



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Tuesday, 14 September 2010 at 7.00 pm

PRESENT: Councillor John (Chair), Councillor Butt (Vice-Chair) and Councillors Beswick, Crane, Jones, J Moher, R Moher, Powney and Thomas

APOLOGIES: Councillors Arnold

1. Declarations of personal and prejudicial interests

None.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 11 August be approved as an accurate record of the meeting subject to:

Clause 7 - Educational use of former Scout Hut on Coniston Gardens, delete 'Councillor J Moher (Lead Member, Highways and Transportation)' and insert 'Councillor Arnold (Lead Member, Children and Families)'.

3. Deputation - footpath between Station Grove and Lyon Park Avenue

Ms Pervez, on behalf of local residents, addressed the meeting and referred to concerns over personal safety for users of the footpath between Station Grove and Lyon Park Avenue in Wembley. They felt that the lighting was inadequate and requested the installation of CCTV cameras as a deterrent. While the area was surveyed by plain clothes police officers, it was recognised that they could not be on site 24 hours a day. The footpath was a convenient link to many roads in the vicinity however residents were reluctant to use it due to concerns for personal safety. Ms Pervez urged the Executive to take action before a serious incident occurred.

4. Petition for improved safety measures in the footpath between Station Grove and Lyon Park Avenue

Councillor J Moher responded to the deputation presented earlier in the evening on behalf of residents living in the vicinity of the footpath between Lyon Park Avenue and Station Grove in Wembley. He advised that having visited the area he had noted that visibility along the path was hindered by the layout, some of the lights were in need of repair and over-hanging trees were also a potential problem. However, Councillor Moher advised that it was considered that CCTV was not

appropriate for such residential areas and that alternative solutions would have to be identified. He urged residents to report lighting problems as soon as possible. He was pleased that plain clothes police were in the area at the time of his visit. Michael Read (Assistant Director, Policy and Regulation) added that the lighting provision complied with the standards for the location and also confirmed that the area was not considered by police as appropriate for CCTV cameras.

Members suggested that residents work with ward councillors on means of providing additional lighting and also consider the placement of an unbreakable mirror to allow visibility around the bend on the path. Members were reminded that at the meeting of the Full Council the previous evening, the Borough Commander had expressed concern over the crime in the area, in particular mugging however he had assured that despite public sector funding cuts the fight against crime would continue. Councillor Beswick (Lead Member, Crime Prevention and Public Safety) proposed that the police be asked to carry out a risk assessment for the area and recommended that residents work with ward councillors to try and identify sources of funding for additional safety measures.

RESOLVED:-

- (i) that the contents of the petition received seeking better lighting and consideration of CCTV in the footpath between Station Grove and Lyon Park Avenue, Wembley be noted;
- (ii) that the current status of street lighting in the footpath concerned be noted;
- (iii) that the Council's CCTV Strategy's position on the priorities for the installation of new CCTV be noted;
- (iv) that the information supplied by the police in relation to this alleyway be noted;
- (v) that this Executive does not support the investment in new CCTV or additional street lighting in this area;
- (vi) that residents be recommended to work with ward councillors to try and identify sources of funding for additional safety measures.

5. Homes and Communities Agency investment plan

This report from the Director of Housing and Community Care sought approval to the draft Borough Investment Plan (BIP) that was being negotiated with the Homes and Communities Agency (HCA) under their "Single Conversation" process. This process governed the way in which investment resources would be allocated to deliver housing, regeneration and infrastructure. The BIP would form the basis of a detailed borough investment agreement with the HCA to confirm the proposed levels of investment required in the borough. The BIP was expected to be agreed with the HCA before the Comprehensive Spending Review announcement in October 2010.

Councillor Thomas (Lead Member, Housing and Customer Services) drew attention to the investment plan which had been drafted in consultation with local agencies

including landlords and also developers. It was the intention for plans to be in place ready for when the Mayor of London took over responsibility for housing and regeneration under the proposed Decentralisation and Localism Bill due to receive Royal Assent in late 2011.

