



# LONDON BOROUGH OF BRENT

## MINUTES OF THE EXECUTIVE Wednesday, 23 June 2010 at 7.00 pm

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

ALSO PRESENT: Councillors Cummins and Sheth

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

None.

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

RESOLVED:-

that the minutes of the previous meeting held on 12 April 2010 be approved as an accurate record of the meeting.

### 3. **Order of business**

The Executive agreed to change the order of business to take earlier in the meeting those items for which members of the public were present.

### 4. **Deputation - Main programme grant - funding for organisations providing Regeneration, Crime and Community Safety Services (3 year funding)**

Martin Redston addressed the meeting on behalf of Brent Arts Council which operated from the Stables Gallery in Gladstone Park. The organisation provided arts facilities for the borough including exhibitions throughout the year and off site activity and received a small grant of £10,000 which was used to fund operational costs including security, printing and postage. Mr Redston stated that as requested, they had submitted their application for three year funding under the regeneration theme however he felt that the resultant report before members contained a number of inaccuracies. Mr Redston stated that a decision not give a grant to Brent Arts Council would mean that the organisation would cease to function from Stables Gallery resulting in the closure of the building leaving it at risk of vandalism. He urged the Executive to defer the report for more detailed consideration following consultation.

### 5. **Main Programme Grant - funding for organisations providing Regeneration, Crime and Community Safety Services (3 year funding)**

Councillor R Moher, in introducing the report, responded to the deputation earlier in the meeting from Martin Redston (Brent Arts Council). She referred to the approach introduced by the previous Administration to fund on a three yearly basis, on themes linked to service priorities from the Corporate Strategy. The aim was to help organisations previously not in receipt of grant funding to be encouraged to apply. Councillor Moher added that the decision on grant funding was due to have been taken earlier in the year however the new Administration had decided to adopt the theme approach as an interim measure pending agreement on a new strategy. A capacity building fund had been started and more money should be available for arts in Brent. Councillor Moher concluded the funding process to be fair and each application had been considered on merit based on the theme. Councillor Moher proposed that the recommendations in the report be adopted.

Councillor John (Leader of the Council) contributed that grant funding levels had been unchanged for a number of years and there was no possibility of a budget increase particularly in the light of recent central government public sector spending cut announcements. It was only open to the council to decide on how the limited funds could be distributed. Previous themes for the first two years were children and young people and now regeneration, crime and community safety. A third theme would now have to be decided by the new Administration. Councillor Powney (Lead Member, Environment, Planning and Culture) commented that the theme based approach allowed all organisations to be assessed by the same criteria and it would not be fair to give special treatment to a few. The Executive noted that organisations unsuccessful this time, could apply in the following year. Brent Arts Council were advised to approach the voluntary sector team for advice.

The Executive agreed the recommendations.

RESOLVED:-

- (i) that the schemes and funding allocations recommended in paragraph 3.16 of the report from the Director of Housing and Community Care be noted and approved, the allocations to be made from 1 July 2010 until 31 March 2013;
- (ii) that officers' individual assessment reports for all the organisations that applied for funding detailed in Appendix E be noted, as summarised with officers' recommendations and set out in Appendix D of the Director's report;
- (iii) that all funding be made subject to the council's grant conditions and that each organisation approved, sign an agreement with the council, stating the purpose of the grant and expected outcomes before funding is released;
- (v) that it be noted that an exit fund of approximately £48,908 will be created for organisations previously funded from the MPG but were unsuccessful in their bid for the new fund;
- (v) that in cases where an organisation either declines their grant during the funding period or the grant is withdrawn for performance reasons, that the decision to re-allocate the fund be delegated to the Director of Housing and Community Care.

