



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 11 March 2013 at 7.00 pm

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

Also present: Councillors Chohan, Daly, Lorber, Mitchell Murray, HB Patel and Pavey

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

Councillor Long declared a personal interest in the item relating to the Wembley Plan having submitted comments during the consultation stage and indicated that she would abstain from voting on the matter. Councillor Hirani declared a personal interest in the item relating to Church End car park development as a member of the Brent Local Board at Catalyst Housing Association.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 11 February 2013 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Deputation - on street parking tariffs**

Mr P Raja (local business owner) addressed the Executive in relation to the report from the Director of Environment and Neighbourhood Services which proposed the reduction of on-street parking charges across the borough through the adoption of a new tariff priced at a consistent rate of £2.00 per hour and a flat rate, low cost charge of 20p for a stay not exceeding 15 minutes. Mr Raja referred to the significant impact parking charges have on local businesses. He stated that shoppers were willing to pay reasonable charges but were more likely to try to avoid charges that they saw to be unfair. He suggested that the free parking period be extended from 15 minutes to 30 or 45 minutes. In his experience, people frequently relied on shop keepers for small change and then did not take the opportunity to become customers. Penalties would be ineffective. On cashless parking, Mr Raja felt that the elderly and disabled would be disadvantaged and recommended that extended parking be made available. Mr Raja acknowledged that that the car park on Preston Road was well priced but not well used.

5. On-street parking tariffs

Councillor J Moher (Lead Member, Highways and Transportation) introduced the report from the Director of Environment and Neighbourhood Services) which proposed a reduction in on street parking charges and the adoption of a new tariff priced at £2.00 per hour and a flat rate, low cost charge of 20p for a stay not exceeding 15 minutes. He referred to the deputation earlier in the evening from local business owner Mr P Raja and thanked him for his balanced contribution. Councillor Moher advised that a number of options had been considered, account had been taken of the 2011 increases and charges in neighbouring boroughs. The was competition from supermarkets and the economy was flat-lining. The proposals now before members would result in all round percentage decreases which he hoped people would welcome from Autumn 2013.

Councillor HB Patel (Preston ward councillor) sought clarification on the cost implications and put forward the view that the priority should be to make safety improvements for road users, traders, residents and motorists and not to generate revenue for the council. Councillor Patel referred to the increased charges introduced in 2011, the proposal now to have cashless parking and the intention to monitor and review in six months' time and felt the series of changes would reduce residents' confidence. He referred to inconsistency in parking arrangements around the borough, especially over bank holiday parking, cheaper rates in neighbouring boroughs and urged the Executive to introduce 30 minutes free parking.

Councillor Lorber (Leader of the Opposition) stated that the decision to increase charges from September 2012 had already cost residents £100,000 and now, only a few months later, additional charges were being considered. He felt that the council was taking advantage of people, particularly those living in streets where only on street was feasible. Councillor Lorber drew attention to the adverse environmental impact of driveway parking as more and more residents destroyed pavements and gardens to create off street parking. Excessive parking charges also had an adverse effect on local businesses with there being found to be a 24% reduction in parking as a result of the increases. This resulted in a loss in business income and many businesses having to close, leaving the high streets to the bookmakers and fast food establishments. 15 minutes free parking was too short a time to be useful and he queried the level of charge that would apply thereafter.

Councillor J Moher responded to representations stating that the charges were a response to inflation charges and it had been some time since the last increase. Linear charging (where the same pence per minute/hour rate applied across the range of potential stays) had been introduced to alleviate the impact on businesses as it would help the issue of big increases in parking fees where customers stayed slightly longer than the lower tariff. He considered that the proposal to charge 20p for a stay of up to 15 minutes was a serious attempt to meet the demands of traders and achieve consensus.

Councillor J Moher thanked Mr Raja and members for their contributions.

RESOLVED:

- (i) that on-street parking charges be reduced through the adoption of a linear charging tariff set at £2.00 per hour as described in paragraph 3.6.3 and

3.6.4 in the report from the Director of Environment and Neighbourhood Services;

- (ii) that for stays of up to 15 minutes the linear charging tariff should not apply and that a fixed charge of 20p should instead be made as described in paragraph 3.6.9 of the Director's report;
- (iii) that the 20p charge for a stay of no more than 15 minutes should not be subject to the 50p supplement for cash payments already agreed;
- (iv) that the impact of these reductions be monitored and that a report on the impact be brought to the Executive within a year of implementation;
- (v) that authority be delegated to the Director of Environment and Neighbourhood Services to undertake appropriate consultation and advertising of Traffic Orders associated with these proposals;
- (vi) that authority be delegated to the Director of Environment and Neighbourhood Services after having considered all representations received and making any appropriate modifications, to make the proposed Traffic Orders to introduce the proposed regime and charges;
- (vii) that the changes be funded as described in paragraph 4.8-4.12 of the Director's report.

