



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday, 11 April 2011 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

APOLOGIES: Councillors

ALSO PRESENT: Councillors Adeyeye, Al-Ebadi, Mrs Bacchus, Beck, Brown, Cheese, S Choudhary, A Choudry, Gladbaum, Harrison, Hirani, Hossain, Kansagra, Long, Lorber, McLennan, Mistry, Moloney, Naheerathan, HB Patel, RS Patel and Sheth

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 14 March 2011 be approved as an accurate record of the meeting.

3. Petitions and deputations - Libraries

The Executive heard from representatives of residents who had signed a number of petitions in support of keeping libraries open. Whilst recognising the council's financial situation, speakers put forward the benefits of local libraries which were used by schools, were valued by local residents in particular the elderly, parents with young children and hard to reach groups. Proposals for 'mega libraries' were not seen as a suitable alternative as they were impersonal and parents with small children and disadvantaged groups were unlikely to travel either on foot or public transport.

Samantha Warrington spoke in support of Preston Library which she felt was convenient to longstanding users and parents and provided an excellent value for money service and a means of access for those without computers or whose first language was not English particularly single parents. Councillor Colwill (ward councillor, Preston) endorsed the views expressed in favour of the retention of Preston Library. He referred to correspondence received concerning an elderly resident in support of the campaign recalling the change from a mobile van to the current permanent premises and the vast array of choice that became available. Mr Pollock (local resident) spoke on behalf of petitioners in support of the retention of Cricklewood Library and the personal service staff were able to provide. Mr Pollock

reminded the Executive that under the terms of the lease, the library and land could only be used for such purposes. Maurice Cohen addressed the Executive concerning the petition calling for the retention of Neasden Library as resident of the locality for approximately 70 years. He referred to £400,000 spent in the recent past refurbishing the premises which was in a prime location soon to attract more visitors with the forthcoming supermarket. This was seen to be the only community facility in area and had played a key role in revitalising the area. Violet Steele (Chair of Brent Pensioners' Forum) spoke in support of Barham Park Library and which complemented the park within which it was situated. Local people were disappointed at the prospect of closure especially as the library had only recently been modernised and had been looking forward to celebrating its 60th anniversary in 2012. David Butcher addressed the Executive in support of Kensal Rise Library and handed in a petition at the meeting. He made reference to the consultation process. Groups that had made the effort to put forward alternative options in the absence of any clear criteria, felt their proposals had been rejected without due consideration. While accepting that they may not have experience in library service provision, they had transferable skills from their experience in other fields. He rejected comparisons with other unsuccessful efforts to have community run ventures as Kensal Rise Library was in a prime location, urged the council to consider the alternatives on offer, to talk to community groups and avoid enthusiasm turning into resentment.

Other local residents addressed the Executive against proposals to close local libraries. In support of Preston Library Jackson and Jasmine Warrington said that their local library at Preston Road was a wonderful place to which they as children could travel easily and independently. It had helped friends who previously had been unable to read or who did not have their own computers. The library was useful as a place where children could concentrate and do their homework as bookshops were far away and not everyone could afford to buy books. Jacky Bunce-Linsell expressed concern that proposals she had submitted had been omitted from the initial consultation response in error, information requested regarding costings had not been supplied and now community groups' proposals were being criticised for failing to address the information requested. She questioned whether due consideration had been given to obligations under the Equalities Act to consider the needs and wishes of the Jewish community and added that a community run library would save money. Linda Green argued that young children needed books with which they could physically interact which was not possible with on-line publications or other screen based technological innovations. Additionally, babies could not take advantage of school outreach services. The new Civic Centre would not be accessible by public transport on Wembley Stadium event days. She urged the council to find more imaginative ways of making budget savings and to defer a final decision until other ideas had been tested.

Other local residents addressed the Executive in support of Cricklewood Library. Graham Durham referred to the high number of library visits which he felt had contributed to the borough's improving schools. He was proud that as a former councillor, he had played a role in the development of Willesden Green Library. A high percentage used libraries for books to help studies and not for play and he highlighted the benefits to the environment of walking to a local library, particularly with young children. Finally, Mr Durham suggested that officer salaries be used to help meet budget shortfalls. Jack Sayers said that there had been previous efforts

over the years to close Cricklewood Library and he urged the community to use the library more and to get together to run it.

