

MINUTES OF THE EXECUTIVE
Monday, 26th May 2009 at 7.00 pm

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

Councillors Butt, Dunwell and Mistry also attended the meeting.

Apologies for absence were submitted on behalf of Councillor Matthews.

1. Declarations of Personal and Prejudicial Interests

Councillor Wharton declared a personal interest in the item relating to Old Kenton Lane Allotments as his wife was secretary to the Association. He indicated that he would withdraw from the meeting and not take part in the discussion. Councillor Wharton also declared a personal interest in the item relating to Sudbury School as a governor and that he would not take part in the vote.

2. Deputations

None.

3. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 6th April 2009 be approved at an accurate record.

4. Order of business

The Executive agreed to change the order of business to consider early in the meeting, those items for which members of the public were in attendance.

5. Petition – Villiers Road Playground

Mr and Mrs Gayle presented a petition on behalf of residents concerned that the proposal to rebuild a playground in the area may lead to a recurrence of disruption, bad behaviour and graffiti caused which they felt, was caused mainly by young people. Mr and Mrs Gayle expressed reported that in the past, the park had not been properly maintained, windows were broken and damaged fences remained unrepaired. Should the park be rebuilt they would need to be assured that it would be maintained and locked at gates locked at night to deter unlawful behaviour.

Mr Mullings, speaking on behalf of the Learie Constantine Centre, adjacent to the playground, referred to the history of the playground which had been named after Learie Constantine, former West Indian Cricketer and Life Peer. He expressed support for it to retain its name and also for the plans for a park for young people to enjoy. He advised that consideration would be given to reinstating a statue to Learie Constantine which had been put

in storage for safe keeping and that should park in his memory be reintroduced the Centre would help its upkeep.

Councillor Jones (ward councillor) while appreciating the concerns of local residents, referred to the lack of green space in the Willesden area. She expressed support for the findings of consultation which had identified a need for clear boundaries adequate fencing and for it to be closed at night. She also supported a return to the name of Learie Constantine open space.

RESOLVED:

that the petition be noted.

6. **Villiers Road Playground**

The report from the Director of Environment and Culture was submitted in response to a petition presented to Brent Council regarding proposals to develop and improve Villiers Road open space. Councillor Van Colle (Lead Member, Environment, Planning and Culture) expressed sympathy for the views expressed by petitioners earlier in the evening that the reinstatement of a park should be accompanied by improved fencing, maintenance and security measures. He assured that the proposals in the report would include action to reduce crime and anti social behaviour. He supported the play ground being named after Learie Constantine subject to the usual consultation.

Councillor Sneddon (Ward Councillor) echoed thanks to Mr and Mrs Gayle for their interest and acknowledged that the Learie Constantine Centre could be an important contributor to the maintenance of the open space. He hoped that concerns expressed would be addressed by the new arrangements and endorsed recommendations that the area needed to be properly monitored. He looked forward to continued partnership with the Centre.

The Parks Manager (Environment and Culture) advised that grant funding had been secured to carry out improvements and the report from independent consultants employed to carry out the consultation had been received. The security measures planned when introduced in other areas had been successful, suitable fencing would be installed and consultation take place on the design. An out of hours standby service would be introduced. He was happy for the park to continue to be named after Learie Constantine and to give residents a place they could enjoy.

RESOLVED:-

- (i) that the petition submitted by residents objecting to the refurbishment of Villiers Road playground be noted;

- (ii) that the proposed refurbishment as detailed in the report, including actions designed to reduce the risk of crime and anti-social behaviour, be implemented;
- (iii) that the open space retain the name of Learie Constantine Open Space subject to the usual consultation arrangements.

7. Deputation - Old Kenton Lane Allotments

Tom Traynor (Chairman, Old Kenton Lane Allotments Association) expressed support for the proposals to grant a lease to the Old Kenton Lane Allotments Association. He advised the meeting of the work being done by the allotment holders who came from a variety of backgrounds and the social activity, public events and school visits arranged by the Association which were very popular. In the long term, he hoped for continued improvement and more funding for the benefit of all and that members would consider the project to be worthwhile.

