

**London Borough of Brent
Summary of Decisions taken by the Executive
on Monday, 19 October 2009**

PRESENT: Councillor Lorber (Chair), Councillor Blackman (Vice-Chair) and Councillors Allie, Brown, Colwill, Detre, Matthews, Sneddon, Van Colle and Wharton

Agenda Item No	Item	Ward(s)	Decision
5.	Carbon Management Strategy - Second Review	All Wards;	<p>The Council's Carbon Management Strategy and Implementation Plan (CMS&IP) was approved in June 2007. This report seeks approval to set a new baseline using National Indicator 185, in line with recommendations made by the Carbon Trust; to agree revised targets; and to approve a new programme of projects and budgets to achieve the targets. It also includes a number of measures that are the council's initial actions to implement the borough's Climate Change Strategy and in particular sets out what the council will do to mitigate climate change. In addition the report outlines progress to date in achieving the target of cutting the Council's carbon dioxide (CO₂) emissions by 20% by 2011, using 2005/06 as the baseline year. Finally, the report proposes that the Council signs up to the 10:10 climate change commitment.</p> <p>RESOLVED:</p> <p>(i) that a new carbon baseline using 2008/09 data be set (which will be in accordance with the improved measuring system under National Indicator 185) as explained in paragraph 4.1;</p> <p>(ii) that new targets for the council's carbon reductions as set out in paragraph 5.1 be set;</p>

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			<p>(iii) that the setting of departmental carbon targets as explained in paragraph 4.3 be agreed to;</p> <p>(iv) that a programme be supported, containing a number of projects as set out in the report that are intended to achieve technical and behavioural change within both schools and the Council, with full delivery of projects subject to the necessary finance being available; and</p> <p>(v) that it be agreed for the Council to sign up to the 10:10 climate change commitment discussed in paragraph 5.3.</p>
6.	Council's Environmental Policy - review and revision	All Wards;	<p>The Council adopted an Environmental Policy in November 2005. This report reviews the existing policy and recommends a revised version.</p> <p>RESOLVED:</p> <p>that the revised Corporate Environmental Policy Statement attached as Appendix A be approved.</p>
7.	Third Pool in Brent - progress report	All Wards;	<p>This report summarises to Members the key findings and recommendations of the report by consultants engaged to undertake a site options appraisal to progress the provision of a third pool that serves the North of the Borough. The report reviews 18 potential sites and recommends a preferred site. The report also provides initial capital and revenue cost estimates, and gives an overview of the funding opportunities, management options and procurement routes. It also recommends the next steps for the Council in order to get closer to</p>

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			<p>realising their priority for the provision of a third pool.</p> <p>RESOLVED:</p> <p>(i) that the findings of the ‘New Swimming Pool Site Options Appraisal Report’ which is summarised in this report be noted. (The full report is available at Party Group Offices or a copy can be made available by contacting Gerry Kiefer, Head of Sports Service on 020 8937 3710 or email: gerry.kiefer@brent.gov.uk.);</p> <p>(ii) that the preferred site for the third pool be located in Roe Green Park ‘B’ as shown on the map in paragraph 3.9; and</p> <p>(iii) that the Director of Environment and Culture be asked to undertake a detailed feasibility study including the financial implications of such facility provision.</p>
8.	Authority to tender contract for private sector leased accommodation (Brent Direct Lease Scheme and South Kilburn Temporary Accommodation Scheme)	All Wards;	<p>This report seeks authority under Contract Standing Orders 88 and 89 to invite tenders for a new contract for the Housing Management Services for The Brent Direct Lease Scheme (BDL) and South Kilburn Temporary Accommodation Scheme (SKTA) to commence from 30th June 2010 for two years with an option to extend for up to one year.</p> <p>RESOLVED:</p> <p>(i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.1 of the report;</p>

