



Call In Overview and Scrutiny Committee

Wednesday, 3 August 2011 at 7.30 pm

Committee Room 1, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Councillors:

Ashraf (Chair)
Denselow (Vice-Chair)
Mrs Bacchus
Gladbaum
Kabir
Lorber
Mistry
HB Patel

first alternates

Councillors:

Clues
Beckman
Harrison
Adeyeye
Mitchell Murray
Matthews
McLennan
BM Patel

Second alternates

Councillors:

Brown
Hossain
Sheth
Al-Ebadi
Chohan
Allie
Aden
Colwill

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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
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1	Declarations of personal and prejudicial interests	
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Members are invited to declare at this stage of the meeting any relevant financial or other interest in the items on the agenda.

2	Deputations (if any)	
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3	Minutes of the last meeting held on 8 June 2011	1 - 8
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The minutes are attached.

4	Matters Arising	
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5	Call-in of Executive decisions from the meeting of the Executive held on 18 July 2011	
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Decisions made by the Executive on 18 July 2011 in respect of the following reports were called-in for consideration by the Call In Overview and Scrutiny Committee in accordance with Standing Orders 6 (b) and 18.

a)	Additional street cleansing savings	9 - 16
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The reasons for the call in are:-

1. To allow public discussion and scrutiny of these proposals, which have not been subject to a public consultation (either these new proposals, or the original proposals to reduce street cleansing services), allowing alternative proposals to be developed.
2. To further consider the risk associated with on-going negotiations with Veolia and the possibility of their failure which may necessitate further reductions in the street cleansing service.

Suggested action for the Call in Overview and Scrutiny Committee to take:-

1. To consider whether alternative options to the single set of proposals put before the Executive could be developed.

2. For the Executive to consult on the proposed changes to Street Cleansing Services to ensure adequate democratic oversight has been carried out.

The Executive report is attached.

The Lead Member and Lead Officer are invited to the meeting to respond to Members' questions.

b) Future funding of an events programme

17 - 24

The reasons for the call in are:-

1. To test fully the argument that Equalities legislation requires the cessation of all "cultural/faith based" events.
2. Because many of the "cultural/faith-based" events are inclusive and, in practice cross-community.

Suggested action for the Call In Overview and Scrutiny Committee to take:-

1. To consider the option of providing greater support to events delivered by the local community by diverting resources from large-scale events organised directly by the council.
2. To take full account of the consultation responses and views of the local community.
3. To consider advice on relevant Equalities duties and legislation

The Executive report is attached. Appendices to the report are circulated separately for Members.

The Lead Member and Lead Officer are invited to the meeting to respond to Members' questions.

6 The Executive list of decisions for the meeting that took place on 18 July 2011 25 - 38

The list of decisions that took place on 18 July 2011 is attached for information.

7 Date of next meeting

The next meeting of the Call-In Overview and Scrutiny Committee is scheduled for Wednesday, 7 September 2011 at 7.30 pm and will take place in the event of there being any call ins of decisions made by the Executive on 17 August 2011.

8 Any other urgent business

Notice of items raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

9 Exclusion of press and public

The following appendices to the report in item 5 (a) on the agenda are not for publication as they relate to the following category of exempt information as specified in Schedule 12A of the Local Government Act 1972 namely:

Appendix 1 – “Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

Appendix 3 - “Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings”.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
 - Toilets are available on the second floor.
 - Catering facilities can be found on the first floor near the Paul Daisley Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge



MINUTES OF THE CALL IN OVERVIEW AND SCRUTINY COMMITTEE Wednesday, 8 June 2011 at 7.30 pm

PRESENT: Councillor Ashraf (Chair), Councillor Denselow (Vice-Chair) and Councillors Mrs Bacchus, Gladbaum, Kabir, Lorber and Mistry

Also Present: Councillors Adeyeye, Arnold (Lead Member for Children and Families), Butt (Deputy Leader and Lead Member for Resources), Cheese, Chohan, S Choudhary, Mashari, McLennan and Mitchell Murray.

An apology for absence was received from: Councillor HB Patel

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

Councillor Kabir declared an interest in relation to item four, the call in of the Executive decisions in relation to restructuring short break residential provision in Brent for children with disabilities, as a governor of the Village School. However, she did not consider the interest to be prejudicial and remained present to consider and vote on this item.

2. **Minutes of the last meeting held on 27 April 2011**

RESOLVED:-

that the minutes of the last meeting held on 27 April 2011 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Call-in of Executive decisions from the meeting of the Executive held on 23 May 2011**

Decisions made by the Executive on 23 May 2011 in respect of the report below were called in for consideration by the Call In Overview and Scrutiny Committee in accordance with Standing Orders 6 (b) and 18.

Restructuring short break residential provision in Brent for children with disabilities

The reasons for the call in were:-

- To consider in detail the implications of closing one of the two centres (in particular before the new Village School is completed).

- To consider what mitigating measures are being planned/developed to assist parents who currently use the centre.
- To explore in more detail the reasons for the closure of Crawford Avenue.
- To explore the impact on children and their families who currently use the Clement Close centre.

Suggested action for the Call In Overview and Scrutiny Committee to take:-

- To consider alternative proposals for Executive.
- To consider in further detail the implications for the young people and their parents who currently attend the centre.

The Chair invited Councillor Lorber, one of the councillors who had call in the decisions, to summarise the reasons for the call in. Councillor Lorber referred to the reasons for the call in as set out in the agenda and highlighted some additional points, emphasising the importance the service provided at Crawford Avenue and Clement Close short break respite centre units. He felt that the implications of closing Crawford Avenue needed further consideration. Whilst acknowledging that facilities for the service needed to be improved and the decision to relocate to the Village School had been made over a year ago, the original proposals had been to close the Crawford Avenue and Clement Close units only after the Village School was open and fully operational. Councillor Lorber therefore felt the Crawford Avenue closure was premature and suggested that alternative ways of achieving the improvement and saving objectives should be considered in view of the closure's impact on service users and carers.

Members had before them written representations submitted by Romana Bhatti, Noreen Scott and Fitzroy Lee for consideration. The Chair confirmed that he had received some requests from non-Members to address the committee. He then invited George Fraser, representing the General, Municipal, Boilermakers and Allied Trade Union (GMB), to address the committee. George Fraser explained that he was representing the views of GMB members who were staff members in this service area, and also concerned parents and councillors. He stressed the importance and value of the service that was provided and whilst acknowledging that savings needed to be made, he expressed concern that the closure of Crawford Avenue would affect a vital front line service, involving eight job losses and reducing respite care facilities for children and their parents. George Fraser suggested that accommodating the 67 users of Crawford Avenue in Clement Close would be impractical as Clement Close was not large enough, whilst there would also be the loss of emergency cover within the borough. Although the move to direct payments would afford greater flexibility, the ability to ensure quality of care and value for money was questioned, whilst most parents preferred that the service continued to be provided by the council. George Fraser commented that the report had not addressed redundancy costs or notice periods and he queried whether the £50,000 estimate for alterations to Clement Close would be exceeded. Members heard that the fewer hours provided by the service would mean more emergencies which would increase costs, whilst those parents on direct payments would frequently need to use services outside the borough which would similarly impact on costs. George Fraser suggested that more detailed costings be provided and that Crawford Avenue remain open until the Village School opens.

The Chair then invited Noreen Scott, a care worker representing staff's views at Crawford Avenue, to address the committee. Noreen Scott began by stating that the proposals' objective was to achieve savings and there had been no evidence to suggest that alternative proposals had been considered. Crawford Avenue also offered a safe haven for children in the event of 'lockouts' and Noreen Scott doubted that foster carers would be able to provide such a service at short notice. She commented that the report had not addressed what alternative provisions would be in place in such situations and this needed to be considered further. Members heard that many of the children had autistic spectrum disorders and they would find having to move to Clement Close very stressful which would be exacerbated by having to move to the Village School soon after. The double move over a short period would impact significantly on both parents and their children. Noreen Scott explained that Crawford Avenue had the necessary facilities for children with autistic spectrum disorders and she cited an example of where a child that had become severely agitated being calmed when they were placed in the sensory room, a facility that Clement Close did not have. In addition, Noreen Scott felt that Clement Close had neither the capacity nor the facilities to accommodate children from Crawford Avenue. She asked that Crawford Avenue remain open until the new accommodation was available at the Village School.

