



MINUTES OF THE CALL IN OVERVIEW AND SCRUTINY COMMITTEE Thursday, 9 December 2010 at 7.30 pm

PRESENT: Councillor Denselow, Lorber, Mashari and Mistry and
H B Patel (alternate for Councillor H M Patel)

Also Present: Councillors Crane (Lead Member for Regeneration and Economic Development), Daly, John (Leader of the Council), R Moher (Lead Member for Adults, Health and Social Care) and Powney (Lead Member for Environment, Planning and Culture)

Apologies were received from: Councillors Castle and Mrs Bacchus

1. **Election of Chair**

As the Chair of the committee was not present, Members were required to elect a Chair for this meeting. Councillor Denselow was nominated. There were no other nominations.

RESOLVED:-

that Councillor Denselow chair this meeting of the committee.

2. **Declarations of personal and prejudicial interests**

None declared.

3. **Call-ins of Executive decisions from the meeting of the Executive held on Monday, 15 November 2010**

Decisions made by the Executive on 15 November 2010 in respect of the reports below were called-in for consideration by the Forward Plan Select Committee in accordance with Standing Orders 6(b) and 18.

3.1 **Disposal of former allotment site adjacent to 19 Elms Gardens, Sudbury, and establishment of new replacement allotment site at Gladstone Park Gardens**

The reasons for call-in were:-

- To consider concerns over an inconsistent policy regarding green space across the borough, review the differences between Coniston Gardens and Elms Gardens in terms of the nature of requests from local residents.

- To consider concerns regarding why no review undertaken to determine whether the site was still required for decanting of Barham Park Estate and to what extent.
- To consider further why the alternative allotment site at Vale Farm was not considered suitable but a site in Gladstone Park was considered acceptable.
- Review implications of selling off green space in an area of public open space deficiencies as stated in report, even if not used for affordable housing.
- Consider over development of site and possibility of sensible split between part development and part retention as green space.
- Consider why Notting Hill Housing Trust did not pursue the Harrow Road petrol station site available a long time ago.

Councillor Crane (Lead Member for Regeneration and Economic Development) introduced the report and stated that the site had formerly been used for allotments, however it had since fallen out of use and the Executive had approved de-designation of the site for re-use to provide decant accommodation for the Barham Park Estate redevelopment in April 2009. He advised that an alternative allotment site had been identified at Gladstone Park.

Councillor Daly was then invited to address the committee to represent the views of local residents as their ward councillor. Councillor Daly stated that the site had been designated as a wildlife site, the only one in Sudbury ward. Residents were displeased that the site was to be developed and it was felt that incorrect information had been given to the Secretary of State who had approved the council's request to de-designate the land as it had failed to disclose that the land was a wildlife site. Councillor Daly commented that there was little evidence of consultation with residents over the proposals, apart from the Allotments Forum. She suggested that residents had been misled over future plans for the site and was awaiting a response from the Borough Solicitor in respect of queries over the proposals. Concern was expressed that if the intended purchases of the site, Notting Hill Housing Trust (NHHT) were unable to do so, the site would be put for sale on the open market and she claimed that this also had not been specified to the Secretary of State. Councillor Daly stressed that the de-designation had only approved housing use and the site would only be able to accommodate a relatively small number of units in any case. She suggested that the empty cottages on the edge of Barham Park could be used to accommodate housing. Councillor Daly also suggested that the proposals would harm the local economy.

With the approval of the Chair, Kenneth Koranteng, a local resident, addressed the committee. Kenneth Koranteng expressed concern about the proposals to use the site to decant residents from Barham Park Estate, stating that London Wildlife had described the site as an important area for nature and conservation. He felt that it had been wrong to describe the site as derelict and he questioned the legalities of changing the use of the site. Kenneth Koranteng stated that there had not been a formal process of informing residents of the proposals which he felt were more suited for brown field sites. He stressed that this was one of the few open spaces in Sudbury ward and that it was appreciated by local residents and should be retained.