8. Old Kenton Lane Allotments

The purpose of the report was to seek members' approval to the grant of a lease of the Old Kenton Lane Allotment site to the newly constituted Old Kenton Lane Allotments Association. Members were pleased to hear of the activities of the Association and wished them every success.

RESOLVED:-

- (i) that approval be given to grant a 7-years less two days lease of the Old Kenton Lane Allotment site to Old Kenton Lane Allotments Association (a non-profit making body set up for the purpose of administering the allotments and associated activities) provided that the Head of Property and Asset Management was satisfied with the terms of the constitution of the Association;
- (ii) that the Head of Property and Asset Management be authorised to agree such other terms as are in the best financial interest of the Council in granting the lease.

Councillor Wharton declared a personal interest in this item as his wife was secretary to the Association did not take part in the discussion and withdrew from the meeting.

9. Property Searches Proposed Fee (local land charges)

This report sought approval to set a charge for access to property records provided by the Local Land Charges Office and to re-set the current property search fees in accordance with the new charges set out in Property Searches Regulations 2008. The Lead Member advised that the proposals would be implemented immediately to ensure that the service did not run at a loss.

RESOLVED:-

- (i) that the implications of the new regulations made on 16th December 2008 which came into force on 23rd December 2008: - *“The Local Authorities (England) (Charges for Property Searches) Regulations 2008”*, known as the Regulations, which enables the Council to charge for providing access to property records from 6 April 2009 be noted;
- (ii) that approval be given to the fees for access to property records as set out in Appendix A to the report from the Director of Environment and Culture which in accordance with the new Regulations have been calculated on a cost recovery basis as shown in Appendix B;
- (iii) that approval be given to the existing fee structure for charges for property searches under the new regulations attached as Appendix C for 2009-10 to the report from the Director of Environment and Culture;
- (iv) that since the new Regulations were in force from 6 April, the new access to property records fee and revised property search fees would be applied with immediate effect.

10. **Lease Renewal of Suites 122 and 123, 1st Floor, 1 Olympic Way, Wembley**

The report from the Director of Finance and Corporate Resources sought to renew the lease at Suites 122 and 123, 1st Floor, 1 Olympic Way, Wembley.

RESOLVED:-

that authority be delegated to the Head of Property and Asset Management, in conjunction with the Borough Solicitor, to renew the lease in accordance with the details set out in the report from the Director of Finance and Corporate Resources.

11. **Authority to participate in a collaborative procurement of the provision of Occupational Services**

The Lead Member (Human Resources and Diversity, Local Democracy and Consultation) introduced a report which requested approval to participate in a collaborative procurement to set up a Framework Agreement for the provision of occupational health services as required by Contract Standing Order 85. The report highlighted the need to invest in the health and well-being Council staff, explained current arrangements and considered a number of options for future occupational health service provision before making recommendations around the preferred option. The Lead Member stated that the radical reform was being proposed in order to protect and improve the focus and motivation of the workforce and promote high standards.

RESOLVED:

- (i) that approval be given to the Council to participate in a collaborative procurement exercise leading to the establishment of a framework agreement by the Royal Borough of Kensington and Chelsea for the supply of occupational health services;
- (ii) that approval be given to the collaborative procurement exercise described in the report from the Business Transformation 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 and operational reasons as set out in the report.

12. **Edward Harvist Trust Fund – amendment in criteria 2009/10**

The report concerned the allocation of the Edward Harvist Trust Grant in 2009/10. It sought members' approval to amend the current criteria used to assess applications for the Fund. The report requested that the current maximum amount awardable to any organisation be reduced to £5,000 from the current £7,000. The reduction in the maximum was being requested to reflect the limited fund that anticipated to be available for allocation in 2009/10.

RESOLVED:-

- (i) that approval be given to the changes to the criteria for the Edward Harvist Trust as set out in Appendix A of the report from the Director of Housing and Community Care;
- (ii) that approval be given to the proposal to reduce the maximum level of funding from £7,000 to £5,000 to individual groups/projects applying for the grant;
- (iii) that approval be given to the proposal that only one round would be advertised in 2009/10. The proposed timescales/schedule for this is attached as Appendix C to the Director's report.

