executive

ALLIE Motley(Deputy)

Highways Committee

Member	1 st Alternate	2 nd Alternate
D BROWN	Lorber	Allie
MATTHEWS	Clues	Lorber
WHARTON	Allie	Clues
COLWILL	Blackman	O'Sullivan
VAN COLLE	O'Sullivan	Blackman

8. **Supporting People Commissioning Framework and Procurement Plan**

As requested at the previous meeting in October 2006, the report before the Executive detailed the future procurement strategy for Supporting People contracts. A Commissioning Framework and Procurement Programme have been developed and consulted on with a wide range of stakeholders and was before members for approval. The Procurement Plan set out a timetable showing when Supporting People services would be commissioned and procured in future. The Commissioning Framework sets out the ways in which Supporting People services will be commissioned and procured in future. The Director of Housing and Community Care added that the process outlined was seen as a model of good practice.

RESOLVED:-

- (i) that approval be given to the Commissioning Framework setting out how Supporting People funded services will be procured in future;
- (ii) that approval be given to the timetable for Procurement of Supporting People services set out in the Procurement Plan.

9. **Review of Brent Children and Young People's Plan (2007)**

Councillor Wharton (Lead Member, Children and Families) reminded the Executive of the requirement to submit to Ofsted an annual Children's and Young People's Plan. The corporate priorities for 2006 to 2010 that specifically relate to children and families had been incorporated into the CYPP review. The CYPP for 2006-2009 was reviewed in terms of progress made in 2006-2007 on aspects identified in the CYPP, namely, the priorities and objectives for children's services, the action plan for the building blocks of the CYPP and the Joint Area Review Action Plan.

Councillor Wharton advised that some of the required information would not be available until May, however, in order to meet the timetable the draft Plan been sent out for consultation and considered by the Children and Young People's Partnership Steering Group. The Plan would be submitted to Ofsted in draft and to Full Council for agreement in June. Final figures needed to be included and also a new vision regarding integrated services and partnership working. Councillor Wharton pointed out that the Plan would have to refer to recent difficulties in the relationship with the main partner, the Brent Primary Care Trust (PCT) due to the Trust's financial position. Another concern to be raised was the need for additional school places and the plan would make it clear that both primary and secondary place were required.

The Director of Children and Families added that representations would be made to the Secretary of State for the timetable to be amended in the future. Councillor Lorber stressed the need for early resolution to the two issues outside of the Council's control namely provision of school places through the expansion of schools and PCT budget. He was pleased that a date had finally been agreed for members and officers to meet with Lord Hunt, Minister of State at the Department of Health.

RESOLVED:-

- (i) that approval be given to the draft revised CYPP at Appendix 1 of the report from the Director of Children and Families and that he be authorised to make such amendments as are appropriate upon receiving feedback from consultation;
- (ii) that the final revised CYPP be submitted to full Council for adoption;
- (iii) that the progress on the CYPP made to date be noted.

10. **Extending Access to Services for Families and Communities in and through Schools**

This paper provided an up-date on progress of extending access to services for families and communities in and through schools, since the 'Extended Schools Strategy' report was presented on 10th April 2006 and the report 'Community Access to Schools' was presented to the Executive on 9th October 2006. Councillor Wharton pointed out that while progress was being made on extending access to schools there was currently insufficient money available, however, additional funds could be forthcoming if the LAA target for access to core services was achieved. A survey of sports facilities at schools had been carried out and an assessment would be made of what could be provided with extra funding. It was agreed that a map indicating participating schools be produced to accompany the next report.

RESOLVED:-

- (i) that progress made to date be noted;
- (ii) that approval be given to a pilot community access initiative for discussion with schools, which aims to encourage schools to further open their facilities;
- (iii) that a further report be submitted outlining the financial implications of the community access initiative, following discussion with schools.