With the approval of the Chair, Steve Bennett, a local resident, addressed the committee. Steve Bennett stated that no members of the Allotments Forum lived near the site and that the matter was presently at stage three of the council's complaints procedure. He expressed disappointment that the Executive had agreed the proposals on 15 November despite the residents' opposing views being well known. Steve Bennett felt that the council's submission to the Secretary of State that the land was derelict and there had been no interest in re-commencing allotments on the site was incorrect.

Councillor Mashari enquired whether residents were more concerned about the loss of the allotments or wildlife, whether the site was a conservation area, when had the site last been used for allotments and had residents suggested any initiatives as to how the site could be used. In reply, Steve Bennett confirmed that there was a council link to a website that had declared the site an area of importance for nature conservation. The allotment owners had been evicted around four to five years ago, however up until then the site had been used regularly and residents were concerned at both the loss of the allotments and the wildlife centre.

In response to concerns raised by Councillor Daly and local residents, Councillor Crane acknowledged the issues that had been raised, however he advised that approval to de-designate the site had been made by the previous Administration in April 2009. The decisions made at the November 2010 Executive meeting were concerned with identifying who the site would be sold to and the council's view was that there were no legal issues with regard to selling the site. With regard to decanting of Barham Park Estate, Councillor Crane advised that phase two involved housing 64 people, of which 16 had already been allocated, and 66 people for phase three, of which ten had presently been allocated. A further 60 had requested accommodation off-site and 26 had been placed so far. Councillor Crane reminded Members of the council's responsibility towards both Barham Park Estate residents and to address the major housing shortage in the borough, including homeless families. If the site was not used for housing, it would exacerbate this problem. Councillor Crane advised that Gladstone Park had been identified as the alternative allotment site as there was a greater demand in that part of the borough for allotments than Sudbury.

Members then discussed this item. Councillor H B Patel expressed concerns that information had been misrepresented with regard to de-designating the land and he felt that if councillors were not aware of this that the matter should be referred back to the Executive. He felt that residents in Sudbury had clearly demonstrated that there was demand for allotments in the area and he questioned why it was proposed to build housing on a green site. Councillor H B Patel also felt that in the event of NHHT not being able to purchase the site, putting the land for sale on the open market would not resolve the situation. Councillor Mashari sought further comments as to whether the site was derelict and presently served no useful purpose. Councillor Mistry sought further clarification with regard to the complaint lodged to the council in respect of the de-designation of the site.

Councillor Lorber referred to a site at Coniston Gardens that the Executive had decided to retain and asked what factors had influenced the decision to dispose of Elms Gardens as both sites shared many similarities. He commented that the council had identified as early as 2001 that the site was no longer suitable for allotment use and that the Executive in April 2009 had merely been asked to

endorse the de-designation of the site and the Secretary of State had already approved the de-designation prior to the Executive meeting. He felt the full history of the site should be assessed and seen in context before any final decision was made on the future of the site. Councillor Lorber commented that the alternative allotment site was not in Gladstone Park, but on land of the old Gladstone Park School and that the site was surrounded by housing and landlocked, making it difficult to access. In addition, the alternative site was not near any convenient bus routes and this would encourage car use which was against council policy. Councillor Lorber mentioned that there was demand for allotments in Sudbury with a waiting list of 76 people and he enquired what the reasons were for identifying the alternative allotment site. With regard to disposing of the land, he sought views on how confident the council was that NHHT would be capable of purchasing the land, especially in view that NHHT had recently withdrawn from acquiring another site in the Sudbury ward and because an alternative proposal that the site be put for sale on the open market in the event of NHHT not acquiring the site had also been put forward.

