

MINUTES OF THE EXECUTIVE MEETING
Monday, 8th October 2007 at 7.00 pm

PRESENT: Councillor Lorber (Chair), Councillor Blackman (Vice Chair), and Councillors Allie, D Brown, Clues, Colwill, Matthews, O'Sullivan, Van Colle and Wharton.

Councillors Dunn, Dunwell, Malik and Mistry also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

In relation to the Local Development Framework report, Councillor Clues declared an interest in the proposals concerning Site Specific Allocations on Church End (SSAs 27a-c and SSA 33), Councillor Colwill in respect of Sainsbury's Car Park, Draycott Avenue (SSA 57) and Councillor Van Colle regarding Brent Town Hall, Forty Lane (SSA 12).

2. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 11th September 2007 be approved as an accurate record subject to the deletion of 'underspending' and the substitution therefor of 'overspending' in Performance and Finance Review - Quarter 1 (April – June 2007) – para 2, line 2.

3. Deputation - Melrose PFI development of residential, respite and supported living for people with learning disabilities

Mr Ken Knight addressed the Executive on behalf of residents of Melrose House. He was pleased that a compromise had been reached with officers on the future development of Melrose House. The wishes of the current residents and their carers in terms of their preferred living arrangements had been respected even though this was out of step with central government aims to promote independent living and avoid institutional models. Mr Knight stated that he had been assured that central government wished to promote not impose integration.

4. Melrose PFI development of residential, respite and supported living for people with learning disabilities

Martin Cheeseman (Director of Housing and Community Care) introduced his report which summarised the progress on the plans for the redevelopment of Melrose residential and respite services, following the report to Executive in 2006. It proposed a model for agreement and approval to reprovide services from Melrose. It detailed consultations with relatives and staff on the final plan. It considered options for tendering of care provision service and proposed options on tendering the service.

The Director of Housing and Community Care reminded the Executive that the recommendations in his report were subject to approval of the main Housing and Social Care Non Housing Revenue Account Private Finance Initiative report to be considered later in the meeting. He accepted that

there had been a gap between recommended provision and what the carers felt appropriate however a compromise had been reached. He hoped that adequate mechanisms were in place to ensure financial viability. The issue of continuing care would be the subject of a report to a future meeting. The Lead Member, Adults, Health and Social Care welcomed the solution and proposed an amendment to the recommendations to add that a report be submitted on the costs of in-house service provision which was agreed.

RESOLVED:-

- (ii) that agreement be given to the model plan for the Melrose redevelopment with 3 x 5 bed residential units on the Tudor Gardens site and a respite unit on the 167 Willesden Lane site, as set out in the report from the Director of Housing and Community Care;
- (ii) that the Director of Housing and Community Care report back in December 2007 on options to tender for the provision of residential care services and respite and supported living care services and also submit a report on in-house costs which was clear, unambiguous and firm.

5. **Draft Library Strategy 2008-2012**

Councillor Van Colle (Lead Member, Environment, Planning and Culture) introduced this report which provided an update on the current position of public library service in Brent. He outlined the terms of the draft Library Strategy which was appended to the report which would go out for consultation with residents to shape the future provision of the public library service in Brent. Councillor Van Colle referred to an application for lottery funding for Harlesden Library the outcome of which was expected in the next few days and £180,000 was to be spent on the relocation of Neasden Library from the first to the ground floor of its current site. Provision of library services for the Wembley area would be considered once the Town Hall library had moved to the new Civic Centre. It was regretted that consideration had to be given to the withdrawal of the mobile library service given the uneconomic costs of maintaining the vehicle.

The Lead Member was pleased to be able to confirm an end to the previous Administration's proposals to end library provision from Tokyngton, Barham, Cricklewood and Kensal Rise libraries. Residents were urged to start using the library service and it was noted that consultation would take place on whether libraries were open at convenient times. Councillor Blackman (Lead Member, Resources) stated that the previous Administration had underfunded the service by £300, 000 however funds had now been identified for a service of which the Council could be proud.

RESOLVED:-

- (i) that the recommendations of the draft Library Strategy 2008-2012 as listed in paragraph 3.5.2 of the report from the Director of Environment and Culture be noted;

- (ii) that approval be given to public consultation on the draft Library Strategy;
- (iii) that agreement be given to the submission of a further report setting out the consultation results and final recommendations on the future of the library service including progress on shared services;
- (iv) that progress on the move of Kingsbury Library in Stag Lane to new premises at 522-524 Kingsbury Road NW9 9HE (former One Stop Shop) as a combined library/customer contact point in early 2008 be noted.

