

**MINUTES OF THE EXECUTIVE MEETING**  
**Monday, 14<sup>th</sup> July 2008 at 6.15 pm**

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

Councillors Gupta and Hashmi also attended the meeting.

1. **Declarations of Personal and Prejudicial Interests**

None.

2. **Minutes of the Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting held on 16<sup>th</sup> June 2008 be approved as an accurate record subject to the correction of the spelling of 'Ms Theresa Mack' in Item 1 – Barham Park Estate Development.

3. **Commission for Social Care Inspection Report on Independence Wellbeing and Choice**

Sandra Miller (Commission for Social Care Inspectorate) explained the role of CSCI particularly in promoting involvement in social care and assessing value for money, and introduced the Team's report on the Community Care Service. The Team comprised Sandra Miller (Lead CSCI Inspector), Jean Hanson (CSCI Inspector) and Richard Hartle (Expert by Experience) and in five days of fieldwork, two main themes were examined: safeguarding vulnerable adults and personalisation in older people's services. On safeguarding, the Team felt that it had been given a high profile the Brent, with clear and effective leadership in place although some agencies were less clear about the service. The Team carried out an inspection of a selection of files and while some were very good, there was a need for a consistent approach to be adopted. On personalisation, intake and referral systems were clear although it was felt that there was a low level of awareness amongst carers of the support available and evidence of low satisfaction levels. There was a welcome increase in the number of people being cared for in their own homes, however, the level of satisfaction with care homes was high. The Team formed the judgement that the service had the capacity to improve, with an experienced and competent senior management team in place. The direction of travel was clear and budgets well managed. The Commission's report would be now published. Overall, safeguarding adults was considered adequate and personalised services assessed as good. The capacity to improve was promising.

In discussion, Sandra Miller explained that the methodology of inspections was to inspect a sample of eight cases which were usually found to be reflective of the generality and sufficient for local authorities to use as evidence to explore other cases. To improve safeguarding, Ms Miller suggested that the Council may wish to invest further in the Safeguarding Team which, it was felt, was not being used to its full potential and whose knowledge and skills should be shared through mentoring, championing

and both formal and informal networks. She stressed that good work needed to be evidenced and so there was a need to tighten procedures and recording. Regarding personalisation, the outcome was pleasing however, it was recognised that this work was at an early stage. Again there was a need for robust systems to be in place to ensure linkages and vigorous recording. In response to a question on recording, the Director of Housing and Community Care assured that data would be analysed to establish the weak points given that some teams had been found to have high standards. A formal auditing system was now being introduced to ensure that information was recorded in a timely and accurate manner using the correct management system. Also that appropriate action was detailed and implemented.

The Executive noted that the Director of Housing and Community Care would have an opportunity to comment on the inspection methodology and that a progress report would be submitted in due course.

**RESOLVED:**

- (i) that the action plan attached as Appendix 2 to the report from the Director of Housing and Community Care be agreed;
- (ii) that the Director of Housing and Community Care report on the safeguarding aspects of the action plan to the Scrutiny Committee as part of the Safeguarding Committee annual report to Scrutiny;
- (iii) that the Director of Housing and Community Care convey the Executive's congratulations to staff in older people's services for achieving a good rating.

**4. Modernising Transport – Authority to Award Contract for the Implementation of Phase 2 of the Transport Review**

The report from the Directors of Housing and Community Care and of Children and Families provided the findings of a comprehensive review of passenger transport services in Brent, which focussed on Adult Social Care; Children and Young People with Special Educational Needs (SEN); the in house transport service Brent Transport Services (BTS) and; the potential for shared services.

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).

Councillor Wharton (Lead Member, Children and Families) introduced the review report which had implications for at least two service departments. The changes proposed were of such an extent that it was felt that external assistance was required to ensure effective implementation, however, the

Council would be monitoring progress closely, in particular service quality. The review also highlighted the need to review eligibility and the extent to which some children could travel independently and for clarity in the fee structure.

