



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday, 15 November 2010 at 7.00 pm

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

ALSO PRESENT: Councillors Adeyeye, Daly, Hashmi, Kabir, Lorber, McLennan, Moloney, Naheerathan, BM Patel, HB Patel, RS Patel and Sheth

1. Declarations of personal and prejudicial interests

Councillor Powney declared a personal interest in the reports relating to the waste collection strategy, waste and street cleansing and the waste disposal levy mechanism as a member of the West London Waste Authority.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 18 October 2010 be approved as an accurate record of the meeting.

3. Matters arising (if any)

4. Order of business

The Executive agreed to change the order of business so as to take earlier in the meeting those items for which members of the public were present.

5. Deputations and Petition - former allotment site adjacent to Elms Gardens, Sudbury

Mr Koranteng addressed the Executive on behalf of the residents of Elms Court/Elms Gardens Action Group who had petitioned against the proposal to dispose of the formal allotment site adjacent to 19 Elms Gardens, Sudbury as outlined in the report from the Directors of Regeneration and Major Projects and of Housing and Community Care. He asked the Executive to recognise what he considered to be shortcomings in the report in that it did not address concerns raised by residents. Mr Koranteng referred to correspondence to officers which had not or had only recently been acknowledged and inadequate consultation on the proposals. The petitioners asked the Executive not to authorise the proposed land sale and referred to an outstanding formal complaint alleging procedural impropriety that had yet to be resolved. Mr Koranteng questioned the authority under which the decision was taken to obtain consent for the de-designation of the allotment site

which he felt had deliberately been allowed to decline. He drew attention to limited access to the site as a residential scheme and its ecological and wildlife value. Mr Koranteng asked that the allotment site be preserved for the local community who would not benefit from the proposed alternative allotment site at Gladstone Park.

The Executive thanked Mr Koranteng for his presentation.

6. **Disposal of former allotment site adjacent to 19 Elms Gardens, Sudbury, and establishment of new replacement allotment site at Gladstone Park Gardens**

The Executive had before them a report from the Directors of Regeneration and Major Projects and of Housing and Community Care which sought authority to dispose of the former allotment site adjacent to 19 Elms Gardens, Sudbury for residential development to support the redevelopment of the Barham Park estate and the consequent creation of a new replacement allotment site at Gladstone Park Gardens.

Councillor Lorber (ward councillor) addressed the Executive in support of local residents who were against the proposals. Referring to the case that had been put earlier in the meeting, Councillor Lorber recognised that the council had to balance priorities but now that the community were making a claim for the retention of the allotment site he felt that the Administration should reverse the original decision to develop the site, as it had done on a similar occasion. Councillor Lorber suggested the need for a coherent policy on how to deal with land in residential areas which residents feel should be used for other purposes. He felt that the situation should now be reviewed in the light of developments in other parts of the borough and questioned the recommendation to dispose of the site whether or not the proposed disposal to a housing association proceeded. Councillor Lorber put that the area was lacking in public open space and that available money was being spent on an educational site in another part of the borough that would not benefit Sudbury residents. Councillor Lorber asked the Executive to take time to consider the many issues that had been raised. Councillor Daly (ward councillor) addressed the Executive on behalf of residents and pointed out that the Elms Gardens allotments were part of the nearby sports ground and were a wildlife site recognised on both the GLA's and the council's websites. The area was also recognised to be deficient in open space provision. Councillor Daly stated that the decision taken in 2008 to de-designate the allotment site and to start negotiations for housing development had been taken without public discussion. She put that information given to central government had been misleading and questioned the site's description as vacant and derelict. Councillor Daly stated that the site was a recognised wildlife site and asked that the views of residents against the loss of amenity be taken into account. She asked that a decision on the disposal be deferred to allow consideration of possible alternative decant sites at Perrin Road and Linthorpe Avenue, outstanding information to be provided and for further consultation to take place.

Councillor Crane (Lead Member, Regeneration and Economic Development) referred members to the officers' report which sought agreement to the sale of the former allotment site to Notting Hill Housing Trust and to replacement allotments in Gladstone Park Gardens. He pointed out that de-designation had already been agreed and that the sale price would be subject to planning permission. He understood residents' concerns and also the view that the consultation under the previous Administration had not been widespread. Councillor Crane put that the

council needed to take action in support of the Barham Park estate redevelopment and displaced residents were entitled to be re-housed locally. He also stated that a legal reason for not proceeding had not been identified and it would be for the Planning Committee to consider the site's suitability for redevelopment.