6. **Deputation**

Dr I Patel addressed the meeting on behalf of residents of the Northwick Park area relating to Sainsbury's Car Park, Draycott Avenue Site Specific Allocation (SSA 57). She was concerned that any proposals for redevelopment on the Sainsbury Car Park would lead to additional traffic congestion in the area especially as the surrounding roads were 'B' Class and not sufficiently wide. She reminded the Executive that other planning applications development in the area had been refused on this ground. Dr Patel felt that the site would be better suited for recreational use or for use by the local scout group and hospice. She was felt that residents' representations were being ignored. Dr Patel urged the Executive to preserve communities and not to include the site as an SSA.

7. **Local Development Framework – Core Strategy and Site Specific Allocations, Submission to Secretary of State**

The Borough Solicitor explained that as some members of the Executive had personal and prejudicial interests relating to the Local Development Framework ((LDF) report, the debate on this item would be arranged to allow the members concerned to participate in the discussion on the Core Strategy and the remaining Site Specific Allocations, then to leave the meeting for the voting on those items for which they had declared interests.

This report presented the proposed submission versions of Core Strategy and Site Specific Allocations Development Plan Documents (DPDs) for consideration as part of Brent's new LDF. They would ultimately replace much of the Unitary Development Plan (UDP) and have been amended after considering representations made during earlier public consultation. Accompanying the report was a schedule of all comments made on the draft DPDs including officers' recommended response to these and the proposed action in dealing with them. The Executive was asked to agree the Development Plan Documents for submission together with the proposed responses to the representations.

The Director of Environment and Culture introduced the report, on behalf of the Lead Member who had declared an interest in an SSA. He advised that the Core Strategy had garnered more support than the Site Specific Allocations and many of the representations could be dealt with by making limited amendments. The report before members summarised the changes made and where comments received had been taken on board or

otherwise. He referred to advice received from the Environment Agency regarding flooding that an eight metre buffer would be required from the centre of all major water courses to any new development. Councillor Van Colle moved the recommendations within the report relating to the Core Strategy for approval at Full Council. This was agreed.

The Director of Environment and Culture, Richard Saunders, introduced the section of his report relating to the Site Specific Allocations with the exception of those areas in which members had declared interests (Church End Sites (SSA 27 a-c, SSA 33), SSA 57 (Sainsbury's Car Park, Draycott Avenue) and Brent Town Hall (SSA 57)). He drew the Executive's attention to a supplementary report setting out the views of the Planning Committee on 4th October concerning this report and their recommendations that Kingsbury Pool, Roe Green Park be included as an SSA and also for a change of wording in relation to the Lonsdale Road, Kilburn (SSA 84). Circulated at the meeting was a further supplementary report advising of correspondence received by the Director of Planning drawing attention to an omission from the Site Specific Allocations document in respect of SSA3, Twyford Tip, Abbey Road, Park Royal and also seeking an amendment to the wording of the planning history of this site.

Richard Saunders advised that officers supported the wording change to SSA 84, Lonsdale Road, Queen's Park to have the effect of retaining a balance of traditional employment and shops and cafes. However, officers did not support the inclusion of the site of the former Kingsbury Pool, Roe Green Park as an SSA. In connection with SSA3 Twyford Tip, the Director supported the correction of wording of the site description to 'Civic amenity site and mostly vacant land' however did not support any further changes to the SSA.

On the Kingsbury Pool, Roe Green Park, the question was raised as to whether it would be possible to add the site as an SSA at a later date. It was explained that the timing of any review could not be certain however there were other ways of giving planning certainty. The Director explained that work was currently taking place on sports facilities across and also funding was an issue. Consequently he was anxious for the Council to have as much flexibility as possible for the future development of the site.

Councillor Van Colle (Lead Member, Environment Planning and Culture) proposed an amendment to SSA 11, London Transport Sports Ground, Forty Avenue to delete 'new school' and add 'commercial use'. Councillor Wharton (Lead Member, Children and Families) spoke against the amendment stating that the proposed school building development would be on land that had already been concreted over and that the SSA would include the protection of trees on the site. He also felt that the suggested commercial use would also give rise to increased traffic levels. The Director of Environment and Culture added that that there was still a severe shortage of school places in the borough.

