



LONDON BOROUGH OF BRENT

MINUTES OF THE FORWARD PLAN SELECT COMMITTEE Wednesday, 27 January 2010 at 7.30 pm

PRESENT: Councillor Long (Chair), Councillor Castle (Vice-Chair) and Councillors V Brown, Mistry, HB Patel, Powney and Gupta

Also Present: Councillor Van Colle (Lead Member for Environment, Planning and Culture) and Councillor Wharton (Lead Member for Children and Families)

Apologies were received from: Councillor Colwill (Lead Member for Adults, Health and Social Care)

1. **Declarations of Personal and Prejudicial Interests**

None declared.

2. **Minutes of the Previous Meeting held on 6 January 2010**

RESOLVED:-

that the minutes of the previous meeting held on 6 January 2010 be approved as an accurate record of the meeting.

3. **Matters Arising (if any)**

Early Years Single Funding Formula and Policy for the Allocation of Full Time Places

It was noted that Councillor Mistry was yet to receive clarification of the length and the reasons for the delay to the Full Time Allocations Process and she repeated her request for this information.

Building Schools for the Future Project Initiation Document

In reply to a query from Councillor Powney, Councillor Wharton advised that there was yet to be any decisions on what primary schools would be included in the programme.

4. **Call-in of Executive Decisions from the Meeting of the Executive on Monday, 18 January 2010**

Decisions made by the Executive on the 18th January 2010 in respect of the reports below were called-in for consideration by the Forward Plan Select Committee in accordance with Standing Order 18.

(a) **Former Scouts Hall Site, Coniston Gardens, Kingsbury**

The reasons for the call-in were:-

- It clearly breaches Planning Policy CF6 concerning the loss of community type facilities and
- There has been insufficient consultation with local residents and other stakeholders.

In addition, two Members provided the following extra reason for the call-in:

- A petition of over 350 signatures from the residents of the Springfield estate was handed in on Friday, 15th January, yet no reference was made to it at the Executive of January 18th.

The Chair invited Councillor Wharton (Lead Member for Children and Families) to provide an initial response to the reasons for call-in. He confirmed that the scout hut had been vacated by the Scouts Association in 2007 and is in a derelict condition. The decision to dispose of the site to a housing association would contribute to the Council's housing objective and include accommodation for larger families. Members heard that Oliver Goldsmith Primary School had also put forward proposals to make use of the land. However, it was felt that the site did not provide sufficient space for a free standing building, whilst a grant of £25,000 that the school had applied for from the Capital Fund would allow revisions to the existing buildings. Councillor Wharton did not feel that the funding available would be adequate for the extended school provision that the school had proposed on the site and he was confident that the housing association would be able to carry out their proposals and provide capital receipts for the Council.

Mr Mantoura, speaking on behalf of Springfield Estate Residents' Association, was invited to address the Select Committee. Mr Mantoura expressed concern that the Executive had not acknowledged a petition submitted by Springfield Estate Residents' Association requesting that the Council consider the site be used for community activities and by Oliver Goldsmith Primary School for extended school purposes. He felt that there had been no consultation with local residents on the future of the site. In addition, he suggested that more funding may become available to the school in future for extended school activities and that by selling the land to a housing association this opportunity would be closed permanently.

In reply to queries from Members, Mr Mantoura stated that a Muslim Youth Club had used the scout hut around three or four times a week with anything between 11 to 30 people attending prior to it being vacated by the Scouts Association in 2007, however it had not been used since due to the hut's state of disrepair. He commented that Springfield Estate was relatively isolated and that if the land was disposed to the housing association it would be a loss of potential community facilities that were much needed.

Councillor J Moher, a ward councillor for the area concerned, was invited to address the Select Committee. With the permission of the Chair, Councillor J Moher circulated a written submission to Members and a copy of the petition was also available for inspection. Councillor J Moher began by expressing

disappointment that the Executive had not acknowledged the petition and that both Springfield Estate Residents Association and the Headteacher of Oliver Goldsmith Primary School had addressed the Executive requesting that they re-consider. He stated that a report presented to the Capital Board in September 2009 had been positive about the possibility of Oliver Goldsmith Primary School providing extended school activities on the site and he enquired why this had not been explored further. Councillor J Moher then outlined reasons why the site should not be disposed of. He felt that planning regulations had been breached in respect of regulation CF6 concerning the loss of community facilities, adding that the scout hut was part of the extended school of Oliver Goldsmith Primary School and was providing educational benefit. He suggested that this be considered further and could be put before the Planning Committee. Ownership of land was another issue as the school and residents disputed the Council's claim to ownership of the land and Councillor J Moher stated that the headteacher had recalled that the site was part of the school prior to its lease to the Scouts Association. He referred to the Education Act 1921 which prevented such land from being disposed of for any purposes other than educational and he referred to a map in his written submission which in his view clearly showed that the site had been part of the school since the 1930s. He suggested that this proved that the land had been taken from the school illegally and felt this should be pursued further and that opinion should be sought from Counsel. Members heard that a more beneficial alternative was to take the opportunity to use the site for extended school provision. Councillor J Moher felt that the intergeneration scheme at Kingsbury High School was too far away to be convenient for residents of Springfield Estate.