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			<p>(ii) that approval be given to officers to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to above; and</p> <p>(iii) that approval be given to the extension of South Kilburn Temporary Accommodation Contract to June 30th 2010.</p>
9.	Authority to participate in a West London Collaborative Procurement for the provision of home care, including housing related support and "integrated" home care for adults	All Wards;	<p>This report requests approval to participate in a collaborative procurement to set up a series of Framework Agreements for the provision of home care for adults as required by Contract Standing Order 85. The Executive is being asked to give approval to the Council participating in a collaborative procurement exercise run through the West London Joint Procurement Unit, leading to the establishment of a series of framework agreements awarded by the London Borough of Hammersmith & Fulham acting on behalf of Brent for the supply of home care, including housing related support and "integrated" home care across older people, mental health, learning disabilities and physical disabilities sectors.</p> <p>RESOLVED:</p> <p>(i) that approval be given to the Council participating in a collaborative procurement exercise run through the West London Joint Procurement Unit as part of the Shared Solutions Project (SSP), leading to the establishment of series of framework agreements by the London Borough of Hammersmith and Fulham for the supply of home care across older people, mental health, learning disabilities and physical disabilities; and</p> <p>(ii) that approval be given to the collaborative procurement exercise described in paragraph 2.1 being exempted from the normal requirements</p>

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			of Brent’s Contract Standing Orders in accordance with Contract Standing Orders 85(c) and 84(a) on the basis that there are good financial and operational reasons as set out in paragraphs 4.1 to 4.9 of the report.
10.	Authority to participate in a West London collaborative procurement for residential and nursing care for adults	All Wards;	<p>This report requests approval to participate in a collaborative procurement to set up a series of Framework Agreements for the provision of home care for adults as required by Contract Standing Order 85. The Executive is being asked to give approval to the Council participating in a collaborative procurement exercise run through the West London Joint Procurement Unit, leading to the establishment of a series of framework agreements awarded by the London Borough of Hammersmith and Fulham acting on behalf of Brent for the supply of home care, including housing related support and “integrated” homecare across older people, mental health, learning disabilities and physical disabilities sectors.</p> <p>RESOLVED:</p> <p>(i) that approval be given to the Council participating in a collaborative procurement exercise run through the West London Joint Procurement Unit as part of the Shared Solutions Project (SSP), leading to the establishment of series of framework agreements by the London Borough of Hammersmith and Fulham for the supply of home care across older people, mental health, learning disabilities and physical disabilities; and</p> <p>(ii) that approval be given to the collaborative procurement exercise described in paragraph 2.1 being exempted from the normal requirements of Brent’s Contract Standing Orders in accordance with Contract Standing Orders 85(c) and 84(a) on the basis that there are good financial</p>

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			and operational reasons as set out in paragraphs 4.1 to 4.9 of the report.
11.	Theme for main programme funding 2010/13	All Wards;	<p>This report informs Members of the new funding process for the Main Programme Grant (MPG) and the options for the next funding theme for the next financial year 2010. The report follows on from a previous report to the Executive last November where it was agreed to develop a new funding process for the MPG, which recommended a themed approach to funding and where a proportion of the MPG is allocated to a specific service priorities each year. The decision to establish a new funding process was taken following a review of the voluntary sector funding carried out by a Scrutiny Task Group in May 2007.</p> <p>RESOLVED:</p> <p>(i) that crime/community safety with regeneration be merged to form a single theme;</p> <p>(ii) that Crime/Community Safety and Regeneration be selected as the funding themes for 3 years commencing April 2010, and that ‘sustainability be considered as the funding theme for 2011;</p> <p>(iii) that the grant to 17 currently funded organisations groups that fall within the proposed theme for 2010 be discontinued. Details of these groups are listed in Appendix A;</p> <p>(iv) that £347,187 be allocated from the MPG budget to the proposed theme in 2010;</p> <p>(v) that funding to 12 organisations that fall within the theme of</p>

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			<p>'sustainability' be renewed. These groups will need to complete an application form for their annual funding at the same level as 2009/10. These organisations are listed in Appendix B; and</p> <p>(vi) to approve 3 months' exit fund to organisations whose services fall within the proposed theme for 2010 but who may chose not to apply or may be unsuccessful in their bid for the new fund.</p>
12.	Safeguarding Vulnerable Adults - Update on CSCI Action Plan and Mental Capacity Act, Deprivation of Liberty requirements	All Wards;	<p>This report provides an update following the report to Executive in July 2008, detailing the outcomes and action plan from the CSCI inspecting of safeguarding vulnerable adults, which is now completed and ongoing monitoring will be carried out by the Safeguarding Adults Board, which reports to the Adult Strategic Partnership. The report summarises and updates on national and London developments concerning safeguarding adults legislation and procedures. It also provides information on Brent developments for safeguarding, including arrangements with NHS Brent for the implementation of the Mental Capacity Act Deprivation of Liberty safeguards from April 2009.</p> <p>RESOLVED:</p> <p>(i) that the progress made in implementing the CSCI action plan be noted;</p> <p>(ii) that the national and local developments concerning safeguarding adults and joint arrangement with NHS Brent on the Mental Capacity Act Deprivation of Liberty Safeguards be noted; and</p> <p>(iii) that the decision which has been made to secure an Independent</p>