13. **Adult Social Care Review of Fees and Charges 2009/10**

The Director of Housing and Community Care introduced this report which sought agreement to a charge for a new service or increased fees and charges for some Adult Social Care (ASC) Community Services. All services had been reviewed with the aim of identifying opportunities for additional income (where there was no conflict with other council priorities) as required by the council's policy direction on fees and charges. Under consideration were re-enablement care, extra care social sheltered care and day care and, following a long consultation period, it was being proposed not to introduce charges for day care in day centres at this stage

but to await the outcome of government consultation on charging and the personalisation agenda and on adult social care.

RESOLVED:-

- (i) that a new charge for the new re-ablement care service is introduced from Monday 6th July 2009 at the same rate as is currently charged for 1 hour of homecare (£17.48 per hour);
- (ii) that the charge for social care in Extra Care Sheltered schemes is increased for new residents who take up tenancies on or after 6th July 2009 based on the criteria for admittance into Extra Care of 7 hours of homecare at the current homecare rate (£17.48 per hour X 7 hours = £122.36 per week);
- (iii) that a transitional scheme is implemented for charging for social care services for residents of Extra Care Sheltered schemes where their tenancy starts before 6th July 2009 increasing the weekly charge by £10 per week. The aim of this transitional scheme is to bring existing tenants into line with the new charge over time but limiting their increase to £10 per week. This amount being added to each April by the same increment until the charge reaches the level payable by tenants who took up their tenancy on or after 6th July 2009;
- (iv) that it be agreed to await the decision of central government on charging for community care services and then to consider options for social care in Brent and therefore not to introduce a charge for day care;
- (v) that the Director of Housing and Community Care make savings in the department's budget for 2009/10 to off-set any loss of income arising from lower fees and charges than assumed in the council's Budget and detailed at paragraph 4.3 of the Director's report.

14. Commissioning Services for Carers 2009-2011 - partnership arrangements

This report considered the best approach to deliver seamless, effective, efficient, good quality and value for money services for carers in Brent for the period 2009-10 and 2010-11 and recommended entering into a partnership arrangement with NHS Brent pursuant to Section 75 National Health Services Act 2006, to deliver such services.

RESOLVED:-

- (i) that approval be given to the Council entering into partnership arrangements with NHS Brent for the establishment of a pooled budget for the period 2009-2011 with joint commissioning arrangements (pursuant to Section 75 National Health Services Act 2006);

- (ii) that approval be given to the review of joint commissioning arrangements at the end of the financial year 2009/10 and to the establishment of lead commissioning by the Council should this be deemed a more effective and efficient way of commissioning services;
- (iii) that it be noted that entry into the partnership arrangements detailed in paragraphs 2.1 and 2.2 of the report from the Director of Housing and Community Care is subject to approval of NHS Brent Executive Management Committee.

15. Direct Payments Support and Advice Service Contract

The report from the Director of Housing and Community Care requested authority to award a contract as required by Contract Standing Order No. 89. This report summarised the process undertaken in tendering the contract for the provision of Direct Payments Support and Advice Service and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded. It outlined the changes in service provision and the transfer of funding required to implement the Direct Payments service.

RESOLVED:-

that this report be withdrawn from consideration at this meeting.

16. Authority to re-negotiate existing housing support contracts for offenders and people with drug and/or alcohol issues and seek exemption from tendering.

The report from the Director of Housing and Community Care sought an exemption from the tendering requirements of Standing Orders in relation to some contracts for services for offenders and people with drug and alcohol problems, in accordance with Contract Standing Order 84. It then sought approval to deliver the services by re-negotiating contracts with the existing providers.

