

**London Borough of Brent
Summary of Decisions taken by the Executive
on Monday, 11 April 2011**

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

ABSENT: Councillors

ALSO PRESENT: Councillors Adeyeye, Al-Ebadi, Mrs Bacchus, Beck, Brown, Cheese, S Choudhary, A Choudry, Gladbaum, Harrison, Hirani, Hossain, Kansagra, Long, Lorber, McLennan, Mistry, Moloney, Naheerathan, HB Patel, RS Patel and Sheth

Agenda Item No	Item	Ward(s)	Decision
6.	Library Transformation Project	All Wards;	(i) that agreement be given to a transformed library service to residents as set out at paragraph 4 of the report from the Director of Environment and Neighbourhood Services, which contains detailed service proposals for: <ul style="list-style-type: none"> • Library Service Objectives • Services • Stock • Buildings • Online and digital services • Support for children, young people and families • Support for learners • Support for older people and people who find it difficult to access library services • Services for people with disabilities • Staff • Customer and Community Engagement

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<ul style="list-style-type: none"> • Partners and partnership working • The cultural offer <p>(ii) that agreement be given to the continuation of the successful shared service approach and the further development of proposals to share functions with partners, including other London boroughs, as described in para 5.6 and Appendix 1 of the Director's report;</p> <p>(iii) that the following libraries be closed:</p> <p style="margin-left: 40px;">Barham Park Cricklewood Kensal Rise Neasden Preston Tokyngton</p> <p>(iv) that Property and Asset Management undertake a detailed options appraisal on each of the six buildings being vacated by the Library Service with a further report to this Executive by the end of July 2011 and prior to any final decisions being made about possible disposals or changes of use;</p> <p>(v) that a report be submitted in one year's time reporting on the progress of implementing the Project.</p>
7.	Arboricultural Services Contract	All Wards;	<p>(i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 4.1 of the report from the Director of Environment and Neighbourhood Services;</p> <p>(ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in paragraph (i) above.</p>
8.	Statement of Gambling Licensing Policy and Principles	All Wards;	that approval be given to the publishing of the council's revised Statement of Gambling Licensing Principles and the submission of the statement to Full Council for final approval.

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
9.	Authority to allocate primary capital programme funding and approve the award of a construction contract for the rebuild of Islamia Primary School	Queens Park;	<p>(i) that approval be given to the award of a contract by the Islamia School governing body to Morgan Sindall, with a maximum contract value of £6,581,839 for the construction works at Islamia Primary School, in order to provide a new-build 2FE primary school on the existing site. This approval to be conditional upon:</p> <p>(a) the contract not being awarded until full planning permission having been granted for the scheme under Part 3 of the Town and Country Planning Act 1990; and</p> <p>(b) formal agreement from Partnership for Schools to an extension of time for the Council to spend its proposed contribution to the scheme as set out in paragraph 2.3 below after August 2011.</p> <p>(ii) that the previous award of a contract between the school and Morgan Sindall for the pre-construction services in the sum of £17,000 be noted;</p> <p>(iii) that approval be given to the allocation of £2,932,000 to the scheme from the Council's Primary Capital Programme grant funding allocation, conditional upon the Islamia School governing body complying with the requirement referred to in paragraph (i) not to award the works contract until the two pre-conditions (a) and (b) in paragraph (i) have been satisfied, and entering into the funding agreement described in paragraph (v) below;</p> <p>(iv) that the risks attached to the allocation of funding to this scheme be noted;</p> <p>(v) that all Brent Council funding be subject to a funding agreement between the Council and the Governing Body of Islamia Primary School setting out:</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