Mel Hacker stated that contrary to popular belief, areas such as Preston were undergoing demographic changes and a significant proportion of children were eligible for free school meals. Additionally, he felt that the consultation exercise should have been more open and drew comparisons with a neighbouring borough where residents were given choices and asked to express preferences for how savings could be made. Philip Bromberg referred to the thousands who had signed petitions both users and non-users and lack of public support for the proposals to close libraries in the face of which the council should reject the closure plans. He felt that the council would be called to account for the closures when other local authorities had been able to retain theirs.

Ward councillors were then invited to address the Executive. Councillor HB Patel (Preston ward) stated that the present and the future were built on the past and that the proposed closures were a temporary solution to current budget constraints. Funding received from the government that could have funded libraries been put to other uses. He felt that residents had not been given adequate information had not been taken seriously and did not support proposals for a 'mega-library' at the new civic centre. Councillor Lorber (Leader of the Opposition, Barham ward councillor) stated that during the previous Administration, he had resisted opportunities to close libraries and concentrated investment on a few. Investment in shared facilities had reduced costs and introduced new users. He paid tribute to campaigners who, in recognition of the financial realities, had offered help but he felt had been dismissed as naïve amateurs. Councillor Lorber stated that residents needed proper information and to be treated as professionals adding that he was still awaiting information on the premises costs of Barham Library and the financial contribution of the children's centre. Councillor Beck (ward councillor, Dollis Hill) drew attention to statistics in the report on walking times from Neasden Library to nearby alternatives and argued a more meaningful measurement would be from where people lived to Willesden Green or the Town Hall Library which at 40 minutes on foot he considered to be excessive. He stated that given the recent investment and number of users, the closure of Neasden was unjustifiable. Councillor Kansagra (ward councillor, Preston) stated that library closures had been a significant issue in the recent by election. He referred to funding contributed by central government that instead of being used to protect frontline services had instead been put into reserves. Councillor Kansagra felt that the council should have helped residents to prepare business plans but had already made decisions to reduce the libraries budget and once closed, libraries would not re-open. Councillor D Brown (ward councillor, Alperton) questioned whether the usage of the new libraries would be as high as that achieved with the shared service provision. He stated that residents' groups trying to put forward alternatives had been obstructed with a lack of information and wondered how the council could afford a new civic centre. Councillor Brown contributed that children would be denied the pleasure of walking to local libraries and urged the Executive not to agree the closure proposals.

On behalf the Executive, Councillor John thanked speakers for attending and for their contributions.

4. **Library Transformation Project**

Councillor Powney (Lead member, Environment, Planning and Culture) thanked residents who had addressed the Executive earlier in the meeting in respect of proposals for the future of the library service as set out in the report from the Director of Environment and Neighbourhood Services. He drew attention to a supplementary report from the Director, circulated in advance of the meeting, which addressed a submission for a community library at Preston, inclusion and analysis of remaining consultation responses and a few errors, which were not referred to in the original report. In introducing the report, Councillor Powney referred to the context namely the council's financial situation, central government grant cuts, and the council's duty to provide a comprehensive and efficient service. He referred to the report into Wirral libraries which set out criteria on which library provision could be assessed and how these have been met in the proposals.

Councillor Powney then responded to points raised during the submissions earlier in the evening. Regarding equalities, he felt that age, convenience etc had been addressed in the proposals and he emphasised that the council had to take into account concerns that were wider than geography. He acknowledged the specific concerns relating to the Jewish population but felt that the seven day opening would mean that libraries were more accessible to this community and enhance the service provided. Councillor Powney commended the Equalities Impact Assessment to members and confirmed the importance of the assessment stating that it was thorough and comprehensive. He drew attention to the enhancements to the existing service such as outreach to schools and children's centres and visits to the housebound as evidence that the council was not simply reducing the budget. The council was also seeking to promote the service and to extend usage to those who were not current users and in addition to views expressed during the consultation had taken into account comments made in other arena such area forums and in emails, all of which were available on the council's website.

