



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday, 23 May 2011 at 7.00 pm

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

APOLOGIES: Councillor Crane

ALSO PRESENT: Councillors Cheese, Gladbaum, Harrison, Lorber, Naheerathan and HB Patel

1. Declarations of personal and prejudicial interests

None.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 1 April 2011 be approved as an accurate record of the meeting subject to:

the inclusion of Councillors Colwill and Hashmi in the list of members present and, in the item on 'Petitions and Deputations – Libraries', ward councillors being referred to as follow Councillors Lorber (Sudbury), Colwill and Kansagra (Kenton).

3. Matters arising

None.

4. Deputation - restructuring short break residential provision in Brent for children with disabilities

Mr Lee addressed the meeting on behalf of parents/guardians of children attending the Crawford Avenue centre in Wembley and spoke against the proposals to restructure short break provision for children with disabilities by ceasing to provide a service from Crawford Avenue centre and instead delivering a service for these children and those with physical disabilities from the Clement Close centre in Willesden. This would be an interim measure until the opening of a new respite centre at The Village School, NW9. He was concerned that the proposals were driven by the need to save money and referred the recent investment in the Crawford Avenue centre which had resulted in a high standard of facilities including a sensory room and garden. Clement Close, in contrast, would need £50,000 for improvement works and was already used by 60 families including children from other boroughs. Children in Brent currently using both

facilities would have reduced levels of access. Mr Lee suggested that the funding for Crawford Avenue centre should be ring-fenced and the centre not closed until the new respite facility at The Village School was available.

Councillor John acknowledged receipt of the written contributions from the staff and parents circulated prior to the meeting and assured that their views would be taken into account.

5. Order of business

The Executive agreed to take early in the meeting those items for which members of the public were present.

6. Restructuring short break residential provision in Brent for children with disabilities

The report from the Director of Children and Families proposed a restructure of the residential short break services currently provided at Crawford Avenue and Clement Close units based in Wembley and Willesden respectively. The proposals were in line with the longer term strategy for reducing residential provision and increasing more flexible options for families for short breaks which were community based. Earlier in the meeting, members heard from Mr Lee speaking against the proposals on behalf of parents and carers at the Crawford Avenue centre.

Councillor Arnold (Lead Member, Children and Families) introduced the report. Following a review it was being recommended to reconfigure the current arrangements and to provide services from one base in keeping with the council's Aiming High Joint Commissioning Strategy and national initiatives to promote take up of direct payments and increase community based provision. Councillor Arnold advised that Crawford Avenue centre was leased from the charity Barnardos while Clement Close was council owned. Both units required maintenance work, in particular the lack of lift facilities at Crawford Avenue had been the subject of criticism in an Ofsted report. State-of-the-art respite facilities would be available at The Village School due to open in 2012. . Government spending review had reduced available levels of funding however the council was still trying to retain the option of offering residential breaks within the borough, which was not the case in all local authorities. The eligibility criteria remained unchanged. It is likely that all available places at Clement Close will be used and so any emergency provision would have to be out of borough. The Director of Children and Families advised that the estimated costs for works to Clement Close had reduced by almost half to £27,000.

Councillor Gladbaum (Chair, Children and Families Overview and Scrutiny Committee), having visited both centres, raised a number of questions relating to how the decision was taken to close a centre and why was Clement Close the centre chosen for closure, what would happen to the adapted furniture at Crawford Avenue, the financial implications and location of alternative provision outside Brent and timescales for building works at The Village School. The Director of Children and Families responded stating that the council was trying to ensure that the facilities were suitable for all children and to withdraw from the council owned Clement Close premises would not yield the same level of financial savings. Moving to alternative forms of provision had not been straightforward however direct payments were being promoted and there had been some successes. The Director felt that it was likely provision for emergency placements

would need to be sought outside the borough. This is common practice in many local authorities. On the building programme for The Village School, members were advised that the school was due to open in September 2013 however the respite centre was due to be available earlier, towards the end of 2012. She confirmed that it was hoped that some of the furniture could be transferred to Clement Close, put in storage for use at The Village School or used by Barnardos.

In response to a question on government grant funding from Councillor Jones (Lead Member, Customers and Citizens), Councillor Arnold advised that the government had provided early intervention grant but there had been a funding reduction of £4m leaving local authorities to prioritise needs. She assured that no child would be left without some form of respite.

