

**London Borough of Brent
Summary of Decisions taken by the Executive
on Monday, 15 March 2010**

PRESENT: Councillor Lorber (Chair), Councillor Blackman (Vice-Chair) and Councillors Allie, D Brown, Colwill, Detre, Van Colle and Wharton

ABSENT: Councillors Matthews and Sneddon

ALSO PRESENT: Councillors Mistry and HB Patel

Agenda Item No	Item	Ward(s)	Decision																								
1.	Declarations of personal and prejudicial interests																										
5.	Environment and Culture Capital Spend 2010/11: Highways Major Works programme	All Wards;	<p>(i) that approval be given to utilise the main highways capital programme of £4,000k as follows:</p> <table style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;">Footways</th> <th style="text-align: right;">% budget</th> <th style="text-align: right;">amount (£ 000's)</th> </tr> </thead> <tbody> <tr> <td>▪ Major footway upgrade</td> <td style="text-align: right;">35</td> <td style="text-align: right;">1,400</td> </tr> <tr> <td>▪ Footway upgrades – short sections</td> <td style="text-align: right;">2.5</td> <td style="text-align: right;">100</td> </tr> <tr> <td>▪ Renewal of marginal highway land</td> <td style="text-align: right;">1.25</td> <td style="text-align: right;">50</td> </tr> <tr> <td>▪ Public realm improvements on primary routes</td> <td style="text-align: right;">2.5</td> <td style="text-align: right;">100</td> </tr> <tr> <td>▪ Improvement to grass verges and accessibility</td> <td style="text-align: right;">1.9</td> <td style="text-align: right;">75</td> </tr> <tr> <td>▪ New street signs</td> <td style="text-align: right;">1.25</td> <td style="text-align: right;">50</td> </tr> <tr> <td>total</td> <td style="text-align: right;">44.4</td> <td style="text-align: right;">1,775</td> </tr> </tbody> </table>	Footways	% budget	amount (£ 000's)	▪ Major footway upgrade	35	1,400	▪ Footway upgrades – short sections	2.5	100	▪ Renewal of marginal highway land	1.25	50	▪ Public realm improvements on primary routes	2.5	100	▪ Improvement to grass verges and accessibility	1.9	75	▪ New street signs	1.25	50	total	44.4	1,775
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			(ii) that approval be given to the schemes and reserve schemes, as listed in Appendices 1 – 3 of the report from the Director of Environment and Culture.
6.	Determination of proposals to discontinue Grove Park Special School and alter Hay Lane Special School	All Wards;	<p>(i) that approval be given to the statutory proposal published on 31 December 2009 to discontinue Grove Park Special School with effect from 31 August 2010;</p> <p>(ii) that approval be given to the statutory proposal published on 31 December 2009 to alter to Hay Lane Special School so that it:</p> <ul style="list-style-type: none"> (i) provides 210 places from 1 September 2010; (ii) meets the range of needs set out in paragraph 3.2.11; (iii) can admit all pupils who would, but for these proposals, have continued their education at Grove Park Special School on and after 1 September 2010; and (iv) provides 235 places dependent on the completion of the rebuilding of the school, which is expected to be completed by the Summer of 2013. A decision on the rebuilding of the resultant expanded Hay Lane School is anticipated in April 2010.
7.	Authority to tender works contract for a new build Intergenerational Children's Centre at Kingsbury High School	Fryent; Queensbury;	<p>(i) that approval be given the pre - tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.6 of the report from the Director of Children and Families;</p> <p>(ii) that approval be given to the invite of tenders and their evaluation 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, 15 March 2010 (continued)