In answer to a query from the Chair concerning children with physical disabilities, Noreen Scott stated that wheelchair users were more vulnerable if mixed with children with challenging behaviour and she felt that Clement Close would be particularly unsuitable for them. Clement Close would also need to have more locks to the premises to ensure it met health and safety requirements which would restrict the children's movement and be psychologically damaging.

Mrs Misha, a parent of one of the children who attends Crawford Avenue, was invited by the Chair to address Members. Mrs Misha explained that her child had profound disabilities with complex needs and a move to Clement Close would be highly disruptive. Referring to the consultation response rate of 19%, she enquired what steps had been taken to obtain the views of ethnic groups, many of whom did not speak English as their first language. The loss of Crawford Avenue would mean a reduction in service and flexibility and emergency cover would need to be provided outside of the borough, whilst direct payments did not provide parents with the proper respite they so sorely needed. Mrs Misha enquired how Government funding for short break provision would be used and she asked that Crawford Avenue remain open until the Village School opens.

Fitzroy Lee, also a parent of a child who attends Crawford Avenue, was invited by the Chair to address the committee. He stressed that the needs of the children was paramount, however the measures being taken appeared to be driven by costs. Clement Close would not offer adequate facilities for children who had severe autistic spectrum disorder, whilst direct payments did not address respite needs. Fitzroy Lee explained that children benefitted from the stimulus provided by the environment at Crawford Avenue whilst giving parents a well-needed rest. He also felt that the report had not fully considered the cost implications of the proposals and he requested that Crawford Avenue be kept in operation until the Village School opened.

Romana Bhatti, a parent of a child attending Crawford Avenue, was invited to address the committee by the Chair. Romana Bhatti explained that the daughter

concerned sometimes becomes extremely agitated and aggressive which has resulted in her frequently needing to use Crawford Avenue for emergency respite care and this was the only centre available that had the necessary facilities and environment to calm her in such situations. Romana Bhatti added that the direct payments system was not an option for families in her situation.

Councillor Arnold (Lead Member for Children and Families) was invited to respond to the issues that were raised. Councillor Arnold began by acknowledging the importance of hearing the views of the families affected by the proposed closure of Crawford Avenue and the disruption that would be caused, especially in view that children with disabilities would find it hard to adjust to a change of environment. However, she confirmed that any child who received short break services would continue to do so and that the eligibility criteria would remain unchanged. Furthermore, although there was a national policy shift towards direct payments, parents were not compelled to use this system, however overall there would be a reduction in residential provision and an increase in flexible short break packages. Members noted that £300,000 had been allocated for short break provision and that the Village School was due to open in autumn of 2012. Councillor Arnold advised that the decisions made had brought forward the proposals to consolidate short break residential provision into one centre with the objectives of improving quality whilst protecting financial resources that were available.

Rik Boxer (Assistant Director – Achievement and Inclusion, Children and Families) added that the overnight emergency facility at Crawford Avenue had been underused and that future such cases would either be accommodated at Clement Close or a location outside the borough. The decision had been made to close Crawford Avenue on the grounds that the building was neither sufficiently suitable nor able to cater for the full range of needs and it had become impractical to continue to operate at the premises. For safety reasons, the committee noted that there would be staggered, separate sessions for those children with physical disabilities and those with challenging behaviour. The necessary health and safety works would also be undertaken at Clement Close.

The committee then discussed the item in depth. Councillor Denselow sought clarification and further details with regard to what savings would be made by the measures, giving notice to staff, the cost of leasing arrangements from Barnados in respect of Crawford Avenue, whether any alternative proposals had been explored and was the council in receipt of the Government's early intervention grant. He also asked what the implications of a delay in implementing the measures would be if the committee made an alternative recommendation to the Executive for its consideration. Councillor Kabir acknowledged the need to make savings, however she felt that more information was needed to provide assurances that an accessible and affordable service would be provided to the children and their parents. Further details were also sought as to how the staggering of provision between those users with physical disabilities and those with challenging behaviour would work at Clement Close. Councillor Mistry, in noting the relatively low consultation response rates, asked whether there had been any steps taken to encourage and help those of black or minority ethnic groups to respond. He commented that a need to make savings had not been identified when the Village School was first proposed and he asked whether the savings now being made would mean a reduction in hours that the service would be provided. However, Councillor Mistry expressed concern that delaying the implementation of the decisions made may lead to further costs, a view

that Councillor Bacchus concurred with and she added that she felt that every effort had been made to ensure the best possible outcome had been achieved from challenging circumstances.

Councillor Gladbaum felt that more evidence was needed to show that the networks-based system was sufficiently developed to enable direct payments to work effectively in the light of the reduced residentially based short break provision. She suggested it would be helpful if a list of out of borough providers and their associated costs was available. In respect of the additional care staff needed to look after children with challenging behaviour, she asked how many would be needed and at what cost, adding that there would also be training costs involved. Councillor Gladbaum commented that more details were needed with regard to the costs concerning Clement Close and how it would accommodate the additional users. Clarification was sought concerning an apparent £85 million funding from the Department for Education for short break respite care over the next four years. Councillor Gladbaum also asked whether it was feasible to delay the closing of Crawford Avenue until next year in view of the circumstances. She commented that the report lacked details of redundancy costs.

Councillor Lorber asked why it was proposed to vacate Crawford Avenue from 1 October when the rent for the building was to be paid until December and whether the landlords, Barnados, had been approached with a view to waiving the rent earlier. If this could not be achieved, he asserted that the £190,000 proposed savings would not be achieved whatever savings were made through staffing changes. Concern was expressed that the council may incur costs if the building deteriorated whilst not being in use. He also queried why Barnados had already been given notice of termination of lease whilst the decisions had been called in. Whilst the original decision to move to the Village School had been to improve service and increase efficiency, he felt the current proposals primarily focused on costs. Councillor Lorber sought clarification as to where emergency cases would be accommodated once Crawford Avenue closed. In noting that there was some spare capacity presently at Crawford Avenue, Councillor Lorber asked whether the opportunity to raise revenue by offering spaces to other London boroughs had been explored. In respect of the £50,000 costs to meet health and safety requirements, Councillor Lorber sought assurance that this would only relate to capital costs and not revenue costs too. Turning to the eight staff posts that would be lost, he enquired whether any further staff losses were envisaged before the Village School opened and how certain were the costs calculated in respect of redundancies. Councillor Lorber felt that there was a sufficient degree of uncertainty regarding costs, including those relating to staff and the costs of emergency provision outside the borough, to warrant the need to reconsider this issue. In addition, the requirement for two successive moves would be too disruptive for both the users and their parents and Clement Close would not be able to provide adequate service. He felt that the proposals should be reconsidered to see what the best way was to provide this service until the Village School opened.

The Chair acknowledged that personalisation was being promoted, however there were a number of parents who did not wish such provision and he asked whether facilities such as a sensory room could be provided through direct payments. He sought clarification as to whether there would be any further staff restructuring before the Village School opened. The Chair also felt that there was some uncertainty concerning the costs involved and commented that there could be

potential for Crawford Avenue to bring in revenue through allowing other boroughs to use spaces that were available. Although there were financial reasons behind the proposals, he stressed that Crawford Avenue was very popular with users, whilst the needs of their parents also needed to be taken into consideration. Furthermore, Crawford Avenue provided the facilities needed by those with learning and behavioural difficulties and the move to Clement Close would not be suitable for them.