RESOLVED:

- (i) that agreement be given to the disposal of the freehold interest of land at Elms Gardens, Sudbury to Notting Hill Housing Trust (NHHT) as development land to initially provide decant accommodation for Barham Park Estate residents;
- (ii) that agreement be given to the creation of a new replacement allotment site at Gladstone Park, Dollis Hill subject to the appropriate legal procedures as set out in the body of the report from the Directors of Regeneration and Major Projects and Housing and Community Care being properly undertaken;
- (iii) that the Director of Children and Families be authorised to commence and comply with the procedure as set out in section 122(2A) of the Local Government Act 1972 to agree that the education land used as open space at Gladstone Park was no longer required for the purpose for which it was currently held and to appropriate the land for statutory allotment purposes. In addition to this, to consider any objections made to the appropriation, and unless there are objections received which in her opinion were significant, to implement the appropriation. If such objections are received then a further report will be brought back to the Executive for consideration;
- (iv) that officers be instructed to ensure that the development adequately addressed the concerns of local residents and that further meetings be held with the residents' group in order to consult on any development proposals;
- (v) that it be noted that the purchase price payable by NHHT would be dependent upon the level of grant available and may not match best value if the site were disposed in the open market. If this proved to be the case the Executive would be able to utilise the "Well-Being" Powers under the General Consent (England) 2003 to dispose of the land at less than best consideration in return for more affordable housing;
- (vi) that, in any event, as the Secretary of State consent given in relation to the disposal and further mentioned paragraph 3.3 of the Directors' report was based on the sale price not being lower than current valuation, if the disposal was less than best consideration then the consent of the Secretary of State would be required and that the final decision on the disposal price be delegated to the Directors of Regeneration and Major Projects and Housing and Community Care;
- (vii) that, in the event that the disposal to NHHT for the specific purpose of assisting with the redevelopment of Barham Park Estate does not proceed, that the site be disposed on the open market, subject to the same requirement for consultation with local residents and the development of an alternative scheme which addressed the concerns of local residents.

7. Deputations - Libraries Transformation project

Jack Sayers (local resident) addressed the Executive in relation to the report from the Director of Environment and Neighbourhood Services which sought approval to consult on proposals to transform the service while rationalising libraries across the borough. Mr Sayers spoke in support of the retention of Cricklewood Library as an important facility in the area. He recognised the difficult position in which the council had been placed as a result of current public sector funding cuts however he asked that the building, which was protected by covenant, be retained so that the local community could make efforts to find a way to manage it.

The Executive then heard from Eric Pollock (Chair, Friends of Cricklewood Library) who reminded the Executive of the history of the library which had been in existence since the 1930s and was a valuable community asset. He referred to the campaign to save the library in the past and the events that had been held there on various subjects. He supported the relocation of the Borough Archive to the more suitable premises at the Willesden Green Library Centre but felt that local residents would be much deprived by the loss of Cricklewood Library.

David Butcher (local resident) addressed the Executive in support of the retention of Kensal Rise Library which he felt was well resourced, valued by the community and in the heart of the area. He referred to the history of the library, opened in 1900 by the author Mark Twain and commended the way in which the premises was used and also the staff. Mr Butcher referred to the role libraries played in keeping children interested in books and that it was also well used by adults. He also recognised the financial restrictions within which the council had to operate but was sure the community would be willing to get involved in initiatives to help the library be more cost effective. Mr Butcher concluded by reiterating that the library was successful cultural focal point and that its closure would have a negative impact on the community.

The Executive thanked presenters for their contributions.

8. Libraries Transformation project

Councillor Powney (Lead Member, Environment, Planning and Culture) introduced the report from the Director of Environment and Culture which set out proposals to improve the quality of library provision in the borough while contributing to efficiency savings needed in response to funding reductions. The report sought approval for a public consultation exercise which would involve public meetings and the Area Consultative Forums. The Executive also had before them an appendix to the report which was not for publication for the following reasons set out in schedule 12(A) of the Local Government Act 1972 namely:

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

Councillor Powney set out the reasoning behind the proposals which took into account location, current usage and options for the future and also the condition of

the buildings. He referred to the high level of correspondence he had already received on the matter and including that from organisations interested in providing a service. He emphasised the need for robust business cases to be presented in order for these to be given serious consideration. Councillor Powney also recognised that in cases where covenants were involved, owners' consent to changes in management arrangements would need to be obtained. In response to petitioners, Councillor John contributed that the cost of borrowing books was high in some libraries taking into account the running costs of premises and that there was evidence that those libraries located on high streets were better used and so more cost effective.