## 6. **Appointment to Committees 2010/11**

- (i) that approval be given to the following appointments:

**LONDON COUNCILS GRANTS COMMITTEE (ASSOCIATED JOINT COMMITTEE)**

|                |  |
|----------------|--|
| <b>R MOHER</b> | Arnold (Deputy)<br>Butt (Deputy)<br>Jones (Deputy) |
|----------------|--|

- (ii) that the following appointments of members, chair and vice chair to the Highways Committee by the Leader of the Council be noted:

**HIGHWAYS COMMITTEE**

|                    |         |
|--------------------|---------|
| <b>BESWICK</b>     | John    |
| <b>BUTT</b>        | Arnold  |
| <b>JONES</b>       | R Moher |
| <b>J MOHER (C)</b> | Thomas  |
| <b>POWNEY (VC)</b> | Crane   |

7. **Award of contract for construction of Kingsbury intergenerational children's centre**

The report from the Director of Children and Families outlined the services for children and families that would be offered from the proposed Kingsbury Intergenerational Children's Centre. It explained the background to the centre proposal which now included a Phase 3 Sure Start Children's Centre, facilities for Extended Services for children and young people and accommodation for the Kingsbury Early Intervention Locality Team. The Lead Member for Children and Families, Councillor Arnold, in introducing the report stated that approval in principle was being sought at this stage as it was unclear if collocation funding was secure and also as the application would need to be resubmitted for planning permission. Councillor J Moher (Lead Member, Highways and Transportation) expressed a wish that the new centre would serve residents in areas of Fryent and Kingsbury wards and asked that it be widely publicised.

The recommendations in the report were approved.

RESOLVED:-

- (i) that approval in principle be given to the development of the Kingsbury Intergenerational Children's Centre (as described in the report from the Director of Children and Families) on the site of Kingsbury High School;
- (ii) that approval be given to the submission of a revised planning application for that scheme.

8. **Award of building contract for the extension work at Sudbury Primary School**

The report from the Director of Children and Families requested approval for the award of a contract in relation to the construction works at Sudbury Primary School. The contractor was from the IESE (Improvement and Efficiency South East) Buildings Work-stream Construction Framework and the works would involve part

newbuild and part remodel and refurbishment of existing buildings to provide additional capacity at Sudbury Primary School to enable them to accommodate an expanded 4FE [840 children from Year R to Year 6 plus a Nursery] Primary School. Councillor Arnold, in recommending approval of the proposal, referred to the current pressure on school places and the Executive noted that the project would be completed in time for the 2011 intake.

The Executive also had before 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 approval be given to the award of a contract for pre-construction services to Morgan Ashurst in relation to the construction works at Sudbury Primary School;
- (ii) that approval be given to the award of a contract to Morgan Ashurst, with a maximum sum stated in the report from the Director of Children and Families, for the construction works at Sudbury Primary School to provide part new build accommodation and part remodel (and refurbishment) of the existing buildings.

#### **9. Brent Local Development Framework - adoption of the core strategy**

Councillor Powney (Lead Member, Environment, Planning and Culture) asked the Executive to recommend to Full Council on 12 July the adoption of Brent's Core Strategy, as submitted to the Secretary of State in September 2009. The Planning Inspector had recommended a number of changes which were binding on the council and which Councillor Powney summarised to the Executive. He stated that it was now for the Executive to endorse the Core Strategy and to refer it to Full Council for adoption.

RESOLVED:-

that Full Council be recommended to adopt the Core Strategy, as submitted to the Secretary of State and incorporating the changes recommended by the Inspector, and set out in Appendix 1 of the report from the Director of Environment and Culture.

#### **10. Enforcement of moving traffic and parking contraventions by means of CCTV cameras**

The report from the Director of Environment and Culture provided the Executive with an update following approval in principle on 16 March 2009 for officers to arrange the transfer of powers to the Council for the enforcement of moving traffic contraventions (MTCs), as listed in Appendix A of the Director's report.

Councillor J Moher (Lead Member, Highways and Transportation) in introducing the report reminded the Executive that the proposal had been agreed in principle by the previous Administration and now needed to be referred to Full Council for adoption. Introduction would be phased and staff trained to monitor. Approximately 20 local authorities have already introduced the scheme. While there would be introductory costs, the scheme was expected to be a source of income after years two and three. The scheme would be subject to regular review.