Agenda Item No	Item	Ward(s)	Decision
8.	Commissioning of the specialist Child and Adolescent Mental Health Service (CAMHS) in Brent 2010-11	All Wards;	<p>(i) that approval be given to an exemption from the usual tendering requirements of Contract Standing Orders in relation to the joint Council and NHS Child and Adolescent Mental Health Service, on the basis that there are good operational reasons for doing so as set out in section 3 of the report from the Director of Children and Families;</p> <p>(ii) that approval be given to award a contract jointly with Brent Primary Care Trust for the joint Council and NHS Children and Adolescent Mental Health Service to the current provider, Central and North West London NHS Foundation Trust, for the period 1 April 2010 to 31 March 2011.</p>
9.	Building Schools for the Future (BSF) - procurement of a Joint Local Education Partnership (LEP) with Barnet and Enfield Councils	All Wards;	that the verbal report from the Director of Children and Families be noted together with officers' advice that following detailed discussions with potential partners, it was considered to not be in the Council's interest to proceed with the Joint Local Education Partnership with the Barnet and Enfield councils.
10.	Supply and Demand and Temporary Accommodation	All Wards;	<p>(i) that the updated supply and demand analysis for housing, including lettings performance in 2009/10, as given in Appendix A to the report from the Director of Housing and Community Care, be noted;</p> <p>(ii) that approval be given to the lettings projections for 2010/11, as detailed in paragraph 3.11 and in Appendix E of the Director's report.</p>
11.	Authority to proceed with refurbishment of 8 St Gabriel's Road	Mapesbury;	(i) that approval be given to the refurbishment and modernisation of two Council owned properties at 8 St Gabriel's Road NW2 and 170

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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	and 170 Walm Lane NW2		<p>Walm Lane NW2 for the delivery of services and accommodation to service users with mental health needs;</p> <p>(ii) that approval be given to the use of the Adult Social Care Single Capital Pot for 2009/10 and 2010/11 for the works and professional fees required to refurbish the properties described in paragraph 2.1 of the report from the Director of Housing and Community Care.</p>
12.	Disposal of HRA freehold blocks/buildings (where leasehold interest of all the individual dwellings have been sold)	All Wards;	<p>(i) that approval be given to the disposal of the freehold of buildings that are accounted for in the Council's statutory Housing Revenue Account (HRA) where 100% of the long-leasehold interest of the flats in those buildings have been disposed of, as set out in Appendix 1 to the report from the Director of Housing and Community Care;</p> <p>(ii) that the net capital receipt from the disposal be allocated within the Housing Revenue Account (HRA) to fund Health and Safety works for dwellings in the HRA;</p> <p>(iii) that the Head of Property and Asset Management and the Director of Housing and Community Care, be delegated authority to approve future disposals of the freehold interest of buildings accounted for in the HRA, once the leasehold interest of 100% of those particular blocks has been disposed of;</p> <p>(iv) that the Head of Property and Asset Management and the Director of Housing and Community Care (in consultation with the Lead Member for Housing) be authorised to initially offer the freehold interest of the properties set out in Appendix 1 of the Director's report to the existing leaseholders who are occupying housing</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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			<p>accommodation in those properties and such disposals are dependent upon the best price that can be reasonably obtained;</p> <p>(v) that If no disposal was made to existing leaseholders as set out in paragraph (iv) above, then authority be delegated to the Head of Property and Asset Management and the Director of Housing to make arrangements for the disposal of such properties and to obtain the best price that can be reasonably obtained, subject to consent from the Secretary of State for those disposals;</p> <p>(vi) that authority be delegated to the Director of Housing and Community Care to apply to the Secretary of State under section 32 of the Housing Act 1985 to dispose of the freehold interest of the properties set out in Appendix 1 of the Director's report when it is necessary to do so.</p>
13.	Authority to exempt from tendering a contract to provide a supported housing service at Livingstone House, 105 Melville Road	Stonebridge;	<p>(i) that approval be given for a contract for a housing support service for single homeless people at Livingstone House 105 Melville Road NW10 be exempt from the tendering requirements ordinarily required by Contract Standing Orders for good operational and financial reasons as set out in section 3 of the report from the Director of Housing and Community Care;</p> <p>(ii) that approval be given for three year contract for housing support services for hostel residents at Livingstone House 105 Melville Road NW10 be awarded to the existing provider English Churches Housing Group from 1 June 2010, with the option of a further two year extension, on the basis that the Council receives 100% referral and nomination rights to the service and accommodation units at the hostel.</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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14.	Local authorities new building programme	Stonebridge;	<ul style="list-style-type: none"> <li data-bbox="1115 424 2085 691">(i) that authority be delegated to the Director of Housing and Community Care, in consultation with the Borough Solicitor and the Director of Finance and Corporate Resources, to enter into to a Grant Agreement with the Homes and Communities Agency in respect of the funding allocation of £2.047 million for the development of 21 new affordable homes on the St. Raphael's Estate under the Homes and Communities Agency Local Authority New Build programme; <li data-bbox="1115 727 2085 826">(ii) that the appointment of architects, quantity surveyor and project managers to progress the planning phase of the programme be noted; <li data-bbox="1115 863 2085 962">(iii) that officers' intention to procure building contract to develop the sites under a permissible framework agreement and to report back to the Executive seeking approval to award such contract be noted; <li data-bbox="1115 999 2085 1265">(iv) that authority be given to the Director of Housing and Community Care, in consultation with the Lead Member for Housing, to submit further bids to the Homes and Communities Agency for schemes to be developed under the Local Authority New Build programme without prior Executive approval provided that Executive approval will be required before completing each scheme and/or entering into any Grant Agreement or other agreement for any such schemes; <li data-bbox="1115 1302 2085 1401">(v) that authority be delegated to the Director of Finance and Corporate Resources to prudentially borrow £1.689 million to be serviced by the rental income from the properties referred to in