Councillor Van Colle's amendment was put to the meeting and declared LOST. In accordance with Standing Orders the voting on the amendment was recorded as follows:-

- FOR: Councillors Lorber (Chair), Allie, D Brown, Clues, Matthews, and Wharton.
- AGAINST: Councillors Blackman (Vice Chair), Colwill, O'Sullivan and Van Colle.

Members then went on to discuss the Site Specific Allocations (SSAs) on which members had declared interests namely the following Church End sites: Asiatic Carpets, High Road, (SSA 27a), Ebony Court (SSA 27b) and White Hart PH and Church Road (SSA 27c), Mayo Road and St Mary's Open Space (SSA 33), and also Sainsbury's Car Park, Draycott Avenue (SSA 57). In response to questions on Church End Development and traffic problems in the vicinity of the roundabout at Neasden Lane and Church Road, the Director of Environment and Culture's representative responded that it was expected that congestion would worsen while the development was taking place however it was felt that traffic flow around the new roundabout would be maintained despite reduction in its size. It was noted that the stated site area for Ebony Court (SSA 27b) would be checked for accuracy. A Faculty would be required for any proposal coming forward on the consecrated part of the cemetery land.

In respect of Sainsbury's Car Park, Draycott Avenue (SSA 57), the Director of Environment and Culture members referred to the deputation received earlier in the meeting requesting that this site be not included as an SSA. He stated that the proposals that had been placed on deposit had been revised, been considered by the Planning Committee and were now before the meeting for approval. It was now recommended that the whole site be included in the SSA, including the store. This would have the effect of ensuring that any future development was in the vicinity of the existing store on Kenton Road and away from Draycott Avenue.

RESOLVED:-

- (i) that the recommendations of the Planning Committee held on 4th October be noted;
- (ii) that the Planning Committee's recommendation on the former Kingsbury Pool be not supported;
- (iii) that approval be given to the wording changes to Lonsdale Road SSA as referred to in the supplementary report from the Director of Environment and Culture and set out below:

'Allocation-Mixed use including retail/food and drink uses (to a maximum of 25% of units) at western end.....'

'Justification-Increasing the supply of small and medium employment premises, while limiting the negative impact that an over concentration of shop/cafe uses may have on existing businesses in terms of highway congestion, re-provision.....'

- (iv) that following receipt of representations regarding the inclusion of Twyford Tip, Abbey Road as a Site Specific Allocation for waste uses, approval be given to the wording changes as set out in the

additional report from the Director of Environment and Culture circulated at the meeting;

- (v) that taking into account the above, Full Council be recommended to agree to the Core Strategy and Site Specific Allocations being submitted to the Secretary of State on 5th November 2007;
- (vi) that the proposed responses to individual representations, as set out in the schedules (included as appendices available to members and set out on the council's website) be agreed;
- (vii) that the Director of Environment and Culture be authorised to make minor, non-material changes to the Development Plan Documents and the Council's response to representations as necessary.

(The following declarations of personal and prejudicial interests were made and members left the meeting for the voting on these items:

*Councillor Van Colle
Councillor Clues*

*Brent Town Hall (SSA 12)
Church End Developments
(SSA 27a-c and SSA 33)
Sainsbury's Car Park (SSA 57)*

Councillor Colwill

8. S106 Planning Obligations SPD (Standard Charging) Approval for Adoption

This report sought approval for the adoption of the Supplementary Planning Guidance (SPD) on Planning Obligations and its accompanying Sustainability Assessment (SA) and Consultation Statement, following changes recommended in the responses to representations to the draft SPD, following public consultation. The proposed amendments would seek to alleviate the issues raised by the consultees and allow for adoption of the SPD. Copies of the draft SPD and SA were appended to the Executive report of 12th March 2007. It was agreed to amend the recommendations to ensure that charges kept in line with inflation.

RESOLVED:-

- (i) that the S106 Planning Obligations SPD be adopted as a Supplementary Planning Document to the Brent Unitary Development Plan 2004;
- (ii) that authority to make any minor or technical changes to the final draft, as a result of continuing discussion with the GLA, be delegated to the Director of Planning Services;
- (iii) that in order to maintain the charge in real terms, the amount identified in the standard charge increase annually in line with the Retail Price Index.