In terms of alternative proposals, Council Powney stressed the need for any business proposals to be of nil financial cost to the council and felt that to allow groups more time to develop bids would not be a good use of council tax payers' money. He was of the view that six libraries and the outreach work would allow the council to meet its responsibilities. Councillor Powney then set out the rationale for choosing the six libraries earmarked for closure making reference to the relative deprivation indices and maps included in the report and then went on to address in turn the alternative options that had been put forward. Willesden Green Library was being retained as it was associated with other services in addition to being the most successful. He also did not support the alternative of reducing opening hours across all 12 libraries as this would adversely affect the levels of current usage nor the proposal to use ward working funding for the library service as this was part of council's efforts for community engagement. Library sponsorship would take time to develop, and so was not possible as central government grant cuts were frontloaded. Councillor Powney invited subscribers to the view that it was possible to save funding without an adverse effect on services to come forward with their proposals in the conventional way.

On other points made during the debate, Councillor Powney commented that the new library service would be better placed to develop staff and would reach a wider proportion of the population. He also commented that the council's financial position

was substantially different to that which existed under the previous Administration when central government funding was increasing year on year and it was not feasible to use one-off sums of money for on-going services. Finally, any proposals to develop Willesden Green Library would be a self contained scheme, contingent on property sale. Councillor Powney set out recommendations in the report and submitted them to the Executive for approval.

Councillor Butt (Lead Member, Resources) then drew the attention of members of the Executive to the Equality Impact Assessment and, at members' request, the Borough Solicitor advised that the EIA was a thorough analysis which members had had the opportunity to consider. Regarding the consultation process, members heard from the Assistant Director Neighbourhood Services a summary of the meetings that had taken place, information that had been exchanged and research into practice in other areas. In inviting members of the public to come forward with alternatives, efforts had been made not to set parameters but rather to assess viability on a broad set of appraisal factors.

Councillor Crane (Lead Member, Regeneration and Economic Development) stated that the decision to close libraries which would result in job losses was a difficult one and acknowledged the deep concern felt by those affected however the council was required to make significant savings at the request of central government. There were positive aspects within the libraries programme and he hoped that these would come to light over the next few years. Councillor John then put the recommendations to the Executive which were agreed.

RESOLVED:-

- (i) that agreement be given to a transformed library service to residents as set out at paragraph 4 of the report from the Director of Environment and Neighbourhood Services, which contains detailed service proposals for:
 - Library Service Objectives
 - Services
 - Stock
 - Buildings
 - Online and digital services
 - Support for children, young people and families
 - Support for learners
 - Support for older people and people who find it difficult to access library services
 - Services for people with disabilities
 - Staff
 - Customer and Community Engagement
 - Partners and partnership working
 - The cultural offer
- (ii) that agreement be given to the continuation of the successful shared service approach and the further development of proposals to share functions with partners, including other London boroughs, as described in para 5.6 and Appendix 1 of the Director's report;

- (iii) that the following libraries be closed:
Barham Park
Cricklewood
Kensal Rise
Neasden
Preston
Tokyngton
- (iv) that Property and Asset Management undertake a detailed options appraisal on each of the six buildings being vacated by the Library Service with a further report to this Executive by the end of July 2011 and prior to any final decisions being made about possible disposals or changes of use;
- (v) that a report be submitted in one year's time reporting on the progress of implementing the Project.

5. Arboricultural Services Contract

The report from the Director of Environment and Neighbourhood Services sought authority to invite tenders for an Arboricultural Services Framework Agreement to commence on 1 April 2012 as required by Contract Standing Orders 88 and 89.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 4.1 of the report from the Director of Environment and Neighbourhood Services;
- (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in paragraph (i) above.

6. Statement of Gambling Licensing Policy and Principles

Councillor Powney (Lead Member, Environment Planning and Culture) introduced the report which set out revisions to the Council's Statement of Principles for dealing with applications and regulating gambling premises within the borough, previously agreed in January 2007. He advised that the approved final Statement of Principles would need to be put to Full Council in July 2011 for adoption.