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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			paragraph 2.1 over a 30-35 year period, with the discretion to increase this sum by 10% to cover build cost and other contingencies.
15.	Housing and social care non HRA PFI authority to award phase 2 of contract	All Wards;	<p>(i) that the progress on delivery of Phase 1 of the scheme in paragraphs 3.3 to 3.5 of the report from the Director of Housing and Community Care be noted;</p> <p>(ii) that approval be given to the revised total of 165 units at Phase 2 of the scheme – taking total units for Phase 1 and Phase 2 to 384 – as set out in paragraph 4.6 of the Director’s report;</p> <p>(iii) that authority be delegated to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to agree the variation to the PFI Project Agreement and all other related documents including those which shall be entered into by the Council with any of Brent Co-Efficient’s funders or subcontractors, in order to enable financial close on Phase 2 of the project;</p> <p>(iv) that the Borough Solicitor, or a delegate on her behalf, be authorised, to execute all of the legal agreements, contracts and other documents on behalf of the Council in relation to Phase 2 of this project (and such other legal agreements and documentation which may be necessary to give full effect to the variation to the PFI Contract), subject to her receiving confirmation of credit approval from the Department for Communities and Local Government or, executing such contracts and other documentation with a pre-condition that they shall only come into full effect upon the issuing of such PFI credit approval by the CLG;</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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			<p>(v) that the Director of Finance and Corporate Resources can issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 in respect of:</p> <ul style="list-style-type: none"> a. the Deed of Amendment to give effect to the variations to the PFI Project Agreement; b. the Direct Agreement Amendment Deed to give effect to the variations to the Direct Agreement entered into between the Council, the funders and Brent Co-Efficient; and c. the Residual Value Amendment Deed to give effect to the revised Residual Value Deed to be entered into between the Council, Hyde Housing Association and the funders; <p>(vi) that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from the provision of any Certificate he may issue in accordance with recommendations/decisions in (v) above;</p> <p>(vii) that the Director of Finance and Corporate Resources can issue, on behalf of the Council, a Certificate under the Local Government (Contracts) Act 1997 in respect of the Procurement Deed to be entered into between the Council, Brent Co-Efficient and Hyde Housing Association;</p> <p>(viii) that the Director of Finance and Corporate Resources will be fully indemnified by the Council in the event of any claim against him arising from the provision of any certificate he may issue in accordance with recommendation/decision in (vii) above.</p>
16.	Housing and Community Care Social	All Wards;	(i) that approval be given to the temporary extension of the existing

