

MINUTES OF THE EXECUTIVE
Monday, 6th October 2008 at 7.00 pm

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

Apologies for absence were submitted on behalf of Councillor Matthews.

1. Declarations of Personal and Prejudicial Interests

None declared.

2. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 9th September 2008 be approved at an accurate record.

3. Transfer of Site to Sudbury Primary School

The report from the Director of Children and Families sought approval to transfer (vest) the Council's interests in the land for Sudbury Primary School to the governing body of the school. The Executive noted the school's ambitious plans for expansion and expressed gratitude for the support it had given the Council over school places. The Leader, on behalf of the Executive, wished the school every success.

RESOLVED:-

that approval be given to the transfer to the governing body of the school of the Council's interest in the land for Sudbury Primary School as shown edged with a heavy black line on the plan annexed (Appendix 1) to the report.

4. Delegation of Anti-Social Behaviour Order functions to Brent Housing Partnership

The Director of Housing and Community Care's report informed members of the powers given in The Local Authorities (Contracting Out of Anti-Social Behaviour Order Functions) (England) Order which came into force in May 2007. A copy of the Order was attached to the report. It sought members' approval for ASBO functions to be delegated by Brent Council to Brent Housing Partnership, the arms length management organisation who manage the local authority's housing stock. Councillor Allie, Lead Member, Housing and Customer Services, welcomed BHP's wish for delegated authority and emphasised that there was no excuse for anti-social behaviour in the borough.

RESOLVED:-

- (i) that authority be given to the Director of Housing and Community Care in partnership with the Head of Community Safety and the

Borough Solicitor to enter into an agreement with Brent Housing Partnership to exercise the Council's Anti-Social Behaviour Order functions under the Crime and Disorder Act 1998, where relevant to BHP's housing management functions of property owned by Brent Council;

- (ii) that approval be given to delegate authority to the Director of Housing and Community Care in partnership with the Head of Community Safety and the Borough Solicitor to ensure that in his negotiations with Brent Housing Partnership to contract out the Council's anti-social behaviour order functions, the recommendations set out in the 'Guidance for local authorities and housing management organisations - Contracting out of Anti Social Behaviour Order functions' (Appendix 2), are implemented;
- (iii) that it be noted that the power to issue legal proceedings in relation to anti-social behaviour will remain with the Borough Solicitor.

5. **North Circular Road Regeneration Area**

The report from the Director of Policy and Regeneration outlined the strategic approach to the regeneration of the area adjacent to the North Circular Road referred to as the North Circular Road Regeneration Area. This area had been identified within the Core Strategy of the Local Development Framework as an area requiring improvement. The accompanying draft 'vision' document, *A New Image for the North Circular: Framework for change* outlined in greater detail the regeneration strategy, and was intended to form the overarching framework guiding development in the area. Initial consultation in the format of focused small workshops with residents from the St Raphael, Brentfield and Mitchelbrook Estates was undertaken and the feedback from these had informed the draft 'vision' document.

Councillor Detre (Lead Member, Regeneration and Economic Development) in introducing the report, referred to the plans as the first opportunity to make a real change to the area over a twenty year period, which would be to the benefit of all including residents, those visiting the Hindu Temple on Brentfield Road, users of the Northfield Estate and the proposed Brent Cross development and of which future generations would be proud.

The Executive considered the views put by the Forward Plan Select Committee regarding a perceived lack consultation and noted that the Lead Member in attending the next meeting of the Select Committee would take the opportunity to clarify their concerns. The Executive stressed that no decisions had been made on the future of the NCR, local views would be taken into account and consultation would be widespread.

RESOLVED:-

- (i) that approval be given for consultation purposes, to the draft 'vision' document for the North Circular Road Regeneration, *A New Image for the North Circular: Framework for Change* (Appendix 1 to the Director's report);
- (ii) that the phase two community consultation strategy as set out in Sections 8.9-8.12 of the report be endorsed;
- (iii) that it be noted that the Council's Major Project Group would be the main driving force behind the project until phase two community consultation was complete. This situation will need to be reviewed following the consultation period, when there was a clearer understanding of the specific delivery programme and timescales;
- (iv) that ongoing work by the Major Project Group to bring forward the regeneration of sites that will facilitate the regeneration of the North Circular Road area be endorsed.

6. Increasing participation in sport through sports clubs

The report brought before the Executive the work, findings and recommendations of the Overview and Scrutiny task group's investigation into increasing participation in sport through sports clubs. In the absence of the Task Group Chair, Councillor Mrs Fernandes who was unable to attend, the Director of Policy and Regeneration introduced the report pointing out that increasing participation in sport was one of the Council's key priorities as outlined in the Corporate Strategy and the Local Area Agreement. He considered the report to be timely and well put together and referred to the recommendations made in the following areas: identifying and attracting those least likely to participate; expanding the availability of physical activity in local areas; the role of Brent Sports Council; volunteers and coaches publicity and marketing.

The Lead Member (Environment, Planning and Culture), Councillor Van Colle, referred to the additional resources that would be required to implement some recommendations noting that growth bids would have to be made as part of the budget process.

RESOLVED:-

- (i) that the task group's report be noted;
- (ii) that it be noted that officers would be bringing forward, through the budget process, growth bids for consideration for those recommendations where additional resources are required;
- (iii) that members of the task group be thanked for their work.

