

**Meeting of the Executive  
Monday 17<sup>th</sup> January 2005 at 7.00 pm  
LIST OF DECISIONS**

PRESENT: Councillor John (Chair), Councillor Coughlin (Vice-Chair) and Councillors Beswick, Fox, Jones, D Long, Lyon, R S Patel and Thomas.

Apologies for absence were given on behalf of Councillor Kagan.

Councillors Fiegel, HB Patel, Moher and Van Colle

**ITEM 1                      Save King Edward Park Campaign - Petition**

<b>Summary:</b>	The petitioners addressed the meeting stating that they wished to protect their local park from encroachment by Capital City Academy. They disputed the amount of land involved and asked that an independent survey be carried out. They asked the Council not to ignore the views of local people as expressed in their petition
<b>Ward(s):</b>	Willesden Green
<b>Decision Taken:</b>	that the views of the petitioners be noted and taken into account when considering the item on the Grant of New Lease to Capital City Academy

**ITEM 2                      Authority to Invite Tenders for the New-Build Early Years Centre at Preston Park Primary School**

<b>Summary:</b>	This report requests approval to invite tenders in respect of the above named works contract as required by Council Contract Standing Orders 89 and 90 and to evaluate tenders.
<b>Ward(s):</b>	Preston
<b>Decision Taken:</b>	(i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraphs 3.4, 3.5 and 3.6 of the report;  (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria, as referred to in resolution (i) above.

**ITEM 3                      Proposed Admissions Arrangements for Brent Community Schools – September 2006**

<b>Summary:</b>	This report advises members of the need to agree proposed admissions arrangements for Brent's Community Schools for the September 2006 intake. Once agreed, these arrangements
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	(iii) That the Director of Finance be delegated authority to negotiate terms of the contract provided that any negotiations are in compliance with the Public Service Contracts Regulations 1993 (“EU Regulations”).
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**ITEM 8 Freedom of Information Act – Information Provision Arrangements**

<b>Summary:</b>	<p>The Freedom of Information Act 2000 came fully into force on 1st January 2005. The Act gives any person making a request for information to a public authority the right:</p> <ul style="list-style-type: none"> <li>(a) to be informed in writing by the public authority whether it holds information of the description specified in the request (whether in electronic or printed form); and</li> <li>(b) if that is the case, to have that information communicated to them within 20 working days.</li> </ul> <p>Full details of the regulations relating to charging for the provision of information under the Act were received by the Authority on 17<sup>th</sup> December 2004. This report deals with the decisions that need to be made by the authority in line with those regulations.</p>
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	<ul style="list-style-type: none"> <li>(i) that in line with the options available to local authorities under the charging regulations for the Freedom of Information Act, the Council’s policy be not to provide information where the cost of doing so would be greater than “the appropriate limit” as defined by the regulations (this is where the costs are estimated to be greater than £450 as calculated in line with parameters set out in the regulations);</li> <li>(ii) that, in accordance with the decision taken by the Executive on 13<sup>th</sup> December 2004 for requests where the costs fall below “the appropriate limit” the allowable charges under the Act be levied;</li> <li>(iii) that the position be reviewed and a further report providing details of the experience of requests received be put before the Executive after 6 months.</li> </ul>

**ITEM 9 Temporary Accommodation Update**

<b>Summary:</b>	<p>This report provides Members with an updated supply and demand analysis for housing, including lettings performance to date, and numbers in temporary accommodation.</p> <p>The report also provides an update regarding expenditure on</p>
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	<p>temporary accommodation budgets within the General Fund for the current financial year, with an analysis of the key factors which will have an impact on expenditure and numbers in temporary accommodation.</p> <p>An update regarding the Home Office amnesty to asylum seekers currently assisted under the Interim Provisions is included.</p>
<b>Ward(s):</b>	None specific
<b>Decision Taken:</b>	<p>(i) that:-</p> <p>(a) the updated supply and demand analysis for housing, including lettings performance to date and numbers in temporary accommodation;</p> <p>(b) the update regarding expenditure on temporary accommodation within the General Fund for the current financial year, and analysis of the key factors which will have an impact on expenditure and numbers in temporary accommodation; and</p> <p>(c) the update on the Home Office amnesty to Asylum Seekers currently assisted under the Interim Provisions,</p> <p>be noted.</p> <p>(ii) that a copy of the report be circulated to all members of the Council for information.</p>