Councillor HB Patel spoke against the proposals stating that the country was well known for its library service and that location and running costs should not be deciding factors. He welcomed the intention to consult but drew attention to the strength of feeling expressed by residents who would fight closures. Councillor Lorber referred to improvements that had taken place in Barham Library and Neasden Library involving shared facilities and the recent redevelopment of Harlesden Library with the benefit of lottery funding. He expressed a wish that the consultation would be meaningful, take into account all users who would be affected including schools and those with low incomes and ensure that all options were presented clearly.

Councillor Powney assured that the public consultation on the future of the library service would be fully advertised and that details would be sent to ward councillors. Members regretted that closures had to be considered but in the face of public sector funding cuts, the current costs were not sustainable.

RESOLVED:-

- (i) that the proposals of the Libraries Transformation Project at 3.3 of the report from the Director of Environment and Culture be noted;
- (ii) that the public consultation on the proposals be approved;
- (iii) that agreement be given to the submission of a further report to the Executive in April 2011, setting out the consultation results and final recommendations on the future of the library service.

9. Deputation - Waste collection strategy

Elaine Henderson, speaking on behalf of Brent Friends of the Earth, addressed the Executive in connection with the report from the Director of Environment and Neighbourhood Services which set out the outcome of the public consultation on the revision of the council's waste strategy. She referred to the Friends of the Earth assessment that so far this year, £9 million had been wasted on landfill tax. She commended the Director's report which she felt contained a number of good initiatives, recognising the financial constraints within which the council had to operate. In commenting on the proposals, Ms Henderson spoke against the recommendation to move away from kerbside sorting to fully co-mingled dry recyclables collection and suggested that consideration be given to collecting paper and card separately as was the practice in Sheffield. This would avoid the need to re-educate residents, the purchase of new bins and also reduce contamination.

Ms Henderson put forward that the implementation plan be approved subject to this amendment. In relation to the consultation that had taken place on the waste collection strategy, Ms Henderson stated that it had not been made clear, particularly in the Brent Magazine, that collections would be fortnightly and that Friends of the Earth were considering calling for a judicial review.

10. **Waste collection strategy**

Councillor Powney (Lead Member, Environment, Planning and Culture) introduced the report from the Director of Environment and Neighbourhood Services on the new Waste Collection Strategy and reminded the Executive that at its meeting in August 2010 agreement had been given to go out to consultation on proposed revisions. The report presented the outcome of the consultation and sought approval for implementation. The Executive also had before them an appendix to the report which was not for publication for the following reasons set out in schedule 12(A) of the Local Government Act 1972 namely:

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Councillor Powney responded to the deputation earlier in the meeting from Brent Friends of the Earth and stated that consideration had been given to several collection streams and that the council had been advised that at this time given the composition and mobility of the Brent population it would be simpler to co-mingle dry recyclables. Additionally, the current green boxes would be too small for the required tonnage. Contamination would always be a problem but a market could be found for recycled materials. Regarding fortnightly collection, Councillor Powney stated that it had been made clear that the council would be collecting the various bins on different weeks. Other issues that had been raised in the consultation related to the design of the bins which had now been changed, and he confirmed that most waste would be disposed of within Europe.

Councillor Powney proposed the recommendations in the report.

RESOLVED:-

- (i) that the response from the public consultation on the revised Waste Strategy as described in the report from the Director of Environment and Neighbourhood Services at Appendix A be noted;
- (ii) that approval be given to the formal adoption and implementation of the revised Waste Strategy as described in the report and at Appendix B;
- (iii) that the proposed draft implementation plan for the revised Waste Strategy as described in paragraph 7.0 of the report be noted;
- (iv) that the programme of procurement required to implement the revised Waste Strategy as described in paragraph 8.0 of the report be noted;
- (v) that agreement be given to the variation to the existing Waste Services contract with Veolia as set out in Appendix C of the report.