9. **Authority to invite tenders for Highway Maintenance Works**

This report requested approval to invite tenders in respect of Highway Maintenance Works contracts to start 1st July 2008, as required by Contract Standing Orders 88 and 89.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the proposed tender process to be used to shortlist and evaluate the Highway Maintenance Works contracts as set out in section 3, particularly paragraph 3.12 of the report from the Director of Environment and Culture;
- (ii) that approval be given to the invite of tenders and their evaluation in accordance with the approved criteria referred to in paragraph (i) above.

10. **South Kilburn NDC – Review of Governance Arrangements**

Councillor Lorber (Chair, Lead Member, Corporate Strategy and Policy Co-ordination) introduced the report from the Directors of Policy and Regeneration and Finance and Corporate Resources, the purpose of which was to present members with the outcome of a review of the Governance arrangements at the South Kilburn New Deal for Communities (NDC) and to set out the new arrangements for the partnership relationship between the NDC and the Council. He thanked Mr Peter Jones, a local resident, for bringing concerns to the Council's attention and also the local press for their involvement. Councillor Lorber reminded the Executive that there were three years remaining to the programme and much work remaining to be completed within that time. He outlined the concerns that would need to be addressed to improve the NDC governance arrangements which included the procedure for declaring interests, project tenders and monitoring, Board honoraria, meeting management and minute taking. It was recommended that the Council play a more active role in the management of the NDC Board and be involved in the appointment of the independent chair. Councillor Lorber felt that the Audit and Investigation Team had conducted a thorough review and it was now for the NDC to operate transparently for the benefit of residents and to spend funding wisely to achieve objectives. Councillor Lorber stated that the situation regarding the Council's representation on the Board needed to be resolved and in future appointments should be made at the Council's Annual Meeting with those for other outside bodies. While apologising for any past errors, Councillor Lorber emphasised the need to focus on the future and to commit to working in partnership towards a successful South Kilburn.

Councillor O'Sullivan (Lead Member, Regeneration and Economic Development) concurred with the sentiments expressed by Councillor Lorber and added that all members should now support South Kilburn and put past differences aside and work with the new NDC Chief Executive.

RESOLVED:-

that the outcome of the governance review be noted and agreement given to the recommendations and proposed actions contained within the Action Plan at appendix 1 of the report from the Directors of Policy and Regeneration and Finance and Corporate Resources.

11. **South Kilburn Regeneration update**

The report from the Directors of Housing and Community Care and Policy and Regeneration updated members on the current position in relation to negotiations with Communities and Local Government (CLG), gave a position statement and the issues that would need to be addressed. The Director of Housing and Community Care outlined the challenges ahead particularly in view of the funding gap which was in the region of £56m. Contrary to expectations, the funding offered by the Department of Communities and Local Government of £50m had to be earmarked for housing and not infrastructure. As a result, additional funding options were being explored and the outcome of investigations would be reported back.

The Lead Member, Regeneration and Economic Development emphasised the need for Central Government to be pressed for the funding required. The Director of Housing and Community Care drew members' attention to the provisional consultation timetable pointing out that an extended delay could jeopardise the CLG funding offer. The need for a joint lobbying effort was endorsed. The Director also pointed out that alternative funding sources were being sought for the healthy neighbourhood centre and that additional primary school facilities, seen as essential, were being pursued. Members noted that certainty over the funding position and housing offer were vital factors in achieving a positive tenant ballot.

RESOLVED:-

- (i) that the initial offer of financial commitment from CLG be noted;
- (ii) that the support offered by CLG/ Government Office for London (GoL) to access other government pots for financial assistance be noted;
- (iii) that it be noted that the South Kilburn Master Plan may need to be revised in the light of the overall levels of funding that can be secured and endorse the co-ordinated strategy to access external funding described in the report;
- (iv) that it be noted that the Council may need to consider a revised level of contribution towards the delivery of the South Kilburn regeneration programme;
- (v) that it be noted that a further report will be presented to the Executive once there is a clearer picture on the funding issues and the options outlined in this report have been further explored.