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			<ul style="list-style-type: none"> (i) The respective contributions of the two parties; (ii) In the event of any project overspend or shortfall in funding (including due to the clawback of grants by the Department for Education), the governing body will assume full liability for obtaining further funding to complete the works without further recourse to Brent Council; (iii) The works contract shall not be awarded by the governing body until the two pre-conditions described in paragraph 2.1 above have been satisfied; (iv) Appropriate provisions to apply in the event that an application for judicial review is made; (v) The Council funding contributions may only be spent on legitimate education facilities, as defined in government guidance, and not on ancillary facilities that form part of the project; (vi) The spend of PCP monies is profiled against RIBA stages of Work, or against an alternate agreed timeline dependent upon what formal confirmation that Partnership for Schools (PFS) are able to give about when PCP monies need to be spent by; (vii) The Council is not responsible for any shortfall in funding of the project, whether due to inability of the Council to hand over all of the PCP money according to the timeline because of PFS requirements as to when PCP money needs to be spent by, or otherwise. (For the avoidance of doubt, delays to the project such that the Council is not in a position to hand over all of the PCP money according to the timeline will mean that the governing body is liable to meet

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>any resulting shortfall);</p> <p>(viii) Full and proper governance arrangements, approved by Brent Council, are established for the project to ensure it is delivered to time and budget and providing for a senior Brent Council officer representation on the project board;</p> <p>(ix) The Council reserves the right to review its financial support for the project if the resolution of any Judicial Review regarding the grant of planning permission for this scheme is not completed by an agreed date, or if in the Council's opinion, delays in commencing the project render Targeted Capital Funding at a high risk of clawback;</p> <p>(vi) that authority be delegated to the Director of Regeneration and Major Projects to agree a different award of contract to that outlined in paragraph (i) above in the event that the finalisation of contract sum by the contractor described in paragraph (i) above is not satisfactory.</p>
10.	Park Lane Primary School	All Wards;	<p>(i) that the increase in scheme costs by £400,000 from £2.2m to 2.6m be noted, and that this will be funded from the Schools Main Capital Programme at £1m and £1.6m is to be resourced from BNSV monies;</p> <p>(ii) that authority be delegated to the Director of Regeneration and Major Projects to appoint and award a contract to the preferred 'Contractor A', who is named in Appendix 3 to the Director's report and is a contractor from the IESE Framework Agreement in relation to the construction works at Park Lane Primary School, to not exceed £2.35m, subject to an adjustment as considered necessary to the Main Capital Programme, in accordance with the needs of other schools expansion projects on this resource and with the agreement of the Director of Finance and Corporate Services.</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

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11.	Temporary primary school expansion schemes	All Wards;	(i) that approval be given to the allocation of £1.5m from the Council's Main Capital Programme for providing additional primary school places across Brent schools from September 2011, as set out in the table under paragraph 3.2.13 of the report from the Directors of Regeneration and Major Projects and Children and Families; (ii) that authority be delegated to the Director of Regeneration and Major Projects to appoint one or more works contractors using existing construction frameworks, for the recommended temporary school expansion schemes, in the event that any single works contract exceeds £1m in value; (iii) that authority be delegated to the Director of Regeneration and Major Projects to award the works contract for constructing temporary accommodation for the Village School, Decant and Legacy Scheme.
12.	Local Development Framework Site Specific Allocations SPD Adoption	All Wards;	that Full Council be recommended to adopt, with the recommended changes, the Site Specific Allocations Development Plan Document.
13.	Former Alperton Cemetery Offices, Clifford Road - disposal in the open market	Alperton;	(i) that approval be given to the open market disposal of the vacant former cemetery offices building and suitable curtilage land which forms part of the cemetery offices, excluding the mess rooms building, yard and the toilet noting that the office building is now surplus to the council's operational requirements; (ii) that the Director Regeneration and Major Projects instruct auctioneers after all due regard to planning and architectural considerations in connection with resolution of access and separation issues so as to ensure that the best price is received on sale and to instruct Legal Services in the matter of the disposal.
14.	BACES - accommodation strategy	All Wards;	(i) that based on the information provided, it be agreed that Ashley Gardens and the Carlton Centre are no longer required for the purposes of