**ITEM 10                      “Heatstreets” Project**

<b>Summary:</b>	<p>“Heatstreets” is a proposed two-year cross-Borough energy efficiency scheme covering the 7 West London boroughs comprising the “West London Sub Region”. This involves improvements to cavity and/or wall insulation, and heating systems. Funding has already been agreed by the Government Office for London (GOL). This report seeks authorisation to proceed with this project, with the London Borough of Hounslow as the lead authority, ensuring compliance with the terms of the grant determination letter from GOL.</p>
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	<p>(i) that the “Heatstreets” scheme proceed with the London Borough of Hounslow as the lead authority;</p> <p>(ii) that the Director of Housing be authorised to enter into a legal agreement with the London Borough of Hounslow and the other local authorities involved in the scheme (“the Inter-Borough Agreement”) defining the responsibilities of all partners and for the procurement of services from Powergen through its Agreement with the</p>

	<p>London Borough of Hounslow;</p> <p>(iii) that in accordance with Standing Order 85(a) it be determined that there are good financial and operational reasons not to comply with the requirements of Standing Orders 89 and 90 in relation to the approval of pre-tender considerations in relation to the Heatstreets scheme;</p> <p>(iv) that a further report be submitted to the Executive in due course providing an update on the operation scheme.</p>
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**Item 11                      Joint Commissioning Strategy for Older People – 2004/ 2009 and National Service Framework for Older People Action Plan**

<b>Summary:</b>	<p>This report presents Brent’s first joint commissioning strategy for older people (2004-09). This shows how Brent Primary Care Trust and Brent Social Services will work with Brent Housing and Supporting People as partners in the commissioning process together with other key organisations in the borough, to improve and develop services for older people over the next five years.</p> <p>The Strategy also includes the National Service Framework (NSF) standards and reflects the Brent NSF Action Plan.</p>
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	<p>(i) that the Joint Commissioning Strategy presented as appendix 1 to the report be agreed;</p> <p>(ii) that it be noted that the Joint Commissioning Strategy will take forward the requirements of the NSF.</p>

**ITEM 12                      Chalkhill Children’s Centre**

<b>Summary:</b>	<p>This report sets out the proposed development of Barnhill Social Services Nursery (in Barnhill Road) to become a Children’s Centre in line with guidance from the Sure Start Unit. This follows from the Children’s Centres Strategic Proposal report, approved by the Executive on 13<sup>th</sup> October 2003. The Centre will combine education, day-care, health and outreach services for children aged 0-5 and their families within the defined catchment area of Barnhill.</p>
<b>Ward(s):</b>	Barnhill
<b>Decision Taken:</b>	<p>(i) that the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.5 of the report be approved;</p>

	(ii) that officers be authorised to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in resolution (i) above.
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**ITEM 13                      Local Development Framework - Statement of Community Involvement**

<b>Summary:</b>	This report seeks approval of a draft Statement of Community Involvement (SCI) for formal public consultation. The SCI is one of the documents the Council must produce under the new planning system introduced by the Planning and Compulsory Purchase Act 2004. It sets out the Council's proposals for involving the community not only in the preparation of the new development plan but also in the assessment of planning applications.
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	That the draft Statement of Community Involvement, presented as Appendix 1 to the report, be agreed for public consultation.

**ITEM 14                      Retendering of Leisure Management Contract**

<b>Summary:</b>	This report relates to the re-tendering of the leisure management contract for the operation of Charteris and Vale Farm Sports Centres. The current contract expires on 31st April 2006 and this report requests approval from the Executive for the Director of Environment to invite tenders leading to the award of a new contract commencing on 1st May 2006 as required by Contract Standing Orders 89 and 90.
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	(i) That the pre-tender considerations for the proposed leisure management contract for the operation of Charteris and Vale Farm Sports Centres and the criteria to be used to evaluate tenders as set out in paragraph 3.7 of the report be approved;  (ii) that officers be authorised to invite tenders and evaluate them in accordance with the outline evaluation criteria referred to in resolution (i) above and the pre-tender considerations set out in the table at paragraph 3.7 of the report be agreed.