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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	Care: partnership arrangements with NHA organisations under S75 Health Act 2010/11		<p>partnership agreement with the Central and North West London Mental Health Foundation NHS Trust for a period of up to 9 months from 1 April 2010;</p> <p>(ii) that authority be delegated to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources to resolve any outstanding issues with Central and North West London Mental Health Foundation NHS Trust prior to entering into the extension period detailed in paragraph (i) above;</p> <p>(iii) that progress in the fundamental review of the partnership arrangements with Central and North West London Mental Health Foundation NHS Trust and the intention of the Director of Housing and Community Care to report on the proposed replacement partnership agreement by 31 September 2010 be noted.</p>
17.	Pupil safety on the journey to and from school	All Wards;	<p>(i) that the recommendations in the task group report and the service department response be noted;</p> <p>(ii) that members of the task group be thanked for their work.</p>
18.	Climate change task group	All Wards;	<p>(i) that the recommendations in the task group report and the service department response be noted;</p> <p>(ii) that the members of the task group be thanked for their work.</p>
19.	Performance and Finance Review Quarter 3	All Wards;	<p>(i) that the council's spending, activity and performance in the third quarter of 2009/10 be noted;</p>

London Borough of Brent – Summary of Decisions taken by the Executive on Monday, 15 March 2010 (continued)

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			(ii) that all directors ensure that spending is kept within budget and underperformance tackled, and that measures be taken, in consultation with relevant portfolio holders, to achieve this.
20.	Authority to tender contract for insurance of leaseholder 'right to buy' properties	All Wards;	<p>(i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for a framework for the provision of insurance for private dwellings sold by the Council to tenants pursuant to the Right to Buy scheme as set out in paragraph 3.4 of the report from the Director of Finance and Corporate Resources;</p> <p>(ii) that approval be given to the invite of tenders and their evaluation in accordance with the approved evaluation criteria referred to in (i) above.</p>
21.	Disposal of 79a and 79b Tubbs Road	Kensal Green;	<p>(i) that the Head of Property and Asset Management be authorised to acquire and then dispose of the property at 79a and 79b Tubbs Road in line with the following options:</p> <ul style="list-style-type: none"> a) to a Housing Association that has been nominated by the Director of Housing and Community Care b) to Brent Housing Partnership as part of the ALMO Settled Homes Initiative c) or in the event that disposal under options (i) or (ii) cannot be achieved; by way of public auction <p>(ii) that authority be delegated to the Head of Property and Asset Management to determine the final terms of the disposal, provided that the consideration obtained should be the best that can, in his</p>

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			opinion, reasonably be obtained and the other terms shall be such as he considers to be in the best interests of the Council.
22.	Authority to agree a extension to the Council's existing contracts for office supplies	All Wards;	that there are good operational reasons for not tendering contracts for the provision of office supplies and approval be given to a three month extension of existing contracts with Office Depot (UK) Ltd and The Paper Company.
23.	Reference of item considered by Forward Plan Select Committee (if any)		Overview and Scrutiny Committee – 9 February 2010 Willesden Junction Station – Councillor Call for Action request Agreed.
26.	Termination of Middlesex House and Lancelot Road Housing Scheme	Alperton; Wembley Central;	<p>(i) that approval be given to the negotiated settlement comprising full and final financial settlement between the Council and Stadium (including the financial payments from the Council to Stadium as set out in paragraph 3.40 and 3.41 of the report from the Directors of Finance and Corporate Resources and Housing and Community Care);</p> <p>(ii) that the Director of Housing and Community Care be authorised to enter into an agreement with Stadium and THFC to effect such a settlement and release the Council from any further financial obligations under the scheme (a draft settlement agreement is attached at Appendix 6 and draft Deed of Release is attached at Appendix 7 of the Directors' report) pursuant to the Council's powers under Section 111 of the Local Government Act 1972, section 24 of the Local Government Act 1988, section 22 of the Housing Act 1996 and section 2 of the Local Government Act 2000 as set out in paragraphs 5.16 to 5.23 of the report;</p>

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			<p>(iii) that approval be given for the Director of Housing and Community Care to seek consent from the Secretary of State for Communities and Local Government under section 25 of the Local Government Act 1988 for the payment of any agreed sum to Stadium as part of the financial settlement;</p> <p>(iv) that the correction to the balances total in para 3.41 of the Directors' report referred to by the Borough Solicitor at the meeting, be noted.</p>