At the end of the discussion, and with the consent of the Executive, Alun Davies (deputy manager, Crawford Avenue centre) advised that the funding to be spent at the Clement Close centre was primarily for health and safety works and that this centre provided for children with many types of disability. On the number of hours offered to families on an annual basis for overnight stays, Mr Davies stated that this was in excess of the 472 referred to in the report as this did not account for holidays. Additionally, emergency care was very costly, 1,200 hours having already been provided as at May 2011.

Councillor John thanked the parents, carers and staff for attending the meeting.

RESOLVED:

- (i) that short breaks for children with disabilities cease to be provided at 24 Crawford Avenue short break unit from 1 October 2011;
- (ii) that staffing arrangements be restructured at Clement Close and Crawford Avenue in order to deliver an effective service at Clement Close to meet the full range of children's needs.

7. Update on the implementation of the Libraries Transformation Project

The report from the Director of Environment and Neighbourhood Services updated members on the implementation of the Libraries Transformation project approved at the meeting of the Executive on 11 April 2011. The decisions were called in for scrutiny by the Call in Overview and Scrutiny Committee on 27 April 2011 and the report responded to the scrutiny committee's recommendation that the existing libraries or suitable alternative local premises be available for young people throughout the 2011 exam period.

Councillor Lorber (Leader of the Opposition) addressed the Executive and referred to the discussion at the meeting of the Call in Overview and Scrutiny Committee. He put that the report before members did not fully address concerns as the 2011 exam period did not end in July but only after students had received their results and had had the opportunity to retake and improve grades where necessary. He sought clarification on the number of students expected to re-sit exams and expressed the view that after the closure of six libraries the remaining facilities would be insufficient.

Councillor Powney (Lead Member, Environment and Neighbourhoods) in response stated that he had attended a Youth Parliament meeting as part of the consultation

process. He put that all concerns were being addressed and felt that Councillor Lorber's concerns were misplaced.

RESOLVED:

that the report be noted.

8. **Waste Strategy**

Councillor Powney (Lead Member, Environment and Neighbourhoods) introduced the report which provided an update on procurement matters in relation to the Council's proposals to implement the new Household Waste Collection Strategy (2010), in particular the provision of new waste collection vehicles and the supply and distribution of various household waste containers. Councillor Powney also drew attention to the use of the Chief Executive's delegated powers to vary and award the contract given the contract deadlines and increasing prices.

RESOLVED:

- (i) that the revised means of acquiring 12 waste collection vehicles, by way of hire instead of purchase, to be implemented by way of a variation to the main waste contract with Veolia, be noted;
- (ii) that the outcome of the procurement process for the supply and distribution of various household waste containers be noted;
- (iii) that the use (on the basis of 'urgency') of the Chief Executive's delegated powers to authorise the variation and award of contract described in paragraph (i) and (ii) be noted.

9. **Authority to award the contract for the provision of a managed service for the supply of staff services for Brent Transport Services (BTS)**

The report from the Director of Environment and Neighbourhood Services sought authority in accordance with Contract Standing Orders 88 to award a contract for the provision of a managed service for the supply of personnel for Brent Transport Services. The report summarised the tender process undertaken by officers and following evaluations of tenders, recommended the tenderer that should be awarded the contract. Councillor Powney (Lead Member, Environment and Neighbourhoods) in introducing the report referred to the agency worker directive which was to be enforced later in the year and the expected increase in operational costs.

The Executive also had before it an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Paragraph 3 of Schedule 12A to 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 the award of the contract to Drake International for an initial period of three years with an option to extend for a further one year, with an estimated contract value over the four year period of £7.6 million;
- (ii) that the BTS staff requirement be delivered through the contract described in paragraph (i) above, a departure from the standard council procedure for the procurement of temporary staff.

10. Authority to invite tenders for a framework agreement for the provision of cleaning services to Brent schools

The report from the Director of Children and Families concerned the procurement of a framework agreement for cleaning services for schools and sought authority to invite tenders for a Cleaning Framework Agreement to commence on 2 January 2012 as required by Contract Standing Orders 88 and 89.