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			delivering the BACES adult learning programmes, and approval given to the closure of these sites with effect from 31 August 2011; (ii) that BACES continues to deliver adult learning programmes from three main sites: Harlesden Library Plus, Madison House and the Stonebridge Centre; as well as a range of community based venues in partnership with other council services providers and local community and voluntary sector organisations in consultation with the users.
15.	BACES fees and charges 2011-2012	All Wards;	that approval be given to the schedule of fees and charges, including room hire and other charges, shown at Appendix 1 of the report from the Director of Children and Families.
16.	Brent Music Service fees and charges	All Wards;	that approval be given to the schedule of fees and charges shown at Appendix A to the report from the Director of Children and Families.
17.	Amendment to committee report 15 November 2010: authority to invite tenders for the procurement and management of temporary accommodation	All Wards;	(i) that approval be given to the amendment of the original evaluation criteria as set out in the table at paragraph 3.5.3 of the report from the Director of Housing and Community Care to be used to evaluate tenders for appointment to the framework; (ii) that approval be given to the change in tender procedure in the call for competition; (iii) that officers be authorised to invite expressions of interest, agree shortlists, invite Tenders for a framework agreement for the Procurement and Management of Temporary Accommodation and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.
18.	Supply and demand and temporary accommodation	All Wards;	(i) that approval be given to the lettings projections for 2011/12, as detailed in paragraph 3.3 and in Appendix D of the report from the Director of Housing and Community Care; (ii) that the analysis of housing supply and demand issues, including

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

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			performance in 2010/11 and challenges for 2011/12 onwards be noted;
19.	Fortunegate Community Housing - transfer of engagements to CCHA	All Wards;	that Fortunegate Community Housing be authorised to convert from a registered charity to a registered society under the Industrial and Provident Societies Act 1965 and thereafter, to transfer its engagements to Catalyst Communities Housing Association Limited, which is a registered charity and which will be subsequently re-named Catalyst Housing Limited.
20.	Fuel Poverty and Health Task Group - final report	All Wards;	that approval be given to the the Fuel Poverty and Health Task Group's recommendations.
22.	Crest Academies	All Wards;	<p>(i) that it be noted that the minutes of the meeting of 15th February do not include all the decisions of the Executive in relation to the report "Crest Academies: the Next Steps including procurement and submission of Outline Business Case)" as attached to report from the Director of Legal and Procurement;</p> <p>(ii) that this Executive's agreement to the following matters as previously agreed be formally recorded (subject to minor amendment to allow delegation to the Director of Regeneration and Major Projects instead of Director of Children and Families);</p> <p>(iii) that:</p> <p><u>Procurement: Construction</u></p> <p>1. approval be given to the procurement route using the National Framework for the construction of the Crest Academies and the criteria to be used to shortlist tenderers and evaluate tenders as set out in paragraph 6.6 of the report.</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 11 April 2011 (continued)

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			<p>2. subject to PfS approving the OBC, approval be given to the invite of expressions of interest, selecting a shortlist of two bidders and invite tenders for the construction of the Crest Academies and evaluating them in accordance with the approved evaluation criteria referred to in 2.1 above.</p> <p>3. the Director of Regeneration and Major Projects, in consultation with the Borough Solicitor be authorised to agree the selection of the preferred bidder for the Design and Build Contract following evaluation of the tenders.</p> <p><u>Procurement: Consultants</u></p> <p>4. it be agreed that for the reasons set out in paragraphs 5.13 to 5.15 of the Director's report in the context of the Not for publication details in Appendix 6 to this report, there are good financial and operational reasons to appoint an Overall Project Manager (OPM) through to FBC of the Academies' newbuild without seeking quotes in accordance with the Council's Standing Orders.</p> <p>5. it be noted that officers will appoint Technical Advisors (TA) to support the Academy Project as noted in paragraph 5.16 of the Director's report.</p> <p>6. the risks of the scheme and the proposals set out for managing the risks as set out in appendix 7 of the report be noted.</p> <p><u>Council Financial Contribution to the Development and Delivery of The</u></p>

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			<p align="center"><u>Scheme</u></p> <p>7. against the context set out in paragraphs 8.3 to 8.6 of the report, agreement be given to allocate £1.6M from the existing provision of £5M in the Capital Investment Plan to secure the delivery of the Academies and the corresponding new buildings.</p>