With the approval of the Chair, Councillor S Choudhary addressed the committee. Councillor S Choudhary felt that it was imperative that the council provided emergency overnight accommodation for such users and he queried whether interest accrued from the council's reserves could be used to finance this. Councillor Adeyeye also addressed the committee with the approval of the Chair. Councillor Adeyeye commented that he had a disabled child and he appreciated the need for quality of life for both the user and parent. He felt that in order to ensure this, closure of Crawford Avenue should be deferred until the Village School opened.

In reply to the issues raised by Members and other councillors, Councillor Arnold stressed that the proposals made the best of the resources that were available. Once the works had been completed at Clement Close, the centre would have the capacity to provide for both its present uses and those who had been using Crawford Avenue. Members heard that Crawford Avenue would not have been able to accommodate both these users. With regard to the early years intervention Government grant, Councillor Arnold advised that this was allocated to the Aiming High programme and the Village School would help to achieve the programme's objectives. In respect of the £300,000 available for community-based short breaks, some 105 families currently had personal budgets for this from direct payments, with an additional ten families taking up direct payments since the consultation undertaken in respect of this item and there had been an eight per cent increase overall in uptake in the last year. It was acknowledged that more work was needed in expanding the market for potential providers of those on direct payments. Councillor Arnold explained that providing quality short break provision remained a high priority and the council aimed to provide continuous improvement in this area by using the available resources in the most effective way. The pressures on the budget meant that keeping both Clement Close and Crawford Avenue centres open was not feasible and Members were reminded that the resources available needed to provide for all services within Children and Families.

Krutika Pau (Director of Children and Families) advised that the changes to the staff structure would bring the relevant staff together and that consultation was being undertaken in respect of redundancies so precise costings were not currently available. There had been no specific guidance in respect of assisting black and minority ethnic groups in completing the consultation on the proposals, however it was expected that a larger response from such groups would have indicated support for continuing with the current arrangements. The decision to bring forward the closure of Crawford Avenue was unavoidable because of budget pressures and Children and Families was required to make overall savings of £12.5 million, meaning that many difficult decisions needed to be made. Krutika Pau advised that if the closing of Crawford Avenue was delayed, savings would need to be made elsewhere within the Children and Families budget.

Rik Boxer advised that the bulk of the savings would be made through staffing changes. In respect of direct payments providers, he explained that a network was in place although he acknowledged the need to expand the list of potential providers. Whilst there was to continue to be an overall shift to personalisation, the need to provide short break provision on a residential basis was recognised and for this reason a centre would remain in Brent to provide this. The impact on users and their parents of closing Crawford Avenue was appreciated, however Clement Close had been fully risk assessed and deemed fit for purpose to accommodate the users from Crawford Avenue. Rik Boxer confirmed that emergency cases were currently accommodated at Crawford Avenue or Clement Close. Future such cases could be accommodated in out of borough locations, whilst Clement Close may also be available for such provision. It was noted that out of borough emergency overnight costs were in the region of £400-£600. Crawford Avenue was presently operating under capacity and there had been some instances of it being used by other local authorities. Rik Boxer confirmed that the staffing budget for the Village School short breaks provision would remain and that any further re-structuring of staff for the move to the Village School was not anticipated. It was confirmed that six months notice was required to vacate Crawford Avenue and this had been given to Barnados after the proposals were agreed by the Executive.

Clive Heaphy (Director of Finance and Corporate Services) advised that the notice of termination of the lease for Crawford Avenue could be rescinded in the event of any decision not to leave the centre being made. Crawford Avenue was presently in a reasonable state although it would be the decision of Barnados, the landlord, if they felt that they should pursue claims for any costs. Discontinuing use of Crawford Avenue two months before the lease expired in December represented a very small cost to the council in the region of £6,000-£7,000 rent. In respect of raising revenue by providing space for other boroughs at Crawford Avenue, Clive Heaphy advised that such provision would need to be provided frequently and on a regular basis to offset the costs of renting the property and therefore it was unlikely that this would raise sufficient revenue. The year's worth of savings made through not paying rent for Crawford Avenue after December 2011 had already been included in the costings for the Village School. In addition, the overall £190,000 savings to be made from the proposals had already been taken into account in respect of the budget and deferring them would make it much harder to identify the savings from elsewhere, as being later in the financial year, a number of financial decisions would have already been made. Clive Heaphy emphasised that the vast majority of savings would be made through the staff restructuring. Whilst redundancy costs could not be estimated at this stage, calculating savings made from post deletions was straightforward through adding the total salaries that would be saved. The proportion of costs that could not be calculated at this stage was small in comparison to overall savings that would be made. It was noted that the £50,000 costs relating to Clement Close were all capital costs, although it was likely that these costs would ultimately be nearer £27,000. Funding in respect of short breaks provision had not been ring fenced but rather the Government had suggested areas to prioritise in.

The committee was advised that the proposals fully met the Breaks for Carers of Disabled Children Regulations 2010.

The committee then decided not to agree to a recommendation put forward by Councillor Lorber that Crawford Avenue remain open until the Village School opens

as had been originally proposed, in order to prevent the upheaval the users and their carers would experience in moving twice in quick succession.

Krutika Pau agreed to a request made by Councillor Gladbaum to provide users and their parents with information, including costs, of potential providers in respect of direct payments.

RESOLVED:-

that upon considering the report from the Director of Children and Families, the decisions made by the Executive be noted.

5. **The Executive list of decisions for the meeting that took place on 23 May 2011**

RESOLVED:-

that the Executive list of decisions for the meeting that took place on 23 May 2011 be noted.

6. **Date of next meeting**

It was noted that the next meeting of the Call In Overview and Scrutiny Committee was scheduled for Wednesday, 29 June at 7.30 pm, however it would only take place in the event of there being any call ins of decisions made by the Executive on 13 June 2011.

7. **Any other urgent business**

None.

The meeting closed at 9.30 pm

J ASHRAF
Chair



Executive
18 July 2011

**Report from the Director of
Environment and Neighbourhood
Services**

Wards Affected: ALL

Additional Street Cleansing Savings

Appendices 1 and 3 are not for publication

1.0 Summary

- 1.1 The 2011-12 budget making process made some explicit decisions about reduction in service levels in street cleaning. There were also further savings built into the budget which required negotiation with Veolia as to how they could be achieved.
- 1.2 This report recommends the approval of further variations in the council's waste services contract in order to meet agreed budget reductions

2.0 Recommendations

- 2.1 That Members note the requirement to achieve further reductions in the cost of the Council's Waste Services Contract and the progress of negotiations relating to those reductions set out in paragraphs 3.3 to 3.7.
- 2.2 That Members agree the package of changes to street cleaning services set out in paragraph 3.10.
- 2.3 That Members note the intention to seek further cost reductions from the waste services contractor in relation to the agreed changes and delegate authority to conclude those negotiations to the Director of Environment and Neighbourhood Services and the Director of Finance and Corporate Services.

3.0 Detail

3.1 On 15 November 2011 the Executive agreed a new Waste Collection Strategy which would:

- ◆ give radical improvements in the waste collection and recycling services provided to all Brent residents
- ◆ deliver a step change in the recycling rate towards the goal of 60%
- ◆ deliver long term efficiency savings (largely arising from savings in disposal costs) in excess of £1 million each year

3.2 The financial implications of adopting the strategy were based on modelling undertaken jointly with Veolia, who is the council's contractor both for waste collection and street cleansing, under one combined contract. There remained significant negotiation to be undertaken to conclude the variation to the contract necessary to implement the changes.

3.3 In the 2011-12 budget setting process, a number of savings relating to the Veolia contract were agreed. Together these reduced the cash limit for the contract services by £1,595k for 2011-12 and subsequent years. They were made up of four elements set out in Table 1 below..