RESOLVED:

- (i) that approval be given to the draft Borough Investment Plan attached to Appendix 1 of the report from the Director of Housing and Community Care;
- (ii) that authority be delegated to the Director of Housing and Community Care and the Director of Regeneration and Major Projects (once appointed) to agree the final draft of the Borough Investment Plan;
- (iii) that authority be delegated to the Director of Housing and Community Care and the Director of Regeneration and Major Projects to submit an Expression of Interest to enter into a Devolved Delivery Agreement with the Mayor and other investment stakeholders.

6. **ALMO New Build Programme**

Councillor Thomas introduced the report on the ALMO new build programme which sought to progress the Brent Housing Partnership Limited (BHP) development of five new affordable homes under the Homes and Communities Agency's (HCA) 2008-11 National Affordable Housing Programme. This report specifically requested the disposal of the Ander Close, Mead Court and Coppermead Close Garage sites to BHP at nil financial consideration, to allow BHP to enter into a Grant Agreement with the HCA. and for the Council to enter into a performance guarantee bond and rent charge agreement with the HCA. The Council would receive 100% nomination rights to these homes. Councillor Thomas added that this arrangement would help address the problem of overcrowding in the borough.

The Director of Housing and Community Care agreed to look into the issue of alternative access to Oak Tree Dell and advise.

The Executive also had before them appendices to the report which were not for publication as they contained 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).

RESOLVED:-

- (i) that approval be given to dispose of the Council owned HRA land at the Ander Close, Mead Court and Coppermead Close Garage sites to BHP at nil financial consideration;
- (ii) that approval be given to enter into a building lease with BHP under which they will agree to procure the construction of the five new homes on terms to be determined by the Director of Housing and Community Care in consultation with the Borough Solicitor;

- (iii) that BHP be authorised to finance the development using its reserves to cover the shortfall in funding the scheme subject to the availability of grant. The reserve sum is shown in appendix 4 of the report from the Director of Finance and Corporate Resources;
- (iv) that BHP be authorised to enter into a new Grant Agreement with the HCA and allow the Council to enter into:
 - (1) a performance guarantee bond in respect of the grant agreement on terms to be approved by the Director of Finance and Corporate Resources
 - (2) a rent charge agreement to charge the council's freehold land to the HCA as required by the grant agreement on terms to be approved by the Borough Solicitor.

7. New building control scheme of charges

The report from the Director of Environment and Culture Agreement sought agreement for the introduction of a replacement London Borough of Brent Building Regulations Charging Scheme 2010 from the 1 October 2010, based on the new charges regulations as outlined in the report. Under the transitional provisions contained in the regulations the new charging scheme must be made before 1 October 2010 at the latest. Councillor Powney (Lead Member, Environment and Culture) advised that the new charges would be more in line with costs.

RESOLVED:-

- (i) that the London Borough of Brent Building Regulations Charging Scheme 2010 to come into effect on 1 October 2010, as outlined in Appendix A of the report from the Director of Environment and Culture, be agreed;
- (ii) that the Director of Environment and Culture be given delegated authority to publish, amend, revoke or replace any future London Borough of Brent Building Regulations Charging Scheme made under the new Building (Local Authority Charges) Regulations 2010.

8. Adoption of new 'Sexual Entertainment Venue' provisions of Local Government (Misc. Provisions) 1982

Councillor Powney (Lead Member, (Environment, Planning and Culture) introduced the report from the Director of Environment and Culture which advised of the amendment to the entertainment licensing legislation to allow councils to separately licence "sexual entertainment venues". Section 27 of the Policing and Crime Act 2009 requires the Council to either adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 or to hold full community consultations to decide whether to adopt.

RESOLVED:-

that approval be given to the adoption of Schedule 3 of The Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Police and Crime Act 2009 and to appoint 12 October 2010 as the first appointed day.

9. **Brent - Our Future 2010 - 2014**

The report from the Chief Executive accompanied the proposed corporate strategy - 'Brent – Our Future 2010 – 2014' for agreement. The strategy set out the strategic priorities and commitments of the new Administration for the coming four years. It aimed to provide an ambitious and clear direction for the council's future financial and service planning both internally and with partners in the public, private, voluntary and community sectors.

RESOLVED:-

- (i) that approval be given to the document 'Brent – Our Future 2010 -2014' as the strategic policy framework for the borough for the coming four years;
- (ii) that 'Brent – Our Future 2010 -2014' be presented to Full Council for agreement.