**RESOLVED:**

- (i) that the findings of the Northgate Kendric Ash (NKA) report “Modernising Transport in Brent” be noted;
- (ii) that the process followed for the procurement of consultancy/change management services for the implementation of the recommendations contained within the report via calling off the West Midlands Regional Efficiency and Improvement Partnership (WMRIEP) Framework Agreement be noted;
- (iii) that it be noted that, having concluded the call off procurement exercise, it is proposed that the contract be awarded to Northgate Kendric Ash, for the stated in the Director’s report, over a period of 3 years;
- (iv) that approval be given to the award of the contract for consultancy and change management services for BTS modernisation to Northgate Kendric Ash (NKA);
- (v) that it be noted that the proposed arrangement could involve the transfer of line-management responsibilities to Northgate Kendric Ash (NKA) as well as the co-location of staff from NKA and the Council;
- (vi) that it be noted that no steps towards implementation will be taken if they involve staffing or HR implications that exceed the powers delegated to the Director of Children and Families (to establish/re-organise the staffing structure of the service area, redundancies of more than 20 in number etc. under the provisions of paragraphs 2.5 sub-paragraph 5 and paragraph 3 of Part 4 of the London Borough of Brent Constitution) and that any such matters would be referred back to this Executive.

**5. Authority to tender contract for the provision of Passenger Transport**

The report sought approval for the procurement of contracted transport in order to transport vulnerable adults and Special Educational Needs (SEN) children to and from authorized destinations. The contract would run for a period of four years and would commence in December 2008/January 2009.

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 3.2 of the report from the Director of Housing and Community Care;
- (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

#### **6. Meal Service – Extension of Food Supply Contracts**

The report from the Director of Housing and Community Care sought authority to extend the current food supply contracts for the meals service until the start of the new Cook on Route Service in the autumn. Circulated at the meeting was a supplementary report suggesting a change to the start date of the contract due to ongoing discussions with trades unions and resultant revised recommendations.

Members were keen that there should be no unnecessary delay in the start of the contract and for the contract price to be guaranteed given the current rises in food and fuel costs.

The revised recommendations were agreed.

RESOLVED:

- (i) that approval be given to an extension to the five current old supply contracts listed in paragraph 3.2 of the report from the Director of Housing and Community Care for up to 22 weeks from 1<sup>st</sup> July to 1<sup>st</sup> December 2008 at the total estimated value stated in the Director's report, with a view to these expiring at the same time that the cook on route meals contract is proposed to commence;
- (ii) that the approval be given to delegate to the Director of Housing and Community Care the authority to extend the five current food supply contracts listed in paragraph 3.2 of the report from 1<sup>st</sup> December 2008 for a further one month should it not be possible to commence the new cook on route meals contract on 1<sup>st</sup> December 2008.

#### **7. Report on the Housing Advice Service Review**

The Lead Member (Housing and Customer Services) introduced this report which summarised the findings of the Housing Advice Service Review conducted during September 2007 to January 2008, reviewing its effectiveness, efficiency and economy of the service. Councillor Allie referred to the key findings and recommendations which reflected the emphasis on preventing homelessness.

RESOLVED:

that the Housing Needs Improvement Programme, outlined in Section 8 and Appendix 2 of the Report from the Director of Housing and Community Care be noted, an ambitious programme, developed in response to the Housing Advice Review, with the following key features:

- The delivery of a weekly single homeless surgery in partnership with voluntary and statutory agencies;
- the creation of a centralised procurement team for securing the use of private sector properties;
- the creation of the START+ team, funded through the Supporting People grant;
- the revamp of the HRC reception area and the detailed process review, leading to a more efficient and responsive service to those in urgent housing need;
- the movement of resources from homeless assessment to housing advice / homeless prevention.

8. **Communal Digital TV Aerial for Council Dwellings**

The Brent Housing Partnership (“BHP”) Board had considered reports on the arrangements required to ensure that the Council’s dwellings that are served by communal television aerials were upgraded in order to be able to receive digital signals when the switchover from analogue to digital happens in London in 2012. The Executive noted that no government funding was available to meet the costs of this work and the report from the Director of Housing and Community Care proposed that the capital investment required was met from prudential borrowing, and that tenants’ service charges are increased to meet the debt charges incurred and that leaseholders were recharged the cost of installation where possible. The recommendations for funding in the report also included the blocks in South Kilburn that would be subject to a vote about potential stock transfer, and the inclusion of purpose built blocks of flats without communal aerials (subject to consultation), but excluded individual or converted houses.

