



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE EXECUTIVE Monday, 12 December 2011 at 7.00 pm**

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

ALSO PRESENT: Councillor S Choudhary.

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

Councillor Crane declared a personal interest in the item relating to South Kilburn Neighbourhood Trust as a member of the Board.

### **2. Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 14 November 2011 be approved as an accurate record of the meeting.

### **3. Arboricultural Services**

Councillor J Moher (Lead Member, Highways and Transportation) introduced the report which requested authority to establish a Framework Agreement for the provision of Arboricultural services, as required by Contract Standing Order No 88. The report summarised the process undertaken in tendering these requirements and, following the evaluation of the tenders, recommended which supplier should be appointed to the Framework Agreement. It was anticipated that the favourable prices obtained via this process mean that even with the £75k budget reduction forecast for next year, similar volumes of work will be undertaken. Councillor J Moher welcomed the possibility of the service being extended across West London.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:-

- (i) that agreement be given to the award of a Framework Agreement for Arboricultural Services to Gristwood and Toms Ltd;

- (ii) that agreement be given to the award of a call-off contract under the Framework agreement referred to in 2.1 to Gristwood and Toms Ltd for a term of four years with a possible two year extension.

#### **4. Parking contract extension**

The report from the Director of Environment and Neighbourhood Services set out current plans for re-tendering of Brent's contracts for parking enforcement and notice processing. Councillor J Moher advised that in the light of concerns about the timing of the new contracts in relation to the 2012 Olympic Games, and fresh opportunities for collaboration in retendering which have arisen, it was now recommended that the existing contracts be extended for a twelve month period.

The Executive also had before them appendices to the report which were not for publication as they contained the following categories of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:-

- (i) that the concerns about the existing tendering timetable set out in paragraphs 3.3 and 3.4 of the report from the Director of Environment and Neighbourhood Services and the potential for securing a better outcome through collaboration with West London Alliance partners set out in paragraphs 3.5 to 3.7 be noted;
- (ii) that the legal advice about the risks associated with extending the existing contract set out in paragraphs 5.1 to 5.4 be noted;
- (iii) that agreement be given to the extension of the parking enforcement and notice processing contracts with APCOA for a period of twelve months and that authority be delegated to the Director of Environment and Neighbourhood Services in consultation with the Director of Finance and Corporate Services and the Director of Legal and Procurement to agree the final terms of the extension;
- (iv) that agreement in principle be given to the revised approach to tendering the contracts collaboratively set out in paragraph 3.9 and 3.11 of the Director's report.

#### **5. South Kilburn Neighbourhood Trust - proposed constitutional amendments**

The report from the Director of Regeneration and Major Projects proposed minor changes to the Memorandum and Articles of Association of the South Kilburn Neighbourhood Trust. The amendments provided for the Trust to appoint a non-

Director to the chair, which in turn would allow for the role to be remunerated. These changes have been agreed by the South Kilburn Neighbourhood Trust board, but the terms of the framework agreement between the Trust and the Council requires that all constitutional changes are agreed in writing by the Council. The report also proposed that any future minor amendments to the Memorandum and Articles of Association of the South Kilburn Trust be delegated to the Director of Regeneration Major Projects in conjunction with the Director of Legal and Procurement.

Circulated at the meeting was a supplementary appendix which contained the legal implications of the proposed amendments. The Borough Solicitor's representative also suggested a minor amendment to recommendation 2.1 to delete reference to the memorandum which was agreed.

**RESOLVED:**

- (i) that agreement be given to the following amendments to the Articles of Association of the South Kilburn Neighbourhood Trust:

Article 4 – to remove any reference to the Chair of the South Kilburn Partnership either becoming or ceasing to be a Director of the South Kilburn Neighbourhood Trust

Article 19.3 – to include the Chair (now not always being a Director) within the complaints procedure

Article 25 – to allow a person who is not a Director to become Chair, and to give some flexibility as to when this appointment is made

- (ii) that responsibility for approval of future minor amendments to the Memorandum and Articles of Association of South Kilburn Neighbourhood Trust be delegated to the Director of Regeneration and Major Projects, in conjunction with the Director of Legal and Procurement.

*(Councillor Crane declared a personal interest in this item as a Board member of the South Kilburn Neighbourhood Trust).*

**6. LDF - submission of Joint West London Waste Plan**

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report which presented a draft of the proposed submission version of the Joint West London Waste Plan to be agreed for statutory public consultation across west London. It highlighted the latest position on the proposed designation of sites for processing waste within Brent. Councillor Crane advised that the draft had been received in November 2010 which at the time proposed six sites within Brent out of a total of 24 sites across London for the treatment of waste, only two of which now remained in the plan. Approval was being sought for the Plan's publication and public consultation for six weeks commencing in February 2012.

**RESOLVED:-**

- (i) that agreement be given to the Proposed Submission Draft Joint West London Waste Plan for publication and public consultation for 6 weeks commencing in February 2012;
- (ii) that authority be delegated to the Director of Regeneration and Major Projects to make minor editing and textual changes to the Proposed Submission Draft of the West London Waste Plan before it is formally published.

## **7. Quarter 2 - Performance and Finance review**

The report from the Directors of Strategy, Partnerships and Improvement and Finance and Corporate Services provided members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. The Director undertook to send an updated report which included amended Children and Families data.

RESOLVED:-

- (i) that the Finance and Performance information contained in the from the Directors of Strategy, Performance and Improvement and Finance and Corporate Services report be noted, and agreement given to remedial actions as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to the remedial actions as appropriate;
- (iii) that progress with responsible officers be challenged necessary;
- (iv) that agreement be given to the budget virements contained in the report.

## **8. Insurance tender - authority to award contract**

The report from the Director of Finance and Corporate Services requested delegated authority for the Director of Finance and Corporate Services to award the insurance contract that was currently out to tender.

RESOLVED:

that authority be delegated to the Director of Finance and Corporate Services to award the insurance contract that is currently out to tender.

## **9. Collection Fund Surplus/Deficit at 31 March 2012**

As part of the Council Tax setting process for 2012/2013 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2012. This must be done by the 15 January 2012 and this report asks Members to approve the balance projected. Councillor Butt in introducing the report advised that the deficit would be split with the Greater London Authority. The Director of Finance and Corporate Services advised that The GLA share (based on its share of the total precept in 2011/2012) would be 22.64% of any surplus. If a surplus of

£1.0m was declared, the GLA share would be £226,000, leaving Brent's share as £774,000. This would form part of the 2012/14 budget report.

RESOLVED:

that agreement be given to the calculation of the estimated Collection Fund balance as the 31 March 2012 as a surplus of £1.0million.

10. **Any Other Urgent Business**

None.

11. **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 Schedule 12 of the Local Government (Access to Information Act) 1972:

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

12. **The Mead, Oxhey, Watford, WD19 5BY**

The report from the Director of Regeneration and Major Projects informed the Executive of the disposal of the dwelling house 5 The Mead, previously occupied by a former service tenant and sought the Executive's authority to proceed with the disposal by auction.

RESOLVED:-

- (i) that the arrangement for disposal of the dwelling house known as 5 The Mead, Carpenders Park, Oxhey, Hertfordshire WD19 5BY be noted;
- (ii) that agreement be given to the sale of the property by auction;
- (iii) that authority be delegated to the Assistant Director, Property and Asset Management in consultation with the Borough Solicitor the authority to agree matters as required in order to bring the disposal to a satisfactory and speedy completion.

The meeting ended at 7.10 pm

A JOHN  
Chair