**ITEM 15                      Proposed relocation of the CCTV and 24-7 Control Rooms**

<b>Summary:</b>	This report seeks approval of the Executive for the relocation of
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	<p>the existing CCTV and 24-7 Control Rooms from their present location at Pyramid House, Fourth Way, Wembley to Brent House, High Road, Wembley.</p> <p>The 24-7 Control Room is set up to become an Emergency Planning Control Centre in the event of a civil emergency.</p>
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	<p>(i) that the relocation of the CCTV and 24-7 Control Rooms be approved;</p> <p>(ii) that the relocation be funded from savings elsewhere in the Environment Directorate's revenue budgets for 2004-05 and 2005-06;</p> <p>(iii) that it be noted that the relocation will involve the award of a services contract for this purpose and further that the pre-tender considerations and the criteria to be used to evaluate tenders for the award of this contract be as set out in section 3.13 of the report;</p> <p>(iv) that it be noted that the Director of Environment proposes to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in section 3.13 of the report.</p>

**ITEM 16**

**Proposed Article 4(2) Direction for N  
ine of the Borough's Conservation Areas**

<b>Summary:</b>	<p>Over the last four years officers from the Planning Service have been carrying out a thorough review of the Borough's Conservation Areas. From this review a series of proposals for the future of the Borough's historic areas have been developed which include the designation of Article 4 Directions in all of the best preserved areas. At present there are 22 Conservation Areas within the Borough, of which seven are subject to Article 4 direction. The Council's review has established that there has been a more accelerated loss of character to the Conservation Areas which are not protected by an Article 4 Direction.</p>
<b>Ward(s):</b>	Kenton, Fryent, Queens Park, Kilburn/Queens Park, Dollis Hill, Northwick Park, Tokynton, Brondesbury Park and Welsh Harp
<b>Decision Taken:</b>	<p>That Directions under Article 4(2) of the Town and Country Planning General Permitted Development Order 1995 as amended, be made to control the types of development as listed in Schedule A, attached as appendix A to the report, in the following Conservation Areas: Northwick Circle, Buck Lane, Kensal Green, Kilburn, Homestead Park, Sudbury Cottages, Wembley High Street, Brondesbury, St Andrews.</p>



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**ITEM 17                      Mapesbury Dell Doorstep Green**

<b>Summary:</b>	This report seeks Members consent to enter into a deed of covenant with the Mapesbury Conservation Area Trust.
<b>Ward(s):</b>	Mapesbury
<b>Decision Taken:</b>	that the Council enter into a deed of covenant in favour of the Trustees of the Mapesbury Conservation Area Trust for a period of 80 years to use the property as Doorstep Green and not to dispose of the open space without their consent

**ITEM 18                      Voucher Parking & Review of Parking Charges**

<b>Summary:</b>	<p>This report informs the Executive of the outcome of investigations undertaken by officers on the feasibility of introducing a voucher parking scheme for Brent's on and off-street parking places, in response to on-going vandalism and theft from 'pay &amp; display' machines, and the resultant loss of income to the parking account. The report requests Executive's approval to proceed with a programme of introducing voucher parking for a trial period in conjunction with the existing 'pay &amp; display' parking schemes in Brent.</p> <p>The report also informs the Executive on the review of parking charges in Brent's Controlled Parking Zones and requests the Executive to approve in principle a uniform 'pay &amp; display' parking charge structure in Brent's parking places</p>
<b>Ward(s):</b>	All
<b>Decision Taken:</b>	<p>(i) that the report be noted;</p> <p>(ii) that a voucher parking scheme be introduced for a trial period of between 6 and 12 months in Brent's on and off-street parking places and charges for vouchers as detailed in paragraph 3.20 of the report and it be noted that a further report will be presented to the Executive with the outcome of the trial period and any proposals to extend it for a further period including any necessary procurement issues;</p> <p>(iii) that the procurement of a suitably qualified contractor to operate the voucher parking scheme for a trial period on behalf of Brent Council be approved;</p> <p>(iv) that it be agreed, in principle but subject to consultation, to a uniform 'pay &amp; display' parking charge structure boroughwide as detailed in paragraph 3.27 of the report</p>

	<p>and the Director of Environment be authorised to determine whether to adopt the new parking fees having considered the responses to consultation;</p> <p>(v) that Director of Environment be authorised to undertake the necessary statutory processes for the making of Experimental Traffic Management Orders to facilitate the implementation of voucher parking and if he so determines following consideration of the responses to consultation to amend the existing Parking Places Orders to implement the revised charges.</p>
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**ITEM 19**