Item	£000
Move from 3 to 2 sweeps per week in residential Zone 5 plus integration of cleansing and special collections and rebalance of afternoon shift (price agreed from the schedule of rates and implemented from 1 April 2011)	545
Move from 2 to 1 sweep per week in residential Zone 5 (this saving was an estimate based on schedule of rates)	350
Avoidance of redundancy costs through shift to 5 day working – a one off saving but included in the baseline	100
Savings to be negotiated based on a range of areas of concern totalling over £1m in the Veolia waste collection proposal	600
TOTAL	1,595

Table 1

3.4 The Council has been negotiating with Veolia since February 2011 to seek to agree means of reducing the cost of the contract to match the budget now available. The negotiations with Veolia have been detailed and protracted because of the range of service variables and the need to remodel the whole service within budgetary targets. The Council's negotiating team has been led throughout by Corporate Procurement, supported by senior officers from E&NS and from Finance.

3.5 Negotiations continue, and details are included in confidential Appendix 1. However, it is clear that it will not be possible to achieve the reductions sought

in the cost of the waste collection and recycling elements of the contract, and that cost reductions to meet the cash limit will need to come from additional street cleansing savings.

- 3.6 In outline, it has not been possible to agree the reductions sought by the Council in respect of the waste collection arrangements partly because Veolia are seeking, through this significant change to the contract, the opportunity to try and improve profitability for the remainder of the contract which has, in their view, been eroded by a number of factors since the original start of the contract. Similarly, they are seeking to ensure through the negotiation of the changes to the street cleaning element of the contract, that they have a higher level of profitability for the remainder of the contract than they have recently been enjoying. In consequence, the reductions to the street cleaning regime recommended below to meet the 2011-12 and 2012-13 budget requirements, are larger than might have been expected.
- 3.7 At the present point in negotiation, the changes recommended, together with the budget treatment of related elements discussed in Section 4 will meet the budget requirement for 2012-13 and subsequent years. For 2011-12 there will be a £410k shortfall which is broadly in line with the shortfall anticipated from part year introduction of the waste collection strategy when it was agreed by Executive in November 2010.
- 3.8 It is imperative that the changes to implement the waste collection strategy through changed recycling and refuse collection arrangements are implemented from 1 October 2011. Any delay to the implementation will worsen the position for 2011-12 and delay the substantial financial and performance benefits anticipated to follow the changes through reduction in the tonnes of waste going to landfill and the related waste disposal costs.
- 3.9 It is highly desirable that changes to the street cleaning regime are introduced at the same time as the new waste collection service. Later implementation of these changes will further reduce the savings which can be achieved in 2011-12 and will lead to the need to identify further offsetting cost reductions in the department's budget.
- 3.10 The changes recommended are set out in Table 2 below. These are in addition to the reduction to one sweep per week in Zone 5 set out in Table 1.

Item	£000
Decrease Sweeping Frequency in Zone 3 (Industrial Areas) (from 7 per week to 2)	83
Cease Afternoon service at Weekends	420
Reduce Mechanical Sweeping on Weekday Mornings	254
Reduce Weekend Day Service – move to a skeleton service with mobile teams	402
Reduction of frequency in Zone 2 (secondary shopping), down to twice per day	74

Item	£000
Cease seasonal leaf fall Service	76
TOTAL	1,309

Table 2

- 3.11 In total, the itemised reductions in cost from Table 1 (the first two rows) and Table 2 total £2,204k, but deliver savings of only £1,652k (see Appendix 2), a shortfall of £552k.
- 3.12 It is recommended that the negotiations with Veolia continue and be escalated to a more senior level to ensure that the eventual price agreed for these changes delivers better value for money for the Council. However, in view of the time imperatives discussed earlier, Members are recommended to agree this set of reductions to the street cleaning element of the waste services contract (as set out in Table 2) and to delegate the authority to conclude negotiations to the Director of Environment & Neighbourhood Services and the Director of Finance and Corporate Services.
- 3.13 Such significant reductions in the street cleaning regime will clearly require careful and consistent monitoring to ensure that the contract delivers what is now expected of it. Officers are developing a new performance framework for the revised contract and are reviewing the use of available monitoring resources to ensure that contract delivery meets expectations.

4.0 Financial Implications

- 4.1 In the 2011-12 budget setting process, a number of savings relating to the Veolia contract were agreed. Together these reduced the cash limit for the contract services by £1,595k for 2011-12 and subsequent years.
- 4.2 The package of changes set out in paragraph 3.10 gives rise to a projected budget position which has been calculated separately for 2011-12 (part year) and 2012-13 (full year).
- 4.3 For 2011-12, the part-year implementation of changes to the service (other than the move from 3 to 2 sweeps in Zone 5 and minor changes to shift arrangements) means that a shortfall against savings which were assumed to be full year is inevitable. This was anticipated in the November Executive report which agreed the Waste Collection Strategy which identified the shortfall as £495k for a 1 October 2011 start date.
- 4.4 For 2012-13, both contract changes and budget savings are aligned to each other (i.e. both are for a full year). Review of the 2012/13 position gives the true underlying position
- 4.5 Appendix 2 summarises the budget savings model. It shows a full-year saving of £1.086m in 2012/13 which is £509k short of the £1.595m saving required in

2012/13. The part year saving in 2011/12 is £676k so is £919k short of the savings needed to achieve the savings in the ENS cash limit.

- 4.6 The full year budget shortfall (i.e. 2012/13) results from the modelled street sweeping savings being £552k less than the sum of the individual elements of specification reduction. There are three factors that have contributed to this (but they have not been quantified):
- The Brent budget does not include the full indexation to which Veolia would have been entitled under the contract;
 - Veolia have added in inflation to which they would not have been entitled under the contract (e.g. 1% pay award for staff where the contracts specifies indexing of staff cost in line with national local authority awards which would be zero in 2011/12);
 - As discussed earlier Veolia have added back other costs that they have been bearing in previous years to restore their profit/overhead margins to those in the original contract.
- 4.7 In addition the overall cost of the refuse collection service, including both Veolia and Brent costs, are £566k above current costs (see Appendix C); in Veolia's model produced last November these combined costs £204k above current costs. This has therefore added **£362k** to the gap. Reasons for this movement are as follows:
- Inflation effects as above;
 - Hiring of vehicles rather than purchase of vehicles;
 - Any other refinement by Veolia of figures.
- 4.8 A number of issues and options have been identified which it is anticipated will help close these budget gaps. They are set out in Table 3 below.

Item	2011-12 £000	2012-13 £000
Waste collection savings		
£197k of the full year shortfall is attributable to the increased annual cost of vehicle hire. The approach to vehicle acquisition has been agreed corporately and the cost will be met corporately. The effect in 2011-12 is £98k	98	197
The communication plan proposed costs only £241k in 2011-12 against the £318k assumed in the model. This delivers £77k of saving and further scrutiny of the communication plan and its costs is recommended	77	0
The Veolia redundancy costs built into the model assume £107k will be incurred. Veolia have said this is a worst case. It is considered that we could prudently budget for £80k saving £27k in 2011-12.	27	0

Item	2011-12 £000	2012-13 £000
Similarly, the costs incurred on disposal of redundant vehicles are worst case and Veolia have indicated that they expect them to be half of the £200k in the budget. A prudent assumption will reduce costs in 2011-12 by £100k.	100	0
Disposal costs		
The November decision by Executive assumed that £222k of reductions in disposal costs were built into the cost model. Although the view has been taken that further reductions in disposal costs should not be built into this savings plan, this element could be prudently allowed for.	111	222
Veolia have offered a gate fee of £22 per tonne for dry recyclables compared to the £30 per tonne presently built into the model. This is not contingent on achieving significant increases in recycling volume but does require less than 5% contamination. This saving would be worth £96k in 2011-12 and £192k in 2012-13. It may be possible to agree with Veolia some non-contingent intermediate position.	96	192
Total	509	611

4.9 Without any further progress on negotiation this will leave a shortfall of £410k in 2011-12 whilst the items identified above will cover the 2012-13 savings requirement before indexation. The contract price adjustment formula for this contract is likely to deliver a similar change for 2012-13 as the 2.56% for 2011-12. This would add a further £362k to the contract costs. If inflation provision of 2% is made available through the budget process the shortfall would be around £79k which would also be covered by the savings identified.