7. **Annual Complaints Report**

This report analysed the complaints about Brent Council considered by the Local Government Ombudsman; described the Council's performance under its own procedure; and reported on developments in the Council's complaint handling arrangements. For the first time, the annual reports on the statutory social care complaints processes were presented with the report to provide members with a comprehensive picture of complaints made against the Council.

The Chair (Leader of the Council, Lead Member, Policy Coordination) emphasised the Council's commitment to continuous improvement, welcomed the reducing trend and stressed the need to ensure it continued.

RESOLVED:-

- (i) that the report be noted;
- (ii) that the issue of complaints handling be reviewed and improvement measures put in place.

8. **2009/10 budget process up-date and first stage savings**

The report from the Director of Finance and Corporate Resources reminded the Executive that the budget process for 2009/10 and subsequent years had been agreed at the meeting on 14th July 2008. The report before members was the first stage of the process and included an up-date on progress on the budget process and a proposed first tranche of budget savings which would contribute toward departmental savings targets in 2009/10. The report also set out a proposed approach to addressing longer term capital funding issues in relation to schools in the borough.

Councillor Blackman (Deputy Leader of the Council, Lead Member, Resources) set out the current position in the budget making process. A further £1.9m was required to meet the 3% savings target and officers had been asked to bring savings forward to the current financial year where possible. He referred to the additional savings that would be required to set Council Tax at below capping levels or at zero per cent, on current projections, and the budget gap remained significant. Councillor Blackman referred to the recent meeting of the Budget Panel which had considered the same report and the efficiency based savings for which there was cross council agreement. He then went on to refer to the Service and Budget planning timetable for 2009/10 on which progress would continue to be made over the coming months. Given the pressures on the budget, both internal and external, it was important to maintain spend levels.

On the capital programme, particular reference was made to the consultation that would be taking place with the Schools Forum on the 10 year strategy designed to reflect the longer term nature of the Primary Capital and Building Schools for the Future programmes.

The Director of Finance and Corporate Resources in response to members' questions confirmed that the financial settlement was based on central government's assumption of inflation running at between two and three per cent and in practice it was currently around five per cent. The government had also recently announced that there would be no additional funding to help councils meet the additional costs as a result of the new economic circumstances. The Borough Solicitor reminded the Executive that S106 funding would have to take into account planning considerations.

RESOLVED:-

- (i) that approval be given to the 2009/10 savings in Appendix A to the Director's report and that, where possible, these will be brought forward to 2008/09;
- (ii) that approval be given to the approach set out in paragraph 4.7 of the Director's report as the basis for developing a 10 year capital programme for schools in consultation with the Schools Forum.

9. References from the Forward Plan Select Committee – 23rd September 2008

The Executive received recommendations from the Forward Plan Select Committee in respect of consultation generally and also on the operation of the domestic vehicle footway crossover policy. Councillor Detre (Lead Member, Regeneration and Economic Development) agreed to clarify the Select Committee's concerns over consultation. Regarding the domestic vehicle footway crossover policy agreed at the last meeting of the Executive, the Select Committee had suggested a review within six months. The Executive felt that 12 months from the date of implementation would be a more appropriate time period, giving more time to see the policy in practice.

RESOLVED:-

- (i) that the references from the Forward Plan Select Committee held on 23rd September in respect of consultation on the North Circular Road regeneration and the strategic review of sports centres be noted and that the Lead Member (Regeneration) seek further clarification of their concerns at the next Select Committee meeting;
- (ii) that the reference from the Forward Plan Select Committee in respect of reviewing the arrangements for domestic vehicle footway crossover policy be noted and that the operation of the policy be reviewed 12 months after the date of implementation.

10. **Exclusion of Press and Public**

RESOLVED:

that the press and public be now excluded from the meeting as the following items contain the following category of exempt information 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).” (Clause 15)

11. **Exercise of delegated powers - urgency action by Chief Executive. Extension of lease of Lothian Close from MHT**

The Council entered into a 20 year leasing scheme for the 13 units (under one lease) at Lothian Close, off St. Andrews Avenue, Sudbury, HA9 2QN on 5th October 1988. Given the fact that this Executive meeting follows the expiry of the lease and that given the value of the extension, delegated powers did not provide sufficient authority to enter into the extension, the Chief Executive was requested to approve the lease extension using his "extreme urgency" powers under paragraph 2.3 of Part 4 of the Constitution and, having agreed the terms of the lease extension with MHT in consultation with the Borough Solicitor. It was noted that Chief Executive had given this approval on 24th September not 25th as stated in the report.

RESOLVED:-

- (i) that the approval by the Chief Executive of an extension of the lease for Lothian Close for up to six months to 2nd April 2009 be noted;
- (ii) that it be noted that officers (led by the Director of Housing and Community Care) are continuing negotiations with MHT and the Housing Corporation with a view to settling all claims, counterclaims and liabilities before expiry of the extension and that officers are consulting with tenants on the options that may be available in relation to their continuing housing needs when the lease extension expires on 2nd April 2009;
- (iii) that it be noted that it is intended to present a further report on progress with the negotiations with MHT and the Housing Corporation at its meeting on 15th December 2008.

The meeting ended at 7.30pm.

P LORBER
Chair