

MINUTES OF THE EXECUTIVE
Monday, 16th March 2009 at 7.00 pm

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

Councillors Dunwell, Hashmi, Malik, Mistry and J Moher also attended the meeting.

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 16 February be approved as an accurate record.

3. Matters Arising

Kingsbury Road Local Safety Scheme

The Executive noted that the Full Council at its Extraordinary meeting on 2nd March 2009 expressed opposition to the decision to proceed with the Kingsbury local safety scheme and asked the Highways Committee to reconsider the decision taken on 20th January. The Borough Solicitor confirmed that in accordance with the Local Government and Housing Act 2000 Full Council could not carry out those functions which had been devolved to the Executive. As such, the decision of Full Council was not an instruction neither were the Executive or Highways Committee required to comply. She confirmed that the Highways Committee, at its forthcoming meeting on 19th March, could decide against proceeding with the safety scheme but in doing so would need to consider the implications, the impact on road safety and, as the works had already commenced, be assured that they were acting reasonably.

Housing Revenue Account (HRA) Budget 2009/10 and rent increase proposals for council dwellings 2009/10

Councillor Lorber (Chair, Lead Member, Corporate Strategy and Policy Co-ordination) reported that following a successful lobbying campaign against the relatively high rent increases imposed by the Government, in view of the current low inflation levels, central government had announced that consultation would take place, until the end of May, on a replacement inflation factor using lower figures. At the end of the consultation period and once clear guidance had been received a report would be presented to the Executive outlining the full costs and implications for the HRA. Councillor Lorber assured that the benefits of any changed decision would be passed on to tenants.

Councillor Lorber (Lead Member, Corporate Strategy and Policy Co-ordination) referred to the meeting of the Full Council on 2nd March which had discussed the intention to introduce parking charges for staff and councillors at council buildings. He reminded the Executive of the amendment to the budget motion passed by Full Council that parking charges be not imposed and that alternative ways be found of funding the travel plan. Councillor Lorber stated that he was still committed to encouraging alternatives to car use and to the provision of incentives to this end where possible. A further report would be submitted on implementing the green travel plan and the sustainability agenda which remained a priority and also bearing in mind central government's intention to introduce CO₂ emission charges.

4. Order of business

The Executive agreed to change the order of business so as to take early in the meeting the item relating to the Annual Audit and Inspection Letter.

5. 2007/08 Annual Audit and Inspection Letter

The report from the Chief Executive accompanied the Annual Audit and Inspection Letter for 2007/08 issued by the Audit Commission. Annette Furley, Andrea White and Shahida Nasim (Audit Commission) were present at the meeting and Ms Furley referred to the Audit Commission's overall assessment of the Council, the key messages and its judgement that Brent should be classified as three star and improving strongly under the Comprehensive Performance Assessment. While making progress in environment and benefits services, reducing crime and fear of crime levels and performance management, it was felt that further work was required on implementing the recommendations from the Treasury Management Review, the partnership programme to address unemployment levels and partnership performance management. Andrea White added that the closure of final accounts had gone well and thanked officers for their cooperation.

In discussion, members questioned what else could have been done to improve scores in the culture block, given the level of investment that had already been made. Ms Furley acknowledged that the authority had performed well and improved on the previous years' performance however, some indicators were not reflective of recent improvements. The Executive noted that this was the last CPA assessment and that under new arrangements local authorities would receive a narrative and more opportunity to demonstrate improvements.

On behalf of the Executive, Councillor Lorber expressed the authority's continuing determination to provide services to the public and looked forward to next year's report and new opportunities.

RESOLVED:-

that the contents of the 2007/08 Annual Audit and Inspection Letter be noted and that the quarterly Performance and Finance Monitoring report would set out progress against the main features highlighted.