Councillor J Moher stressed that he felt the local community had not been consulted and that disposal of the land would be against the wishes of local residents. He suggested that any decision to sell the land should not be taken until a viable alternative extended school option was in place. Further in response to issues raised, Councillor J Moher felt that the consultation that had had taken place was affected by the fact that it had happened over the Christmas period and during adverse weather conditions and that this could impact upon the responses received. He stressed that the petition represented the views of the residents and should be given full consideration to.

Councillor Crane, a ward councillor for the area concerned, was also invited to address the Select Committee. He suggested that Middlesex County Council had acquired the land on behalf of Oliver Goldsmith Primary School and therefore Brent Council could not claim to be the owners of the site.

Members then discussed this item. Councillor Castle commented that although the Council was fully committed to improving education, the site represented an opportunity to provide much needed housing and reduce the housing waiting list. He asked whether providing extended school provision on the site would mean that its educational benefits would outweigh the housing benefits in disposing of the land to a housing association. Councillor Powney sought clarification of the Executive's awareness of the petition and sought details of the words missing from the last sentence of paragraph 3.6.1 of the report. Further opinion was sought concerning the legal status of ownership of the site. Councillor Powney also asked for more information concerning the intergeneration scheme at Kingsbury High School. Councillor Mistry felt that Kingsbury High School was an ideal site for the

intergeneration scheme, adding that its location provided safe access for children and disabled access was also provided, whilst the school was not far from Coniston Gardens. She suggested that the community facilities in Coniston Gardens had not been used extensively in the past. Councillor H B Patel enquired if there had been any educational use of the site since 1954 and whether Oliver Goldsmith Primary School had any plans to add more form entries.

The Chair felt that the site could be used to provide Council housing as the Council had owned the land and added that its restricted site should not preclude such use as Brent Housing Partnership had developed housing on other smaller sites. She enquired how many housing associations had been informed that the site was available and why was the land being disposed of without the appropriate planning permission for housing use.

In response to the issues raised, Councillor Wharton advised that there were other ways of improving educational facilities at Oliver Goldsmith Primary School, stating that the £25,000 grant the school was due to receive could be used to improve existing buildings and in any case the site was not large enough to accommodate new buildings that would be of sufficient size for the school. Members heard that the Capital Fund was relatively small and it was not expected that every school in Brent would provide extended school provision as such facilities were only appropriate for some schools. With regard to the Kingsbury Intergeneration Scheme, the site offered the opportunity to make better use of the community facilities available and also provided a more integrated approach. Members noted that Fryent Primary School already had provision for extended school activities. Councillor Wharton confirmed that the petition had been circulated electronically to members of the Executive prior to its meeting on 18 January 2010. He explained that Oliver Goldsmith Primary School had contacted the Council's Children and Families service area about the possibility of providing extended school facilities and officers had met with the headteacher and school governors and undertaken a feasibility study. Costings had been done for a new, freestanding building and adapting existing buildings and the school had put in three bids, with one for £25,000 to upgrade the existing buildings being successful. The Kingsbury Intergenerational Centre had received funding from three separate pots and the Children's Centre would be funded from capital funds existing from the previous financial year. A number of projects, subject to planning permission, would be run from the Kingsbury Intergenerational Centre, including extended school provision, services for those in social care and projects run by retired volunteers and schemes working with disturbed adolescents. It was suggested that the Centre was near enough for it to be convenient for residents of Coniston Gardens.

Councillor Wharton continued that Oliver Goldsmith Primary School did not have any intention of extending its forms of entry and expansion of primary school provision in the area was not a priority. He explained that the Executive report clarified that a contribution from the new owner of the site to a Section 106 agreement for community facilities would be sought and that planning regulation CF6 did not exclude disposal of such land. Members noted that the missing information from paragraph 3.6.2 had been clarified at the Executive meeting.