RESOLVED:-

- (i) that the Government's offer of a revised guideline rent increase for 2009-10 of 2.66% (instead of 5.8%) which will increase the amount of Housing Subsidy that the Council receives in 2009-10 by £1.227m be accepted;
- (ii) that agreement be given to reduce the overall average HRA Council Dwelling actual rent increase (excluding service charges) for 2009-10 from £5.18 to £2.18 per week per dwelling, which means that the overall increase would be reduced from 6.01% to 2.53%. This reduced increase is to be applied on an individual basis to each property based on the Government's rent convergence guidelines as

detailed in paragraphs 3.14 to 3.16. This would raise a revised additional £1.056m rent income in 2009-10 when compared to 2008-09, and reduce the current rent income budget for 2009-10 by £1.452m;

- (iii) that the revised rent increase set out in paragraph (ii) above be implemented on 6 July 2009 or as soon as practically possible after that date, and that the revised increase be effective from 6th April 2009;
- (iv) that approval be given to the virements for the HRA Budget for 2009-10 as set out in paragraph 3.18 of the report from the Director of Housing and Community Care.

17. Authority to tender for housing support services for people with mental health issues, and associated supporting people contract issues

The report sought authority to invite suitable providers to tender for four framework Agreements as required by Contract Standing Orders 88 and 89. Three framework agreements will be for the provision of Supporting People funded accommodation services (two frameworks for accommodation based services and one for floating support services) and one additional framework agreement for the provision of accommodation based Health and Adult Social Care services for individuals with mental health issues who are returning to the Borough from out-of-borough placements. This latter service would be procured as a Collaborative Procurement between Brent NHS and Brent Adult Social Care Services and will be led by Brent Adult Social Care. The report additionally sought authority to extend current Supporting People Mental Health contracts until September 2010.

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for three frameworks for housing support services (some incorporating care services) as set out in section 6.12 of the report;
- (ii) that approval be given to the invite of tenders for three Frameworks for housing support services and their evaluation in accordance with the approved evaluation criteria referred to in paragraph 6.12 of the report from the Director of Housing and Community Care;
- (iii) that approval be given to a further extension of Supporting People contracts for Mental Health as specified in paragraph 5.2 and section 7 of the Director's report until 30th September 2010;
- (iv) that approval be given to a collaborative procurement of a fourth framework agreement with Brent Primary Care Trust (Brent NHS) for Adult Social Care accommodation based services for people with mental health issues who have been placed outside the borough and who are returning to Brent;

- (v) that approval be given to the pre-tender considerations and evaluation criteria specified in paragraph 6.12 of the Director's report and to tenders being invited for the collaborative procurement described in paragraph (iv) above.

18. Authority to Tender for Procurement and Management of Temporary Accommodation Contract

The report sought authority in accordance with Contract Standing Orders 88 and 89 to invite tenders for a new contract for the Procurement and Management of Temporary Accommodation, to commence from 1st February 2010 for a period of three years, with an option to extend for up to a further two years.

RESOLVED:-

- (i) that approval be given to the pre-tender considerations and the evaluation criteria to be used to evaluate the tenders for the Procurement and Management of Temporary Accommodation contract as set out in paragraph 3.2.1 of the Director of Housing and Community Care's report;
- (ii) that approval be given to the invite of tenders and their evaluation in accordance with the approved evaluation criteria referred to in paragraph (i) above.

19. Barham Park Estate Redevelopment

The Lead Member updated the Executive on the progress that has been made on the Barham Park development since the last report to the Executive on 16th June 2008 and he was pleased to be able to report a successful outcome. He drew attention to the range of items on which decisions were required in order to progress the regeneration objectives for the site and thanked Notting Hill Housing Trust, Countryside Properties and housing staff for their efforts. The Chair, Councillor Lorber, added that the new proposals met the Council's key objectives of housing and the protection of open space however he acknowledged that challenges remained.

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).

- (i) that approval be given to the scheme as proposed in section 3 of this report. "The Scheme", consists of the demolition of the residential units on the Barham Park Estate, a commercial unit on

the Harrow Road frontage and the re-provision of some 358 new units created for private sale, rent or intermediate tenure together with commercial/retail space and community space;

