



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 14 January 2013 at 7.00 pm

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

Also present: Councillors Al-Ebadi, Cheese, Chohan, S Choudhary, Harrison, Hashmi, Kataria, Lorber, Mitchell Murray, RS Patel and Pavey

Apologies for absence were received from: Councillor Beswick

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

None made.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 10 December 2012 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Deputation - Green Charter**

The Executive agreed to hear a deputation from Ken Montague (Secretary, Brent Campaign Against Climate Change). He referred to a community briefing held on 21 November 2012 attended by Brent Campaign Against Climate Change and Brent Friends of the Earth supporters where the Green Charter monitoring report was discussed and agreement reached on future actions. The outcomes of the briefing had been circulated and had been received positively. Mr Montague repeated concerns expressed at the depletion of arctic ice which was adversely affecting weather patterns abroad and the cost and quality of food both of which impacted on Brent residents directly and indirectly. Mr Montague emphasised the need for more outreach work to gain support and also suggested that permission be given for the meetings to take place on council premises to reduce costs to individuals. The main proposal Mr Montague put forward was the development of a low carbon zone, with all agencies working together to increase awareness and encourage the take up of initiatives such as insulation and double glazing to make a material difference. Advice would be sought from officers on where in Brent efforts

should be concentrated and a steering group would shape the proposals. Of key importance was the need to make a bid to the Department of Energy and Climate Change and for the council to make a decision before 22 January so consultation could commence.

5. Green Charter monitoring report

Councillor Powney (Lead Member, Environment and Neighbourhoods) responded to the deputation earlier in the evening from Ken Montague (Secretary, Brent Campaign Against Climate Change) and indicated that the Director would be in contact. He referred to the recent passing of Jeff Bartley (formerly the council's climate change officer) and acknowledged the need for communication channels to be re-established with interest groups.

On the monitoring report, Councillor Powney reminded the Executive that the Green Charter had been adopted a year ago and brought together all the work the council was doing to improve, enhance and protect the environment to help respond to the challenge of climate change and reduce its carbon footprint. Councillor Powney outlined the areas in which progress had been seen to have been made in particular, reduced carbon emissions and an increase in waste recycling to 45%. There was also growing interest in the food strategy.

Councillor Arnold drew members' attention to and welcomed the forthcoming schools climate change conference planned for 20 March 2013. In response to a question from Councillor Lorber on policy proposals for car parking at the new Civic Centre due to open later in the year, the Director of Regeneration and Major Projects undertook to provide the timetable.

RESOLVED:

that the contents of the Green Charter monitoring report in Appendix A to the report from the Director of Environment and Neighbourhood Services be noted.

6. Authority for the Director of Regeneration and Major Projects and Director of Adult Social Services to jointly award supporting people contracts

Councillor Hirani (Lead Member, Adults and Health) introduced the report which sought authority for the Director of Regeneration and Major Projects and the Director of Adult Social Services in consultation with the Leader and Lead Members to award call-off contracts from the supporting people framework. Councillor Hirani reminded the Executive of the decisions taken at the November 2012 meeting advising that the recommendations now before members were to ensure that continuous arrangements were in place. He advised that there were six contracts under consideration and not five as stated in the report at paragraph 3.9.

RESOLVED:

that authority be delegated to the Director of Regeneration and Major Projects and the Director of Adult Social Services in consultation with the Leader and Lead Members to award six call-off contracts from the Supporting People Framework for a period of two years followed by discretionary extensions of one year plus one year (a maximum contract term of four years).

7. **Blue Badge Scheme**

The joint report from the Directors of Adult and Social Care and Environment and Neighbourhood Services provided an overview of the blue badge scheme and its enforcement, recent national changes and proposals for administration and enforcement in Brent. Under the Blue Badge Improvement Scheme, badges would now be issued nationally and it was hoped that more spaces would become available as a result of the renewed drive to reduce fraud and misuse. Staff would also work more closely with the Audit and Investigation Team. The Chair (Councillor Butt, Leader of the Council) endorsed the need to tackle misuse and to take action against fraudsters.

RESOLVED:

- (i) that approval be given to the implementation of a charge for a standard issue Blue Badge in line with national guidance from 1 February 2013;
- (ii) that agreement be given to the set fee for recovery of enforcement costs and its future inflation indexing as set out in paragraph 6.10 of the report from the Directors of Environment and Neighbourhood Services and of Adult Social Services;
- (iii) that agreement be given to enhance Blue Badge enforcement capacity to ensure that Blue Badge benefits are used only enjoyed by people with a genuine need;
- (iv) that agreement be given to the adoption of a robust enforcement approach.