4.10 If the proposed negotiations are unsuccessful in reducing 2011-12 contract costs to within the agreed budget provision officers from Environment and Neighbourhood Services will seek other ways to bring the budget back into balance as a priority. Options for reducing the costs of replacement and subsidised bins and waste containers are being examined as are potential savings in waste disposal costs arising from the continuation of existing trends in waste arisings. Should these prove unsuccessful in closing the budget gap, savings will be found in other areas of Environment and Neighbourhood Services.

5.0 Legal Implications

5.1 Under the Equality Act 2010 (“the 2010 Act”) the council is required to have due regard to its Public Sector Equality Duty, these new duties arise at the time decisions are made. Officers have undertaken an analysis to see whether the proposed changes to waste collection and street cleansing complies with the new duties under the 2010 Act and the outcome of the analysis is reported below..

5.2 Members are advised to see Appendix 3 (Not for Publication) for further legal implications.

6.0 Diversity Implications

6.1 An Equalities Impact Assessment has been undertaken and its conclusions are that there are no adverse impacts arising from the changes in respect of any of the protected characteristics under the 2010 Act and that the proposed changes comply with the Council’s new duties under the Act.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 There are no implications for Council staff or accommodation although the changes in street cleaning are likely to lead to up to fifty redundancies amongst Veolia’s staff.

Background Papers

Equalities Impact Assessment

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APPENDIX 2

Waste Services Review - Budgetary Impact

Item	2011/12			2012/13	
	Current Budget 2011/12	Latest Estimate	Growth/ (Saving)	Latest Estimate	Growth/ Saving
	£	£	£	£	£
- <u>Veolia Contract Costs</u>					
Refuse	5,966,838	5,786,601	-180,237	6,282,482	315,644
Street Cleansing	8,640,900	7,598,489	-1,042,411	6,988,585	1,652,315
Other Services	945,097	901,442	-43,655	845,899	-99,198
Container Maintenance	57,862	39,512	-18,350	21,163	-36,699
Sub Total Veolia Contract Costs	15,610,697	14,326,044	-1,284,653	14,138,129	1,472,568
<u>Other Annual Costs</u>					
Containers - Capital Charges	0	54,050	54,050	326,832	326,832
Container storage	60,000	60,000	0	60,000	0
Organic Support (May - September)	0	70,000	70,000	0	0
Dustbins (Including wheeled Bins)	89,600	35,550	-54,050	89,600	0
Communications	86,300	318,000	231,700	146,000	59,700
Total Annual Costs	15,846,597	14,863,644	-982,953	14,760,561	1,086,036
<u>One Off Costs</u>					
Redundancy	0	107,000	107,000		
Containers - distribution	0	0	0		
Obsolete vehicles (loss on disposal)	0	200,000	200,000		
Total Waste Services	15,846,597	15,170,644	-675,953	14,760,561	1,086,036

	<p style="text-align: center;">Executive 18 July 2011</p> <p style="text-align: center;">Report from Director of Customer and Community Engagement</p>
<p>Wards affected: All</p>	
<p>Future funding of an events programme</p>	

1.0 Summary

1.1 This report outlines:

- the overarching priorities underpinning the future delivery of a programme of activities that are inclusive to all which have been developed following recent consultation.
- options for the council's funding for the delivery of a programme of activities for the borough within the current financial constraints. This report takes into consideration feedback from the council's recent consultation (Appendix 2a and 2b) on the council's Arts and Festivals offer as well as feedback and monitoring gathered over a number of years (Appendix 3) and London Boroughs events comparison (Appendix 4).

2.0 Recommendations

That Executive:

- 2.1 approves Option 3 (outlined at 6.5). This will deliver a reduced events programme with no cultural or faith-related events from 1 April 2012.
- 2.2 endorses the commitment to providing advice and support for local community groups to stage a broad range of celebratory events.
- 2.3 notes the priorities underpinning any future delivery of an inclusive events programme.

3.0 Detail

- 3.1 There is a clear commitment to the development of an improved arts and culture offer in Brent and a strategic context for change outlined in the council's Corporate Borough Plan, Brent – Our Future 2010-2014 and Brent's Cultural Strategy 2010-

2015. Brent is a key partner within the Brent Culture, Sports and Learning Forum which developed Brent's Cultural Strategy adopted by the council in 2010.

The Cultural Strategy acknowledges that Brent has a key leadership role in developing partnerships among cultural providers to ensure the best possible opportunities flourish within the borough. There is a clear commitment to supporting local community groups, advising them on how to stage and deliver their own events, encouraging local ownership while ensuring safe delivery.

3.2 A clear strategy for an inclusive events programme in Brent is overdue and required. There are a number of increasingly urgent reasons for clarity and direction, namely:

3.2.1 Public sector funding cuts and the need for the council to make savings.

3.2.2 Reorganisation of both the arts and festivals teams to reflect agreed strategic priorities and to support Brent's cultural offer outlined in Brent's Cultural Strategy.

3.2.3 The imbalance of resource invested into specific festivals as the programme has developed in an 'ad hoc' way.

3.2.4 The need for clear outcomes from grant funded organisations.

3.2.5 Imbalance of spend and cultural emphasis in the festivals programme.

3.2.6 Fragmented approach to events delivery across the council.

3.2.7 Brent Council has traditionally delivered far more events and festivals than the majority of other local authorities.

4. **Overarching priorities for a future inclusive events programme**

4.1 The attached priorities (Appendix 1) have been written to align with the principles of Brent's Cultural Strategy 2010-2015.

4.2 The council's four priorities have been produced to ensure activities and opportunities are planned and developed in an agreed and coordinated way within Brent, rather than accepting the historical ad hoc list of festivals currently delivered as being the appropriate programme for the borough.

4.3 It recognises the vital role the council plays in community leadership in the encouragement, development and empowerment of local community groups and increasing community cohesion.

4.4 **2012 Olympics**

It is anticipated these priorities will underpin an inclusive programme of events for the next four years which recognises the significance of the 2012 Olympic and Paralympic Games and identifies that the period leading up to the Games and after will be the dominant cultural event for the whole of London in the next 12 months. With Brent hosting events in two Olympic venues – football at Wembley Stadium, badminton and rhythmic gymnastics at Wembley Arena – the delivery model for activities during this period is likely to be heavily influenced by the Games.

4.5 **New Civic Centre/Cultural Hub in Willesden**

Any future programme of events will also acknowledge the impact of the new Civic Centre from the summer of 2013. The position of the Civic Centre, opposite Arena Square, provides opportunities to host a range of cultural events. The building will have significant quality public areas within which to host activities including halls, a garden, foyer and gallery areas. The council is keen to maximise the use of the building for community and income generation purposes and will develop a Calendar of Events to ensure this is achieved. The Calendar will include a wide range of activities to reflect the diversity of the borough, promote arts and culture and celebrate key Brent community events. In addition the council is proposing to develop a new cultural hub in Willesden.