Richard Barrett (Head of Property and Asset Management, Finance and Corporate Resources) also responded to the issues raised. He advised the Select Committee that investigations had proved conclusively that the land was owned by the Council

and not Oliver Goldsmith School. Members heard that the site had been fenced off from the school since 1954 when the Scouts Association had taken over the site, continuing until 2007. During this period, it was the Scouts Association's choice as to what other organisations used the site, however use by the scouts and other organisations had begun to tail off from 2003. The site had since gradually deteriorated and the Scouts Association approached the Council with a view of disposing of it and in 2007 the Council acquired ownership of the site took over maintenance responsibilities after providing appropriate compensation to the Scouts Association. Since 2008, a number of options for use of the site were considered until the decision to dispose of to a housing association was regarded as best use of site. Richard Barrett advised that the Education Act 1921 did not apply to any disposal of land by councils. The Select Committee also heard that there had been some discussion of the site being considered for Council housing, however the site was considered too small for such a use and this was not pursued. Housing associations on the Council's preferred list of housing associations had been made aware that the site was to become available. It was noted that disposal of land was usually undertaken without applying for any particular planning permission as any risk was passed on to the organisation acquiring the land.

The Chair then suggested a recommendation that the site was not be to be disposed of until further possible uses of the site by Oliver Goldsmith Primary School be considered, and that if the site was to be used for housing, that it would be for Council housing only and not to include any use by registered social landlords. The Select Committee voted not to approve this recommendation.

RESOLVED:-

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

(b) Adult Social Care Annual Performance Assessment 2008/09

The reasons for call in were:-

- There is no action plan
- No indication of how areas identified as in need of improvement are to be improved or where the funding for this is to come from

Members noted with regret the absence of both the Lead Member and Lead Officer for this item.

RESOLVED:-

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

5. The Executive List of Decisions for the Meeting that took place on Monday, 18 January 2010

RESOLVED:-

that the Executive List of Decisions that took place on Monday, 18 January 2010 be noted.

6. **Briefing Notes/Information Updates requested by the Select Committee following consideration of Issue 9 (2009/10) of the Forward Plan**

Carbon Reduction Commitment

Judith Young (Head of Policy Information and Performance, Environment and Culture) introduced the report and advised that the Carbon Commitment Reduction Energy Efficiency Scheme (CRC) was an obligatory emissions trading scheme and a key element of emissions reduction targets for the Climate Change Act 2008. The CRC aimed to generate a shift in awareness, behaviour and infrastructure. Judith Young then highlighted some of the main aspects of the CRC, including:-

- Emissions trading – starting in April 2010 each participant would have emissions allowances that they can hold and cancel at the end of each scheme year that corresponded with their total CO₂ emissions, with participants free to trade allowances amongst themselves during the year. Those who did not hold sufficient allowances by the end of the year or incorrectly report emissions would be subject to a stringent penalty regime.
- The setting up of a Revenue Recycling and League Table, with those performing well starting with a bonus payment of 10% for the first year and rise to 50% by the fifth year, and those poorly on minus 10% for the first year and minus 50% by the fifth.
- Participants would be required to keep records of the data they report in an evidence pack, with a number of penalties applying to situations such as under reporting or failure to surrender allowances.

Judith Young advised that the Climate Change Act required an 80% reduction by 2050 and included a milestone target of 34% by 2020. In order to achieve this, the Council had adopted the Carbon Management Strategy and Implementation Plan (CMIP). A second review of the Plan agreed in October 2009 sets out action plans and resources intended to achieve technical and behavioural changes across the Council and schools to reduce CO₂ emissions.

Richard Barrett added that the Property and Asset Management Service was playing a leading role in championing the green agenda and was an early signatory of the agreement with the Carbon Trust to match funding to undertake CO₂ reduction targets. An energy adviser had been recruited to liaise with schools as to how they could reduce their energy consumption and CO₂ emissions. This was particularly vital to the Council's aims as schools presently emitted considerably more CO₂ than other Council buildings and other high energy users would also be targeted. Richard Barrett advised that another initiative included replacing bottled water with piped, filtered water which was both cheaper and more carbon efficient than bottled water.

During discussion, Councillor H B Patel suggested that as tap water in the UK was amongst the cleanest in the World, then this should be used as drinking water as it would be both the cheapest and most carbon efficient option. He sought further details concerning emissions trading. Councillor Mistry enquired whether there were IT constraints in what information could be captured and recorded accurately.