11. **Phase 2 Children's Centres Capital Programme – review of alternative site options**

At its meeting of April 2007, the Executive noted that further feasibility work was being undertaken by officers to consider potential alternative site options for the Children's Centre serving the Alperton catchment area. This report from the Director of Children and Families reviewed the findings of that feasibility work and sought for approval to develop a Children's Centre on the site of Alperton Community School instead of the development previously approved for Lyon Park Infant and Junior Schools. This report also reviewed the position of the two PCT sites and Councillor Wharton confirmed that written confirmation had been received from the PCT agreeing the reciprocal arrangements which would be concluded as soon as possible. The Executive noted progress being made at St Raphael's Community Centre to secure vacant possession and reviewed the overall position of the phase 2 capital programme.

The Executive asked that their gratitude be conveyed to the Headteacher and Governing Body of Alperton School and to the PCT for their co-operation.

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 in respect of which a claim to legal professional privilege could be maintained in legal proceedings.”

RESOLVED:-

- (i) that in respect of the Alperton area, to note the feasibility work undertaken on the siting of the Children’s Centre at Alperton Community School and approve the development of a Children’s Centre at this site instead of the development previously approved for Lyon Park Infant and Junior Schools;
- (ii) that in respect of the PCT sites, to note that the Director of Children and Families will sign a renewable 3-year licence agreement with the PCT with nil rental costs for the Council based on a quid pro quo arrangement;
- (iii) that in respect of St Raphael’s Community Centre, to note the progress being made to secure vacant possession of the community centre in order to redevelop the building for use by the Local Authority for Children’s Centre and wider youth and community activities and the work being undertaken to reduce or remove those risks;
- (iv) that the overall position of the capital programme in terms of both time and budget be noted and the actions being undertaken to secure and improve this position be endorsed;
- (v) that the Director of Children and Families be authorised to negotiate with the DfES to either reduce the number of Children’s Centres to be developed in phase 2 or to increase the budget allocated to the Local Authority should it become apparent that the target number of 7 centres cannot be delivered within the budget available.

12. Authority to award contract for the new build post 16 building at Grove Park and Hay Lane Special Schools

This report requested authority to award the contract for the construction of a new building for 16 – 19 year old special needs students at Grove Park and Hay Lane special schools, as required by Contract Standing Order 88. This report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded. Councillor Colwill requested that the situation be monitored to ensure that the children were able to return to an improved environment.

It was noted this development would not preclude the building of a new school block under the Building Schools for the Future programme should the previously submitted bid for funding be successful.

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:-

that the contract for the design and build of the new building for special needs students at Grove Park and Hay Lane special schools be awarded to HLS Installations Ltd to commence in August 2007.

13. **Award of Contract of the New Pupil Referral Unit and Improvements to Chalkhill Youth and Community Centre**

The report from the Director of Children and Families requested authority to award the contract for the construction of the new Pupil Referral Unit ("PRU") and renewal and modernisation of the Chalkhill Youth Centre through part new-build and part refurbishment of the Chalkhill Youth and Community Centre, as required by Contract Standing Order 89. The report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract be awarded.

Councillor Wharton, Lead Member, commended the unit on its recent Ofsted report, however, it was felt that the size of the existing premises hindered the provision of a full education particularly given the increasing numbers of children being excluded from schools. Budget provision for the new centre had been made.

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:

that approval be given to the award of the contract for the construction of the part new-build PRU and part refurbishment of the Chalkhill Youth and Community Centre to H L S Installations Limited.

14. **Authority to seek expressions of interest for the construction contract for the expansion of Preston Manor High School**

This report requested approval for the Governing Body of Preston Manor High School to invite tenders for a works contract to enable the expansion of Preston Manor High School under the government's Popular and Successful Schools Initiative. The estimated commencement date of the contract was no later than February 2008. This report contained the relevant pre-tender considerations (paragraphs 3.12 - 3.17) as required by Contract Standing Orders 88 and 89.

The Director of Children and Families circulated a supplementary report at the meeting which set out revisions to the pre-tender considerations and financial implications which was agreed.