6. **Child Protection Policies and Procedures**

Councillor Wharton (Lead Member, Children and Families) introduced what he referred to as a very important report on the operational and strategic child protection arrangements in place in Brent in the light of the death of "Baby P" and the publication of the Ofsted inspection report on safeguarding and child protection in Haringey. It provided an update following the verbal feedback at the previous meeting on 15th December 2008. The report was based on an audit of all child protection cases and it had been found that there was no need for additional measures to take children into care. Councillor Wharton drew attention to the actions set out in the report to improve strategic oversight including quarterly meetings between senior officers and other agencies and also regular high level member briefings. These proposals were discussed at the recent Children and Families Overview and Scrutiny Committee. The Lead Member also referred to the report from Lord Laming, released in the previous week, which reviewed progress in child protection since the death of Victoria Climbié, and which made proposals for action. Lord Laming's recommendations included the need for a renewed focus on the supply and training of social workers and recommendations to appoint independent chairs to children safeguarding boards, which the council had already introduced.

The Director of Children and Families added the council was well placed to address the recommendations in Lord Laming's report. Many of the recommendations were directed at the NHS and police services and also required improved collaboration with and between central government departments.

RESOLVED:-

- (i) that the findings of these audits, which were undertaken in November and December 2008 be endorsed;
- (ii) that the proposals contained within the report for the strengthening of both the operational and strategic oversight of child protection arrangements in Brent (paragraphs 3.14 to 3.19) of the report from the Director of Children and Families be endorsed;
- (iii) that a future report on the implementation and impact of the growth in children's social care post of £1.07m as set out in Paragraph 3.9 of the report from the Director of Children and Families be submitted to this Executive.

7. Authority to extend the existing contract for the delivery of Big Lottery Funded Play Services in Brent

The report from the Director of Children and Families requested authority to extend the current contract with Brent Play Association (BPA) for delivery of specific services forming part of the Council's submission to the Big Lottery Fund. Councillor Wharton (Lead Member, Children and Families) reminded the Executive that following a retendering process, approval had been given in November 2008 to award the Play Services contract to Kids. Funding from a successful application for Big Lottery Funding having commenced in February 2008, Councillor Wharton outlined plans for revenue and capital expenditure over the years until February 2011 to include provision for a post of special needs coordinator, a mobile play team, the upgrading of Stonebridge Adventure Playground, a pilot for the narrow boat owned by BPA and the running of a Play Store.

RESOLVED:-

that approval be given to the a partial extension of the existing contract with Brent Play Association for the period from 1st June 2009 to 10th February 2011 for specified aspects of play services supported through the Big Lottery Fund.

8. Adoption of Public Rights of Way Improvement Plan

The report from the Director of Environment and Culture informed the Executive that the Draft Rights of Way Improvement Plan had completed the period for public consultation and the final plan was submitted for approval and publication. The Executive noted that Brent had approximately 15 km of Public Rights of Way, the majority of which were situated to the north of the A406 the North Circular Road.

RESOLVED:-

- (i) that the responses from public consultation and the proposed responses be noted;
- (ii) that the final version of the Brent Rights of Way Improvement Plan be adopted.

9. Enforcement of moving traffic/parking contraventions by means of CCTV cameras

Councillor D Brown (Lead Member, Highways and Transportation) introduced the report which proposed the introduction of enforcement powers for moving traffic contraventions (MTC) as set out in Appendix A of the Director's report and parking enforcement by means of CCTV cameras. Two CCTV methods would be used to enforce the contraventions – static/deployed cameras mounted on the roadside and mobile cameras

mounted on specialist vehicles and Councillor Brown pointed out that many local authorities were already using these powers.

Concern was expressed that these measures could be seen to unfairly target motorists and that in some areas motorists already had difficulties in crossing box junctions. Other members feared that drivers in trying to spot cameras, would not pay sufficient attention to pedestrians in particular those with disabilities and put that money should be put aside for additional controlled crossings.

The Director of Environment and Culture contributed that the measures were designed to take over work from the police service and that the council could not expect to achieve a significant surplus from fines. He stated that the intention was for a fundamental review to take place to ensure smooth traffic flow prior to the introduction of enforcement measures. An application would then have to be made to London Councils with a further report back. Other local authorities were already using the powers effectively and it was for members to ensure appropriate standards. He confirmed that most areas of the borough would continue to be monitored by parking attendants and that cameras would only be used in areas where there were specific problems.