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			Chair for the Safeguarding Adults Board be affirmed.
13.	Key issues in implementation of personalisation of adult social care - Direct Payments	All Wards;	<p>The Adult Social Care service has been in the process of implementing the Putting People First policy since December 2007, a key part of which is Direct Payments. The next steps require some specific decisions and a strategic review. The decisions required will resolve the difficulties arising from a procurement exercise for Direct Payment support such that the service is secured pending a wider strategic review.</p> <p>RESOLVED:</p> <p>(i) that the discontinuation of the tender process in 2009/10 for a new Direct Payments support service be noted;</p> <p>(ii) that a short extension of up to 3 months to a contract with the Penderels Trust for a Direct Payments support service from the current expiry date of 31 October 2009 be approved;</p> <p>(iii) that authority to the Assistant Director of Community Care be delegated to negotiate with Penderels Trust about the terms for the extension described in paragraph 2.2;</p> <p>(iv) that the transfer of this Direct Payment support service and associated resources from Penderels Trust to the Council on expiry of the contract extension referred to in paragraph 2.2 be approved;</p> <p>(v) that the fact that bringing the service in-house as described in paragraph 2.4 will result in a TUPE transfer of the current Penderels staff to the Council be noted; and</p>

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			<p>(vi) that it be approved that the Director of Housing and Community Care undertake a strategic review of all relevant support services and resources required to implement the Putting People First policy and report back in February 2010.</p>
14.	Petition for changes to consultation process	All Wards;	<p>This report has been prepared in response to a petition presented to Brent Council – to request that all future consultations include every voter on the electoral register who is resident in the consultation area.</p> <p>RESOLVED:</p> <p>(i) that the report be noted, but that officers be instructed not to adopt the petitioners’ suggestion that the electoral register be used for all future consultations for the following reasons:</p> <p>There are two versions of the electoral register – the Full Register which contains the names of all registered electors and the Edited Register which only contains the names of those electors who have agreed to have their details publicly available.</p> <p>Access to the full register is strictly controlled under the Representation of People legislation (2002). It may only be used for a very limited number of reasons and consultation by the local authority is NOT a permitted use of the full version of the electoral register.</p> <p>The edited version of the electoral register can be used for consultation purposes but such usage would exclude significant numbers of electors</p>

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			<p>who have opted not have their contact details publicly available.</p> <p>There is no evidence that the use of the edited version of the electoral register for consultation purposes would provide value for money.</p> <p>(ii) that service areas be recommended to ensure that consultation documents make it clear that consultations are open to all residents within a single household.</p>
15.	Annual Complaints Report 2008/09	All Wards;	<p>This report provides information about complaints against Brent Council considered by the Local Government Ombudsman; comments on the Council’s performance under our own performance; and reports on developments in the Council’s complaint handling. The annual reports on the operation of the statutory social care complaints process are presented with this report to give Members a comprehensive picture of complaints made against the Council.</p> <p>RESOLVED:</p> <p>that the information contained in this report be noted.</p>
16.	Authority to tender contracts for banking services, card acquiring and bill payment services	All Wards;	<p>This report concerns the future provision of the Council’s Banking Services, Card Acquiring, and Bill Payment Service contracts. This report requests approval to invite tenders in respect of the proposed Card Acquiring contract to start 2 January 2011 and the Banking Service and Bill Payment Services contracts to start 1 April 2011, as required by Contract Standing Orders 88 and 89.</p>