RESOLVED:

- (i) that approval be given to the arrangements as set out in the report for prudential borrowing (of approx £1.2m) to meet the costs of upgrading existing communal TV aerials and installing communal aerials for purpose built blocks of flats without aerials, subject to consultation with all residents as set out in para 5.5 of the report from the Director of Housing and Community Care, and in respect of blocks without aerials the provision of the digital TV service to each leaseholder be subject to individual leaseholders agreeing to pay the cost;
- (ii) that approval be subject to increasing the current TV aerial service charge from 10 pence per week to between 70-80 pence per week

(depending upon the number of blocks included in the scheme (para 4.5 of the Director's report refers) to meet the debt charges on the loan, with the increase being implemented upon completion of the upgrade works.

**9. Housing and Social Care Non HRA PFI Project – Authority to Award Contract**

Councillor Allie (Lead Member, Housing and Customer Services) introduced the report on the Housing and Social Care Non HRA PFI Project developed to provide social housing and replacement residential facilities for people with learning disabilities with the aid of a government grant of £26.6m. Following an exhaustive tendering process, it was agreed on 9<sup>th</sup> October 2006 to appoint Brent Co-efficient (BCE), a consortium consisting of Hyde Housing Group, Bouygues UK (builder) and Halifax Bank of Scotland (HBOS) as preferred bidder for the PFI scheme. The Executive noted that since delegating authority to officers to finalise negotiations and all necessary agreements and documents, there have been a number of changes to the scheme, primarily because of the impact of the 'credit crunch' on bank margins and the need to carry out a funding competition because of movements in the agreed margins. The Director's report set out the changes to the scheme and asked for the decision to proceed with the scheme to be confirmed. It also asked for authority to sign a Contract Act certificate in respect of the Residual Value Deed.

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 Lead Member (Housing and Customer Services) referred to the local impact of the 'credit crunch' and the consequential increase in borrowing costs for the project. The revised proposals left the number of units to be provided unchanged. The Director of Housing and Community Care added that Central Government would have to increase the amount of PFI credits for the scheme in order for it to proceed within agreed funding levels.

**RESOLVED:**

that the following previous decisions be reconfirmed:

- (i) to delegate authority to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to agree the PFI Project Agreement and all other related documents including those which shall be entered into by the Council with any of Brent Co-Efficient's funders or subcontractors;

- (ii) to authorise the Borough Solicitor, or authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council referred to in this report (and such other legal agreements and documentation which may be necessary to give full effect to the PFI Contract), subject to her receiving confirmation of credit approval from the Department for Communities and Local Government (CLG) or, executing such contracts and other documentation with a pre-condition that they shall only come into full effect upon the issuing of such PFI credit approval by the CLG;
- (iii) to agree that the Director of Finance and Corporate Resources can issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 to Brent Co-Efficient in respect of the PFI Project Agreement and to Brent Co-Efficient's funders in respect of any Direct Agreement entered into between the Council, such funders and Brent Co-Efficient;
- (iv) to agree that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from the provision of any Certificate he may issue in accordance with recommendations/decision in paragraph (iii) above;
- (ii) that it be noted that all other decisions in the October 2007 report in relation to the application for additional credits for a further 200 units, disposal of council sites for the purpose of facilitating the PFI Contract, seeking disposal consents from CLG, and changes to the Housing Allocation Scheme remain as before;
- (iii) that it be agreed that the Director of Finance and Corporate Resources can issue on behalf of the Council a certificate under the Local Government (Contracts) Act 1997 in respect of the Residual Value Deed to be entered into between the Council, Hyde Housing Association and the funders;
- (iv) that it be agreed that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from the provision of the certificate issued under recommendation (iii) above.

**10. John Kelly Technology Colleges - Expression of Interest for Academy Status**

Councillor Wharton (Lead Member, Children and Families) referred the Executive to the Expression of Interest developed by Edutrust annexed to the report from the Director of Children and Families and drawn up by the Governors, and the sponsors Edutrust and Brunel University in partnership with the Council. He stated that the principles of the EOI were similar to those agreed by the Executive on 11<sup>th</sup> October 2007 when support was given to the Governors of the Kelly Colleges for the development of an Expression of Interest (EOI) to the Department of Children Schools and

Families for the Colleges to become Academies sponsored by Edutrust an educational charity. Councillor Wharton reminded the Executive of the benefits of the proposal in terms of additional opportunities for funding. The Chair, on behalf of the Executive wished the schools every success and proposed the recommendations in the report.

RESOLVED:

that formal approval be given to the Expression of Interest (Annex) for the John Kelly Technology Colleges to become Academies.