Members contributed that the scheme was designed to deter irresponsible driving and stressed the need for clear signage warning motorists that CCTV parking enforcement cameras were in operation at the boundaries of and throughout the borough. Members also stressed the need for ward councillors and local residents to be properly consulted and for the report to come back to either the Executive or Highways Committee in advance of its submission to Full Council for approval.

RESOLVED:-

- (i) that agreement in principle be given for officers to arrange the transfer of the enforcement of moving traffic offences, as listed in Appendix A of the report from the Director of Environment and Culture, from the police to the Council;
- (ii) that approval be given to the proposals for the enforcement of moving traffic and parking contraventions by the use of CCTV cameras;
- (iii) that officers carry out the necessary surveys and reviews before an application can be made to London Councils for approval to take on enforcement powers;
- (iv) that officers set up the procedures necessary to enforce moving traffic and parking contraventions in accordance with the Code of Practice set out in Appendix B of the Director's report;
- (v) that approval be given to the proposal to change the council's CCTV enforcement from analogue video to digital technology;

- (vi) that a report indicating the junctions recommended for monitoring be submitted to this Executive or the Highways Committee as appropriate, prior to its presentation to Full Council for approval.

10. **Housing Strategy 2009-14**

The report from the Director of Housing and Community Care sought Executive approval for a new five-year housing strategy, covering the period to April 2014. The report provided a summary of key points together with some background information and an overview of the consultation undertaken between November 2008 and February 2009 and the full draft strategy was attached at Appendix 1 to the Director's report.

Councillor Allie (Lead Member, Housing and Customer Services) in introducing the report, stated that it was an opportunity for the Executive to start laying down foundations for social democracy. There would be an increased focus on housing allocation and other measures to help tenants caught up in social housing. The strategy was also an opportunity to help address problems associated with unemployment and anti-social behaviour. Members also discussed the relative merits of mixing affordable and private housing and the implications for housing management.

The Assistant Director (Housing Needs and Private Sector) stated that the strategy was a work in progress, reminded that the housing green plan was still in progress and that an action plan would be produced.

RESOLVED:-

- (i) that approval be given to the draft housing strategy 2009/14;
- (ii) that it be noted that further reports to the Executive would be presented as required to seek approval for any significant changes in policy or practice arising from the further work on developing the strategy;
- (iii) that annual progress reports be presented.

11. **Supply and Demand and Temporary Accommodation**

The Assistant Director (Housing Needs and Private Sector) introduced the report which sought approval of the lettings projections for 2009/10, and provided an updated supply and demand analysis for housing, including lettings performance in 2008/09 and progress against temporary accommodation reduction targets. He drew attention to evidence of a reduction in homeless applications partly due to the availability of alternatives. Housing allocation continued on the basis of need and under occupancy issues remained a priority.

The Chair (Councillor Lorber) acknowledged that the challenge remained significant as the numbers in temporary accommodation were still high. He argued that the current economic climate should not be an excuse not to invest in housing stock and stressed the need to work with partners to improve accommodation.

RESOLVED:-

- (i) that the updated supply and demand analysis for housing, including lettings performance in 2008/09, as given in Appendix A to the report from the Director of Housing and Community Care be noted;
- (ii) that approval be given to the lettings projections for 2009/10, as detailed in paragraph 3.10 and in Appendix E of the Director's report;
- (iii) that it be noted that progress is being made in maximising the borough's housing supply as detailed in sections 3.6 to 3.8 of the Director's report;
- (iv) that it be noted that the 2009/10 lettings forecast takes into account the commitment to transfer up to 45 one bedroom voids to Brent Housing Partnership Limited as outlined in section 3.8.10 of the Director's report;
- (v) that approval be given to the extension of the allocation policy to ring fence allocation for the Granville New Homes development to tenants in the South Kilburn regeneration area, as detailed in section 3.8.19 of the Director's report;
- (vi) that it be noted that the Director of Housing and Community care is considering the feasibility of permitting vulnerable leaseholders in South Kilburn the opportunity to dispose of their property to the Council, for less than market value, in return for rehousing as set out in sections 3.8.20 and 3.8.21 of the Director's report;
- (vii) that the progress being made to review the lettings plans and nomination agreements with registered providers as set out in section 3.13 of the report be noted.

