



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Tuesday 22 April 2014 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors A Choudry, Denselow, Hirani, Mashari, McLennan, J Moher and Pavey

Also present: Councillors Cheese, S Choudhary, Cummins and Hashmi

Apologies for absence were received from: Councillor Crane

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

Councillor Butt declared personal interests in the item relating Copland Community School development as he has children attending the school and also in the item relating to National Non Domestic Rates – applications for Discretionary Rate Relief, as a former trustee of the Islamic Cultural Centre.

2. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 24 March 2014 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Event Day parking and vehicle removals**

Councillor J Moher (Lead Member, Highways and Transportation) introduced the report which responded to concerns over the council's practise in respect of the removal to the car pound of illegally parked vehicles one Wembley Stadium Event Days. It was felt that this resulted in the unnecessary removal of a number of vehicles when a Penalty Charge Notice (PCN) would suffice. The report from the Strategic Director of Environment and Neighbourhoods proposed a pilot in which removals would not take place for less serious parking offences whilst impacts on compliance were monitored to inform a longer term policy on removals. Additionally, the report referred to concerns that the council's existing enforcement of the controls within the Wembley Stadium Protective Parking Zone (Event Day Zone) started too early in the day which unnecessarily inconvenienced residents.

Members welcomed the proposals to review the current practices and the opportunity to look after residents' interests. Councillor Butt (Leader of the Council) cautioned that a robust approach would be taken on any abuse.

RESOLVED:

- (i) that the analysis of vehicle removals in Brent in comparison to other London Boroughs set out in paragraphs 3.5 to 3.10 and the financial implications in paragraphs 4.1 to 4.8 of the report from the Strategic Director of Environment and Neighbourhoods be noted;
- (ii) that agreement be given to a pilot of an alternative policy regarding the removal of illegally parked vehicles for a period from 1 May 2014 up to the end of October 2014 as described in paragraphs 3.12 to 3.16 and Appendix A to the report;
- (iii) that authority be delegated to the Operational Director, Environment and Protection to amend the policy and arrangements being piloted through the life of the pilot in consultation with the Lead Member for Highways and Transportation;
- (iv) that officers bring a report on the conclusions reached from the pilot regarding the removals of illegally parked vehicles to a future Highways Committee and Executive meeting;
- (v) that agreement be given to a trial of the revised arrangements for the start and finish times of Event Day enforcement described in paragraph 3.20 for the remainder of 2014 and that a further report be brought to the Highways Committee and Executive on the conclusions of the trial before the first Stadium Event of 2015.

5. Authority to tender for Independent Domestic Violence Advocacy Services

Councillor Choudry (Lead Member, Crime Prevention and Public Safety) introduced the report from the Strategic Director of Environment and Neighbourhoods which concerned the procurement of a domestic violence advocacy (IDVA service), family support and a multi-agency risk assessment conference (MARAC) coordination service. It sought authority to invite tenders for the IDVA and MARAC services as required by Contract Standing Orders 88 and 89.

RESOLVED:

- (i) that approval be given to the invite of tenders to provide a domestic violence advocacy for women 16 years old and over and MARAC coordination service for all high risk victims;
- (ii) that approval be given to the pre-tender considerations and the proposed evaluation criteria set out in paragraph 5.1 of the report from the Strategic Director of Environment and Neighbourhoods.

6. Child and Adolescent Mental Health Service - approval to tender

The Executive noted that the report from the Acting Director of Children and Families was an update to the report to the Executive of 9 December 2013 and concerned the procurement of the revised Child and Adolescent Mental Health services (CAMHS). It requested approval to invite tenders in respect of Child and Adolescent Mental Health services as required by Contract Standing Orders 88 and 89 and also authority to delegate award of the contract to the Strategic Director of Children and Young People in consultation with the Director of Legal and Procurement and the Chief Finance Officer.

Councillor Pavey (Lead Member, Children and Families) stated that since the meeting in December 2013 when the CAMHS service had been discussed, consultation had been carried out, the outcome of which had been taken on board. The Director of Legal and Procurement confirmed that the procurement process had to be truncated in order to have a service in place by the end of the existing contract and members sought assurances that service quality would not be jeopardised as a result. The Acting Director of Children and Families assured that work was already taking place to ensure a smooth transition.