- (ii) that the selection of Notting Hill Housing Trust (“NHHT”) as the delivery partner for the redevelopment of the Barham Park Estate (the "Estate") in conjunction with its development partner, Countryside Properties (“CP UK Limited”) be confirmed;
- (iii) that agreement be given to the disposal of the land currently comprised in the Estate to NHHT and/or CP UK Limited in accordance with the main terms set out in section 6 of the report;
- (iv) that the Director of Housing and Community Care be authorised, in consultation with the Director of Finance and Corporate Resources and the Borough Solicitor, to enter into a Principal Development Agreement (“PDA”) with NHHT and CP UK Limited on such terms as the Director considers reasonable but reflecting the main terms set out in section 6 of the report subject to the Scheme receiving funding from the Homes and Communities Agency (HCA), noting that May 2009 is the target date to conclude negotiations;
- (v) that the Director of Housing and Community Care be authorised to enter into nomination agreements in respect of the newly constructed social housing units built as part of the redevelopment;
- (vi) that the Director of Housing and Community Care be authorised to consult with the existing residents of the Estate on the detailed proposals within the Scheme;
- (vii) that approval be given to the immediate cessation of permanent lettings on the Estate in order to assist the decanting process and note that all decants will be given band A status to enable the Council to fulfil its obligation in the PDA;
- (viii) that approval be given to the service of demolition notices in relation to properties on the Estate and authorise the Director of Housing and Community Care to issue all and any notices required to be issued in connection with such demolition;
- (ix) that the Director of Housing and Community Care be authorised to seek the Secretary of State’s consent to the phased disposal and redevelopment of the Estate for the purposes of ground 10A of Schedule 2 to the Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies;
- (x) that the Director of Housing and Community Care be authorised to seek the Secretary of State’s consent for the disposal of the housing land on the Estate to NHHT and CP UK Limited in accordance with

Section 32 of the Housing Act 1985 and section 25 of the Local Government Act 1988;

- (xi) that the proposed decant strategy for the redevelopment of the Estate in section 3 of this report and authorise the Director of Housing and Community Care to implement such strategy be noted;
- (xii) that the Director of Housing and Community Care be authorised to commence and comply with the procedure as set out in section 122(2A) of the Local Government Act 1972 to agree that the open space land on 776-778 Harrow Road is no longer required for the purpose for which it is currently held and to appropriate the land for housing purposes. In addition to this, to consider any objections made to the appropriation, and unless there are objections received which in his opinion are significant, to implement the appropriation. If such objections are received then a further report will be brought back to the Executive for consideration;
- (xiii) that support be given to the de-designation and re-use of the former Elms Court Allotment site as a decant site for the Scheme and instruct officers to work with NHHT to secure appropriate development, subject to de-designation being supported by the Secretary of State;
- (xiv) that approval be given to the making of compulsory purchase orders (CPOs) to acquire (a) the leasehold interests listed in appendix 4 being interests in the Estate which leasehold interests are referred to hereafter as “the CPO Land” under section 226 (1)(a) of the Town and Country Planning Act 1990 and (b) any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976;
- (xv) that approval be given to the submission of the CPOs, once made, to the Secretary of State for confirmation, whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance and Corporate Resources;
- (xvi) that authority be given to the:
 - (1) Director of Housing and Community Care to enter into agreements and make undertakings on behalf of the Council with the holders of interests in the CPO Land or parties otherwise affected by the Scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPOs and including the offering back of any part of the CPO Land not required by the Council after the completion of the development or the acquisition of rights over the CPO Land in place of freehold acquisition, where such agreements are appropriate;

- (2) making of one or more general vesting declarations or service of Notices to Treat and Notices of Entry (as appropriate) pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and the Compulsory Purchase Act 1965 respectively should the CPOs be confirmed by the Secretary of State;
 - (3) service of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPOs;
 - (4) Director of Housing and Community Care to remove from the CPOs any plot (or interest therein) no longer required to be acquired compulsorily for the scheme to proceed and to amend the interests scheduled in the CPOs (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new rights (if so advised);
 - (5) Director of Housing and Community Care within the defined boundary of the CPO Land, to acquire land and/or new rights by agreement either in advance of the confirmation of compulsory purchase powers, if so advised, or following the confirmation of compulsory powers by the Secretary of State;
- (xvii) that the Director of Housing and Community Care be authorised, if so advised, to seek to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land for which a blight notice has been validly served.