11. Commissioning of the specialist Child and Mental Health Service (CAHMS) in Brent 2011-13

The report from the Director of Children and Families sought exemption from full tender requirements for the commissioning of the specialist Child and Mental Health Service for 2011-13. The Executive noted that the contract would be for one year with an option to extend until 2013. The Executive also had before them an appendix to the report which was not for publication for the following reasons set out in schedule 12(A) of the Local Government Act 1972 namely:

information relating to the financial or business affairs of any particular person (including the Authority holding the information)

RESOLVED:-

- (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 were good operational reasons for doing so as set out in section 3 of the report from the Director of Children and Families;
- (ii) that approval be given to award a contract jointly with NHS Brent for the joint Council and NHS provision of Child and Adolescent Mental Health Services to the current provider, Central and North West London NHS Foundation Trust, for the period 1 April 2011 to 31 March 2012 with an option to extend the contract for a further one year until 31 March 2013, which would be utilised, should timescales indicate the need for a further extension to be implemented.

12. Waste and street cleansing - street cleansing efficiency savings

Councillor J Moher (Lead Member, Highways and Transportation) introduced the report that presented options for efficiency savings in the council's street cleansing operation. He assured that the service would be closely monitored to ensure that the sweeping was carried out at the frequency agreed in the contract.

RESOLVED:-

- (i) that the three options (not mutually exclusive) for delivering efficiency savings in the street cleansing operation as set out in the report from the Director of Environment and Neighbourhood Services be noted and approved;
- (ii) that officers' response to the independent review of the street cleansing service undertaken by consultants, Gordon Mackie Associates be noted.

13. Changes to the waste disposal levy mechanism

The report from the Director of Environment and Neighbourhood Services described a proposed change to the current mechanism for payment to the West London Waste Authority (WLWA) for the disposal and treatment of waste. WLWA approved the change at their meeting on the 21 July 2010. Councillor Powney

(Lead Member, Environment, Planning and Culture) advised that the WLWA's six constituent boroughs, including Brent, needed to formally confirm their acceptance of the new arrangements. The monthly charging arrangements would be to the advantage of the WLWA boroughs.

RESOLVED:-

- (i) that the rationale behind the switch to a new levy mechanism be noted;
- (ii) that agreement be given to the new "Pay as You Throw" levy mechanism to be adopted for implementation in 2011-12.

14. Awards of new contracts to incumbent providers of housing support services for people with mental health needs

The report from the Director of Housing and Community Care sought an exemption from the tendering requirements of contract standing orders in relation to contracts for housing support services for people with mental health needs, in accordance with contract standing order 84. It further sought approval to negotiate and award new contracts to the existing providers for a period of one year commencing from 1 December 2010 with an option to extend for a further period of up to one year. Councillor Thomas (Lead Member, Housing and Customer Services) added that this was an opportunity to work with West London Alliance partners to achieve savings.

RESOLVED:-

- (i) that approval be given to an exemption from the tendering requirements of Contract Standing Orders pursuant to Contract Standing Order 84 for the reasons set out in paragraph 5 of the report from the Director of Housing and Community Care in order to allow for the direct award of new contracts for housing support services as set out in resolution (ii) below;
- (ii) that authority be delegated to the Director of Housing and Community Care to directly award to the existing service providers as listed in Appendix 1 to the report, new contracts for housing support services for people with mental health needs for the period from 1 December 2010 to 30 November 2011 with the option to extend until 30 November 2012;
- (iii) that it be noted that the Director of Housing and Community Care will negotiate contract price reductions with regard to the new contracts providing that service quality can be maintained.

15. Call off contract from London Collaborative Procurement Framework Agreement for the provision of Community Equipment Service

The report from the Director of Housing and Community Care requested approval pursuant to the council's contract standing orders for the award of a call off contract from a framework agreement following a successful collaborative procurement exercise for the provision of a community equipment service through a consortium of London Boroughs led by the Royal Borough of Kensington and Chelsea.

RESOLVED:-

- (i) that the award of framework contract to Medequip Assistive Technology Limited (Medequip) for the provision of Community Equipment Services (the Framework) following a collaborative procurement exercise carried out by the Royal Borough of Kensington and Chelsea be noted;
- (ii) that approval be given to the award of a call off contract from the Framework to Medequip for the provision of a Community Equipment Service to the London Borough of Brent for the period from 1 July 2011 up to 31 March 2015 with provision for extension as set out in the framework agreement;
- (iii) that authority be delegated to the Director of Housing and Community Care and the Borough Solicitor to finalise the access agreement required under the framework to establish contractual terms with Medequip and the Royal Borough of Kensington and Chelsea.