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			<p>RESOLVED:</p> <p>(i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for the Council's Banking Services, Card Acquiring, and Bill Payment Services as set out in paragraph 3.13 of the report; and</p> <p>(ii) that approval be given to officers to invite tenders in respect of the Council's Banking Services, Card Acquiring, and Bill Payment Service contracts and evaluate them in accordance with the approved evaluation criteria referred to in paragraph 2.1 above.</p>
17.	Proposed disposal of 38 Craven Park Road, Harlesden, NW10	Harlesden;	<p>This report seeks the Executive's approval to the disposal of a building currently used for adult education purposes but which will become surplus to requirements subsequent to the relocation of the service to Harlesden Library.</p> <p>RESOLVED:</p> <p>that the Head of Property and Asset Management be authorised to dispose of the property with vacant possession by way of auction, on such terms as he considers appropriate provided that such reserve price as he considers appropriate is achieved.</p>
18.	NDC Succession Strategy and South Kilburn Neighbourhood Trust Business Plan	Kilburn;	<p>This report and the appendices comprise the comprehensive NDC Succession Strategy for approval by LB Brent, as required by CLG Guidance Notes 44 and 44a, including a business plan for South Kilburn Neighbourhood Trust. The report also seeks further approvals in relation to</p>

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			<p>the sale of the “Texaco” site and the potential site for the Healthy Living Centre in support of the SKNT Business Plan.</p> <p>RESOLVED:</p> <p>(i) that the key elements of the comprehensive NDC Succession Strategy as outlined in this report and appendices be approved; this complies with CLG Guidance Notes 44 and 44a, and has been approved by South Kilburn Partnership Board, see Appendix 2 attached;</p> <p>(ii) that an amendment to the terms of the “overage” agreement with South Kilburn Neighbourhood Trust be approved in relation to the sites at 58 Peel Precinct as referred to in paragraph 3.8 below and Appendix 1;</p> <p>(iii) the transfer of the proposed Healthy Living Centre site in Peel Precinct to the South Kilburn Neighbourhood Trust at nil consideration be agreed, subject to a further report to The Executive from the Directors of Finance and Policy and Regeneration, setting out the detailed terms of the proposed disposal; and</p> <p>(iv) that the South Kilburn neighbourhood Trust Business Plan as attached in Appendix 3 be approved.</p>
19.	Brent Civic Centre - concept design proposals and authority to tender contract for a design and build contractor	All Wards;	This report follows the report taken to Executive in March 2008 when Members agreed to the procurement and delivery of a new Civic Centre in the Wembley Regeneration area. In May 2008 Members approved the choice of site as the former Palace of Industry site, Engineers Way. Following subsequent reports Members approved appointments of project team members and the use of a Design and Build contractor for the

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			<p>construction phase. Significant progress has been made in the last 8 months and with the appointment of the design team, a concept design has now been prepared and the brief refined to further strengthen the business case. A central component of the Council’s Efficiency and Improvement strategy and One Council vision, the project remains cost neutral, whilst providing scope for even greater benefits to Brent’s residents. This report now requests approval for the concept design and approval for the tendering strategy for the Design and Build contractor.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> (i) that the Concept design as described in section 5 of the report be approved; (ii) that the conclusions of the updated Strategic Business Case appended at Appendix 4 be noted; (iii) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for the Design and Build Contractor for the Civic Centre as set out in paragraph 8.3; (iv) that approval be given to officers to invite tenders for the Design and Build Contractor in accordance with European procurement regulations using the Restricted Procedure and to evaluate them on the basis and in accordance with the approved evaluation criteria referred to in paragraph 2.3 above; (v) that an exemption from standing orders be given to allow the appointment of Consarc as external Architectural Advisor without following

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			<p>a quotation process, for the good operational and/ or financial reasons set out in paragraph 8.5 of the report;</p> <p>(vi) that a revised car parking proposal be agreed for the provision of up to 158 spaces (146 regular bays, 12 disabled / parent and child bays) in the new Civic Centre, subject to eventual approval by the Council's Planning Committee, following a detailed traffic impact assessment – all spaces to be chargeable according to a tariff to be agreed by the Council's Highways and Transportation Committee; and</p> <p>(vii) that officers be instructed to negotiate with nearby commercial providers to gain access to a total of up to 200 additional car parking spaces within the immediate vicinity of the Civic Centre to accommodate both additional parking requirements, both during and outside normal office hours – all spaces to be chargeable to users in such a way that there is no additional net cost to the Council.</p>