RESOLVED:

- (i) that approval be given to the invite tenders for a Child and Adolescent Mental Health Service on the basis of those pre-tender considerations set out in paragraph 3.4 of the report from the Acting Director of Children and Families;
- (ii) that officers evaluate the tenders referred to in paragraph (i) above on the basis of the evaluation criteria set out in paragraph 3.4 (vi) of the report from the Acting Director of Children and Families;
- (iii) that the intention to tender for a contract for a term of two years with the option for the Council to extend for an additional year be noted;
- (iv) that authority be delegated to award the contract for a Child and Adolescent Mental Health Service to the Strategic Director of Children and Young People in consultation with the Director of Legal and Procurement and Chief Finance Officer for the reasons detailed in paragraph of the report.

7. Private Rented Sector - Licensing

Councillor McLennan (Lead Member, Housing) introduced the report which sought approval for the introduction of an Additional Licensing scheme in the whole area of Brent and to defer a decision on introducing Selective Licensing in Brent to the next available meeting following a further two month consultation on which wards should be covered.

Councillor McLennan reminded the Executive that the Private Rented Sector now constituted a third of the housing in Brent and played a very important role in meeting the housing requirements of residents. Licensing would help address problems associated with parts of the sector arising from poor management, property conditions and related problems of anti-social behaviour. The initiative had been introduced in other boroughs and would help cover costs and the changes

would be introduced in November/December 2014. Wards affected would be carefully selected.

The Strategic Director, Regeneration and Growth drew attention to the extensive consultation that had been carried out with a significant number of responses from private landlords, private tenants, other residents and businesses. Following consideration of these it was proposed to proceed with the introduction of Additional Licensing which would cover all houses in multiple occupation in the borough.

Members welcomed the initiative and the response from residents. Councillor Mashari hoped it would help bring about improvements in areas such as fly-tipping.

In response to concerns expressed by non-Executive member Councillor Cummins that the changes would adversely affect those landlords who managed their properties well, costs would be passed on to tenants and rents increase, it was put that the need to ensure that tenants were protected and able to have decent living standards was paramount. It was explained that any increase in rent would be negligible as landlords would not be able to pass on disproportionate increases and could reclaim expenses. Councillor McLennan assured that the council would be working with the lettings agency and landlords would be supported.

RESOLVED:

- (i) that the evidence and the responses to consultation on Additional and Selective Licensing set out in the report from the Strategic Director of Regeneration and Growth be noted and the proposed schemes introduced;
- (ii) that subject to (i) above, agreement be given that the legal requirements for introducing additional licensing for the whole area of the borough of Brent as set out in paragraphs 11.1 to 11.6 of the report, have been met;
- (iii) that subject to (i) and (ii) above, the designation of an Additional Licensing area to cover the whole borough of Brent, as delineated and edged red on the map at Appendix 3 of the report be authorised to take effect from 1 January 2015 and to last for five years from that date;
- (iv) that the council will begin to accept applications for Additional Licensing from 1st November 2014, in anticipation of the scheme coming into effect on 1st January 2015;
- (v) that authority to issue the required statutory notifications in relation to the Additional Licensing Scheme designation be delegated to the Strategic Director of Regeneration and Growth;
- (vi) that the decision to proceed with Selective Licensing in Wembley Central, Harlesden and Willesden Green be deferred to a future Executive meeting and before then, proceed with:
 - Further consultation over a two month period on whether other wards, namely Dudden Hill and Mapesbury, should be included in addition to Harlesden, Wembley Central and Willesden Green in the areas to be subject to a Selective Licensing scheme.

- Further analysis and consideration of the evidence relating to additional wards.
- (vii) that the fees for Additional Licensing be set at £550 for the five-year licensing period;
- (viii) that, subject to further consultation, authority be delegated to the Strategic Director of Regeneration and Growth to agree the basis for and level of any discounts to be applied to these fees;
- (ix) that the Additional Licensing scheme be kept under review annually and that any significant changes, including the withdrawal of a licensing designation, be subject to further consultation and a decision by the Executive.

8. Community Infrastructure Levy (CIL) Regulation 123 List

The Strategic Director of Regeneration and Growth advised that the council had adopted a Community Infrastructure Levy (CIL) Charging Schedule that applied a charge to most new development in the borough. The purpose of the CIL charge was to fund new infrastructure such as schools, parks, roads and public transport improvements required to support development and growth. The council was advised to produce a list of priorities (a Regulation 123 list) itemising those types of infrastructure it wishes to spend CIL on. The report from the Strategic Director, Regeneration and Growth set out a proposed CIL Regulation 123 List for the council to adopt.