12. **Deputation - Update on the proposed Second City Academy at Wembley Park and John Kelly Technology Colleges – application for Academy Status**

Lesley Gouldbourne and Dr Gill Reed addressed the Executive on behalf of the Teachers' Panel in opposition to the proposals for a second City Academy at Wembley Park and also the application for Academy Status by John Kelly Technology Colleges. Reference was made to the complaint to the Commission for Racial Equality by the Teachers' Panel given their concerns that a new school on the Wembley Park site was disadvantageous to Afro-Caribbean children predominantly living in the south who would have to travel across the borough to school. It was put that the CRE had requested that the project be put on hold pending the outcome of the investigation. It was also pointed out that responses had not yet been received to the 73 objections to the development submitted under planning legislation. Members were urged to read the report by consultants Bone Wells Associates which was an appraisal of the proposed Wembley Park Academy, which had been circulated at the meeting.

Regarding the report on an application for Academy Status for John Kelly Colleges, the Teachers' Panel representative stated that there had been no real consultation on the proposals. One meeting had taken place and this had been called by the NUT. Staff had strong concerns over the conditions and members were referred to a publication from the TUC circulated at the meeting which reviewed the school academies programme. Concern was expressed that Academies were not required to have teacher governor or trades union representatives on their governing bodies.

13. **Update on the proposed Second City Academy at Wembley Park**

The report set out an update on the proposals for setting up the second City Academy at Wembley Park and sought Executive approval to proceed to develop the scheme to Outline Business Case. The report from the Director of Children and Families also offered a preview of the procurement process (able to start in February 2008) in the context of the risks set out in Paragraphs 6.5 to 6.7 of the Director's report and in Attachment A and sought approval in principle to the Council procuring the buildings for the Wembley Park Academy.

Councillor Wharton in introducing the report and responding to the deputation earlier in the meeting reiterated the desperate need for school places with currently 220 on special projects, 136 new applicants unplaced and birth rates increasing. He stated that the CRE had been advised of the Council's view that it would be irresponsible to put the Wembley Park City Academy project on hold pending the outcome of their investigation. He rejected the 'caricature' being presented by the Teachers' Panel that the borough's Afro-Caribbean pupils lived entirely in the south of the borough and there was no two way movement. Councillor Wharton outlined the programme for the school build and budget arrangements. It was the intention to have an open competition in the hope keeping costs down.

Councillor Blackman spoke against the proposal for a school on the Wembley Park site. He argued that the public transport facilities were not

in the correct location for the pupil population and that the development would need to be massive to accommodate the required numbers. He urged members to pursue other options such as the Gwenneth Rickus Building and re-emphasised that he would not support the proposals or funding for the development.

Councillor Wharton responded that the Council had a strategy for school provision which was being pursued, that no consultation had taken place on Gwenneth Rickus Building as a site for a new school and transport provision was a universal problem. Councillor D Brown concurred and drew attention to the bus routes and train services that currently serve the area and reminded the meeting that no other site was currently available.

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 in principle be given to the Council procuring the buildings for the Wembley Park Academy;
- (ii) that it be noted that officers would report back to members prior to the commencement of the procurement to seek approval for the procurement process and to the evaluation criteria;
- (iii) that it be noted that the initial risk assessment carried out (paragraphs 6.5 to 6.7 and of Attachment A in the report from the Director of Children and Families) in respect of the procurement process for the Wembley Park Academy and note that officers are undertaking work to develop the risk assessment further;
- (iv) that officers proceed with the development of the Outline Business Case (OBC) procurement process for the construction of the second Brent Academy as set out in paragraphs 4.1 to 4.6 of the Director's report;
- (v) that the financial implications associated with the development of the OBC and the procurement of the buildings for the Wembley Park Academy be noted;
- (vi) that it be noted that officers intend to procure consultant architects to assist with the development of the OBC using the PfS Framework for consultants, or the Council's own framework of consultants;
- (vii) that it be noted that it is proposed that the Wembley Park Academy will open in temporary accommodation near to or on the Wembley Park site in September 2009 with an intake in Reception (Year R) age and Year 7 and that officers will report back for approval to the

early opening once temporary accommodation has been sourced, the siting identified and the associated costs determined.

(Councillors Blackman, Colwill, O'Sullivan and Van Colle asked that their dissent from the above decision be recorded).

14. John Kelly Technology Colleges – application for Academy Status

The Governing Bodies of the John Kelly Boys and John Kelly Girls Technology Colleges have asked the Executive for support in their submission of an Expression of Interest to the Department of Children, Schools and Families for the Colleges to become an Academy sponsored by Edutrust an educational charity. The report recommended approval of support.