20. Review of Housing Revenue Account (HRA) Council Dwellings Rent Increase for 2009-10

The Executive, on 16th February 2009, agreed to increase HRA Council Dwelling Rents for 2009-10 by an average of 6.01% or £5.18 per dwelling per week. This increase was fully in line with the Government's rent restructuring policy, which assumed that National Guideline Rents would increase by 6.2% in 2009-10. The Executive also noted that local, London wide, and national government lobbying was taking place on the HRA settlement for 2009-10 and they agreed that in the event that this lobbying were successful, and additional subsidy was paid to Brent in 2009-10, then consideration be given to reducing rent in line with rent restructuring to reflect this. On 6th March 2009, the Minister for Housing announced that average national guideline rents for 2009-10 would be reduced from 6.2% to 3.1%, and that funding would be made available to support Local Authorities to reduce planned rent increases for 2009-10.

Councillor Allie, Lead Member (Housing and Community Care) was pleased to report the success of the lobby to have rent increases that reflected inflation. He regretted that the housing association tenants would not also be able to benefit from fair rents. He congratulated his fellow colleagues and also officers on the outcome. The Executive also noted

with regret that local authorities would have to bear the cost of reissuing notices and agreed that this be recorded. Residents would be informed of the changes in due course.

RESOLVED:-

- (i) that the Government's offer of a revised guideline rent increase for 2009-10 of 2.66% (instead of 5.8%) which will increase the amount of Housing Subsidy that the Council receives in 2009-10 by £1.227m be accepted;
- (ii) that agreement be given to reduce the overall average HRA Council Dwelling actual rent increase (excluding service charges) for 2009-10 from £5.18 to £2.18 per week per dwelling, which means that the overall increase will be reduced from 6.01% to 2.53%. This reduced increase is to be applied on an individual basis to each property based on the Government's rent convergence guidelines as detailed in paragraphs 3.14 to 3.16. This would raise a revised additional £1.056m rent income in 2009-10 when compared to 2008-09, and reduce the current rent income budget for 2009-10 by £1.452m;
- (iii) that the revised rent increase set out in paragraph (ii) above be implemented on 6th July 2009 or as soon as practically possible after that date, and that the revised increase be effective from 6 April 2009;
- (iv) that approval be given to the virements for the HRA Budget for 2009-10 as set out in paragraph 3.18 of the report from the Director of Housing and Community Care;
- (v) that it be noted that as a result Central Government incompetence, local residents would have to bear the costs of reissuing notices costing thousands of pounds.

21. Local Authority (LA) Governor Appointment Procedure

The report set out relatively minor changes to the council procedure for appointing LA governors and for dealing with any complaints made against them. Councillor Wharton (Lead Member, Children and Families) stated that the changes would help meet child protection policy and also facilitate the removal of non-performing governors.

RESOLVED:-

that agreement be given to the procedures set out as appendix one of the report from the Director of Children and Families.

22. **Sudbury Primary School – Primary Capital Programme funding required to enable necessary school expansion**

Recent projections of demographics point to a shortage of between 5FE and 13 FE at Primary level, adopting respectively a 5% and a 10% level of surplus places to enable choice and diversity within the borough. The Council and Sudbury School Governors have consulted on the statutory proposal to expand the school by 1FE to help meet the shortfall of places. The expansion of Sudbury School features as a high priority in the Council's recent submission to the DCSF for funding from Primary Capital Programme (PCP). The report therefore sought approval from the Executive for the proposal to fund expansion at Sudbury Primary School as a means to meet the sharply rising demand for school places in the borough, to be funded primarily from PCP.

RESOLVED:-

- (i) that approval be given to the allocation of up to £6.50m in total, from Primary Capital Programme funding, to support the expansion proposal at Sudbury School;
- (ii) that approval be given to the approach to be taken with Sudbury School that will assist in alleviating the continued pressure on school places as well as supporting the school's wider education vision, to incorporate community cohesion and participation.

Councillor Wharton declared a personal interest in this item relating to Sudbury School as a governor and did not take part in the voting thereon.