12. Authority to tender contract for furniture and storage

The report from the Director of Housing and Community Care sought authority in accordance with Contract Standing Orders 88 and 89 to invite tenders for a new contract for a Furniture Removals and Storage Service to commence from 1st December 2009 for a period of two years with an option to extend for up to a further two years.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations for a new contract for a Furniture Removals and Storage Service and the criteria to be used to evaluate tenders as set out in paragraph 4.1 of the report from the Director of Housing and Community Care;
- (ii) that approval be given to the Director of Housing and Community Care inviting tenders for a new contract for a Furniture Removals and Storage Service for two years with an option to extend for up to a further two years, to commence on 1st December 2009 and to evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

13. **NNDR Discretionary Rate Relief and Hardship Relief**

The Council had the discretion to award rate relief to charities or non-profit making bodies. It also had the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship.

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 Blackman (Lead Member, Resources) recommended approval of the rate relief awards indicated in the report for charities and non-profit making organisations but not the application for hardship relief.

RESOLVED:-

- (i) that agreement be given to applications for discretionary relief to organisations listed in the following appendices attached to the report from the Director of Finance and Corporate Resources:

- Appendix 2 - Local Charities
- Appendix 3 - Community Amateur Sports Club
- Appendix 4 - Non-Local Charities
- Appendix 5 - Non- Profit Making Organisations

- (ii) that the application for hardship rate relief listed in Appendix 6 (not for publication) of the report from the Director of Finance and Corporate Resources be not be approved.

14. **Authority to award contract for provision of security services**

The report from the Director of Finance and Corporate Resources related to the provision of security services and associated services at Council buildings. The report summarised the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, requested approval from the Executive for the award of the contract to commence on 1 May 2009, as required by Contract Standing Orders 88 and 89.

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 Blackman (Lead Member, Resources) stated that the main purpose of the exercise was to obtain a consistent level of security, the tendering exercise had been a detailed process and that AA Security Limited had produced the best tender.

RESOLVED:-

- (i) that approval be given to award a corporate contract for the provision of Security Services and associated services to AA Security Limited, the contract to run from 1st May 2009 until 30th April 2011, with an option to extend the contract for a further two years;
- (ii) that all service units use this contract either at its commencement or as their current security contracts come to an end where appropriate.

15. **The local impact of the Recession**

Councillor Lorber (Lead Member, Corporate Strategy and Policy Co-ordination) in introducing the report expressed concern at the impact of the recession on local residents and the need for the council to be prepared to assist. Phil Newby (Director of Policy and Regeneration) set out some of the issues facing the borough with the country now officially in recession. He drew attention to a number of key issues in particular that it was too early to indicate the full impact of the recession, it was unwise to 'navigate by history', the improvement and efficiency strategy was even more important and, given that there would be an upturn, the Council needed to be prepared. Phil Newby also emphasised the importance of community leadership and for the council to work with partners.

Members in discussion were keen for the council to support residents and businesses for example in encouraging the take up of small business rate relief. It was noted that the collection of national non-domestic rates was also falling. The Executive also welcomed the partnership approach and noted that the Council was arranging a conference, in consultation with partners, to examine the impact of the recession and to agree joint approaches.

RESOLVED:-

that approval be given to:

- (i) monitor on a quarterly basis a number of key indicators, in order to assess the impact of the recession across council services. Develop further with partners the indicators that need monitoring;
- (ii) identify and undertake specific actions of amelioration if conditions worsen;
- (iii) in view of the forecast of greater financial constraints, to increase the ambition for resources obtainable for the Improvement and Efficiency programme, as well as its speed of implementation;
- (iv) take proactive steps when opportunity presents itself to move regeneration schemes forward, examples of which may be site assembly and housing/mixed use development, or bringing forward capital investment for schools;
- (v) use the lull in commercial activity caused by the recession as a period of opportunity, particularly in terms of the regeneration agenda, to place the council, Brent residents and local economy in the best position to benefit from the economic upturn;
- (vi) share this report with partners through the Local Strategic Partnership;
- (vii) arrange a conference for local public, private and voluntary sector partners to examine the impact of and agree joint approaches to the effects of the recession;
- (viii) communicate a consistent and reassuring message to Brent's residents, businesses and council staff.