16. Authority to invite tenders for the procurement and management of temporary accommodation

Councillor Thomas (Lead Member, Housing and Customer Services) introduced the report which sought authority pursuant to the council's contract standing orders 88 and 89 to invite tenders to conclude a framework agreement for the Procurement and Management of Temporary Accommodation pursuant to the council's private managed accommodation scheme. He stated that the proposed framework agreement would commence in April 2011 for the duration of two years with an option to extend for up to two years and would hopefully achieve savings. Brent would be the lead authority.

The Executive also had before them an appendix to the report which was not for publication for the following reasons set out in schedule 12(A) of the Local Government Act 1972 namely:

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for a framework agreement for the procurement and management of temporary accommodation as set out in paragraph 3.4 of the report from the Director of Housing and Community Care;
- (ii) that approval be given to officers inviting expressions of interest, agreeing shortlists, inviting tenders for a framework agreement for the procurement and management of temporary accommodation and evaluating them in accordance with the approved evaluation criteria referred to in (i) above.

17. Authority to agree recommendations from the London Councils to manage projected overspend on the Taxicard Scheme

The report from the Director of Housing and Community Care requested that authority be delegated to the Director to agree to the proposals recommended and presented by the London Councils to the Transport and Environment Committee (TEC) on 14 October 2010 to address the cost pressures within the taxicard scheme and pull the spend back in line with the budget for 2010/11. In a supplementary report circulated at the meeting, the Executive were advised that a further report had been received from London Councils discussed at the London Council Environment Committee which met on 11 November which contained an additional recommendation requesting boroughs to put in place a moratorium for any new members for the rest of the financial year.

The Executive agreed the recommendations in the report and also in the supplementary paper.

RESOLVED:-

- (i) that the recommended budget control measures that have been drawn up by the London Councils and presented to the TEC as detailed in section 3.6.3. of the report from the Director of Housing and Community Care be noted;
- (ii) that authority be delegated to the Director of Housing and Community Care to agree to the recommended budget control measures with the London Councils to pull the spend back in line with the budget for 2010/11;
- (iii) that in light of further information received from London Councils, agreement be given to a moratorium for all new applicants, this to apply from the 15 November 2010 until 31 March 2011.

18. Young people and teenage parent accommodation based services and floating support services

The Executive had before them a report which provided an update on the procurement process of two frameworks for teenage parent based accommodation services and floating support services and of two frameworks for young people based accommodation services and floating support services since approval to tender was given at the Executive meeting on 15 June 2009. Approval was now being sought to depart from the existing procurement route in respect of the teenage parent based accommodation services and floating support. Officers now were seeking exemption from full tendering requirements and sought approval to re-commission the services with the existing providers on a one year contract from 1 April 2011, with an option to extend the contract by a further year to 31 March 2013. In connection with the two frameworks for young people based accommodation services and floating support service, officers sought authority to extend the contracts with the existing providers to enable the procurement process to be concluded.

Councillor Thomas (Lead Member, Housing and Customer Services) acknowledged the difficulty of the financial situation and the need to find efficiency savings. Consideration would be given to Frameworks 3 and 4 at a later stage.

RESOLVED:-

- (i) that approval be given to an exemption from the usual tendering requirements of contract standing orders in relation to the teenage parent based accommodation services and floating support services on the basis that there are good operational and/ or financial reasons for doing so as set out in Section 3 of the report from the Director of Housing and Community Care;
- (ii) that approval be given to the award of the contracts for housing support services for teenage parents at Melrose Avenue NW2 and Nicoll Road NW10 and their respective floating support services to the current providers, Catch 22 and Stadium Housing Association, for the period from 1 April 2011 to 31 March 2012, with the possibility of extending such contract for one further year to 31 March 2013;
- (iii) that approval be given to the extension of current contracts for young people based accommodation services and floating support services with Depaul Trust, Catch 22, St Christophers Fellowship, Coram Housing and Support Service, Brent Housing Partnership and Centre Point for a period of eight months, to 30 September 2011, to allow for their tender.

19. Brent Local Development Framework - revised Local Development Scheme

The report from the Director of Regeneration and Major Projects asked the Executive to endorse the proposed Local Development Scheme. It set out the timetable for the preparation, consultation on, and adoption of documents which will comprise the council's Local Development Framework.