RESOLVED:-

that approval be given to the publishing of the council's revised Statement of Gambling Licensing Principles and the submission of the statement to Full Council for final approval.

7. Authority to allocate primary capital programme funding and approve the award of a construction contract for the rebuild of Islamia Primary School

The report from the Director of Regeneration and Major Projects requested approval to support the award of a contract for construction works at Islamia Primary School. The contract was to be between Islamia Primary School/Trustees and the proposed contractor, Morgan Sindall, a contractor from the IESE

(Improvement and Efficiency South East) Buildings Work-stream Construction Framework. Councillor Crane (Lead Member, Regeneration and Economic Development) referred to the council's financial contribution, acknowledged that the school was currently overcrowded and that planning permission for the development had yet to be granted. He drew members' attention to the risks attached to the allocation of funding to the scheme as set out in the report including legal challenges and the possibility of clawback of grant allocation should monies not be spent in the absence of an extension of the deadline for expenditure.

The Executive had before them appendices to the report which were not for publication at they related to the following category of exempt information as specified in paragraph 3 of Part I of Schedule 12A to the Local Government 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 award of a contract by the Islamia School governing body to Morgan Sindall, with a maximum contract value of £6,581,839 for the construction works at Islamia Primary School, in order to provide a new-build 2FE primary school on the existing site. This approval to be conditional upon:
 - (a) the contract not being awarded until full planning permission having been granted for the scheme under Part 3 of the Town and Country Planning Act 1990; and
 - (b) formal agreement from Partnership for Schools to an extension of time for the Council to spend its proposed contribution to the scheme as set out in paragraph 2.3 below after August 2011.
- (ii) that the previous award of a contract between the school and Morgan Sindall for the pre-construction services in the sum of £17,000 be noted;
- (iii) that approval be given to the allocation of £2,932,000 to the scheme from the Council's Primary Capital Programme grant funding allocation, conditional upon the Islamia School governing body complying with the requirement referred to in paragraph (i) not to award the works contract until the two pre-conditions (a) and (b) in paragraph (i) have been satisfied, and entering into the funding agreement described in paragraph (v) below;
- (iv) that the risks attached to the allocation of funding to this scheme be noted;
- (v) that all Brent Council funding be subject to a funding agreement between the Council and the Governing Body of Islamia Primary School setting out:
 - (i) The respective contributions of the two parties;
 - (ii) In the event of any project overspend or shortfall in funding (including due to the clawback of grants by the Department for Education), the governing body will assume full liability for obtaining further funding to complete the works without further recourse to Brent Council;

- (iii) The works contract shall not be awarded by the governing body until the two pre-conditions described in paragraph 2.1 above have been satisfied;
 - (iv) Appropriate provisions to apply in the event that an application for judicial review is made;
 - (v) The Council funding contributions may only be spent on legitimate education facilities, as defined in government guidance, and not on ancillary facilities that form part of the project;
 - (vi) The spend of PCP monies is profiled against RIBA stages of Work, or against an alternate agreed timeline dependent upon what formal confirmation that Partnership for Schools (PfS) are able to give about when PCP monies need to be spent by;
 - (vii) The Council is not responsible for any shortfall in funding of the project, whether due to inability of the Council to hand over all of the PCP money according to the timeline because of PfS requirements as to when PCP money needs to be spent by, or otherwise. (For the avoidance of doubt, delays to the project such that the Council is not in a position to hand over all of the PCP money according to the timeline will mean that the governing body is liable to meet any resulting shortfall);
 - (viii) Full and proper governance arrangements, approved by Brent Council, 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;
 - (ix) The Council reserves the right to review its financial support for the project if the resolution of any Judicial Review regarding the grant of planning permission for this scheme is not completed by an agreed date, or if in the Council's opinion, delays in commencing the project render Targeted Capital Funding at a high risk of clawback;
- (vi) that authority be delegated to the Director of Regeneration and Major Projects to agree a different award of contract to that outlined in paragraph (i) above in the event that the finalisation of contract sum by the contractor described in paragraph (i) above is not satisfactory.