RESOLVED:

- (i) that approval be given to publish the CIL Regulation 123 List as set out in Appendix 1 of the report from the Strategic Director of Regeneration and Growth, advertise the Regulation 123 List on the council's website and consider any representations arising;
- (ii) that authority to make, consult and publish changes to the Regulation 123 List be delegated to the Strategic Director of Regeneration and Growth in consultation with the Lead Member for Regeneration.

9. Deputation - Copland Community School and adjacent lands

With the consent of the Executive, Jean Roberts representing teachers of Copland Community School and residents, addressed the meeting and spoke against proposals to expand the school on to adjacent land involving a land transfer. She referred to the terms of title deeds, covenants and Rights of Way which could prohibit the scheme and also the intention to grant a 125 year lease on the final school site to ARK Schools (ARK) to whom the school was due to transfer as a sponsored academy on 1 September 2014. Seamus Sheridan also addressed the meeting and expressed concern over the lack of proper consultation over the proposals and restrictions on speaking rights at a public meeting. He stated that children and residents were against the expansion proposals which would result in a loss of land used for play.

10. Copland Community School and adjacent lands - proposed land rationalisation and update on Academy conversion and Priority Schools Building Programme

The report from the Acting Director of Children and Families explained that Copland Community School (CCS), which was currently a foundation school, was scheduled to become a sponsored Academy on 1 September 2014. The school would transfer to ARK Schools (ARK) to operate from a new building anticipated to be completed by September 2016 and at that point the school would expand by an addition one form entry. The report before members proposed arrangements to rationalise land ownership, ensure an optimum footprint for the new school buildings, and support the wider regeneration of the area in line with the Wembley Area Action Plan.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information) and Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Councillor Pavey (Lead Member, Children and Families) spoke in support of the development proposals and the opportunity to help improve the school which had been through challenging times in the recent past. He acknowledged the concerns raised earlier in the meeting but stated that council would work in partnership with the school's Interim Executive Board and thereafter with ARK for the benefit of the local community and look forward for brighter future.

The Strategic Director of Regeneration and Growth reminded the Executive that the report related to land rationalisation and site ownership and also involved the expansion of the nearby Elsley Primary School. Through leasing the land the freehold would be safeguarded. Funds were required to support the rebuild, provide furniture and fittings and also off site improvements. The style of the frontage would be in accordance with the action plan. The council would make the necessary statutory application for the restrictions on the title of the school to be lifted and he drew members' attention to the information in the appendix to the report which was not for publication. The Director of Legal and Procurement assured that legal advice would continue to be taken and the Chief Finance Officer added that while it was too early to quantify costs precisely, the council's interests would be protected.

Members of the Executive spoke in support of the proposals to redevelop the school referring to the importance of teachers playing a positive role, the desire for the school to prosper for the benefit of the children. It was felt the proposals would help address shortage of school places, affordable housing and was an opportunity to regenerate the high road. Views were expressed that members had the responsibility to make difficult decisions and a new school building for Copland Community School was a priority and long overdue. Further consultation would take place as part of the planning process.

RESOLVED:

- (i) that it be noted that Copland Community School has been approved by the Secretary of State for Education for conversion to an Academy with the ARK as a sponsor;
- (ii) that it be noted that Copland Community School was proposed for rebuilding under the Priority Schools Building Programme and that the Education Funding Authority will be responsible for delivery of the new school;
- (iii) that approval be given to assist Copland Community School's Interim Executive Board with removal of the title restriction;
- (iv) that the Council enter into a deed of indemnity with Copland Community School 's Interim EB as further explained in Section 6 of the report and the confidential appendix 1;
- (v) that agreement be given to the land transfers as outlined in the report and for the Council to seek appropriate approvals from Copland Community School's Interim Executive Board, the Secretary of State and The Ark Academy as required;
- (vi) that the Council underwrite costs arising from the build of the new school including provision of Furniture Fittings and Equipment and ICT as well as other associated costs together with transitional liabilities of the current school as set out in the confidential appendix 1;
- (vii) that officers work with Copland Community School's Interim Executive Board, the Ark Academy, the Education Funding Agency (in relation to both conversion issues and the Priority Schools Building Programme) and Secretary of State for Education and Sport England to secure appropriate agreements and consents;
- (viii) that authority be delegated to the Operational Director of Regeneration and Growth (Policy and Projects) in consultation with the Chief Finance Officer and the Operational Director of Children and Families to agree the scope and detailed terms of the land rationalisation proposals outlined in this report.