RESOLVED:-

that agreement be given to the proposed Local Development Scheme timetable at Appendix 1 of the report from the Director of Regeneration and Major Projects as a basis for the continued preparation of the Local Development Framework, and for inclusion in submission of a revised scheme to the Secretary of State and the Mayor of London.

20. South Kilburn regeneration acquisition of additional land

Councillor Crane (Lead Member, Regeneration and Economic Development) introduced the report which provided an update of progress of the regeneration of South Kilburn since the report to the Executive meeting on 23 June 2010. It also sought members' agreement to a range of items in order to progress the regeneration objectives for the South Kilburn estate. Councillor Crane drew attention to the financial implications set out in the report in particular the sale of land and using the capital receipt progress to further sites. He also pointed out the possibility of current central government cuts impacting on the Homes and Communities Agency which would affect programme funding.

RESOLVED:-

- (i) that progress of regeneration and the clarifications to the phasing plan for the regeneration of the South Kilburn estate, and that work is proceeding to update this phasing plan be noted;

- (ii) that the immediate cessation of permanent lettings on the properties at Bond House, Cambridge Court, Ely Court, Bronte House, Fielding House, Hicks Bolton House, Wells Court and Wood House be authorised;
- (iii) that agreement be given to the service of demolition notices in relation to secure tenancies at Bond House, Bronte House, Cambridge Court, Ely Court, Fielding House, Hicks Bolton House, Wells Court and Wood House, which are all on the South Kilburn estate, and the Director of Housing and Community Care be authorised to issue all and any notices required to be issued in connection with such demolition;
- (iv) that the Director of Housing and Community Care be authorised to carry out the prescribed statutory consultation procedure and seek the Secretary of State's consent to the phased disposal and redevelopment of Bronte House, Fielding House, Wells Court and Wood House in addition to the Phase 1 sites on the South Kilburn estate referred to in paragraph 3.26 of the report from the Director of Regeneration and Major Projects for the purposes of Ground 10A of Schedule 2 to the Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of those residential dwellings let under secure tenancies.
- (v) that the following be authorised:
 - (a) the making of compulsory purchase orders (the CPO's) to acquire all interests and rights in the properties listed in appendix 1 [and otherwise comprised in the land edged in bold black and hatched on the draft Plan headed [the map referred to in the London Borough of Brent South Kilburn Regeneration Compulsory Purchase Order 2010-11] inclusive of the leasehold interests set out on Appendix 2 to the Report to the Executive meeting on 23 June 2010 being interests in the South Kilburn estate which properties are referred to hereafter as "the CPO Land" under section 226 (1)(a) of the Town and Country Planning Act 1990 and any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976;
 - (b) the Director of Housing and Community Care in consultation with the Director of Legal and Procurement to include in the Compulsory Purchase Orders authorised by the Executive on 23 June 2010 and at this Executive meeting such other additional interests and rights as are disclosed during the land referencing exercise which the Director of Regeneration and Major Projects in consultation with the Director of Housing and Community Care and the Director of Legal and Procurement deem it necessary to facilitate the delivery of the South Kilburn Regeneration Phase 1;
- (vi) that the CPOs, once made, be submitted to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Housing and Community Care;
- (vii) that the following be authorised:

- 1) Director of Housing and Community Care to 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 CPOs and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate;
 - 2) Making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPOs be confirmed by the Secretary of State;
 - 3) Service 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 CPOs;
 - 4) Director of Housing and Community Care to remove from the CPOs 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 CPOs (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new rights (if so advised);
 - 5) Director of Housing and Community Care within the defined boundary of the CPO Land, 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;
 - 6) Director of Housing and Community Care, if so advised, 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 the Director of Housing and Community Care be authorised (in conjunction with the Director of Legal and Procurement) to seek the consent of the Secretary of State under Section 19 of the Housing Act 1985 (where applicable) to the appropriation of housing land for planning purposes;
- (viii) that the Director of Housing and Community Care be authorised (where the Director of Housing and Community Care in conjunction with the Director of Legal and Procurement consider applicable) to commence and comply with the procedure as set out in section 122(2A) of the Local Government Act 1972 by publishing a public notice in the local newspaper on two consecutive publication dates of the Council's intention to appropriate public open space in the South Kilburn estate to planning purpose and in particular to consider any objections made to the appropriation, and unless there are objections received which in his opinion are significant, to implement the proposed appropriation. If such objections are received then a further report should be brought back to the Executive for consideration.