16. **Access to Health Sites Task Group – final report**

The access to health sites task group report had been considered and agreed by the Overview and Scrutiny Committee and Health Select Committee. The report before members presented the task group's work for approval and the Director of Policy and Regeneration outlined the main findings on behalf of the task group Chair who, regrettably, had been unable to attend. He was pleased to report that there was all party

agreement on the findings in particular those relating to strengthening relationships with the public transport authorities.

Councillor Van Colle (Lead Member, Environment, Planning and Culture) reported that the London Councils partnership also supported the call for sensible sites for transport links and would be approaching boroughs for views on access to health centres.

RESOLVED:-

- (i) that the recommendations set out in the report be agreed;
- (ii) that members of the task group be thanked for their work.

17. Performance and Finance Review Q3

This report summarised Brent Council's spending, activity and performance in the third quarter of the 2008/09 financial year and highlighted key issues and solutions. It took a corporate overview of financial and service performance and provided an analysis of high risk areas. The report was accompanied by appendices providing budget, activity and performance data for each service area, the Local Area Agreement, ring fenced budgets and the capital programme. Vital Signs trend data and graphs were also provided along with the council's overall budget summary.

Councillor Lorber reiterated the importance of monitoring performance and addressing issues raised.

RESOLVED:-

- (i) that the council's spending, activity and performance in Quarter 3 be noted;
- (ii) that all directors ensure that spending is kept within budget and underperformance tackled, and that measures are taken, in consultation with relevant portfolio holders, to achieve this;
- (iii) that agree be given to the virement detailed in paragraph 5.7 of the report from the Director of Policy and Regeneration.

18. References from the Forward Plan Select Committee

None.

19. Exclusion of Press and Public

RESOLVED:

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in the Local Government Act 1972 namely:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

20. **South Kilburn Regeneration - Former Texaco Garage site and 48 Peel Precinct**

Councillor Detre (Lead Member, Regeneration and Economic Development) presented the report which outlined proposals to dispose of two adjacent Council owned sites in South Kilburn to the South Kilburn Neighbourhood Trust (SKNT). Once planning permission was granted, work would started straightaway. He stated that the development would help demonstrate the Council's commitment to the regeneration of South Kilburn.

RESOLVED:-

- (i) that the Council either:
 - (a) enters into a binding agreement with South Kilburn Neighbourhood Trust to dispose of the two sites to the South Kilburn Neighbourhood Trust, in accordance with option (b); or
 - (b) disposes of the two sites to South Kilburn Neighbourhood Trust for nil consideration on the basis of an "overage" agreement as detailed in paragraph 4 below, and that in either case nomination rights are provided in favour of the Council.
- (ii) that in either case the land is to be used solely for the provision of housing as part of the South Kilburn Regeneration scheme;
- (iii) that the decision on whether to proceed under (a) or (b) above and the approval of the detailed terms of the sale agreement is delegated to The Borough Solicitor and the Director of Finance and Corporate Services;
- (iv) that any capital receipt received by the Council from the disposal of these sites be used to support the Council's contribution from its Capital Programme for the delivery of the Masterplan for South Kilburn;
- (v) that in the event of no sale being achieved to a suitable RSL within one year of transfer to SKNT the council would have a right to review the position and if necessary require the SKNT to return the land to the Council's ownership;

- (vi) that it be noted that Government Office for London and CLG have approved the use of NDC funding for the acquisition of the Texaco site by the South Kilburn Neighbourhood Trust.

The meeting ended at 8.25pm.

P LORBER
Chair