RESOLVED:-

- (i) that the supplementary report from the Director of Children and Families amending the pre-tender considerations in paragraph 3.17 of the report from the Director of Children and Families and the financial implications in paragraph 4.3 be noted;
- (ii) that approval be given to the pre-tender considerations and the outline evaluation criteria to be used to shortlist and evaluate the tenders for the Preston Manor expansion works contract as set out in paragraph 3.12 – 3.17 (as amended) of the report from the Director of Children and Families;
- (ii) that the Governing Body of Preston Manor High School be authorized to invite expressions of interest and tenders and evaluate them in accordance with the approved outline criteria referred to above.

15. **Brent CCTV Strategy**

Councillor Matthews (Lead Member, Crime Prevention & Public Safety) introduced this report from the Director of Environment and Culture and the Director of Policy and Regeneration which set out Brent's CCTV Strategy which aimed to establish a strategic and policy direction for future investment in, and use of, CCTV in the Borough. CCTV would be located in areas considered to be hotspots using evidence based criteria and in consultation with the CCTV Steering Group. The Chair added that the Administration was keen to invest in this area and working with partners, including the Transport for London and the Home Office, would welcome funding opportunities. He also urged local businesses to help generate additional resources.

RESOLVED:-

- (i) that the background information and key proposals contained within the draft CCTV Strategy document be noted;

- (ii) that the document attached to the report from the Director Environment and Culture be approved as the Brent CCTV Strategy.

16. Cultural Strategy for Brent 2006-2009: progress report - May 2007

The report from the Director of Environment and Culture provided members with an overview of the Cultural Strategy for Brent and progress on the key priorities since January 2006, set out as appendices to the main document. The Strategy outlined Brent's cultural assets (libraries, sports centres, theatres, parks, historical sites etc), identified cultural priorities for the borough and a vision for Brent's cultural development based on the following themes: civic pride; accessible places and spaces; safe, healthy, cohesive communities; building a cultural economy.

RESOLVED:-

- (i) that the progress on implementation of the key priorities of the Cultural Strategy for Brent 2006-2009 be noted;
- (ii) that the Progress Report be reported to the Local Strategic Partnership (LSP) for information;
- (iii) that approval be given to the formation of a Culture and Sports Forum comprising key Council officers and relevant cultural delivery partners/stakeholders across the borough.

17. Charging System for Bulky Household Waste Collections

This report set out the key proposals for introducing a charging scheme for the Council's Bulky Waste Collection Service, locally known as "Special Collections". The report recommended that a free service was retained for certain concession groups and for all residents in the case of single fridge or freezer collections. Councillor Van Colle (Lead Member, Environment, Planning and Culture) felt that the introduction of a charge was reasonable given that the Council had to pay the contractor to make the collections and many other local authorities were already levying charges.

RESOLVED:-

that the Bulky Household Waste Collections Policy described in the report from the Director of Environment and Culture as summarised below and set out in detail in paragraph 3.3 be noted and approved:

Items	Charge
Up to five items	£25
Additional items, over and above five, for each service request	£5 per item

Five items + one fridge	£25
One fridge	Free
One freezer	Free
One fridge + one freezer	Free
Two fridges or two freezers	£25
Items taken by resident to the Re-use and Recycling Centre	FREE

18. Relocation of Brent Adult and Community Education Services from the John Kelly Schools' Site

The report from the Director of Environment and Culture set out a proposal from BACES to relocate the ESOL (English for Speakers of Other Languages) provision currently delivered at the John Kelly Schools to other sites as well as retaining some provision in the school as part of the extended schools curriculum. The relocation would take place from the middle of July 2007 (the end of the academic year) and would be complete by the beginning of September 2007. The Lead Member, Councillor Van Colle pointed out that the proposals were as a result of reduced Learning and Skills Council funding from September 2007. The reduction included changes to the funding of ESOL provision, which removed the automatic right to free concessions. Councillor Van Colle proposed a motion requesting that the Executive's concern at budget reductions and their impact be conveyed to the Learning and Skills Council, which was agreed.