In reply, Councillor Crane stated that originally a decision had been made by the Executive of the previous administration to dispose of the Coniston Gardens Scout Hut site. However, he felt that the school and the local community had made a strong enough case for the site to be retained for community use and so the current Executive had reversed the decision to dispose of the site. Councillor Crane stated that the alternative allotments site was connected to Gladstone Park. He acknowledged that there was some demand for allotments in Sudbury and that this was an issue that could be looked at, however demand in the south of the borough was particularly strong and the Secretary of State had requested that a suitable alternative allotment site be identified. Councillor Crane stressed that the main issue decided by the Executive at the 15 November meeting was to authorise sale of the site to NHHT to provide 15 flats for residents over 50 years of age, ten two-storey houses and two three-storey houses and this would represent a significant contribution to Brent's housing needs, whilst also not using other valuable housing stock whilst decanting Barham Park Estate. Councillor Crane advised that there was no current plan to put the site on sale to the open market and it was not necessarily the case that this would occur even in the event of NHHT not acquiring the site and other options may be considered. He stated that although he was not fully familiar with the history of the Elms Gardens site, he understood the site had been out of use for around eight years.

Arnold Meagher (Legal Adviser) confirmed that a complaint lodged to the council in respect of the de-designation of the site was now at stage three of council's complaints process and the council reply to the complaint was due to be issued shortly.

Councillor Lorber felt there were a number of outstanding issues that merited further investigation concerning the history of the Elms Gardens, including the circumstances concerning its de-designation and the information that was used to come to this decision. Members then agreed to a recommendation suggested by Councillor Lorber that because of concerns raised by residents, the Executive be requested to suspend disposal of the site in order to resolve the outstanding issues.

RESOLVED:-

- (i) that upon considering the report from the Director Regeneration and Major Projects and the Director of Housing and Community Care, the decisions made by the Executive be noted; and
- (ii) that in view of the concerns raised by residents, the Executive be requested to suspend the disposal of the site in order to resolve the outstanding issues.

3.2 Libraries Transformation Project

The reasons for the call-in were:-

- To discuss and explore the further implications of closing 6 libraries and the impact on related services such as Children's Centres.
- To consider the implications for schools and education.
- In the case of Barham Park Library consider implications for the Park and its Green Flag status.
- Consider implications on young people of loss of local study place and request members of the Youth Parliament to comment on this.
- In the case of Neasden library consider the implications of the loss of learning space.
- In the case of Cricklewood and Kensal Rise libraries consider the implications of the covenants and alternative uses of the libraries.
- In the case of Tokyngton library to consider the pedestrian access to the new Civic Centre library from the Monks Park area.
- To consider and receive full information on the size, cost of space, fitting out, opening hours and staffing costs of the proposed Civic Centre library.

Members had before them the Executive report on the Libraries Transformation Project. With the approval of the Chair, Richard Cross, a Kensal Rise resident, addressed the committee.

Richard Cross began by expressing regret at the proposed closure of Kensal Rise Library, stating that most residents were not aware of these plans at this stage. Of the residents who were aware of the proposal, most were against the library's closure and its users were concerned about the implications of this. Members heard that Kensal Rise Library was located in a densely populated area in which the land it occupied had been provided by Oxford University All Souls College to use the site for this purpose under a covenant agreement. A previous attempt to close the library 12 years previously had failed because of this agreement. The library had been opened by Mark Twain in 1900 and provided vital facilities for users, especially those who otherwise had no access to computers and to parents and their children. Library staff also helped users in a number of other ways, such as assisting with drafting job applications. During the Libraries Transformation Project, Richard Cross felt that the library had been neglected and the first floor of the building had been closed. However, demand for the library remained and he asked that the decision be re-considered.

In reply, Councillor Powney (Lead Member for Environment, Planning and Culture) informed Members that at a recent public meeting about the future of Kensal Rise

Library, public interest had been expressed in taking over the running of the library and the council was happy to discuss this possibility with any groups. Members noted that consent would be required from Oxford University All Souls College for any change of use under the covenant. Councillor Powney advised that the annual cost of £200,000 to operate the library was high and the building presented a number of practical difficulties, such as the first floor not providing disabled access. The library also presently had the lowest number of visitors in the borough and if the building was taken over by another organisation to operate as a library it would face challenging circumstances and would need to make significant changes. Councillor Powney confirmed that the public consultation with regard to the proposals had been agreed by the Executive and the outcome of the consultation would be reported back to the Executive in April 2011. With regard to the reason for call-in concerning Brent Youth Parliament, Councillor Powney confirmed that they had also been asked to make comments on the proposals and presentations were taking place at the Area Consultative Forums and Service User Consultative Forums.