5.0 **Consultation and monitoring**

- 5.1 The recommendations within this report have been developed in consultation with internal and external partners and stakeholders over a sustained period of time. It builds on the extensive participation that developed the Culture Sport and Learning Forum's Cultural Strategy during 2010.
- 5.2 The most recent consultation took place from 7 March to 26 April 2011. The results can be found in Appendix 2a and 2b. The consultation included an online consultation document, a paper consultation and presentations at Brent's Multi-faith Forum and Brent's Culture, Sports and Learning Forum. There were 202 responses to the online and paper consultation plus nine emails, one letter and feedback from the Environmental Projects and Policy Team.
- 5.3 The consultation document sets out the council's proposed eight priority areas of work, four for Arts and four for Festivals, and asked: if they were the right priorities; were they of equal importance; and to rate them in preference of importance. It also asked if there were other areas of work not covered in the identified priorities and there was a final open question asking if there was anything additional to add.
- 5.4 Other relevant consultations and feedback have taken place over the past few years which have also informed the proposed options. These include a period of public consultation in 2008 for stakeholders to comment on the festivals programme (Appendix 5); a mapping exercise of current provision took place in 2009 (Appendix 6); consultation on the Cultural Strategy took place in 2010; and London Borough events comparison (appendix 4).
- 5.5 The priorities consulted on for the delivery of a festivals programme were:
- An all encompassing approach that promotes festivals and events which are inclusive of all Brent's communities
 - Promoting events that act as a community showcase creating vibrant public spaces which attract visitors to the borough
 - Promoting a business development approach to festivals and events which secure additional funding and sponsorship
 - Promote best practice jointly between the council and external event organisers to ensure we deliver safe and well organised events.
- 5.6 The response percentages to the questions were:
- Are they the right priorities?

- 53% agreed, 46 % disagreed
- Are they equally important?
 - 70% disagreed, 30% agreed

- 5.7 Two online petitions were also set up by interested parties. These were:
- Petition to retain support to the St Patrick’s Day Parade – 110 signatures (Appendix 9).
 - Petition to continue funding the Navratri festival – 281 signatures (Appendix 10).

A paper petition was also received:

- Save Navratri Petition – We oppose Brent Council cutting funding for the Navratri celebrations and call for it to be restored – approximately 5,000 signatures.

- 5.8 The consultation provided an opportunity for feedback on the current and future provision for events/festivals. The full results are attached as Appendix 2a and 2b. Respondents identified the two preferred priorities as an all encompassing approach that was inclusive of all Brent’s communities and promoting events that act as a community showcase creating vibrant public spaces. In general, there was recognition of the need to save money while still delivering activities for Brent’s diverse communities. There was support for specific cultural or faith activities but overall the consensus was to deliver activities that were not faith-based but rather brought Brent’s communities together in a celebration.

6.0 Options for a future inclusive programme of events

- 6.1 The options have been developed with consideration to the need to make savings on the current levels of spend, the results of all consultation over a sustained period of time, and to meet the needs of Brent’s diverse communities in an equitable way. Depending on the option chosen an action plan would need to be developed to ensure delivery.

- 6.2 The four priorities for the Events and Marketing Team are:

- **An all encompassing approach**
Promoting festivals and events which are inclusive of all Brent’s communities. Festivals and events are a great driver for promoting a sense of belonging and unit in local communities. The event programme aims to produce cultural events that are inclusive to all Brent’s diverse residents.
- **Promoting best practice**
To ensure that Brent delivers safe events officers will work with and assist external event organisers. To promote the current online guidance which provides clear, up-to-date guidance on all the necessary steps for delivering an outdoor event, ensuring the guidance is maintained and accessible to all event organisers.
- **Events that act as a community showcase**
Promoting events that create vibrant public spaces which attract visitors to the borough. Events create opportunities that showcase areas that are not typically tourist destinations, while participation in events can broaden horizons, realise aspirations, improve education attainment and contribute to health through feelings of self-worth and wellbeing.

- **Promoting a business development approach**

Activity will be developed to secure additional funding and sponsorship. Using the programme of activities there is an opportunity to create a business plan for festivals and events with the aim to increase earnings from sponsorship to support limited budgets.

6.3 **Option 1**

Continue with the current programme of events and festivals

It would not allow for the savings identified to be made which would result in savings needing to be identified from other areas. Also the level of activity is increasingly unsustainable and inappropriate given the pressures on the council's budget and the changing demographic of the borough. The consultation identified that there was no appetite for maintaining the status quo and also recognition that savings were necessary.

6.4 **Option 2**

Deliver the reduced list previously proposed and consulted on

This would involve stopping all festivals apart from Respect, Countryside Day, Diwali, Holocaust Memorial Day and fireworks night. It is proposed that the funding to Diwali is reduced by £25,000 and the Navratri grant is ceased. This would bring a saving in the first year of £231,000.

This option would allow for already identified savings to be achieved. It does allow for scope to review Respect and Countryside Day to more closely reflect the requirements for Brent's diverse communities. But, by keeping a clearly faith focused event such as Diwali, it could lead to claims of unfairness or lack of access to resources to newer communities. This point was also identified in the consultation feedback and could potentially have a negative impact on Brent's reputation.

6.5 **Option 3**

Cease delivery of any faith-based events and deliver a reduced programme

Deliver one Brent Celebrates event (which is anticipated to be an event attracting up to 30,000 people) and continue to provide fireworks night and Holocaust Memorial Day. The council would also work with others in the community, to provide advice and guidance to resident groups to promote festivals and events they may identify.

This would mean the council ceasing its current events for Chanukah, St Patrick's Day, Eid, Diwali, Christmas, St George's Day, LGBT Month, International Women's Day. It would also no longer fund Navratri or the Christmas/festive lights.

This option would enable the council to build on the support already provided to a number of events, festivals and activities delivered by community groups which is currently working well. This would meet the requirements identified in the Brent Cultural Strategy 2010-2015 of providing a key leadership role in developing partnerships with cultural providers. This support could include advice and, where appropriate, training. Savings of approximately £270,000 would be achieved in the first year. The consultation feedback does not oppose this option and does support festivals and activities that bring all communities together.

This is the recommended option.

6.6 **Option 4**

All festivals are ceased and the festival team is disbanded

This is the second option recently consulted on and would result in £508,000 savings in the first year less redundancy costs.

The recent consultation has shown that this is not a preferred option. While respondents recognised that there is a requirement to making savings it is not accepted that this should be at the cost of ceasing all activity. Most identify they would like to see some form of festival/event activity but that it should move away from any 'religious' attachment. This option would also not meet with the agreed requirements of the Brent Cultural Strategy 2010-2015 in providing a key leadership role in developing partnerships among cultural providers and supporting/advising on delivery of community owned events. It does not enable the council to exercise its power to provide (or arrange for the provision of) entertainment, the development and improvement of the knowledge, understanding and practice of the arts, and otherwise attract visitors to the area for recreation, etc under S144 and 145 of the Local Government Act 1972. It would also have a significant detrimental impact on support for activities for 2012 and support for activities at the Civic Centre when open.

6.7 It should be noted that the council is not proposing stopping the celebration of any specific dates or events. It would positively encourage these taking place – they would need to be community-led.

6.8 For future delivery of an inclusive programme of events it is suggested that the newly formed Events and Marketing Team in Customer and Community Engagement lead on the programme with identified cross-council support from relevant services areas as required. These would include parks, health safety and licensing, libraries arts and heritage and others as required.

7.0 Festivals/Events/Activities for 2011/2012

7.1 No major events have been programmed in for this financial year as this would have pre-empted the Council Executive's decision. If the Executive decides to continue providing a festivals/events programme it is proposed that this is regarded as a transition year with a new inclusive programme being developed from next year.

7.2 There is insufficient time to programme any large scale events this year, in particular Respect, Countryside Day and Diwali. With the recruitment of specialist staff having been on hold pending the outcome of this report the planning activity necessary to ensure the safe delivery of these events has not taken place. This has not allowed for work to take place within communities and schools to ensure activities are in place to deliver 'on the day'.

7.3 There is an opportunity to deliver a reduced programme of activities for the current financial year but these would have to take place within the reduced budget available.

7.4 As part of this reduced programme a Festival of Light and Firework Display could be delivered on 5 November, a free activity open to all to attend, which would bring together the finale of Diwali and Fireworks Night.

8.0 Financial Implications

8.1 Options 2 and 3 reduces the current provision resulting in a saving of £231,000 and £275,000 respectively, assuming the savings are taken at the start of financial year 2011/2012.

- 8.2 Option 1 would not realise any savings which would require additional savings to be identified in service areas.
- 8.3 Option 4 would see a saving of £508,000 but redundancy costs and salaries paid would need to be taken into account for 2011/2012. The full year saving would be in effect from 2012/2013.