11. **Authority to award a High Value contract using a framework agreement (SECE construction framework) to deliver the new Harlesden Library and Learning Centre**

The report from the Director of Environment and Culture requested approval for the award of a contract in the form of a call off contract from the SECE construction framework for the Harlesden Library and Learning Centre development. Funding of approximately £2 million had been secured from Big Lottery and the Learning and Skills Council to develop a new library and learning centre on the site of the current Harlesden Library. Capital funding had also been provided to include a Customer Contact Point within the new centre as part of the One Stop Service Re Design Project. Councillor Van Colle (Lead Member, Environment, Planning and Culture was pleased that funding had been secured and that the library development would be going ahead. The report also detailed arrangements for the provision of a temporary library facility in the Brent Adult and Community Education Service (BACES) premises at Stonebridge during the 13 month-period (commencing in August 2008) when Harlesden Library would close in August 2008 in order for the construction work to be completed.

RESOLVED:

- (i) that approval be given to the award of contract to Mansell for the pre-construction management services for Harlesden Library and Learning Centre at the indicative contract sum set out in the report from the Director of Environment and Culture and that authority be delegated to him to let the main works contract to Mansell on satisfactory completion of the pre-construction management services contract;
- (ii) that authority be delegated to the Director of Environment and Culture to award a construction works contract to Keir in the event that the final costed construction works submitted by Mansell is not satisfactory;
- (iii) that the Director of Environment and Culture to fund the remaining budget for this project as outlined in 4.3 of his report;



- (iv) that it be noted that during the 13 month build period for the new Harlesden library facility, a temporary library facility will be provided in the current Brent Adult and Community Education Service (BACES) building in Stonebridge.

## 12. **Service improvement – proposed structural changes**

Councillor Lorber (Lead Member, Corporate Strategy and Policy Coordination) introduced the Chief Executive's report which set out a number of structural changes designed to promote improvements in service delivery, value-for-money and delivery of the Council's key priorities. Its central proposal was the creation of a new Service Improvement Directorate headed up by a new board-level Director of Service Improvement. The report also recommended the creation of a dedicated Civic Centre Project Team headed up by a new Civic Centre Programme Director (at Assistant Director level) to ensure the effective planning and co-ordination of the Council's work to construct a new Civic Centre for the borough located on Engineers Way/Arena Square, Wembley in 2012. Councillor Lorber expressed the Administration's determination to drive improvement and get better value for money and services, referring to plans for the new civic centre and other areas where performance could be improved.

The Chief Executive added that consultation was still taking place with staff following the outcome of which, some minor adjustments may need to be made. He confirmed that plans for the civic centre were still proceeding on a cost neutral basis.

### RESOLVED:

- (i) that the broad approach to service improvement and efficiency set out by the Chief Executive in paragraphs 3.1 – 3.11 of his report be endorsed;
- (ii) that the expectation that managers in all service areas should review service standards and value-for-money on a regular and self-critical basis be confirmed;
- (iii) that agreement be given to the establishment of a new Service Improvement Directorate responsible for HR, ICT, customer services and the Civic Centre project;
- (iv) that agreement be given to create a new CMT level post of Director of Service Improvement and to approve the job description and person specification attached at Appendix 1 to the Chief Executive's report, subject to any minor variations arising from the consultation process;
- (v) that agreement be given to the deletion of the current Director of HR and Diversity and Deputy Director of HR and Diversity posts subject to consultation with the affected postholders;

- (vi) that agreement be given to establish a new Head of Human Resources post at Assistant/Deputy Director level to head up the Council's HR function to be located within the new Service Improvement Directorate;
- (vii) that approval be given to the job description and person specification of the Head of HR post attached at Appendix 2 to the Chief Executive's report subject to any minor variations arising from the consultation process;
- (viii) that agreement be given to the creation of a new post of Civic Centre Programme Director at Assistant/Deputy Director level to be located within the new Service Improvement Directorate;
- (ix) that approval be given to the job description and person specification for the Civic Centre Programme Director post attached at Appendix 3 of the Chief Executive's report, subject to any minor variations arising from the consultation process;
- (x) that it be noted that officers will continue the formal consultation with staff directly affected by these proposals;
- (xi) that it be noted that the posts of Director of Service Improvement, Civic Centre Programme Director and, subject to any ring-fencing arrangements that may apply, the new Head of HR post will be externally advertised in September 2008;
- (xii) that authority be delegated to the Chief Executive to make any consequential changes in accordance with the Council's 'Managing Organisational Change' procedures and to establish such interim arrangements as may be necessary to ensure early progress on service improvement and efficiency measures.