**Grant of New Lease to Capital City Academy**

<b>Summary:</b>	This report seeks authority for the variation of the existing lease granted to the Capital City Academy (CCA) so as to incorporate approximately 184 square metres of the King Edward VII Recreation Ground into the CCA site and the acquisition of approximately 175 square metres of the CCA site for use by the Council as part of the King Edward VII Recreation Ground.
<b>Ward(s):</b>	Willesden Green
<b>Decision Taken:</b>	<p>(i) That the objections received to the disposal of open space be noted;</p> <p>(ii) that notwithstanding the objections the Council grants a lease of approximately 184 square metres of the King Edward VII Recreation Ground to CCA for use as part of the CCA site upon the same terms as the lease granted to the CCA by the Council on 30th September 2004, with an additional obligation to maintain the fence;</p> <p>(iii) that the Council acquires part of the CCA site measuring approximately 175 square metres from the CCA and incorporates it into the King Edward VII Recreation Ground;</p> <p>(iv) that the Director of Environment in consultation with the Manager, Corporate Property Services agree the detailed terms of the variation and acquisition detailed in resolutions (ii) and (iii) above and on such other terms with the CAA as are in the best interests of the Council (i.e. the maintenance of the fence).</p>

**BELOW THE LINE REPORTS**

**ITEM 20**

**Authority to Award Borough-Wide Contract for Domiciliary Care Services for Older People and Adults with Disabilities**

<p><b>Summary:</b></p>	<p>On 8 March 2004 the Executive approved the re-tendering of the provision of domiciliary care services for older people and adults with disabilities and the packaging of the service into nine contracts:</p> <ul style="list-style-type: none"> <li>• one borough wide contract,</li> <li>• three main geographical contracts each covering one third of the borough,</li> <li>• three secondary geographical contracts as back up to the main contracts,</li> <li>• one intermediate care contract, and</li> <li>• one contract for the provision of domiciliary care in extra care sheltered accommodation.</li> </ul> <p>The Executive approved using a two stage process to invite expressions of interest to be short listed in accordance with minimum standards on financial standing and technical ability and to invite tenders from those short listed.</p> <p>The report presented to the Executive on 15 November 2004 regarding the award of the geographical domiciliary care, intermediate care and extra care contracts explained that due to the complex nature of the pension arrangements relating to former Brent staff transferred in 1999 it had not been possible to recommend the award of the borough wide contract. Those negotiations and clarifications have now been concluded.</p> <p>This report requests authority to award the remaining borough-wide contract as required by Contract Standing Order No. 89. It summarises the process undertaken in tendering this contract, explains the evaluation of the tenders, sets out details about the pension arrangements and recommends to whom the borough-wide contract should be awarded.</p>
<p><b>Ward(s):</b></p>	<p>All</p>
<p><b>Decision Taken:</b></p>	<p>(i) that subject to the General Purposes Committee agreeing to the departure from the Council's current admission criteria described at paragraph 4.19 of the report and agreeing to admit BCAH to the pension scheme, the borough-wide contract be awarded to Goldsborough Home Care Ltd trading as Brent Care at Home (BCAH);</p> <p>(ii) that subject to resolution (i) above the contract with BCAH should contain a mechanism for reasonable</p>

	contract price variations in respect of the contractor's pension costs for transferred staff as indicated in paragraph 4.14 of the report in respect of the admission agreement referred to in resolution (i) above.
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**ITEM 21                      South Kilburn Master Plan Implementation**

<b>Summary:</b>	This report advises Members of the outcome of the review conducted by officers of the South Kilburn Masterplan options presented to Members in July 2004. It also seeks a number of decisions on the manner in which the Masterplan is to be delivered and, in relation to the improvement of homes on the South Kilburn estate, whether this should be done through retention of the stock by the Council or through a form of transfer to a Delivery Partner.
<b>Ward(s):</b>	Kilburn/Queens Park
<b>Decision Taken:</b>	<ul style="list-style-type: none"> <li>(i) that the Council's commitment to the overall Masterplan programme be reiterated and officers be authorised to proceed with the necessary steps to allow for its implementation;</li> <li>(ii) that the Director of Housing be authorised to seek expressions of interest for a delivery partner or delivery consortium ("Delivery Partner") for the demolition and rebuilding of 1,534 existing units on the South Kilburn estate, the building of approximately 1,419 new units for private sale by the same Delivery Partner in the South Kilburn area and the delivery of the non-housing elements to support and sustain the community as envisaged in the Masterplan;</li> <li>(iii). that in accordance with Standing Order 85(a) it be determined that there are good financial and/or operational reasons not to comply with the requirements of Standing Orders 89 and 90 in relation to the approval of pre-tender considerations in relation to the procurement of the Delivery Partner;</li> <li>(iv). that In place of the standard pre-tender considerations usually considered by Members, the outline process described within the report be noted and in particular the outline process and evaluation criteria listed at paragraphs 3.96 to 3.108 of the report;</li> <li>(v) that it be noted that there is currently an estimated overall funding gap in relation to the delivery of the Masterplan of approximately £38,100,000;</li> <li>(vi) that it be noted that officers intend to establish through</li> </ul>