She felt that junior schools in Brent were much involved in pursuing the green agenda and added that Roe Green Junior School was opening a new eco building on 3 February 2010. Councillor Powney enquired during what period the information would be used to compile the first issue of the first Revenue Recycling and League Table and sought further details as to how it would work. He also enquired whether any plans to close energy inefficient buildings would include schools.

The Chair, in acknowledging that schools would receive funding to introduce loft insulation, enquired what type of buildings would receive this kind of treatment and whether energy inefficient buildings in general would be targeted. She enquired if the move to the Civic Centre would be taken into account concerning the Revenue Recycling and League Table. Michael Read (Assistant Director – Policy and Regulation, Environment and Culture) agreed to the Chair's request to provide her with information concerning sequencing with regard to Building Management Systems.

In reply to the matters raised, Judith Young advised that in April 2011, each organisation would be allowed to purchase a CO2 allowance up to the same amount of CO2 that it had emitted from period April 2010 to March 2011, however they had the option of selling a proportion of their CO2 allowance during the year to another organisation if they perceived that they were performing well within their allowance, or buy if they thought they were in danger of exceeding their allowance. The baseline for the Revenue Recycling and League Table would be set in the period 1 – 30 April 2010. Higher performers in the league table would have some of their money used to purchase allowances returned, whilst under performers would forfeit some of their money. As well as local authorities, other organisations such as retailers would participate in the League Table, however industrial organisations were excluded. Judith Young highlighted that there were issues in measuring performance in some areas, for example in many schools energy used was often measured by estimates as opposed to actual meter readings. However, efforts to change the way organisations such as schools used and measured energy were being made. An external funding of £110,000 in external funding was available to actively engage with the community on energy issues.

Michael Read added that loft insulation would mainly be offered to schools with older buildings and a considerable amount of work was being undertaken with schools to improve insulation, reduce energy consumption and CO2 emissions. Members heard that the Schools Forum had agreed to the recruitment of an energy adviser liaison for 2009/10 and this role was under consideration for 2010/11 too. Michael Read advised that if the Council continued to incur penalty charges as a result of excessive emissions from schools, then consideration would be needed as to how to pass such costs to the schools. The Select Committee noted that schools were being encouraged to sign up to the 10/10 pledge. Michael Read stressed that another challenge involved closing buildings that were inherently energy inefficient and this could also include school buildings. He also agreed to provide information to the Chair explaining sequencing in respect of building management systems.

Councillor Van Colle (Lead Member for Environment, Planning and Culture) emphasised that the Council was committed to participation in CRC and it was hoped that targets could be met. He added that the CRC was a very complex

system and a simpler one would be desirable, however for now there was no alternative system and the Council needed to work within the present parameters.

RESOLVED:-

that the briefing note on Carbon Reduction Commitment be noted.

7. **Briefing Notes/Information Updates requested by the Select Committee from earlier versions of the Forward Plan**

7.1 **Petition for Changes to the Consultation Process**

RESOLVED:-

that the request for a briefing note providing clarification on the consultation process, specifically with regard to multiple responses from a single household be repeated and that this be provided at the next meeting of the Select Committee on 3 March 2010.

7.2 **Building Schools for the Future Project Initiation Document**

RESOLVED:-

that the request for a briefing note providing details of what primary schools will benefit from the programme be repeated and that this be provided at the next meeting of the Select Committee on 3 March 2010.

8. **The Forward Plan - Issue 10**

Issue 10 of the Forward Plan (08.02.10 to 01.06.10) was before Members of the Select Committee. Following consideration of Issue 10 of the Forward Plan, the Select Committee made the following requests:-

Printing Tender Review Results

The Select Committee requested a briefing note on this item explaining the reasons why this item had been removed from the Forward Plan. The request was made by Councillor Powney.

Early Years Single Funding Formula and Policy for the Allocation of Full Time Places

The Select Committee requested a briefing note on this item explaining why the report had not been deferred in view that many schools were not satisfied with the proposals. The request was made by the Chair.

The Brent Public Health Realm Design Guide

The Select Committee requested a briefing note on this item explaining why it is proposed to include shared spaces and shared surfaces in view of the significant opposition to these measures. The request was made by the Chair.

The Select Committee also agreed to the Chair's suggestion that the task group report on Safety on the Journey to and from School be e-mailed to Members.

9. **Items considered by the Executive that were not included in the Forward Plan (if any)**

None.

10. **Date of Next Meeting**

It was noted that the next meeting of the Forward Plan Select Committee was scheduled to take place on Wednesday, 3 March 2010 at 7.30 pm.

11. **Any Other Urgent Business**

None.

The meeting closed at 9.30 pm

J LONG
Chair