The Lead Member (Children and Families) referred members to the Ofsted report on the colleges which had been positive but indicated that staff were hindered by the condition of school buildings. A rebuild was seen to be essential to attract staff and provide an environment conducive for teaching. Any funding from the Government's 'Building Schools for the Future Programme' would not be available until 2011 and so Councillor Wharton was pleased for a City Academy sponsor to bring forward the rebuild programme. Together with the Leader of the Council he had met the proposed Sponsors Edutrust and was satisfied with their educational background. The Colleges had declared support for the proposal.

Councillor Blackman felt that the Executive had a responsibility to the staff and parents to be entirely satisfied with the proposed Sponsors prior to commitment and suggested that agreement be given in principle to the proposals pending further information on the backers. Councillor Lorber was happy with this way forward and for other members of the Executive to meet Edutrust. The Director Children and Families confirmed that negotiations continued with the owners of the adjacent land.

RESOLVED:-

that approval in principle be given to the development and submission of an Expression of Interest for Academy status, by the Governors of the John Kelly Boys and Girls Technology Colleges, to the Department for Children, Schools and Families. The Expression of Interest once developed would be submitted to the Executive for formal approval.

15. Proposal for a Borough Wide Controlled Drinking Zone

The report from the Director of Policy and Regeneration provided a review of the pilot Controlled Drinking Zone (CDZ), in the Kilburn High Road area (Brent), from July 1st – 31st December 2006 and considered further options and the financial implications of designating the whole of the borough as a CDZ. Councillor Matthew (Lead Member, Crime Prevention and Public Safety) reported that the Kilburn pilot had been successful giving powers to confiscate goods where felt necessary. Lobbying would take place for additional resources to fund outreach workers. She also set out the results

of the consultation on CDZs which had ended the preceding Friday and which had been overwhelmingly supportive.

Members raised questions on the proposed design of the CDZ signage expressing a wish for a corporate approach and for efforts to be made to avoid installing additional street poles. It was suggested that lessons be learned from neighbouring boroughs and the general street scene reviewed.

RESOLVED:-

- (i) that agreement be given in principle to support the designation of the whole borough of Brent as a controlled drinking zone;
- (ii) that this report and the recommendations be referred to Full Council for decision.

16. Joint Procurement of Legal Counsel (Barristers' Services)

The purpose of the report was to request authority to award contracts as required by Contract Standing Order No 88. This report summarised the process undertaken in the collaborative procurement of a framework agreement to provide barristers' services in association with London Boroughs of Ealing, Hammersmith and Fulham, Harrow, Hillingdon and Hounslow. Following completion of the evaluation of tenders, the report recommended which tenderers should be appointed to the framework agreement.

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:-

that approval be given to the award of the framework agreement to provide barristers' services to the tenderers detailed in Appendix 2 of the report from the Borough Solicitor for the relevant framework panels.

17. Authority to award contracts for IT Servers

This report requested authority to award a contract for supply of IT servers through an eAuction as required by Contract Standing Order 88. It report summarised the process being undertaken to procure these contracts through a mini competition, under an existing pre-tendered Office for Government Commerce Catalist Framework, and recommended approval of the processes and mechanisms of the mini competition and award to the successful eAuction bidder

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 the process being undertaken for the procurement of IT servers via the OGC Catalist framework be noted;
- (ii) that agreement be given to the evaluation process for the award of the IT Servers contract as outlined in paragraphs 3.14 – 3.24 and Appendices 1 and 2 of the report from the Director of Finance and Corporate Resources;
- (iii) that subject to (v) below, agreement be given to the award of contract for IT servers for an initial term of 18 months with two twelve month and one six month extension to the successful supplier determined in accordance with the evaluation process (referred to in paragraph (ii) above) following the eAuction;
- (iv) that the Director of Finance and Corporate Resources be authorised, in consultation with the Borough Solicitor, to formalise the contract award following the eAuction results;
- (v) that the Director of Finance and Corporate Resources be authorised to withdraw from the procurement process at any time prior to signing the deed of agreement in exceptional circumstances

18. Authority to award contract for Government Procurement Cards

The report from the Director of Finance and Corporate Resources recommended that the Council moves to using procurement cards to pay selected contractors and requested authority to award a contract for Government Procurement Cards. The Lead Member added that this would increase efficiency and speed up the acquisition of supplies and services. Usage would be closely monitored.