23. **Authority to award contract for the provision of education, employment, training and careers connexions services in Brent**

The report from the Director of Children and Families requested authority to award a contract for the provision of education, employment, training and careers Connexions services to the Council as required by Contract Standing Order No 88. This report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

The Executive also had before them an appendix to the report which was not for publication 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 the contract for the provision of education, employment, training and careers Connexions services be awarded to Prospects Services Limited for an initial contract period of twenty months from 1st August 2009 to 31st March 2011 with an option for the Council to extend by any number of periods up to an aggregate of 2 years.

24. **Redevelopment of SEN Provision at the Hay Lane and Grove Park School Sites**

The Lead Member introduced this report which report set out the business and educational case for the redevelopment of Hay Lane and Grove Park all-age community special schools. It sought Executive approval to proceed with the redevelopment. Councillor Wharton (Lead Member, Children and Families) advised that the schools, which were adjacent to each other and share a site, were facing major suitability and condition problems and the intention was provide new buildings with good quality facilities and also new respite accommodation for both schools. A funding gap remained which would be bridged through prudential borrowing arrangements. The proposed resourcing arrangements would be subject to approval from the Schools Forum. This report also proposed the relocation of the split site respite facilities currently at Crawford Avenue and Clement Close to be co-located onto the Hay Lane and Grove Park school site. This would not only realise efficiency savings but also lead to improvements in the quality of respite provision in the borough.

Councillor Mistry (Ward Councillor) sought assurances that sufficient funding would be put in place to carry out the development as the needs of the children should be paramount. The Executive agreed that this would be the case and noted that reports would come to future meetings on progress.

RESOLVED:-

- (i) that agreement be given to proceed to the design phase for the scheme based on:
 - (a) the total rebuild of both Hay Lane and Grove Park special schools, with the exception of the new post 16 block, on the existing site;
 - (b) the relocation of Respite Centres from Crawford Avenue and Clement Close to the Hay Lane/Grove Park site and declaring both the former sites surplus to Children & Families requirements
 - (c) the use of the £8m Targeted Capital Fund on the rebuild project

- (d) the use of ongoing savings generated towards financing the the costs of the scheme, including the requirement to seek approval from the Schools Forum for an annual contribution from the schools budget
- (e) the acquisition of the Roberts Court Land
- (ii) that it be noted that the current projections show that the costs will exceed savings in the first few years of the project. This would require the Council to identify funding streams to cover these costs;
- (iii) that it be noted that through the design stage further opportunities for reducing construction costs and realising revenue funding from land sales of housing development would be fully explored. If successful, this would reduce the project costs and reduce any potential contribution required from the General Fund.
- (iv) that it be noted that a further report would be brought to the Executive for a final decision on the redevelopment of Hay Lane and Grove Park school sites.

25. **Wembley Park Academy: award of Design & Build (D&B) contract and entry into a development agreement (DA) with Ark**

At their meeting of 15th December 2008 the Executive gave approval, to the draft Final Business Case with authority being delegated to the Director of Children and Families, in consultation with the Director of Finance and Corporate Resources to approve the final business case for onwards submission to Partnership for Schools (PfS). This report updated members on progress since December 2008 and seeks approval to the award of the D&B contract to Willmott Dixon Construction Limited (Willmott Dixon) and the entering into a Development agreement with Ark.

The Director of Children and Families advised that meetings had taken place with the Mayor of London for discussions and requests for more green areas had been agreed and revised plans submitted. The new green roof could cost a substantial amount however it was the intention to keep within the contract framework. The Director of Children and Families also advised that during the planning discussions the GLA had indicated the possible need of a one-off payment of £400,000 in the future should the transportation required from Stonebridge and Harlesden areas be more than the existing capacity of buses. This would be funded from budget provision in future years.¹

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:

¹ as amended at 15 June 2009 meeting

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 award the Design and Build contract for the construction of the Academy to Willmott Dixon subject to
 - (a) Granting of planning permission
 - (b) Approval of Final Business Case (FBC)
- (ii) that approval be given to enter into the Development Agreement for the construction of the Academy with ARK.