8. **Park Lane Primary School**

The Executive were reminded that to address the shortage of school places agreement had been given on 11 August 2010, that the Council's allocation of Basic Need Safety Valve (BNSV) monies, supported by the School's Main Capital programme allocations to primary schools for expansion, be utilised and that In the November 2010 Park Lane Primary School had been identified as a recipient of a share of the BNSV monies to address expansion and remodelling proposals. The project costs had increased from an estimated £2.2m to an estimated £2.6m, due to necessary re-design and demolition costs and in order to meet tight timelines of BNSV spend, approval was now sought to delegate authority to the Director of Regeneration and Major Projects to appoint and award a contract to a contractor from the IESE (Improvement and Efficiency South East) Framework Agreement to undertake required new build and remodelling works at Park Lane Primary School.

The Executive also had before them an appendix to the report which was not for publication as it related to the following category of exempt information as specified in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:

- (i) that the increase in scheme costs by £400,000 from £2.2m to 2.6m be noted, and that this will be funded from the Schools Main Capital Programme at £1m and £1.6m is to be resourced from BNSV monies;
- (ii) that authority be delegated to the Director of Regeneration and Major Projects to appoint and award a contract to the preferred 'Contractor A', who is named in Appendix 3 to the Director's report and is a contractor from the IESE Framework Agreement in relation to the construction works at Park Lane Primary School, to not exceed £2.35m, subject to an adjustment as considered necessary to the Main Capital Programme, in accordance with the needs of other schools expansion projects on this resource and with the agreement of the Director of Finance and Corporate Services.

9. Temporary primary school expansion schemes

The Lead Members for Children and Families and Regeneration and Economic Development introduced a report which proposed eight temporary primary school expansions and the award of the contract for constructing the temporary accommodation and legacy works for the Village School within the grounds of Kingsbury High School in advance of the meeting of the Executive in May 2011 when a full report on that project would be considered. Councillor Arnold reminded that the proposals were designed to address the shortage of school places in the early years of primary schools. She drew attention to the list of schools that were considered and those selected for bulge classes. Councillor Crane referred to the required reallocation of the capital programme to provide the additional primary school places from September 2011.

RESOLVED:-

- (i) that approval be given to the allocation of £1.5m from the Council's Main Capital Programme for providing additional primary school places across Brent schools from September 2011, as set out in the table under paragraph 3.2.13 of the report from the Directors of Regeneration and Major Projects and Children and Families;
- (ii) 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 recommended temporary school expansion schemes, in the event that any single works contract exceeds £1m in value;
- (iii) that authority be delegated to the Director of Regeneration and Major Projects to award the works contract for constructing temporary accommodation for the Village School, Decant and Legacy Scheme.

10. **Local Development Framework Site Specific Allocations SPD Adoption**

The report from the Director of Environment and Neighbourhood Services explained that the council had received an Inspector's report into the Examination of the Site Specific Allocations Development Plan Document (DPD) of the LDF and that the Inspector found the document to be sound subject to recommended changes being made. It asked the Executive to recommend to Full Council that the DPD be adopted with the changes incorporated.

RESOLVED:-

that Full Council be recommended to adopt, with the recommended changes, the Site Specific Allocations Development Plan Document.

11. **Former Alperton Cemetery Offices, Clifford Road - disposal in the open market**

The report from the Director of Regeneration and Major Projects invited the Executive to consider the impact of withdrawing office-based staff from the Alperton cemetery at Clifford Road. The Lead Member, Councillor Crane advised that approval was being sought to dispose on the open market of the surplus vacant former cemetery offices, after all due regard to planning and architectural considerations in connection with the resolution of access and separation issues so as to ensure the best price was achieved.

RESOLVED:-

- (i) that approval be given to the open market disposal of the vacant former cemetery offices building and suitable curtilage land which forms part of the cemetery offices, excluding the mess rooms building, yard and the toilet noting that the office building is now surplus to the council's operational requirements;
- (ii) that the Director Regeneration and Major Projects instruct auctioneers after all due regard to planning and architectural considerations in connection with resolution of access and separation issues so as to ensure that the best price is received on sale and to instruct Legal Services in the matter of the disposal.