8. **School Expansion (Secondary) Programme 2012-16**

In August 2012 the Executive approved the strategy for a primary school expansion programme 2012-16. The report set out the strategy for meeting the projected shortfall of secondary school places in Brent from September 2014. It also included an update on meeting the demand for SEN (Special Educational Needs) provision. Councillor Crane (Lead Member, Regeneration and Major Projects) reminded the Executive that the Crest Academies rebuild was due to be completed by September 2014. There was a shortfall in funding of £82m for providing new school places and pressure for places in years 10 and 11 had already been identified. Councillor Crane drew attention to the various phases to the programme ending in 2020 with the rebuild of Copland and Alperton High Schools using PFI (Private Finance Initiative). The council continued to look for sites for secondary schools and account would be taken of developments in neighbouring boroughs. However, in the absence of extra funding and given the council's financial position, central government would have to assist.

Councillor Arnold concurred that the council would have to rely on central government funding schemes and free schools the development of which the council would have little control. The local authority would be prepared to work with applicants within the previously agreed Partnership Criteria however concern was expressed at the likelihood of such schools using the freedoms available to schools in respect of staffing and curriculum, outside of the standards set by the local

authority. Another concern was the opening of free schools in the vicinity of existing schools that have available places. In response to a question from Councillor Lorber, Councillor Crane confirmed that all schools were being considered for potential expansion and achievable plans would be put forward.

RESOLVED:

- (i) that the current and future demand for secondary school places as set out in paragraphs 5.8 to 5.13 of the report from the Directors of Regeneration and Major Projects and of Children and Families be noted;
- (ii) that approval be given to the strategy for the delivery of secondary school places as set out in paragraphs 5.15 to 5.29 of the report, subject to availability of funds.

9. **Authority to allocate Main Capital Programme Funding for the expansion of Vicar's Green Primary School**

The report from the Director of Regeneration and Major Projects sought approval to Brent Council providing funding to the London Borough of Ealing for the expansion of Vicar's Green Primary school by one form of entry. 15 out of the 30 places in the new form of entry were expected to be taken up by Brent children. Councillor Crane (Lead Member, Regeneration and Major Projects) advised that the expansion, which formed part of School Expansion Programme 2012-16 report, was approved by the Executive in August 2012. The total project cost for the expansion was estimated at £4m including consultant fee of which Brent Council would contribute an equal proportion in partnership with Ealing Council. Consultation would commence in January 2013 to expand the catchment area for admissions to include Brent residential areas. Councillor Arnold (Lead Member, Children and Families) drew members' attention to the legal implications.

RESOLVED:

- (i) that approval be given to the funding by Brent Council of £2m, together with a contingency of £0.5m, towards London Borough of Ealing's school expansion project at Vicar's Green Primary School;
- (ii) that the comments from the Director of Legal and Procurement in Section 5 relating to the involvement with the neighbouring borough of Ealing be noted and authority be delegated to the Director of Regeneration and Major Projects in consultation with the Lead Member for Regeneration and Major Projects to approve the funding agreement with Ealing Council on finalisation of the terms for the expansion of Vicar's Green Primary School from September 2014;
- (iii) that all Brent Council funding be subject to a legal agreement between the Council and Ealing Council setting out that:
 - (a) The Council funding contributions can only be spent on legitimate education facilities, as defined in government guidance, and not on ancillary facilities that form part of the project;

- (b) Full and proper governance arrangements are established for the project to ensure it is delivered to time and budget, and providing for a senior Brent Council officer representation on the project board.
- (iv) that approval be given to the allocation of £2m from the main capital programme in line with the approved August 2012 Executive Report to fund fifty per cent of the cost of the school expansion project in partnership with Ealing Council;
- (v) that the contingency of £0.5m be maintained to cover unforeseen project costs since the design stage has not commenced and cost are an estimate at this stage.

10. **London Living Wage**

The Leader of the Council, Councillor Butt, introduced the report from the Director of Strategy, Partnerships and Improvement. The report set out recommendations for the Council to pursue implementation of becoming an accredited London Living Wage (LLW) organisation and set out the policy context and reasons for the commitment. It also explained the necessary caveats and conditions the Council would need to apply in order to protect the integrity of its financial position. Councillor Butt stated that the Brent residents were being adversely affected by the financial climate and the council wanted to assist taking into account the considerations outlined in the report.

The Executive noted reference in the report to the council's duties under legislation to seek 'best value' and in response to a question from Councillor Long (Lead Member, Housing) on how this would be dealt with, Councillor Butt responded that officers would report back. Councillor Lorber (Leader of the Opposition) drew members' attention to the financial implications and the cost difference between current wage levels and LLW within existing contracts which was estimated to be £9.1m. He expressed the view that the Executive should at this stage, have the option to include the necessary provision for the forthcoming budget process. Councillor Butt responded that contracts would be dealt with individually as and when they arose, taking into account best value, and efforts would also be made to negotiate improved terms. This was the start of the route towards accreditation. Councillor Crane concurred reminding of the evidence indicating that Brent was wage economy.