9.0 Legal Implications

- 9.1 While there is no duty on the council to provide arts or events activities, the Local Authority has a power to provide (or arrange for the provision of) entertainment, the development and improvement of the knowledge, understanding and practice of the arts, and otherwise attract visitors to the area for recreation etc under S144 and 145 of the Local Government Act 1972.

10.0 Diversity/Equality Implications

- 10.1 An Equality Impact Assessment has been conducted and audit carried out. It is attached as appendix 7.
- 10.2 Section 149 in Chapter 1 of Part XI of the Equality Act 2010 is the new public sector equality duty which came into force on 5 April 2011. Attached as appendix 8 is a full explanation of the duty which members need to consider. Broadly speaking Section 149 extends the scope of the duty to all 'protected characteristics' as defined in section 4 of the Act except marriage and civic partnership.
- 10.3 The protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion and belief; sex; and sexual orientation.
- 10.4 The EIA finds that the current historical provision for events/festivals does not meet the needs of the eight protected characteristics and consultation feedback indicates that there are concerns that the current programme is potentially divisive. The proposition to go with a reduced programme that includes an all inclusive Brent Celebrates event would mainstream the protected characteristics. There would also be opportunities for individuals or groups to receive advice, training and support to allow them to deliver local activities for specific equality groupings.

11.0 Staffing/Accommodation Implications (if appropriate)

- 11.1 A restructuring of the Festivals Team has been carried out as part of a wider restructure of the Customer and Community Engagement Team. The restructure was carried out in accordance with the council's Managing Change policy. Staff and trade unions were fully consulted.
- 11.2 The restructure of the Festivals Team has allowed for this small team of two to be aligned with the current Business Development Team – also a small team of two – to form an Events and Marketing Team of three full-time equivalent staff. This alignment will allow for greater promotion and support of events activities and also for greater opportunities to identify and develop sponsorship where appropriate.

Background Papers

- Appendix 1 – Draft Arts and Festivals Strategy**
- Appendix 2a and 2b – Consultation results**
- Appendix 3 – Monitoring information**
- Appendix 4 – London Boroughs events comparison**
- Appendix 5 – Brent Festival Strategy Review**
- Appendix 6 – Culture indicators**
- Appendix 7 – Equality Impact Assessment**
- Appendix 8 – The Public Sector Equality Duty**
- Appendix 9 – Petition to retain support to the St Patrick’s Day Parade**
- Appendix 10 - Petition to continue funding the Navratri festival**
- Appendix 11 – Cost of Events**

Contact Officers

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Director of Customer and Community Engagement