26. **Appointments to Committees 2009/10**

RESOLVED:-

That the following appointments be approved:

Highways Committee

D BROWN	Lorber	Allie
MATTHEWS	Allie	Sneddon
WHARTON	Sneddon	Lorber
DETRE	Blackman	Colwill
VAN COLLE	Colwill	Blackman

London Councils Grants Committee (Associated Joint Committee)

COLWILL	Detre (Deputy)
	Blackman (Deputy)
	Van Colle (Deputy)

27. **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 the Local Government Act 1972 namely:

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

28. **Final terms for the Sale of Granville New Homes to Brent Housing Partnership**

At its meeting on 15th December 2008, the Executive agreed to dispose of Granville New Homes to Brent Housing Partnership. The report from the

Director of Housing and Community Care report highlighted changes to the circumstances surrounding the disposal and sought agreement to revised terms for the final deal.

RESOLVED:-

- (i) that it be noted that BHP has revised its offer for Granville New Homes, to take account of changes in financial circumstances, following more detailed work, including liability for Stamp Duty Land Tax;
- (ii) that agreement be given to the disposal of Granville New Homes together with 45 one-bedroom properties to Brent Housing Partnership (BHP) at the price set out in paragraph 4.3 of the report from the Director of Housing and Community Care on the terms agreed by the Executive in December 2008 except as amended by the report;
- (iii) that the District Valuer's assessment of the revised BHP offer in appendix 1 of the report be noted;
- (iv) that authority be delegated to the Director of Finance and Corporate Resources to agree the final loan sum to be provided to BHP, at an amount set out in paragraph 5.6 of the report, and the term over which the loan will be repayable, subject to the following conditions:
 - (1) the loan sum will relate only to costs directly attributable to this scheme
 - (2) the loan is seen to be affordable to BHP and that the agreed loan repayment schedule is substantiated within the overall business case model, and
 - (3) the final agreement to provision of the loan remains within the best interests of the council (paragraphs 5.1 to 5.6).
- (v) that authority be delegated to the Director of Finance and Corporate Resources to agree the final terms and conditions of the loan and subsequently to revise terms or cancel the loan, if deemed appropriate and provided there are no adverse financial implications for the council (paragraphs 5.1 to 5.6);
- (vi) that BHP be offered a 99 year lease for 45 one-bedroom properties to be let at market rents, in order to support the servicing of the loan debt (paragraphs 6.1 to 6.5);
- (v) that approval be given to market rented units being let on the open market, with the Director of Housing and Community Care having authority to negotiate alternative target letting groups, as needs change (paragraph 6.4);
- (vi) that approval be given to action taken by officers in granting a rent-free Licence to Occupy the Tabot Centre for 12 months and

authorise officers (on expiry of this short term licence to occupy) to enter into a long term lease for a period and on terms to be approved by the Head of Property and Asset Management (paragraphs 12.1 to 12.3);

- (vii) that agreement be given to the council taking a leaseback of the Tabot Centre (simultaneously with the transfer of the freehold of Granville New Homes to BHP) for a lease period of 99 years and on such terms as approved by the Head of Asset and Property Management (paragraphs 12.1 to 12.3);
- (viii) that it be noted that Settled Homes Initiative funding would not be available to support the GNH business plan (paragraph 7.1);
- (ix) that it be noted that BHP is unable to offer opportunities for tenants to purchase their homes under the Social Homebuy scheme and would not therefore be making a bid and that members approve the provision by BHP of a contractual right to buy, with the Director of Finance and Corporate Resources having authority to agree whether any receipts gained by BHP be used to offset their loan debt or be used in other supply-generating housing schemes;
- (xii) that approval be given the offer document and tenancy agreement to be used by BHP for GNH including the contractual right to buy, the indicative rents and service charges and rent convergence period, noting that ground 8 for possession will not be retained and will be removed from the draft documents attached (paragraphs 9.1 to 9.6 and appendix 2);
- (xiii) that approval be given to the extension of the 'relocation package' to the second priority area within the South Kilburn Master Plan, as set out in paragraph 9.6 of the report;
- (xiv) that approval be given to meet BHP's staffing and administrative costs in decanting tenants into GNH, to a maximum amount as set out in paragraphs 8.1 and 8.2 of the report.

The meeting ended at 7.50 pm.

P LORBER
Chair