RESOLVED:-

- (i) that the Council use Procurement Cards for the payment of selected contractors, subject to the Director of Finance and Corporate Resources being satisfied that the necessary procedures and policies are in place to protect the Council;
- (ii) that approval be given that in due course, Procurement Cards being issued to selected individual officers subject to robust policies and procedures being developed by the People's Centre and agreed by the Director of Finance and Corporate Resources;

- (iii) that approval be given to award the contract for the Government Procurement Card (GPC) to Lloyds TSB Bank Plc from 12 October 2007 to 31st January 2010.

19. 2008/09 Budget Process update and first stage savings

The report from the Director of Finance and Corporate Resources updated members on developments towards achievement of priorities within the Council's Corporate Strategy 2006-2010 since July. The report detailed initial savings proposals for 2008/09 and asked members to agree these to ensure that full year implementation can be achieved. Also where feasible to action those savings as soon as possible in 2007/08 to strengthen the overall financial position. It was noted that for some items the amount of savings are still under review and may need to be revised in future before the final budget is agreed. Similarly income from increased charges planned for 2008/09 have been brought forward to 2007/08 for furniture storage charges and travellers' site fees. A virement to the 2007/08 budget has been included for approval.

The Lead Member (Resources) reminded the Executive that the Comprehensive Spending Review announcement was expected the following day and the projected increase in revenue support grant was insufficient worsened by the underestimation of the borough population figures. Additionally, there was the outstanding issue with the Brent Primary Care Trust about budget responsibility for clients. It was calculated that £16m of savings had to be achieved for a zero percent Council tax rise and Councillor Blackman thanked staff and members for savings achieved so far.

Councillor Blackman reported back on the discussion of the meeting of the Budget Panel he had attended earlier in the evening. He stressed the need for identified savings to be brought forward as soon as possible so the maximum effect could be realised. The question was raised concerning the costs of processing government targets raised at a recent Brent Senior Managers' Conference and it was noted officers would be reporting back on this matter. The Director of Environment and Culture confirmed that a report would be submitted on progress being made to increase inspections of reinstatement by utilities and the penalties levied.

RESOLVED:-

- (i) that agreement be given to the 2008/09 savings in Appendix A of the report from the Director of Finance and Corporate Resources and agree that, where possible these will be brought forward into 2007/08;
- (ii) that agreement be given to increase furniture storage charges for working customers from £15 per container up to a maximum of £30, to £28 per container up to a maximum of £84 and for non-working customers from £10 to £28 per container up to a maximum of £56 with effect from Monday 5th November 2007 as detailed in Appendix B;

- (iii) that agreement be given to increase the Lynton Close Travellers Site licence fee from £160 per week to £212 effective from Monday 19th November 2007, or the earliest date when four weeks notice could be applied as detailed in Appendix B;
- (iv) that agreement be given to the virement as scheduled in Appendix C of the Director's report.

20. The transfer of Anansi Nursery staff, children and resources to the Willow Children's Centre

The Willow Children's Centre was opened in November 2006, it includes a Nursery with places for 90 children aged from birth to 5 years, as well as a range of services delivered from the Centre to support health, child development and employability for families in its catchment area. It is proposed that the children, staff and resources of Anansi Nursery permanently transfer to the Willow Children's Centre. This has a number of positive outcomes including, locating specialist provision to the north and south of the borough making travel easier for families whilst maintaining the level of provision needed; ensuring that the children and parents of Anansi nursery can benefit from the full Children's Centre core offer from a purpose built Children's Centre and the transfer will release funds for the Council's use through more efficient use of resources.

RESOLVED:-

that approval be given to the permanent transfer of Anansi Nursery staff, children and resources from Longstone Avenue NW10 3UN to the Willow Children's Centre Barnhill Road HA9 9YP.

21. Extension of Contract with Penderels Trust and Authority to invite Tenders for a Direct Payments Support and Advice Service Contract

This report concerned the extension of the Council's existing Direct Payments Support and Advice Service contract with Penderels Trust and the procurement of a new Direct Payments Support and Advice Service contract. The report requested approval to invite tenders in respect of the Direct Payments Support and Advice Service for a three year period commencing 1st April 2009 with an option to extend the contract for a further two years, as required by Contract Standing Orders 88 and 89.