21. **Strategy for primary school developments**

Councillor Crane introduced the report which clarified the strategy and options for delivering sufficient primary school places utilising the School's Capital Programme and the Basic Need Safety Valve Funding. He drew attention to the arrangements that had been made for 'bulge classes' for September 2010 and Basic Need Safety Valve was now available to provide additional reception places by September 2011. A number of schemes had been identified but were subject to design work, consultation and planning permission. A further report would be submitted to the Executive in February 2011. Councillor Arnold (Lead Member, Children and Families) referred to the rising pressure on school places which was a London wide problem. London Councils were campaigning but no additional funding had been forthcoming to date.

RESOLVED:-

- (i) that approval be given to the reprioritisation of recommended schemes for spending the £14.766m Basic Need Safety Valve funding as set out in the table under paragraph 3.3.8 for providing additional primary school places;
- (ii) that approval be given to a further allocation of £4.997m, over and above the previously approved £12.013m from the Council's main Capital Programme as set out in the table under paragraph 3.4.3 towards new permanent primary school provision in the borough;
- (iii) that a further report be presented to Executive in February 2011 setting out recommendations for prioritising the expenditure of £17.010m from the Council's main Capital Programme on primary expansion schemes, including those set out in Table 6 of the report from the Directors of Regeneration and Major Projects relating to new and/or expanded schools at Braintcroft, Capital City Academy and Wembley High;
- (iv) that approval be given to award three contracts to Mott McDonald for project management and full design team services (including CDM Co-ordination) for the Preston Manor, Newfield and Brentfield schemes, respectively;
- (v) that authority be delegated to the Director of Regeneration and Major Projects to appoint one or more works contractors using existing construction frameworks, for the Preston Manor, Newfield and Brentfield schemes;
- (vi) that approval be given to an exemption from the quotation requirements of Contract Standing Orders to allow the appointment of Watts as Employer's Representative for the construction phases of the Preston Manor, Newfield and Brentfield schemes, for the good operational reasons set out in paragraph 4.4 of the report from the Director of Regeneration and Major Projects.

22. Inspiring Brent: Brent Councils programme for the London 2012 Games

Councillor John (Leader of the Council) introduced the report from the Chief Executive which provided an update on the delivery of Brent's Action Plan for the London 2012 Games which has been developed by the 2012 Steering Group. The report outlined key achievements to date and areas to be developed to secure a legacy for Brent. The report also outlined developments in the London 2012 City

Operations Programme and the role Brent would be required to play in delivering successful Games. Councillor John emphasised that the council would have to meet any funding shortfall should external funding streams not support the costs incurred.

RESOLVED:-

- (i) that the progress made Brent's on the 2012 Action Plan be noted;
- (ii) that the financial and operational implications of being a host borough be noted and agreement given to the city operations work programme as detailed in paragraphs 3.6 to 3.10 of the report from the Chief Executive.

23. Internal Audit Provision 2011 onwards

Councillor Butt (Lead Member, Resources) presented the report that sought approval for the council to enter into a contract with the London Borough of Croydon for the provision of internal audit services via Deloitte for a two year period from April 2011 to March 2013. The anticipated cost of this contract over two years, including inflationary uplift is £577,675.

RESOLVED:

that approval be given for the council to enter into a contract with the London Borough of Croydon to provide internal audit services from April 2011 to March 2013 and to enter into a related third party agreement with Deloitte Public Sector Internal Audit Ltd.

24. Authority to award contract for the provision of revenues and IT support

The Director of Finance Services report requested authority to award a contract for the provision of Revenues and IT Support as required by Contract Standing Order No 88. The report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded. The Executive also had before them an appendix to the report which was not for publication for the following reasons set out in schedule 12(A) of the Local Government Act 1972 namely:

information relating to the financial or business affairs of any particular person (including the Authority holding the information)

RESOLVED:-

- (i) that approval be given to award the contract for the provision of Revenues and IT Support Services to Capita Business Services Limited with effect from 1 May 2011;
- (ii) that delegated powers provided through regulations issued under the Deregulation and Contracting Out Act 1994 for the assessment and collection of Council Tax and Business Rates be granted to Capita Business Services Limited with effect from the 1 May 2011.

25. **Reference of item considered by Forward Plan Select Committee**

None.

26. **Any Other Urgent Business**

None.

The meeting ended at 8.50 pm

A JOHN
Chair