6. Approval to award contract for Parking Services – collaborative cross borough procurement of parking

The report from the Director of Environment and Neighbourhood Services sought approval to award a joint contract for the provision of parking services as required by Standing Order 88(c). The report summarised the results of the procurement process undertaken by officers from the WLA participating boroughs for the provision of parking enforcement and notice processing services. Following completion of the evaluation it recommended a contractor for award of the proposed contract. The report also set out the financial savings and other benefits associated with the contract.

The Executive also had before them appendices to the report which were not for publication as they 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).

Councillor J Moher in introducing the report referred to the complexity and importance of the contract. He stated that the council needed to make savings in order to make up for central government imposed budget reductions and the contract would make a significant contribution over its lifetime.

RESOLVED:

- (i) that approval be given to the award of the joint contract for parking services to Bidder 3 for an initial contract period of five years with the option to extend for a further period of five years;
- (ii) that it be noted that the value of the Brent specific elements of the contract for the provision of parking services was estimated to be circa £19.3 million over the five year duration of the contract;
- (iii) that it be noted that the new parking contract offered a saving of £3.5m over five years, compared to the existing contract;
- (iv) that authority be delegated to the Director of Environment and Neighbourhood Services, in consultation with the Director of Legal and Procurement, to conclude and sign on the Council's behalf the Inter Authority Agreement discussed in paragraph 3.2.3 and paragraphs 8.6 and 8.7 of the report from the Director of Environment and Neighbourhood Services;
- (v) that the risks identified in Section 5 of the report and the proposed approach to mitigation be noted.

7. Processing of Recyclable Material

Councillor Powney (Lead Member, Environment and Neighbourhoods) referred the Executive to the report which sought approval to award a contract for the processing and sale of recyclable materials collected through the council's dry recycling service (blue bin + bring banks) as required by Contract Standing Order 88. The report summarised the process undertaken in tendering this contract and, following completion of the evaluation of tenders, recommended to whom the contract should be awarded. He drew attention to the tendering process set out in the appendices to the report.

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:

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RESOLVED:

- (i) that the tendering and evaluation process that has been undertaken for the contract for the processing and sale of recyclable materials collected through the council's dry recycling service be noted;
- (ii) that approval be given to the award of the contract for the processing and sale of recyclable materials collected through the council's dry recycling service to Viridor Waste Management Limited.

8. Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation

The report from the Director of Regeneration and Major Projects detailed the competitive tendering process of the Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation (Private Sector Accommodation) and made a recommendation as to award pursuant to Contract Standing Orders 88(c). Councillor Long referred to the human impact of the proposals which would result in the relocation of homeless families due to the introduction of the housing benefit cap which made it harder for people to find temporary accommodation in the borough. Increasingly more people, many of whom were large families, were presenting themselves as homeless and regrettably accommodation had to be identified far afield, outside the borough.

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:

- (i) that approval be given to the appointment of the contractors recommended and listed at paragraph 3.2.10 of the report from the Director of Regeneration and Major Projects onto the Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation. It is anticipated that the DPS would commence in April 2013 for a period of two years with an option to extend up to a further two (2) years;
- (ii) that during the operation of the Dynamic Purchasing System, approval be given to the addition of new suppliers at any time to the DPS provided they meet the set evaluation criteria;
- (iii) that authority be delegated to the Assistant Director of Housing to approve and appoint new suppliers onto the DPS subsequent to it first being established.

9. **Wembley Area Plan**

Councillor Crane (Lead Member, Regeneration and Major Projects) reminded the Executive that in September 2011 approval had been given to the first draft of the Wembley Area Plan, a subsequent report had been presented on preferred options. The report now before members provided a summary of the consultation responses and explained the main changes that were being proposed to the draft Plan and recommended that it be published on 25 March 2013 and made available for comment for six weeks. It is also recommended that it be submitted for examination subject to Full Council agreement. Councillor Crane advised that the Planning Committee had considered the plan in the preceding week and approved it.

RESOLVED:

- (i) that agreement be given to the revised draft Wembley Area Action Plan for publication and public consultation on 25 March 2013 for six weeks, and

recommend that Full Council agree the draft Plan be submitted to the Planning Inspectorate for Examination;

- (ii) that the proposed responses to individual representations, as set out in the schedule attached in the appendices, be agreed;
- (iii) that the Director, Regeneration and Major Projects be authorised to make further editorial changes to the document prior to finally issuing it for public consultation.

(Councillor Long declared a personal interest in the item relating to the Wembley Plan, left the room for the discussion and took no part in the voting thereon).

10. **Disposal Options for Elms Gardens, Elms Court, Sudbury**

RESOLVED:

that consideration of this report be deferred to next meeting.

11. **Church End car park**

Councillor Crane (Lead Member, Regeneration and Major Projects) advised that Catalyst Housing Association had hoped to bring forward proposals for a comprehensive redevelopment of the Church End car park area however this had not proved successful. Proposals were now for mixed used on owned land, with market space. A planning application would be submitted involving compulsory purchase, land swap with a development partner which would be the subject of further reports in the coming months.