Cheryl Curling
Head of Communications and Marketing

**London Borough of Brent
Summary of Decisions taken by the Executive
on Monday, 18 July 2011**

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

ALSO PRESENT: Councillors S Choudhary, Hashmi, Lorber, HB Patel and RS Patel

Agenda Item No	Item	Ward(s)	Decision
6.	Arts Development Strategy	All Wards;	<p>(i) that the Arts Development Strategy attached as Appendix 1 to the report from the Director of Environment and Neighbourhoods be approved;</p> <p>(ii) that approval be given to the proposals at 7.0 of the Director's report. This will deliver an arts programme against the four key priorities and reduce the grant to the Tricycle Theatre by £20k per annum.</p> <p>(iii) that the council's commitment to the future development of arts and cultural activities in the borough at the new Civic Centre and a new cultural hub in Willesden, conditional on the proposed redevelopment progressing be endorsed.</p>
7.	Authority to Invite Tenders for the Parking Enforcement and Notice Processing Contracts	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 approval be given to officers inviting expressions of interest, agreeing shortlists, inviting tenders for the Parking Enforcement and Notice Processing contracts and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
8.	Additional street cleansing savings	All Wards;	<p>(i) that the requirement to achieve further reductions in the cost of the Council's Waste Services Contract and the progress of negotiations relating to those reductions set out in paragraphs 3.3 to 3.7 of the report from the Director of Environment and Neighbourhood Services be noted;</p> <p>(ii) that agreement be given the package of changes to street cleaning services set out in paragraph 3.10 of the report from the Director of Environment and Neighbourhood Services;</p> <p>(iii) that the intention to seek further cost reductions from the waste services contractor in relation to the agreed changes be noted and authority delegated to the Director of Environment and Neighbourhood Services and the Director of Finance and Corporate Services to conclude those negotiations.</p>
9.	Asset Strategy for buildings to be vacated consequent to the outcome of the Library Transformation Programme	Dudden Hill; Kensal Green; Mapesbury; Preston; Sudbury; Tokyngton;	that in the light of the Judicial Review hearing scheduled to commence the following day, consideration of this report be deferred.
10.	The future of the housing stock: proposals for future ownership, investment and management	All Wards;	<p>(i) that in the light of the recent Housing Revenue Account settlement, the Council retains ownership of its existing housing stock;</p> <p>(ii) that in the light of the recent Independent Review of Housing Management, the Council consults tenants and residents on a preferred option to manage the housing stock through Brent Housing Partnership, as an Optimised Arms Length Management Organisation focusing strongly on housing management;</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>(iii) that a new management agreement between the Council and Brent Housing Partnership be drafted, with full heads of terms to be completed by October 2011;</p> <p>(iv) that in considering how best to optimise BHP, a full review is undertaken of the following functions (to be completed by October 2011), with a view to delivering improvements and efficiencies:</p> <ul style="list-style-type: none"> human resources finance processing communications legal procurement contract alignment rent accounting rent collection aids and adaptations <p>(v) that a joint governance review is undertaken between the Council and Brent Housing Partnership (to be completed by October 2011), which will review both the BHP Board structure and the relationship between the Council and BHP, with a view to ensuring that BHP is fit for purpose for the duration of the proposed new management agreement;</p> <p>(vi) that following the outcome of the consultation as set out in paragraph (ii) above and after the reviews set out in paragraphs (iv) and (v) above have been carried out, a report is presented to the Executive in early 2012 regarding a final decision on the future role of BHP and the management of the Council's housing stock after the current BHP</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
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			Management Agreement expires in September 2012.
11.	South Kilburn update report	Kilburn; Queens Park;	<p>(i) that the Executive note the progress made on the South Kilburn Regeneration project as set out in the report;</p> <p>(ii) that agreement be given to progress with Phase 2 of the regeneration proposals in line with the overall phasing strategy, including the redevelopment of Bronte and Fielding Houses, the Queens Park Station area (Zone 18) and 4-26 Stuart Road;</p> <p>(iii) that Officers be authorised to take preparatory steps with a view to procuring an EU compliant contract with a prospective energy suppliers to bring forward a decentralised energy solution for South Kilburn;</p> <p>(iv) that the appointment of Alison Brooks Architects from the LDA Architecture, Landscape and Urban Design Framework Agreement to lead the design team through to full planning application (RIBA Stage C or D) for the Bronte and Fielding site be noted;</p> <p>(v) that the appointment of Maccreanor Lavington Architects from the LDA Architecture, Landscape and Urban Design Framework Agreement to lead the design team through to full planning application (RIBA Stage C or D) for the Queens Park Station Area (Zone 18) be noted;</p> <p>(vi) that agreement be given to set rent levels for the affordable units within Phase 1b sites, including Wells Court, Cambridge Court, Ely Court, Bond House and Hicks Bolton House once completed, at a rent equivalent to Homes and Community Agencies Target Rent Levels and to adopt this rent level for other affordable development in South Kilburn until borough wide rent levels are reviewed later in the year;</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>(vii) that the Director of Regeneration and Major Projects' intention to undertake a mini-competition under the South Kilburn Developer Framework to identify a developer partner for the disposal of Phase 1b sites, including Wells Court, Cambridge Court, Ely Court, Bond House and Hicks Bolton House be noted;</p> <p>(viii) that the Director of Regeneration and Major Projects be authorised to seek the Secretary of State's consent to the disposal and redevelopment of phase 2 sites including Cullen House, Site 11B and 4-26 Stuart Road on the estate for the purposes of ground 10A of Schedule 2 to the Housing Act 1985, to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies, Section 32 of the Housing Act 1985 to dispose of housing land, Section 19 of the Housing Act for appropriation of land for planning purposes and under the necessary Act (if applicable) to dispose of non housing land;</p> <p>(ix) that approval be given to the making of compulsory purchase orders (CPOs) to acquire (a) all interests and rights in the properties listed in Appendix 1 and comprising the land shown edged red on the plans in Appendix 1 (the CPO Land) and (b) any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976, notably the Argo Business Centre, Post Office and 4-26 Stuart Road, Site 18 comprising the Queen's Park Station Area and Site 11B comprising the Albert Road Daycare Centre (ARDC) and the British Legion;</p> <p>(x) that the Director of Regeneration and Major Projects be authorised</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>to stop long term lettings on Cullen House and 4-26 Stuart Road and continue to prioritise all new development site lettings in South Kilburn to tenants within sites on the next phase of development;</p> <p>(xi) that the Director of Regeneration and Major Projects' intention to undertake a mini-competition under the South Kilburn Developer Framework to identify a developer partner for the disposal of the 4-26 Stuart Road site and to secure any other affordable housing on the Argo and Post Office sites for that partner in pursuit of decant units for South Kilburn be noted;</p> <p>(xii) that Director of Regeneration and Major Projects' intention to take steps to secure the Albert Road site (11B) for disposal on the open market be noted;</p> <p>(xiii) that approval be given to the submissions of the CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance and Corporate Services;</p> <p>(xiv) that approval be given to the service of demolition notices and the suspension of tenants' Rights to Buy in relation to secure tenancies at 4-26 Stuart Road and Cullen House, which are all on the South Kilburn estate, and authorise the Director of Regeneration and Major Projects to issue all and any notices required to be issued in connection with such demolition;</p> <p>(xv) that approval be given to the following:</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<ol style="list-style-type: none"> <li data-bbox="1227 424 2096 794">1 Director of Regeneration and Major Projects to enter into agreements and make undertakings on behalf of the Council with the holders of interests in the CPO Land or parties otherwise affected by the Scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPOs and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate; <li data-bbox="1227 831 2096 1031">2 Making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPOs be confirmed by the Secretary of State; <li data-bbox="1227 1067 2096 1166">3 Service of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPOs <li data-bbox="1227 1203 2096 1406">4 Director of Regeneration and Major Projects to remove from the CPOs any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interests scheduled in the CPOs (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>property interests to an acquisition of new rights (if so advised);</p> <p>5 Director of Regeneration and Major Projects within the defined boundary of the CPO Land, to acquire land and/or new rights by agreement either in advance of the confirmation of compulsory purchase powers, if so advised, or following the confirmation of compulsory powers by the Secretary of State;</p> <p>6 <i>Director of Regeneration and Major Projects, if so advised, to seek to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land for which a blight notice has been validly served.</i></p>
12.	Alperton Masterplan SPD	Alperton; Stonebridge; Wembley Central;	<p>(i) that the proposed responses to the consultation representations and amendments to the draft masterplan SPD as outlined in section 4.0 and detailed in appendix 3 of this report be approved;</p> <p>(ii) that Alperton Masterplan be adopted as a Supplementary Planning Document to the Councils Local Development Framework (LDF) Core Strategy;</p> <p>(iii) that authority to make any minor changes to the final publication draft be delegated any to the Director of Regeneration and Major Projects.</p>
13.	Church End redevelopment	Dudden Hill;	<p>(i) that approve be given to the disposal of its freehold interest to Catalyst Housing Group Limited (CHGL) in accordance with the terms set out in this report and as outlined in the confidential</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>appendix;</p> <p>(ii) that approval be given to:</p> <p>(a) the making of compulsory purchase orders (the CPO's) to acquire all interests and rights in the properties listed in 3.5 and shown as the land hatched in black on the plan attached in the appendix 2 together with properties referred to in 3.7 (which properties are referred to hereafter as "the CPO Land") under section 226 (1)(a) of the Town and Country Planning Act 1990 and any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>(b) the Director of Regeneration and Major Projects in consultation with the Director of Legal and Procurement to include in the Compulsory Purchase Order authorised by this Executive meeting such other additional interests and rights as are disclosed during the land referencing exercise which the Director of Regeneration and Major Projects in consultation with the Director of Legal and Procurement deem it necessary to facilitate the delivery of the Church End Growth Area.</p> <p>(c) To include authority to the appropriation of land for planning purposes where applicable</p> <p>(iii) that approval be given to the submission of the CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Regeneration and Major</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>Projects</p> <p>(iv) that the following be authorised:</p> <ol style="list-style-type: none"> 1 Director of Regeneration and Major Projects to enter into agreements and make undertakings on behalf of the Council with the holders of interests in the CPO Land or parties otherwise affected by the scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPOs and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate; 2 Making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPO be confirmed by the Secretary of State; 3 Service of all requisite notices on the holders of the CPO Land including rights in the CPO Land relating to the making and confirmation of the CPO; 4 to remove from the CPO any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interests scheduled in the CPO (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>rights (if so advised);</p> <p>5 within the defined boundary of the CPO Land, to acquire land and/or new rights by agreement either in advance of the confirmation of compulsory purchase powers, if so advised, or following the confirmation of compulsory powers by the Secretary of State;</p> <p>if so advised, to seek to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land for which a blight notice has been validly served.</p>
14.	Quality House, 249 Willesden Lane, Willesden	Willesden Green;	<p>(i) that agreement be given to the sale in accordance with the terms set out in the confidential Appendix, Paragraphs 5.1 and 5.2 of the report from the Director of Regeneration and Major Projects;</p> <p>(ii) that the Assistant Director, Property and Asset Management be authorised to conduct further negotiations and secure a sale in the best financial interests of the Council in the event that any preferred parties fail to conduct the transaction with due diligence.</p>
15.	Disposal of 58 and 86 The Avenue, Kilburn	Brondesbury Park;	<p>(i) that approval be given to the open market disposal of the Council's freehold interest of the buildings comprising dilapidated and vacant residential units 58 The Avenue, Brondesbury, London, NW6 7NP, and 86 The Avenue, Brondesbury, London NW6 7NN;</p> <p>(ii) that the Assistant Director of Regeneration and Major Projects (Property & Asset Management) instruct marketing agents so as to ensure that the best price is achieved on sale of the freehold and to instruct Legal</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			in the matter of the disposal.
16.	Budget Strategy 2012/13 to 2015/16	All Wards;	(i) that the latest forecast for the Council’s revenue budget for 2012/13 to 2015/16 at Appendix A and the assumptions used to derive this be noted; (ii) that endorse the overall budget process set out in the report be endorsed; (iii) that the proposed budget timetable be noted.
17.	Future funding of an events programme	All Wards;	(i) that in the light of the council's equalities responsibilities, delivery of any cultural/faith based events cease from April 2012 and a reduced programme be delivered; (ii) that during this transition year 2011/12 officers look to support the delivery of a realistic programme of work within the budget available to include: <ul style="list-style-type: none"> • Festival of Light celebration combined with Fireworks Night on 5 November • Eid • Navratri grant • Festive Lights (tree dressing) • Chanukah • Holocaust Memorial Day • St Patrick’s Day • St George’s Day

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 18 July 2011 (continued)

Agenda Item No	Item	Ward(s)	Decision
			<p>(iii) that it be noted that the delivery of certain major events will not be able to take place due to insufficient time to programme any large scale events and the necessary recruitment of specialist staff;</p> <p>(iv) that the commitment to providing advice and support for local community groups to stage a broad range of celebratory events be endorsed;</p> <p>(v) that the priorities underpinning any future delivery of an inclusive events programme be noted.</p>

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