RESOLVED:-

- (i) that approval be given to the relocation of BACES' adult learning provision and its learners from the John Kelly portacabin site into one or more of the following buildings:
 - (a) the John Kelly school building
 - (b) other BACES' sites
 - (c) Neasden Library
 with effect from Monday 16th July 2007, and the Head of Services, BACES, be authorised to determine exactly where the re-provision will be made;

- (ii) that the Director of Environment and Culture write to the Learning and Skills Council on behalf of the London Borough of Brent to express concern at the impact of the reduction in funding for BACES on residents particularly those most in need of educational opportunities at entry level.

19. **Joint Procurement of Legal Counsel (Barristers' Services)**

The purpose of this report was to seek approval from the Executive to invite expressions of interest for a framework agreement to provide barristers' services and for the framework agreement to be procured as required by Standing Orders 88 and 89 and via a joint arrangement with the London Boroughs of Ealing, Hammersmith and Fulham, Harrow and Hounslow.

In discussion, members questioned whether the framework would hinder the Council from appointing the highest calibre of barrister when required and whether the barristers used through it would reflect the diverse make up of the Borough. The Executive were assured that the Council would be able to go outside of the framework if it was felt necessary and that the framework would allow the Council to monitor the demographic make up of barristers used.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.9 of the report from the Borough Solicitor;
- (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in paragraph (i) above;
- (iii) that it be agreed that there are good operational and/or financial reasons (as detailed in paragraphs 3.4 and 3.6) to give approval to exemptions from Standing Orders requiring the Council to advertise in the local press and to award on the basis of most economically advantageous offer.

20. **Revised People Strategy**

This report proposed a revised people strategy for the Council as part of the HR Transformation programme. Councillor Clues (Lead Member, Human Resources & Diversity, Local Democracy & Consultation) pointed out that the report also took into account findings from the KPMG report, the Council's Corporate Strategy and Improving Brent Action Plan. Consultation had been widespread and positive feedback received. Councillor Clues commended the policy and action plan for approval.

RESOLVED:-

that approval be given to the people strategy and action plan contained in Appendix 1 to the report from the Director of Human Resources and Diversity.

21. **Single Equality Scheme 2007- 2010**

The purpose of the Single Equality Scheme was to demonstrate how Brent Council would meet its service and employment obligations to employees, stakeholders and the wider Brent community. There was a legislative requirement for all public authorities to develop schemes and the report set out detailed actions planned for the next three years to provide equal access to all services.

Councillor Clues referred to the six equality strands brought together under the scheme, namely: age, gender, religion and belief, disability, race, and sexual orientation, which would also be in compliance with human rights legislation expected this year.

RESOLVED:-

that approval be given to the Single Equality Scheme attached as Appendix 1 to the report from the Director of Human Resources and Diversity.

22. **Smoke-Free Policy**

Regulations made under the Health Act 2006 to make smoke-free all workplaces, work or public vehicles and public premises, which are enclosed or substantially enclosed, take effect on 1st July 2007. Members were asked to formally endorse a new policy to put the Council on a suitable footing to undertake its new duty to enforce the smoke-free regulations. The policy was agreed insofar as it related to employment matters by General Purposes Committee on 3rd May 2007 and the report set out the penalties that would be in place and also support that would be given to staff who wished to stop smoking.

Members welcomed the report.

RESOLVED:-

that the effect of the new duty to enforce the smoke free regulations in respect of the work place, work or public vehicles and public premises be noted and approval given to the new Smoke-Free Policy attached to the report from the Director of Human Resources and Diversity.