Councillor Beswick (Lead Member, Crime and Public Safety) stated that residents would welcome the proposals which were long awaited. He looked forward to improvements being made to the area. Councillor Hirani (Lead Member, Adults and Health, ward councillor) also welcomed the initiative and stated that the residents and market traders would be delighted as the area was in much need of change. The current market was well used so he was pleased it had been incorporated. He pledged support for the development and would urge the council to make it happen.

RESOLVED:

- (i) that the background to the council's proposals to bring forward the redevelopment of the Council owned car-park in Church End be noted and agreement given to develop these proposals further, including the undertaking of public consultation and the submission of a full planning application;
- (ii) that officers seek agreement on and complete a land swap with Catalyst Housing Group involving the parcels of land indicated in Appendix 1;
- (iii) that approval be given to the making of a Compulsory Purchase Order (CPO) to acquire freehold interest and other relevant legal interests of the land and structure to the rear of 203 Church Road, which for identification purposes is shown edged in red on the plan attached to this report at

Appendix 2 (“the CPO Land”) under Section 226(1)(a) of the Town and Country Planning Act 1990, to facilitate the carrying out of the redevelopment scheme (“the Scheme”) and any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976;

- (iv) that the CPO be submitted, once made, to the Secretary of State for confirmation, whilst the Council at the same time seek to acquire the land by private negotiated treaty, funded either through development proceeds or from S106 funds where appropriate;
- (v) that approval be given to the making of one or more general vesting declaration or service of Notice to Treat and Notice 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, if determined by the Director of Regeneration and Major Projects on the advice of the Director of Legal and Procurement Services, as necessary in order to implement the CPO;
- (vi) that authority be delegated to the Director of Regeneration and Major Projects to undertake the following:
 - (a) 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, where such agreements are appropriate; and
 - (b) serve 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; and
 - (c) 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
 - (d) 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
 - (e) 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.
- (vii) that officers be authorised to undertake the process of ‘stopping-up’ of Eric Road which currently provides access to the existing car-park but which will be used to form part of the Market Square in the future;
- (viii) that subject to the approval of planning permission, to authorise the disposal of the Council owned Church End car-park to a developer partner;
- (ix) that approval be given to the invite of tenders for a developer partner for the site described in paragraph 2.8 of the report from the Director of Regeneration and Major Projects;

- (x) that authority be delegated to the Director of Regeneration and Major Projects, in consultation with the Director of Legal and Procurement, to set the pre-tender considerations and criteria to be used to evaluate tenders for a developer partner as set out in Contract Standing Order 89.

Councillor Hirani declared a personal interest in the item relating to Church End car park development as a member of the Brent Local Board at Catalyst Housing Association.

12. Final arrangements for the Public Health transfer

The joint report from the Director of Strategy, Partnerships and Improvement and the Director of Adult Social Care set out the final arrangements for the transfer of public health functions and staff from NHS Brent to the local authority. Members were reminded that they had previously considered two reports on the transfer; the first relating to the staffing structure; the second on the extension and transfer of public health contracts. Since those reports were considered, further work has taken place and the details of the final arrangements were released during the previous week. Councillor Hirani confirmed that formal transfer would commence on 1 April 2013 and progress was being made to match staff to posts.

RESOLVED:

- (i) that the update on the public health transfer be noted;
- (ii) that the arrangements relating to the public health staffing structure and appointment of the Director of Public Health be noted;
- (iii) that the final list of contracts transferring to the local authority from NHS Brent and arrangements for contracts where the council will be an associate commissioner be noted;
- (iv) that approval be given to the council's participation in a collaborative procurement exercise for the provision of Genitourinary Medicine (GUM) Services for 2013/14;
- (v) that approval be given to the collaborative procurement exercise detailed in paragraph (iv) above being exempt from the normal requirements of Brent's Contract Standing Orders in accordance with Contract Standing Order 85(c) and 84(a) on the basis that there are good operational reasons as set out in the report from the Director of Strategy, Partnerships and Improvement;
- (vi) that authority be delegated to the Interim Chief Executive to award contracts for the provision of GUM Services for 2013/14;
- (vii) that authority be delegated to the Interim Chief Executive to sign the Public Health Transfer Scheme following consultation with the Director of Legal and Procurement ahead of the formal transfer on 1 April 2013.

13. Performance report quarter 3, 2012/13

The purpose of this report was to provide members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. The Deputy Director of Finance drew attention to the forecast for revenue, there was an underspend of approximately £700,000. Balances of 12M were still retained. Councillor Butt, Leader of the Council emphasised the need for work to continue and for the council to meet its financial targets, given the current financial constraints.

RESOLVED:

- (i) that the finance and performance information contained in the report from the Director of Strategy, Partnerships and Improvement and Deputy Director of Finance noted and remedial actions be taken as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and remedial actions be taken as appropriate;
- (iii) that the budget virements contained within the Directors' report be approved.

14. **Any other urgent business**

Alison Elliott

The Leader announced that this was the last meeting to be attended by Alison Elliott, Director of Adult Social Services, due to leave the council's employ to take up the post of Director, People at Southampton City Council. On behalf of the Executive, he thanked her for all her work for the council and wished her every success in the future.

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

None.

The meeting ended at 7.45 pm

M BUTT
Chair