12. **BACES - accommodation strategy**

Councillor Arnold (Lead Member, Children and Families) introduced the report which proposed a rationalisation of BACES provision across three main sites instead of the existing five. She stated that this was in response to the expected reduction in grant from the Skills Funding Agency from September 2011. Other options also under consideration were the delivery of adult and community education through the College of North West London or another provider. Councillor Arnold also drew attention to the analysis in the report of the usage and costs of the individual existing sites and assured that vulnerable clients and underrepresented groups would be catered for. Councillor Arnold proposed an amendment to the

recommendations adding that a reference to consultation with the users which was agreed.

RESOLVED:-

- (i) that based on the information provided, it be agreed that Ashley Gardens and the Carlton Centre were no longer required for the purposes of delivering the BACES adult learning programmes, and approval given to the closure of these sites with effect from 31 August 2011;
- (ii) that BACES continues to deliver adult learning programmes from three main sites: Harlesden Library Plus, Madison House and the Stonebridge Centre; as well as a range of community based venues in partnership with other council services providers and local community and voluntary sector organisations in consultation with the users.

13. BACES fees and charges 2011-2012

The report from the Director of Children and Families set out the proposals for the schedule of fees and charges for Brent Adult and Community Education Service effective from 1 September 2011 – 31 August 2012. Councillor Arnold (Lead Member, Children and Families) in introducing the report advised of predicted reductions in government grant.

RESOLVED:-

that approval be given to the schedule of fees and charges, including room hire and other charges, shown at Appendix 1 of the report from the Director of Children and Families.

14. Brent Music Service fees and charges

The report from the Director of Children and Families set out the proposals for the schedule of fees and charges for Brent Music Service effective from 1 September 2011 – 31 August 2012. The Executive heard that funding currently available from the government's new music grant would not be available next year.

RESOLVED:-

that approval be given to the schedule of fees and charges shown at Appendix A to the report from the Director of Children and Families.

15. Amendment to committee report 15 November 2010: authority to invite tenders for the procurement and management of temporary accommodation

The report from the Director of Housing and Community Care provided an update to the previous report considered on 15 November 2010 which sought approval to the invite of tenders to conclude a framework agreement for the Procurement and Management of Temporary Accommodation pursuant to the Council's Private Managed Accommodation Scheme (PMA). Members were now asked to approve an amendment to the evaluation sub-criteria and to the procurement process for the award of the contract.

The Executive had before them an appendix to the report which was not for publication as it related to the following category of exempt information as specified in paragraph of Part I of Schedule 12A to the Local Government Act 1972:

“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 amendment of the original evaluation criteria as set out in the table at paragraph 3.5.3 of the report from the Director of Housing and Community Care to be used to evaluate tenders for appointment to the framework;
- (ii) that approval be given to the change in tender procedure in the call for competition;
- (iii) that officers be authorised to invite expressions of interest, agree shortlists, invite Tenders for a framework agreement for the Procurement and Management of Temporary Accommodation and evaluate them in accordance with the approved evaluation criteria referred to in (i) above.

16. Supply and demand and temporary accommodation

The report before the Executive sought approval of the lettings projections for 2011/12 and also provided an analysis of housing supply and demand issues, including performance in 2010/11 and challenges for 2011/12 onwards. Members asked that copies of the report be circulated to all members of the council for information.

RESOLVED:-

- (i) that approval be given to the lettings projections for 2011/12, as detailed in paragraph 3.3 and in Appendix D of the report from the Director of Housing and Community Care;
- (ii) that the analysis of housing supply and demand issues, including performance in 2010/11 and challenges for 2011/12 onwards be noted;

17. Fortunegate Community Housing - transfer of engagements to CCHA

The purpose of the report from the Director of Housing and Community Care was to seek approval to transfer the assets, obligations and liabilities of Fortunegate Community Housing (“Fortunegate”) to Catalyst Communities Housing Association Limited. Councillor Thomas (Lead Member, Housing and Customer Care) advised that ward councillors would be represented and residents would be playing a key role.

