

**London Borough of Brent
Summary of Decisions taken by the Executive
on Monday 15 October 2012**

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

ABSENT: Councillors J Moher

ALSO PRESENT: Councillors Al-Ebadi, Cheese, Chohan, S Choudhary, Hashmi and Mitchell Murray

Agenda Item No	Item	Ward(s)	Decision
5.	Authority to award framework agreement for provision of carer related short break, home based support and respite services for adult social services and children and families - Addendum	All Wards	(i) that approval be given to the appointment to the seven Lots of the Framework Agreement for four (4) years, for the provision of carer related short break, home based support and respite services for Adult Social Services and Children and Families of those providers stated in paragraph 4.1, Table 1 which now replaces Table 2 at 3.15 in the report dated 19 September 2012; (ii) that it be noted that officers anticipate putting back the date that the Framework Agreement goes live by approximately four (4) weeks from 22 October to 19 November 2012 to allow sufficient time for award letters to be dispatched and for observation of the 10 day 'standstill' period which will apply to the award of this contract.
6.	Adoption Annual Report April 2011 to March 2012	All Wards	that the contents of the report and of the Action Plan contained in Appendix A to the report from the Director of Children and Families.
7.	Managing Brent's Public Realm	All Wards	(i) that approval be given to the Council participating in a collaborative procurement and service delivery exercise known as 'Managing the Public Realm' for the provision of waste, recycling, street cleaning and grounds

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			<p>maintenance services;</p> <p>(ii) that it be noted that Brent will act as the Lead Authority for the procurement exercise;</p> <p>(iii) that officers invite tenders for the Managing the Public Realm Services contract in accordance with paragraphs 2.4 and 2.5 of the report from the Director of Environment and Neighbourhood Services;</p> <p>(iv) that approval be given to an exemption from Contract Standing Order 88 to allow an advert to be placed and a pre-qualification process to be run without the approval of evaluation criteria and certain other pre-tender considerations, subject to approval of such matters at a future Executive;</p> <p>(v) that approval be given to certain pre-tender considerations for the proposed Managing the Public Realm Services contract as set out in paragraph 3.8.5 of the Director's report;</p> <p>(vi) that the proposed interim governance arrangements set out in paragraph 3.7.1 be noted and Officers report back to the Executive for approval to final governance arrangements once developed further;</p> <p>(vii) that agreement be given to an amendment of £6.2m to the Council's capital budget for 2012/13 to procure a new depot as set out in section 3.6 of the report. If a suitable site is identified, due to the reasons set out in paragraph 3.6.6 of the Director's report, that the final terms of any acquisition including the purchase price be delegated to the Director of Regeneration and Major Projects and the Director of Finance and Corporate Services in consultation with their respective Lead Members. Such purchase price to be contained within the amendment to the Council's capital budget as set out within this report.</p>
8.	South Kilburn redevelopment	All Wards	<p>General Recommendations</p> <p>(i) that the progress made on the South Kilburn Regeneration Project</p>

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			<p>as set out in the report from the Director of Regeneration and Major Projects be noted;</p> <p>Phase 2 Recommendations</p> <p>(ii) that approval be given to the Director of Regeneration and Major Projects undertaking a mini-competition under the South Kilburn Developer Framework to identify a developer partner for the disposal of Bronte House and Fielding House;</p> <p>(iii) that rent levels for the affordable units at Bronte House and Fielding House once completed, be set at a rent equivalent to Homes and Community Agency's Target Rent Levels ('HCA Target Rent Levels');</p> <p>(iv) that officers begin an OJEU Procurement process for a developer partner for the disposal of Site 11b;</p> <p>(v) that officers' intentions to procure a design team to take proposals through to full planning application (RIBA Stage C or D) for Gloucester House and Durham Court as shown edged red on Plan A at Appendix 1 be noted and reported back following award of contract;</p> <p>(vi) that officers' intentions to enter into discussions with the landowner of 5-9 Chippenham Gardens and the Post Office site to ascertain if it is possible to bring forward the comprehensive redevelopment of the Post Office Plus Site as shown edged red on Plan B at Appendix 1 be noted;</p> <p>(vii) that officers' intentions to procure a design team (if applicable) to take proposals through to full planning application (RIBA Stage C or D) for the Post Office Plus Site be noted;</p> <p>(viii) that approval be given to proceed with securing vacant possession of the properties within Phase 2b through negotiation and private treaty and then, if necessary, via possession proceedings based on Ground 10A in relation to the secure tenants and then CPO for all other interests;</p>

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			<p>(ix) that approval be given the acquisition by agreement pursuant to section 227 of the Town and Country Planning Act 1990 and the making of a compulsory purchase order (CPO) pursuant to section 226 Town and Country Planning Act 1990 to acquire all non-Council interests (excluding secure tenancies) in the area as shown edged red ('the CPO Land') on Plan C attached at Appendix 1 to the Director's report being at and adjacent to Bronte House and Fielding House together with any new rights which may be required for the development of the CPO Land under section 13 Local Government (Miscellaneous) Provisions Act 1976;</p> <p>(x) that the following be authorised:</p> <p>(a) Submissions of the CPO, once made in respect of the CPO Land to the Secretary of State for confirmation whilst at the same time seeking to acquire the CPO Land by private negotiated treaty on such terms as may be agreed by the Director of Regeneration and Major Projects;</p> <p>(b) 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 CPO 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;</p> <p>(c) 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</p>