### 13. **Budget process 2009/10 and subsequent years**

Councillor Blackman (Lead Member, Resources) introduced the report from the Director of Finance and Corporate Resources, the first budget report of the financial year and which proposed a process for setting the budget for 2009/10 and addressing budget pressures over the medium term in the context of the council's overall service transformation programme. The aim was to continue to deliver improved services whilst recognising the tight constraints on resources. Councillor Blackman stated that given levels of growth, savings and government grant levels the Council faced an even greater challenge this year. He referred members to the timetable and detailed actions required to deliver the budget strategy.

In discussion, Councillor Allie (Lead Member, Housing and Customer Services) made reference to the current economic climate and the need to keep Council Tax rises to a minimum. Councillor Blackman acknowledged this desire but added that when the economy was in down turn, this placed

greater pressure on demand led budgets. He assured that the Council would join with other local authorities to lobby Central Government to ensure that their collective work was not undermined.

**RESOLVED:**

- (i) that the overall budget process set out in the report from the Director of Finance and Corporate Resources be endorsed;
- (ii) that the budget strategy should cover more than one year (para 4.1);
- (iii) that agreement be given to the approach to:
  - Savings (para 4.3 (a) to (d));
  - 'Inescapable' growth in service areas (para 4.3 (e) to (g));
  - 'Inescapable' growth in central items (para 4.3 (h) to (i) and Appendix C);
  - Priority growth, Area Based Grant and LAA Performance Reward Grant (para 4.3 (j) to (m));
  - 'Invest to save' (para 4.3 (n));
  - Council tax (paras 5.1 and 5.2);
  - Fees and charges (paras 6.1 to 6.4);
  - The capital programme (paras 7.1 and 7.2);
  - The involvement of stakeholders (para 8.1 and Appendix E).
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- (iii) that it be noted that some of the further measures that would need to be taken to balance the budget at various levels of council tax increase (para 4.5);
- (iv) that the recommendations of the Budget Panel on the 2008/09 budget and actions that need to be taken to address these (para 8.1 and Appendix F) be noted;
- (v) that the proposed budget timetable (para 9.1 and Appendix G) be noted.

**14. Performance and Finance Review - Quarter 4 and Outturn 2007/2008**

This report summarised Brent Council's spending, activity and performance in the 2007-08 financial year and highlighted key issues and solutions to them. It took a corporate overview of financial and service performance and also set out in terms of the main budgets and provided a general overview and analysis of high risk areas. The report was accompanied by appendices providing budget, activity and performance data for each service area, ring fenced budgets and the capital programme. Vital signs trend data and graphs were also provided.

Councillor Lorber referred to the positive outturn on the 2007/08 budget and to the monitoring of performance that was taking place. He also drew members' attention to the neighbourhood working programme that would benefit residents and communities.

RESOLVED:

- (i) that the note the council's spending, activity and performance in financial year 2007/2008 be noted;
- (ii) that agreement be given to the use of £188k of balances brought forward from 2007/08 to be used to supplement Neighbourhood Working budgets within wards for amounts that remained unspent in 2007/08;
- (iii) that the progress on resolving outstanding issues on continuing care funding with the PCT be noted;
- (iv) that agreement be given to the virements listed in paragraph 5.9 and Appendix E of the report from the Director of Finance and Corporate Resources;
- (v) that directors should review spending, activity and performance in 2007/08 and ensure measures are taken, in consultation with relevant portfolio holders, to ensure good performance/budget management in 2008/09.

15. **Appointments to Committees**

RESOLVED:-

that the following appointments to committees be made:

**Highways Committee**

<b>D BROWN</b>	Lorber	Allie
<b>MATTHEWS</b>	Allie	Sneddon
<b>WHARTON</b>	Sneddon	Lorber
<b>DETRE</b>	Blackman	Colwill
<b>VAN COLLE</b>	Colwill	Blackman

The Chair and Vice-Chair will be appointed by the Highways Committee.

**London Councils Grants Committee**

<b>COLWILL</b>	Detre (Deputy) Blackman (Deputy) Van Colle (Deputy)
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The meeting ended at 7.40 pm.

P LORBER  
Chair