23. **Chalkhill Redevelopment - winding up the project**

This report summarised progress to date on the Chalkhill redevelopment scheme and presents a number of issues for decision so that the final stages of the project may be completed. The Director of Housing and Community Care referred to the achievements over the years and costs to the Council which have eventually resulted in scheme of which he felt the Council could be proud. Martin Cheeseman referred to the issues still outstanding such as the provision of the combined facilities building currently under construction, a training centre and a local park.

Members sought assurances on where responsibility would lie for the upkeep of the park, other pockets of land and fencing. It was agreed that the Director should make every effort to ensure that an area for play was retained for local children. Members also discussed the future of the Stadium Training Centre, the importance of retaining training and employment opportunities facilities in the area and queried the numbers trained and still in employment. The Director responded that discussions were continuing and that he would report back on the final outcome.

Councillor Van Colle paid tribute to the redevelopment, one of the borough's first regeneration projects, which had eventually resulted in a well utilised local supermarket and good quality new homes for 100s of families.

RESOLVED:-

- (i) that the advanced stage reached at the Chalkhill redevelopment scheme and the need to finalise arrangements to conclude the project be noted;
- (ii) that agreement be given to the winding up of New Horizons (Brent) Ltd., provided that proper arrangements are made to dispose of New Horizons' assets and deal with its remaining obligations as set out in the report from the Director of Housing and Community Care;
- (iii) that agreement be given to New Horizons disposing of the Stadium Training Centre on the open market and handing the initial purchase amount to the Council as the accountable body for Single Regeneration Budget (SRB) purposes, on the understanding that New Horizons hands the 'net proceeds' in excess of that amount, having deducted the cost of sale, to the Chalkhill Community Trust Fund;
- (iv) that officers be instructed to make a case to the London Development Agency for keeping the initial purchase amount in the borough, for the provision of training and employment opportunities for local residents;
- (v) that officers write to the Chalkhill Community Trust Fund on behalf of the Council, requesting that, in light of the enhanced size of the Fund, the Trustees reserve some part of the Fund to support the set up and running costs of the community centre, as well as funding projects in the community;
- (vi) that officers be instructed to pursue the proposal that the Council becomes developer of the park at Chalkhill; that officers make a formal proposal to New Horizons' board, whereby New Horizons is relieved of its obligation to provide the park in return for giving the Council the budget it has reserved for the design and construction of the park; and that officers bring a further report to the Executive with more detailed proposals, including the procurement route and

detailed cost estimates, before a final agreement with New Horizons is reached;

- (vii) that approval be given to the disposal of the Saxon Road site to MHT, at a valuation to be set in accordance with the mechanism in the Framework Agreement, to be offset against an allowance made for MHT taking on liabilities for other negative value sites, as set out in the report, the package to be agreed by the Director of H&CC, acting on the advice of the Head of Property and Asset Management;
- (viii) that failing an agreement being reached with MHT on any or all of the negative value sites, the capital programme identified in the report at paragraphs 3.11.1 to 3.11.4 be used to carry out environmental works, to improve the appearance of the sites and reduce any future maintenance liability to the Council;
- (ix) that approval be given to the disbanding of the Chalkhill Joint Development Board and that the meeting held on 19th April 2007 be the last meeting of the board;
- (x) that the revised estimates for expenditure against the Council's disposal receipt from the sale of land to George Wimpey be noted and also that there is no overage payable to the Council under the terms of the overage agreement with George Wimpey;
- (xi) that a Chalkhill capital budget for the years 2007/08 and 2008/09 be financed from the Council's Disposal Receipt;
- (xii) that the full scheme capital expenditure at Chalkhill, taking account of receipts from the sale of land and recharges for work carried out by the Council, as set out in paragraphs be noted;
- (xiii) that the Director of Housing and Community Care be authorised to negotiate and agree a further Supplemental Agreement with New Horizons, as is necessary to give effect to the decisions made by this Executive.

(Councillor Van Colle declared a personal interest as one of the Council's representatives on the Chalkhill Joint Development Board).

The meeting ended at 8.20 pm

P LORBER
Chair