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			<p>1981 and the Compulsory Purchase Act 1965 respectively should the CPO be confirmed by the Secretary of State or otherwise;</p> <p>(d) Serving of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPO;</p> <p>(e) Director of Regeneration and Major Projects to remove from the CPO in respect of any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interest 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 rights (if so advised);</p> <p>(f) 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>(g) 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.</p> <p>(xi) that the Director of Regeneration and Major Projects, where necessary, seek the Secretary of State's consent to the appropriation for planning purposes under section 19 Housing Act 1985 of all Council interests in Site 11b, Bronte House, Fielding House and Phase 2b and to the disposal and redevelopment of Site 11b, Bronte House, Fielding House and Phase 2b, and securing possession of such land and property using whatever powers are available;</p> <p>(xii) that the Director of Regeneration and Major Project review the</p>

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			<p>strategy for securing vacant possession from secure tenants on Phase 2b and all subsequent phases (which is presently based on using Ground 10A Housing Act 1985), including considering the use of CPO powers, and to undertake any consultation legally required in the event that the Director of Regeneration and Major Project is considering recommending a change in strategy to the Executive;</p> <p>(xiii) that in the event that, after having reviewed the strategy for securing vacant possession from secure tenants on Phase 2b and all subsequent phases, the Director of Regeneration and Major Project does not wish to recommend a change in strategy to the Executive, agreement be given to commence any statutory consultation required with secure tenants residing in blocks earmarked for redevelopment within Phase 2b in order to rely on Ground 10A Housing Act 1985;</p> <p>(xiv) that the Director of Regeneration and Major Projects develop a draft allocation policy for allocating homes to residents living within Phase 2b and to undertake any consultation legally required in relation to this draft policy.</p> <p>Phase 3 Recommendations</p> <p>(xv) that approval be given to proceed with securing vacant possession of the properties within 113 -136 and 97 -112 Carlton House, Peel Precinct (together defined as 'Peel') as identified edged red on Plan D at Appendix 1 and Hereford House and Exeter Court as identified edged red on Plan E at Appendix 1 (together with Peel defined as 'Phase 3') through negotiation and private treaty and then, if necessary, via possession proceedings based on Ground 10A in relation to the secure tenants and then CPO for all other interests;</p> <p>(xvi) that in the event that, after having reviewed the strategy for</p>

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			<p>securing vacant possession from secure tenants on Phase 2b and all subsequent phases, the Director of Regeneration and Major Project does not wish to recommend a change in strategy to the Executive, that the Executive agrees to commence any statutory consultation required with secure tenants residing in blocks earmarked for redevelopment within Phase 3 in order to rely on Ground 10A Housing Act 1985;</p> <p>(xvii) that the Director of Regeneration and Major Projects be authorised, where necessary, to seek the Secretary of State's consent to the appropriation for planning purposes under section 19 Housing Act 1985 of all Council interests in Phase 3 and to the disposal and redevelopment of Phase 3, and securing possession of such land and property using whatever powers are available;</p> <p>(xviii) that the Director of Regeneration and Major Projects be authorised to cease long term lettings on Phase 3 and continues to prioritise all new development site lettings in South Kilburn to tenants within sites on the next phase of development;</p> <p>(xix) that approval be given to the serving of demolition notices and the suspension of tenants' Rights to Buy in relation to secure tenancies on Phase 3 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>(xx) that officers' intention to procure a design team to take proposals through to full planning application (RIBA Stage C or D) for the redevelopment of Peel to include the provision of a Healthy Living Centre and report back to the Executive following award of contract, be noted.</p>
9.	Outcomes of consultation and recommendations for a localised Council Tax Support (CTS)	All Wards	<p>(i) that the likely financial implications arising from the recommended scheme for the Council's local Council Tax Support (CTS) scheme with effect from 1 April 2013 and the risks and assumptions attached to these as set out in section 12 of the report from the Director of Finance and</p>

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	Scheme		Corporate Services be noted; (ii) that the findings and outcomes from the CTS consultation carried out with residents and other stakeholders as set out in sections 6 and 7 of this report and the Consultation Report attached as Appendix A to the report be noted; (iii) that the findings on equalities and other impacts arising from the proposed CTS scheme as set out in section 5 of the report be noted; (iv) that the intention to submit a report to Full Council in November 2012 or at subsequent ordinary or special Full Council meeting to approve the local Council Tax Support Scheme as proposed within this report subject to the timely passing of relevant statutory provisions be noted.
10.	Public Health Transfer - proposed structure and the role of the Director of Public Health	All Wards	This report was withdrawn.
11.	Authority to invite tenders for the leaseholder property insurance services contracts	All Wards	(i) that approval be given to the pre - tender considerations and the criteria to be used to evaluate tenders for the Council's Leaseholder Property Insurance Services as set out in paragraph 3.10 of the report from the Director of Finance and Corporate Services; (ii) that approval be given to officers inviting expressions of interests, agreeing shortlists, inviting tenders in respect of the Council's Leaseholder Property Insurance Services contract and their evaluation in accordance with the approved evaluation criteria referred to in (i) above.
12.	National non domestic rate relief	All Wards	that agreement be given to the discretionary rate relief applications in Appendix 2 to the report from the Director of Finance and Corporate Services and to the rejection of the hardship application in Appendix 3.