Councillor Arnold (Lead Member, Children and Families) stated that the proposals were the outcome of a value for money workshop and the adoption of a strategic approach to collaboration between schools resulting in potential annual savings of £50,000. She hoped it would be the start of further joint procurement.

RESOLVED:-

- (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 Children and Families;
- (ii) that approval be given to the invite of tenders and their evaluation in accordance with the approved evaluation criteria referred to in paragraph (i) above.

11. Authority to award a contract for the delivery of services at Stonebridge Adventure Playground and Special Educational Needs Afterschool Clubs in Brent

Councillor Arnold (Lead Member, Children and Families) introduced the report which requested authority to award a contract for the delivery of services at Stonebridge Adventure Playground and SEN Afterschool Clubs (including Manor School, The Village School and Middlesex House) in Brent to Brent Play Association on the basis that there were good operational and financial reasons for doing so. She reminded the Executive that the contract was needed so as to comply with the terms of previously awarded lottery funding for the project.

RESOLVED:-

that approval be given to a contract for the delivery of services at Stonebridge Adventure Playground and SEN Afterschool Clubs in Brent to Brent Play Association for the period 1 June 2011 to 31 March 2012, such award being exempted from the normal requirements of Brent's Contract Standing Orders in accordance with Contract Standing Order 84 (a) on the basis that there were good financial and operational reasons as set out in paragraph 3.7 of the report from the Director of Children and Families.

12. Authority to award a support and maintenance contract

The report from the Director of Housing and Community Care requested authority to award a support and maintenance contract in respect of "frameworki", the Council's Adult and Children Social Care Case Management IT System and sought approval not to invite tenders in accordance with Contract Standing Order 86 (e)(i). Councillor R Moher (Lead Member, Adults and Health) advised that the original contract, having been awarded to Corelogic had now expired. Options had been explored and it had been concluded to remain with the current provider as staff were already trained and new functions were in the process of being added to the system. Additionally, Corelogic owned the intellectual property rights and were unwilling to give third party access rights to the software.

The Executive also had before it an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Paragraph 3 of Schedule 12A to 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 award a support and maintenance contract in respect of frameworki to Corelogic Ltd for a term of five year with an optional two year extension from 1 June 2011;
- (ii) that approval be given to tenders not being invited in accordance with Contract Standing Order 86 (e) (i) for the reasons detailed in paragraph 3.7 of the report from the Director of Housing and Community Care.

13. The East Lodge, Paddington Cemetery, 93 Willesden Lane

The report from the Director of Regeneration and Major Projects sought approval for the disposal at auction of the East Lodge located in the Paddington Cemetery, 93 Willesden Lane London NW6 7SD. The property had now become surplus to requirements after the previous occupier, an employee of the Environmental Health Unit vacated the property in February 2011. The Director advised that the property would be sold at auction as a Grade II listed building for residential use and drew attention to the terms of a covenant which required that half of the net profit from sale had to be paid to Westminster City Council.

RESOLVED:-

- (i) that the Assistant Director, Regeneration and Major Projects, (Property and Asset Management), be authorised to dispose of the property by way of auction on such terms that he considers appropriate, after all due regard to planning and architectural considerations, so as to ensure that the best price was received on sale and to instruct Legal Services in the matter of the disposal;
- (ii) that the Assistant Director, Regeneration and Major Projects, (Property and Asset Management) be authorised to commence and comply with the procedure, as set out in Section 123(2A) of the Local Government Act 1972 (LGA 1972), of the council's intention to dispose of the public open space comprising the East Lodge and the land within its curtilage.

14. Proposed Park Royal Partnership Business Improvement District

The report from the Director of Regeneration and Major Projects informed members of Park Royal Partnership's intention to ballot eligible businesses within the Park Royal industrial estate for the establishment of a Business Improvement District (BID) anticipated to take place on 30 June 2011. The report included background information about the BID, the progress Park Royal Partnership has made to date and outlined the implications for the council. The Director referred to the benefits for businesses should the ballot be successful in terms of the environment, networking, training and being able to attract more government funding into the area.