During Members' discussion, Councillor H B Patel enquired whether the proposals to close the libraries identified would be reversed if the consultation had shown overwhelming opposition to the closures. He sought details with regard to costs of recent refurbishments to the libraries that were due to close and further comments about the covenant agreement with regard to Kensal Rise Library. Councillor H B Patel queried what defined a library being poorly located, commenting that Preston Road Library, proposed for closure, was located along a busy High Street. He stressed the importance of the service to residents provided by libraries and residents were displeased at the proposed closures.

Councillor Lorber referred to the consultation document in Brent Magazine and stated that there had been no specific mention of the proposed six library closures but a reference to there being fewer buildings. He enquired what other areas of the council were involved in the libraries proposals.

Councillor Powney responded that the consultation had been well publicised and local newspapers had run a series of articles on the libraries that were being proposed for closure. He advised that although a consultation was being undertaken to seek residents' views, ultimately any decision with regard to the libraries would be made by the Executive. Councillor Powney confirmed that the Children's Centres, Property and Asset Management and Legal and Procurement Services were also involved in the libraries proposals. The Head of Libraries Arts and Heritage had overall responsibility for the future of libraries whilst Children and Families were responsible for school building projects. Councillor Powney added that the proposals needed to be seen in the context of the council needing to achieve unprecedented savings due to grant cuts and other cuts and such savings would continue to be required in subsequent years.

Sue McKenzie (Head of Libraries Arts and Heritage) advised that the Neasden Library refurbishment carried out in 2008 cost £350,000 and Barham Library refurbishment £250,000, although this was provided by lottery funding. She commented that mini consultations with other areas of the council had also been undertaken and discussion with regard to future investments in the Children's Centres was taking place.

Members then decided against Councillor Lorber's proposals to recommend to the Executive that the Director of Regeneration and Major Projects investigate using the libraries, including those proposed closure, for additional uses; that Children and Families look at using libraries as learning centres for those children not currently placed in school and that all other areas of the council be encouraged to look at how they could use libraries.

RESOLVED:-

that upon considering the report from the Director of Environment and Neighbourhood Services, the decisions made by the Executive be noted.

3.3 Authority to agree recommendations from the London Councils to manage projected overspend on the Taxicard Scheme

The reasons for call-in were:-

- To initiate discussion to standardise the scheme across boroughs.
- To consider further the impact of the scheme on users in the absence of an Equality Impact Assessment.

Councillor R Moher (Lead Member for Adults, Health and Social Care) introduced the report and advised that the decisions had been taken as a matter of urgency following the announcement by London Councils that the Taxicard Scheme could not continue under present arrangements because of cost pressures. The council did not have the financial resources to make up the shortfall and there was no option but to make the necessary budget control measures. Members heard that the budget control measures would vary from borough to borough.

Councillor Lorber suggested that the financial situation may not be as bad as initially thought and he enquired whether there were ongoing meetings to discuss this issue. He also asked whether the financial figures reported were the latest figures.

In reply, Alison Elliott (Assistant Director – Community Care, Housing and Community Care) confirmed that regular meetings with London Councils were continuing and the majority of London boroughs were responding in a similar fashion to Brent. She understood that the Executive report did include the latest financial figures.

Members decided against a proposal from Councillor Lorber that the Executive be presented with report updating them on the financial situation with regard to the Taxicard Scheme.

RESOLVED:-

that upon considering the report from the Director of Housing and Community Care, the decisions made by the Executive be noted.

4. **The Executive list of decisions for the meeting that took place on Monday, 15 November 2010**

RESOLVED:-

that the Executive list of decisions for the meeting that took place on Monday, 15 November 2010 be noted.

5. **Date of next meeting**

It was noted that the next meeting of the Call In Overview and Scrutiny Committee was scheduled for Wednesday, 5 January 2011 at 7.30 pm and would only take place in if there were any call-ins of decisions from the Executive meeting held on 13 December 2010.

6. **Any other urgent business**

None.

The meeting closed at 9.05 pm

J DENSELOW
In the Chair