11. Deputation - disposal of land at Drury Way, Neasden

James Huckerby (Pickfords) addressed the meeting in connection with the report from the Strategic Director, Regeneration and Growth concerning proposals for the disposal of the freehold of land within the council's ownership at Drury Lane, Neasden and their bid for the site. He outlined and the opportunities that could be presented to the borough should their bid be successful.

12. Disposal of open parking land at Drury Way, St Raphael's, Neasden

The report from the Director of Regeneration and Grown set out proposals for the disposal of the freehold of land within the council's ownership at Drury Lane, Neasden.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

The Director in introducing the report advised that at this stage the preferred bidder was Wallace School of Transport which was Brent based. The Director of Legal and Procurement outlined the bidding process and referred members to the appendix to the report, which was not for publication, which set out the commercial aspects and the Chief Finance Officer concurred that 'best value' had been the key consideration.

RESOLVED:

- (i) that approve be given to the disposal the freehold interest in the land at Drury Way, Neasden, as marked on the attached plan, on a subject to survey basis to the Wallace School of Transport Ltd for a capital receipt upon the grant of planning consent;
- (ii) that, as a reserve, subject to satisfactory resolution of matters highlighted in the confidential appendix B of the report from the Strategic Director of Regeneration and Growth, in the event that the above offer does not proceed satisfactorily that the alternative two offers as set out in the confidential appendix B paragraph 15 also be approved;
- (iii) that the Operational Director Property and Projects be authorised to agree the terms of the transaction in consultation with the Chief Finance Officer.

13. South Kilburn Regeneration Programme

The report from the Strategic Director, Regeneration and Growth sought approval to delegate authority to the Operational Director of Property and Projects to grant a Lease for land anticipated to comprise the transformer chamber at Bronte House and Fielding House, Cambridge Road, Kilburn, London NW6 5BG to UK Power Networks Plc.

RESOLVED:

that authority be delegated to the Operational Director of Property and Projects to grant a Lease and ancillary consents related to the grant of a Lease to UK Power Networks Plc for land anticipated to comprise the transformer chamber at Bronte & Fielding House, Cambridge Road, Kilburn, London NW6 5BG as identified on the plan at Appendix 1 of the Director's report.

14. 161 High Street (Job Centre Plus) Harlesden

Andrew Donald (Strategic Director, Regeneration and Growth) introduced his report which set out proposals for the taking of a lease at 161 High Street, Harlesden for a period up to 31 August 2015 in order to allow for the continued operation of the Brent Customer Services Centre that was currently in occupation.

RESOLVED:

that the Council enter into a lease with Department of Work and Pensions for a sublease of premises at 161 High Street, Harlesden for a period up to 31 August 2015.

15. NNDR Applications for Discretionary Rate Relief

The Council has the discretion to award rate relief to charities or non-profit making bodies. It also had the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The award of relief was based on policy and criteria agreed by the Executive in September 2013. The report from the Strategic Director, Regeneration and Growth detailed new applications for rate relief received since the Executive last considered such applications on 14 January 2014.

Members noted that the council's eligibility criteria would be amended to reflect a change in legislation whereby organisations were now required to submit certified and not fully audited accounts.

RESOLVED:

that the applications for discretionary rate relief detailed in Appendices 2 and 3 of the report from the Strategic Director of Regeneration and Growth be agreed.

16. Renewal of Microsoft Licensing Agreement

Councillor R Moher introduced the report from the Chief Finance Officer which requested authority to award contracts as required by Contract Standing Order No 88. The report summarised the process undertaken in selecting a supplier and, following the completion of the evaluation of the bids, recommended to whom the contract should be awarded.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:

that approval be given to the award of the contract for Microsoft Licences for a period of three years to Bytes Software Services.

17. Reference of item considered by Call in Overview and Scrutiny Committee

None.

18. Any other urgent business

None.

19. Vote of Thanks

As this was the last meeting of the Executive prior to the Local Elections scheduled for 22 May 2014, on behalf of the Executive, Councillor J Moher thanked officers for the tremendous support they had given to the Administration over the past four years, through what had often been, challenging times. He also thanked members of the public for their continued interest.

The meeting ended at 8.25 pm

M BUTT
Chair