RESOLVED:

- (i) that agreement be given to the Council seeking Accreditation as a London Living Wage Employer;
- (ii) that positive steps be taken to review existing contracts over a three year period on a case by case basis to wherever possible apply LLW criteria;
- (iii) that Social Care contracts be examined with the London Living Wage Foundation and other LLW Boroughs to explore the application of LLW;
- (iv) that officers should act to promote the application of the LLW to schools, businesses and other organisations within Brent;

- (v) that, subject to Finance, Procurement and Legal advice, officers seek to apply the LLW consideration when tendering;
- (vi) that note the comments of the Deputy Director of Finance regarding the potential cost of applying LLW.

11. **Brent Working with Families Strategy**

The Working with Families project aimed to fundamentally improve the way that Brent Council and its partners identified and delivered services to the borough's most vulnerable families. Underpinned by the national Troubled Families Programme, the project recognised that families and agencies could realise significant benefits from changing the way that services were delivered to families with complex needs. It was felt that benefits can only be achieved as a result of a whole systems change, a significant shift in attitude and approach, including a shift to a family focus, and genuine partnership working across agencies.

Councillor Arnold (Lead Member, Children and Families) outlined the background and objectives of the project and stressed the importance of the coordinated approach that would be provided through a multi agency safe-guarding hub, a family support service and an aligned services strategy designed to improve a wider range of support services across services and partners. 25-30 key workers would be employed to work with families. The aim was to use mainstream funding together with funding from central government and, by targeting funding at early help services, to reduce costs to the council and partner agencies. The project was in its early stages and would be closely monitored and Councillor Arnold urged members to endorse the strategy and action plan.

RESOLVED:

- (i) that the Working with Families Strategy, set out at in Appendix 1 of the report from the Director of Strategy, Partnerships and Improvement be endorsed;
- (ii) that the high level action plan in Appendix 2 to the Director's report be noted.

12. **Annual Audit Commission Letter**

The report from the Deputy Director of Finance presented the Annual Audit Letter for 2011/12, which was produced by the Audit Commission.

RESOLVED:

that the contents of the Annual Audit Letter be noted.

13. **London Housing Consortium**

The report from the Director of Legal and Procurement sought the Executive's approval that the London Housing Consortium, of which Brent Council is a member, be formalised as a Joint Committee for the purposes of section 101(5) of the Local Government Act 1972, and that Brent Council continued its membership of the London Housing Consortium ("LHC") as a Joint Committee member.

RESOLVED:-

- (i) that Brent Council continue to be a member of the London Housing Consortium;
- (ii) that it be noted that the London Housing Consortium has been formally established as a Joint Committee by seven other local authorities pursuant to section 101(5) of the Local Government Act 1972;
- (iii) that the Executive's functions in relation to the running of the London Housing Consortium be discharged to the Joint Committee of the London Housing Consortium and agreement given to Brent Council's membership and participation in that Joint Committee;
- (iv) that the Lead Member for Housing be appointed as Brent Council's Executive representative to the Joint Committee of the London Housing Consortium and that the Non-Executive Member for the Joint Committee of the London Housing Consortium be appointed by the Executive at a later date;
- (v) that the Director of Regeneration and Major Projects, in consultation with the Lead Member for Housing and the Director of Legal and Procurement, be authorised and to agree a Constitution for the Joint Committee based on the draft Constitution as set out in Appendix 1 to the report from the Director of Legal and Procurement;
- (vi) that other options for the legal framework and governance structure of the London Housing Consortium be fully explored and that a further report, detailing the options, be presented to a future meeting of the Executive for consideration.

14. Any other urgent business

None.

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

None.

16. Exclusion of Press and Public

RESOLVED:

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

17. Compulsory Purchase: Northwick Avenue, Kenton, Harrow, Middlesex, HA3 OAA

The Executive considered the report from the Director of Regeneration and Major Projects which sought approval for the making of Compulsory Purchase Order at for a property on Northwick Avenue, Kenton, Harrow, Middlesex, HA3 0AA, referred to in the report. The report set out the background and Councillor Crane (Lead Member, Regeneration and Major Projects) summarised the reasons why it was felt that this was the appropriate course of action.

RESOLVED:

- (i) that agreement be given to the use of compulsory purchase powers to acquire the property on Northwick Avenue Kenton, Harrow, Middlesex, HA3 0AA referred to in the report from the Director of Regeneration and Major Projects compulsorily under section 17 of the Housing Act 1985;
- (ii) that the Head of Legal Services be authorised to make and seal the Order for submission to the Secretary of State for Communities and Local Government for consideration and approval. Further, to authorise the Head of Legal Services to confirm the said Compulsory Purchase Order in the event of the Secretary of State returning the Order;
- (iii) that upon confirmation of the Compulsory Purchase Order, to proceed with the acquisition;
- (iv) that subject to confirmation of the Compulsory Purchase Order by the Secretary of State for Communities and Local Government Cabinet, approval be given to the disposal of the property to a Registered Social Landlord in the first instance, or to a Private Developer (in which case the sale would be by way of auction) with covenants applied to bring the property back into use as soon as possible.

The meeting ended at 7.55 pm

M BUTT
Chair