RESOLVED:-

- (i) that the extension of the current contract with Penderels Trust for a further year from 1st April 2008 until 31st March 2009 be noted;
- (ii) that the reasons why the proposed re-tendering exercise did not take place as intended during 2007/8 be noted;
- (iii) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for the new contract as set out in paragraph 3.13 of the report from the Director Finance and Corporate Resources;

- (v) that approval be given to the invite of tenders and evaluate them in accordance with the approved evaluation criteria referred to in (iii) above.

22. Housing and Social Care Non HRA PFI Project – Authority to Award Contract

This scheme has been developed to provide social housing and replacement residential facilities for people with learning disabilities with the aid of a government grant of £26.6m. Following an exhaustive tendering process, the Executive agreed on 9th October 2006 to appoint Brent Co-efficient (BCE), a consortium consisting of Hyde Housing Group, Bouygues UK (builder) and the Bank of Scotland, as preferred bidder for the PFI scheme. There have been intensive further negotiations over the past 12 months to agree the detailed arrangements for delivery of the scheme, finalise the legal agreement, and ensure that the scheme is affordable to the council. These negotiations were now virtually complete and the report sought agreement to delegate authority to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to finalise negotiations and to finalise all necessary agreements and documents, hopefully by 30th November 2007.

The Director of Housing and Community Care advised that even with a reduction in the number of units there was still an affordability gap and the report set out measures to reduce financial pressures. It was noted that further offers had been received earlier that day.

The Executive also had before them a more detailed 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 authority be delegated to the Director of Housing and Community Care, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to agree the PFI Project Agreement and all other related documents including those which shall be entered into by the Council with any of Brent Co-Efficient's funders or subcontractors;
- (ii) that the Borough Solicitor be authorised, or an authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council referred to in this report (and such other legal agreements and documentation which may be necessary to give full effect to the PFI Contract), subject to her receiving confirmation of credit approval from the Department for Communities and Local Government or, executing such contracts

and other documentation with a pre-condition that they shall only come into full effect upon the issuing of such PFI credit approval by the Department for Communities and Local Government;

- (iii) that approval be given to the Director of Finance and Corporate Resources to issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 to Brent Co-Efficient in respect of the PFI Project Agreement and to Brent Co-Efficient's funders in respect of any Direct Agreement entered into between the Council, such funders and Brent Co-Efficient;
- (iv) that the Director of Finance and Corporate Resources be fully indemnified by the Council in the event of any claim against him arising from the provision of any Certificate he may issue in accordance with recommendations/decision in paragraph 3 above.
- (v) that officers prepare a case for submission for CLG for additional PFI credits for up to 200 units, subject to being able to demonstrate that such an extension would represent value for money.
- (vi) that it be noted that, should CLG grant additional credits, any extension to the scheme would be subject to final approval by the Executive.
- (vii) that agreement be given to dispose of the following sites to BCE for nil consideration, subject to securing any necessary consents from the Secretary of State: Melrose House, Homelea House, 9 Willesden Lane, 167 Willesden Lane and the council's interest in Barnhill Cottages.
- (viii) that the Director of Housing and Community Care seek to obtain the approval of the Secretary of State under Section 123 of the Local Government Act 1972 and all other consents that may be necessary to dispose of the properties referred to in the report to Hyde Housing Association at less than best consideration.
- (ix) that the Council's Housing Allocation Scheme be amended to enable the council to make offers of permanent accommodation in the form of an assured tenancy with a registered social landlord (i.e. Hyde Housing Group) at the same accommodation which is being provided to the homeless person/family under Part VII of the Housing Act for the purposes of the PFI project (paragraph 5.1 to 5.5).
- (x) that a minimum annual target be set to allow at least 50% of the permanent vacancies that are available in each year to be converted from a temporary (assured short hold tenancy) to a permanent (assured tenancy) and to delegate authority to the Director of Housing & Community to finalise arrangements and the eligibility criteria to be adopted for the temporary to permanent conversions to be achieved (paragraph 5.6).

- (xi) that it be noted the recommendations in (i) are subject to the remaining affordability gap set out in this report being addressed.

23. Reference from the Forward Plan Select Committee

The Executive noted the recommendation of the Forward Plan Select Committee on 26th September in relation to the Clock Cottage report which would be taken into account in the forthcoming report back

The meeting ended at 9.42 pm

P LORBER
Chair