RESOLVED:

that Fortunegate Community Housing be authorised to convert from a registered charity to a registered society under the Industrial and Provident Societies Act 1965 and thereafter, to transfer its engagements to Catalyst Communities Housing Association Limited, which is a registered charity and which will be subsequently re-named Catalyst Housing Limited.

18. Fuel Poverty and Health Task Group - final report

Councillor Long (Task Group Chair) introduced the Executive to the findings and recommendations of the Fuel Poverty and Health Task Group that were presented to the Executive for approval. The report had been considered and endorsed by the Health Partnerships Overview and Scrutiny Committee. Councillor Long indicated that while central government policy on the future of health care was uncertain but it was felt that it was important to get the health authority on board in this work and the task group's work was only the beginning.

RESOLVED:

that approval be given to the the Fuel Poverty and Health Task Group's recommendations.

19. Crest Academies - Any other urgent business

A report was submitted to the Executive on 15 February 2010 updating on progress in establishing the Crest Boys' Academy and The Crest Girls' Academy in new accommodation and seeking approval to proceed with the submission of the Outline Business Case (OBC) for the construction of new buildings to Partnerships for Schools (Pfs) and the Department of Children and Families (DCSF). It also informed the Executive of the approach to engaging the Overall Project Manager (OPM) and the Technical Advisors. The recommendations in the report were split down into a number of sections namely the OBC submission, procurement construction and consultants and the council financial contribution to the development and delivery of the scheme. The Executive agreed all the recommendations but unfortunately only those relating to the OBC were included in the minutes. Members were now asked to record agreement to the previously agreed recommendations, subject to an amendment to allow delegation to the Director of Regeneration and Major Projects in place of the Director of Children and Families to select the preferred bidder for the Design and Build contract.

RESOLVED:

- (i) that it be noted that the minutes of the meeting of 15th February do not include all the decisions of the Executive in relation to the report "Crest Academies: the Next Steps including procurement and submission of Outline Business Case)" as attached to report from the Director of Legal and Procurement;
- (ii) that this Executive's agreement to the following matters as previously agreed be formally recorded (subject to minor amendment to allow delegation to the

Director of Regeneration and Major Projects instead of Director of Children and Families);

(iii) that:

Procurement: Construction

1. approval be given to the procurement route using the National Framework for the construction of the Crest Academies and the criteria to be used to shortlist tenderers and evaluate tenders as set out in paragraph 6.6 of the report.
2. subject to PfS approving the OBC, approval be given to the invite of expressions of interest, selecting a shortlist of two bidders and invite tenders for the construction of the Crest Academies and evaluating them in accordance with the approved evaluation criteria referred to in 2.1 above.
3. the Director of Regeneration and Major Projects, in consultation with the Borough Solicitor be authorised to agree the selection of the preferred bidder for the Design and Build Contract following evaluation of the tenders.

Procurement: Consultants

4. it be agreed that for the reasons set out in paragraphs 5.13 to 5.15 of the Director's report in the context of the Not for publication details in Appendix 6 to this report, there are good financial and operational reasons to appoint an Overall Project Manager (OPM) through to FBC of the Academies' newbuild without seeking quotes in accordance with the Council's Standing Orders.
5. it be noted that officers will appoint Technical Advisors (TA) to support the Academy Project as noted in paragraph 5.16 of the Director's report.
6. the risks of the scheme and the proposals set out for managing the risks as set out in appendix 7 of the report be noted.

Council Financial Contribution to the Development and Delivery of The Scheme

7. against the context set out in paragraphs 8.3 to 8.6 of the report, agreement be given to allocate £1.6M from the existing provision of £5M in the Capital Investment Plan to secure the delivery of the Academies and the corresponding new buildings.

The Chair certified this item as urgent as the minutes needed to be formally corrected to reflect the agreement given at the meeting as there is was urgent need to implement decisions taken.

The meeting ended at 9.35 pm

A JOHN
Chair