10. **Access to health sites for people with learning disabilities task group - final report**

Councillor R Moher (Lead Member, Adults, Health and Social Care) and also a member of the task group, introduced the report and set out for the Executive some of the problems experienced by people with learning disabilities in accessing health facilities. The task group had visited venues and conducted many interviews. She emphasised the need for staff to be trained on the needs of people with learning disabilities. Councillor Moher drew attention to one of the recommendations in the report which Brent NHS had agreed to develop namely to develop a project similar to that which exists in LB Ealing which has a range of measures to improve the experience for patients with learning disabilities when they use services at Ealing Hospital. In the current financial climate it was now unclear if this would be progressed.

Members thanked the task group for their work.

RESOLVED:-

- (i) that agreement be given to the recommendations set out in the Task Group report;
- (ii) that members of the task group be thanked for their work.

11. **Local Authority Gold Resolution**

The ALG Leaders' Committee, at their meeting on 13 July 2010, agreed the text of an addendum to be recommended to London local authorities. This would amend the previous 'Gold' resolution agreed by the Brent Executive on 13 March 2004. The purpose of the addendum was to broaden the powers of the 'Gold' Chief Executive so as to enable him or her to act on behalf of all the London local authorities in responding to an emerging incident as well as to enable a trigger for Local Authority Gold to respond to incidents and in the event of extreme and disruptive weather, where if necessary incurring minimum levels of expenditure not

exceeding £1 million. In addition, the Executive was asked to consider the value of Brent signing a Memorandum of Understanding to give assistance to another local authority if required during an emergency.

RESOLVED:-

- (i) that the addendum to the Local Authority Gold Resolution, attached as Appendix B to the report from the Borough Solicitor, be agreed subject to any further changes considered necessary by the her following consultation with the ALG and other London boroughs who shall have delegated authority to make such changes to it;
- (ii) that agreement be given to Brent signing a Memorandum of Understanding as set out in Appendix C to the report to provide assistance to other London local authorities during an emergency.

12. **Disposal of two former park keeper properties on the Barham Park**

The joint report from the Directors of Finance and Corporate Resources and Environment and Culture set out the current position regarding 776 and 778 Harrow Road Wembley following members' decision on 14 December 2009 to approve disposal of these two former park keepers houses to Notting Hill Housing Trust (NHHT) and for the capital receipt to be used for improvements within Barham Park as match funded with application to Heritage Lottery Fund. Councillor Butt (Lead Member, Resources) stated that the situation had now changed as NHHT were no longer interested in the development and it was now for the Executive to consider the options for the properties and to determine whether the properties were to be retained for other operational purposes or were to be sold in the open market, subject to the appropriate Charity Commission and Planning approvals.

The Director of Housing and Community Care in response to questions advised that restrictions were in place that meant the site was not a viable option for Brent Housing Partnership and reminded that capital receipts from any sale would go the park for reinvestment.

RESOLVED:-

- (i) that the position on the former park keeper properties on the Barham Park following the decision on the on 14 December 2009 as detailed in the joint report from the Directors Finance and Corporate Resources and Environment and Culture;
- (ii) that, subject to the appropriate Charity Commission approval, and subject to paragraph 2.3 in the Directors' report, to dispose of the houses in the open market at auction (on such terms as the Head of Property and Asset Management considers to be in the Council's best interests) and that the capital receipt generated be retained for works and improvements to Barham Park;
- (iii) that officers advertise the proposed disposal of public open space (as set out in paragraph 5.4 the report) and to proceed with the disposal unless, in the opinion of the Head of Property and Asset Management, significant

objections are received, in which case this should be reported back to the Executive for it to consider.

13. Performance and Finance review Q1 10/11

The report joint report from the Directors of Finance and Corporate Resources and Policy and Regeneration summarised the council's spending, activity and performance in the first quarter of 2010/11 and highlighted key issues and solutions to them. 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.

RESOLVED:-

- (i) that the council's spending, activity and performance in the first quarter of 2010/11 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 the virements agreed at the Executive on 26 July 2010 included in appendix F(i) to the report be noted and approval be given to the virements detailed in appendix F(ii).

14. Reference of item considered by Forward Plan Select Committee

None.

The meeting ended at 7.30 pm

A JOHN
Chair