	<p>the procurement process whether bidders arrive at the same funding gap and that the Director of Finance in consultation with the Director of Housing will consider proposals by bidders for narrowing any funding gap that they arrive at, and decide how the gap could be bridged taking account of all material factors including the need to preserve as many aspects of the South Kilburn regeneration programme as possible, and taking account of the views of relevant stakeholders including, in particular, the views of the South Kilburn New Deal for Communities;</p> <p>(vii) that upon considering the various options for delivery of the Masterplan the implementation be pursued through a transfer of ownership of the South Kilburn estate as well as the transfer of other non-housing land to the Delivery Partner, or a member thereof;</p> <p>(viii) that in light of the decision in resolution (vii) above the Director of Housing in consultation with the Director of Finance be authorised to determine through the tender process whether the Council should pursue a tenanted transfer (under Schedule 3A of the Housing Act 1985) or a vacant possession transfer (under Ground 10A Schedule 2 to the Housing Act 1985);</p> <p>(ix) that if in the event a vacant possession transfer is proposed then a test of opinion or a ballot of affected secure tenants will be undertaken;</p> <p>(x) that officers be authorised to submit an application to the Office of the Deputy Prime Minister (ODPM) by 28th January 2005, to be included on the stock transfer register for the period 2006 to 2007;</p> <p>(xi) that it be noted that of the overall funding gap of £38.1M, £10M is attributable to the Single Regeneration Pot (SRP) homes (as described in paragraphs 3.22 to 3.46 of the report) and that a recommendation will be made to Full Council on 28 February 2005 for the approval of borrowing through the Housing Revenue Account to meet this funding gap and to authorise Director of Finance to arrange such borrowing through the prudential borrowing regime, if required;</p> <p>(xii) that the Design Team and Client Team pre-tender considerations set out for the SRP Homes in the detail of paragraphs 3.44 and 3.46 of the report be approved.</p>
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**ITEM 22**

**Land Adjacent to 93 Burnley Road NW10 and Land at 3 Morland Gardens NW10 Disposal to Ujima Housing**

### Association

<b>Summary:</b>	This report seeks the Executive's approval to dispose of 2 small sites to Ujima Housing Association for affordable housing development.
<b>Ward(s):</b>	Dudden Hill/Stonebridge
<b>Decision Taken:</b>	<p>(i) that the freeholds of both the former garages site adjacent to 93 Burnley Road and the former scouts hut site at 3 Morland Gardens be disposed of to Ujima Housing Association for affordable housing development at such price as may be considered by the Manager, Corporate Property Services to be the best price reasonably obtainable by the Council having regard to the content of the report, requirements imposed by the Planning Service including but not limited to requirements to reduce the density of the proposed development schemes, S106 obligations that may materially affect the value of the sites, or any other physical factors that may diminish the value of the sites;</p> <p>(ii) that the Manager, Corporate Property Services be authorised to agree such other terms as are in the best financial interest of the Council.</p>

### ITEM 23

### Lease and Sub Lease of Land off Hannah Close, Wembley

<b>Summary:</b>	This report seeks Members consent to the acquisition of a lease of land off Hannah Close and the grant of a sub lease to Mr and/or Mrs McArdle and/or one or more of the McArdle group of companies on the terms detailed in this report.
<b>Ward(s):</b>	Stonebridge/Tokyngham
<b>Decision Taken:</b>	that a twelve month lease of land off Hannah Close Wembley be acquired from Scottish Amicable Life Assurance Society and a sub lease of the property be granted to Mr and/or Mrs McArdle and/or one or more of the McArdle group of companies (McArdles) upon the terms indicated in the report.

A JOHN  
Chair