RESOLVED:

- (i) that it be noted that an 'industrial' Business Improvement District (BID) was being proposed in the Park Royal area across three boroughs: Brent, Ealing and Hammersmith and Fulham;
- (ii) that authority be delegated to the Director of Regeneration and Major Projects, in consultation with the Director of Finance and Corporate Services, to decide whether to approve the Park Royal Partnership BID proposals and business plan such that a ballot will be held;
- (iii) that it be noted that Park Royal Partnership has asked the three councils to run BID ballots on 30 June 2011 and that the cost of running the ballot to be funded by the three Local Authorities, was estimated to be less than £3,000 in total;
- (iv) that it be noted that the three ballots would be run by Ealing and that the council's Returning Officer proposed to appoint Ealing to undertake the ballot on behalf of the council;
- (v) that authority to veto be delegated to the Director of Regeneration and Major Projects, in consultation with the Director of Finance and Corporate Services in respect of the ballot including the authority to exercise such power should those officers consider such action appropriate;
- (vi) that the Head of Revenue and Benefits be authorised to establish and administer the BID revenue account and to provide for the introduction, administration, recovery and application of the BID levy in accordance with the BID Regulations in the event that the Park Royal BID successfully proceeds at ballot;
- (vii) that authority be delegated to the Director of Regeneration and Major Projects in consultation with the Director of Finance and Corporate Services to complete any necessary legal agreements and other arrangements required for the operation of the BID Levy, BID ballot and service arrangements including the Baseline and Operating Agreements with the newly formed BID company should the ballot be successful in June.

15. Development of SEN Provision at Hay Lane and Grove Park Sites -The Village School including award of Design and Build contract

The Director of Regeneration and Major Projects Council introduced his report which summarised the process to procure a Design and Build contractor for the temporary accommodation at The Village School, NW9. The Director advised that work on the temporary accommodation had commenced earlier in the day. The Director's report also summarised the procurement process undertaken by the council to procure a Design and Build contractor for the main works contract and requested authority to award the contract for the appointment of a Design and Build contractor for this scheme. He was pleased to report that the contract sum was within the estimated project costs.

The Executive also had before it appendices to the report which were not for publication as they contained the following category of exempt information as specified in Paragraph 3 of Schedule 12A to 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:-

that the Design and Build Contract for the main works for The Village School be awarded to JB Leadbitter and Co Ltd, trading as Leadbitters, in the sum of £18,856,721.00.

16. Authority to award contract for supply of energy (Gas and Electricity) to the council

The report from the Director of Corporate Services related to the procurement of both gas and electricity across the council and requested approval to award two call-off contracts under flexible energy procurement frameworks operated by Kent County Council in accordance with Contract Standing Orders 88. Councillor Butt (Lead Member, Resources) confirmed that schools could join the framework if they so wished.

RESOLVED:-

that, subject to the formal award of the Laser Framework and the Director of Legal and Procurement subsequently confirming that participation in the Laser Framework was legally permissible:

- (i) authority be delegated to the Director of Finance and Corporate Services to award a call-off contract from the Laser Framework for the Supply of Gas via flexible procurement to Total Gas and Power Limited and Kent County Council for four years from 1 October 2012;
- (ii) authority be delegated to the Director of Finance and Corporate Services to award a call-off contract from the Laser Framework for the Supply of Electricity via flexible procurement to NPower Limited and Kent County Council for 4 years from 1 October 2012.

17. Applications for Discretionary Rate Relief

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

Director of Finance and Corporate Services included applications received for discretionary rate relief since the Executive last considered such applications in February 2011 and the Lead Member, Councillor Butt, advised that many were from new organisations working with the council.

RESOLVED:

that approval be given to the discretionary rate relief applications in Appendices 2 and 3 of the report from the Director of Finance and Corporate Services.

18. Any Other Urgent Business - appointments to committees

RESOLVED:

(i) that the following appointments to the Highways Committee be noted:

Member	Alternates
Beswick	John
Long	Arnold
Jones	R Moher
J Moher (C)	Butt
Powney (VC)	Crane

(ii) that approval be given to the following appointments:

London Councils Grants Committee (Associated Joint Committee)

Member	Alternates
John	Jones
	Butt
	Al-Ebadi

19. Reference of item considered by Call in Overview and Scrutiny Committee - 27 April 2011

RESOLVED:

that the recommendations from the Call in Overview and Scrutiny Committee, as considered earlier in the meeting with the report from the Director of Environment and Neighbourhood Services, be noted.

The meeting ended at 7.50 pm

A JOHN
Chair