Questions were raised on the costs of the proposals including whether the statutory agencies previously involved in this work would be helping to meet the council's costs, how to manage service utilities that cause congestion and whether the council would be reimbursed for court costs.

The Executive agreed the recommendations

RESOLVED:-

- (i) that a resolution be placed before Full Council seeking approval for the transfer of powers to the Council from the Metropolitan Police to enforce moving traffic contraventions, as is required by the London Local Authorities and Transport for London Act 2003 and that 1 January 2011 be the date from which the Borough will take on these powers;
- (ii) that officers be authorised to carry out all necessary steps to enable the borough council to begin enforcement on 1 January 2011 in accordance with the Code of Practice for operation of CCTV enforcement cameras in the London Borough of Brent;
- (iii) that the full set-up costs of introducing the CCTV enforcement of MTCs (£1,104,000) be funded through prudential borrowing (as referred to in paragraph 8.2 of the report from the Director of Environment and Culture), the costs of which will be met from income generated by the scheme;
- (iv) that the scheme be monitored from the appointed start date and that a review be carried out following six and twelve months of operation;
- (v) that the Head of Transportation be authorised to enter into such agreements or arrangements as he sees fit for the enforcement of MTCs referred to in Appendix A of the Director's report which occur on those parts of boundary roads which fall within the areas of neighbouring boroughs.

## 11. **Main programme grant funding 2010/2011**

The report from the Director of Housing and Community Care provided the Executive with details of local voluntary organisations that have applied for renewal of their one year funding from the Council's Main Programme Grant (MPG) for 2010/11. In November 2008, the Executive agreed that each year a grant would be provided to currently funded organisations not affected by the new three-year funding programme. The groups recommended in the Director's report have been in receipt of the MPG for some time and pending the change in the funding process, would continue to receive funding until they were eligible to apply for the new three-

year programme. The report provided details of the funding that will be renewed for 2010/11.

RESOLVED:-

- (i) that approval be given to the allocation of the Main Programme Grants for 2010/11 as summarised in Appendix A and detailed in individual reports attached as Appendix B to the report from the Director of Housing and Community Care;
- (ii) that it be noted that the funding recommendations would commence on 1 July 2010;
- (iii) that all funding made be subject to the Council's Grant Conditions, and that the funding be subject to each organisation agreeing and abiding by a statement of purpose with the Council;
- (iv) that it be noted that of the 12 organisations that previously received funding in 2009/10, 11 have re-applied. One organisation did not re-apply and therefore has not been recommended for the grant. Another organisation also applied for the three-year funding and has been recommended and therefore its one-year grant has not been recommended.

12. **Amendment to Housing and Social Care Non HRA PFI project - authority to award Phase 2 of contract report**

The report from the Director of Housing and Community Care notified the Executive of an amendment that was required to be made to a recommendation approved by members in relation to the Housing and Social Care Non HRA PFI Project at the meeting of the Executive held on 15 March 2010. The Executive was asked to give approval to the number of units to be delivered under Phase 2 of the PFI scheme.

RESOLVED:

- (i) that the revised total of units to be delivered at Phase 2 of the scheme is **169 units** instead of the 165 units that were reported to members in the report presented on 15 March 2010;
- (ii) that the revised total of 169 units at Phase 2 of the scheme be agreed, taking the total units for Phase 1 and Phase 2 to 384 as set out in paragraph 4.6 of the report submitted to the Executive on 15 March 2010.

13. **Brent Council becoming a national beacon of diversity best practice**

Councillor Jones (Lead Member, HR and Diversity, Local Democracy and Consultation) introduced the report which set out the council's aspiration to become a beacon of diversity best practice and achievements to date. Councillor Jones stated that the council was in a good position to become a beacon and that with the demise of the Comprehensive Area Assessment it would be even more important to have a monitoring regime. She recommended endorsement of the approach and agreement to the assessment.

- (i) that the report be noted;
- (ii) that the eight key indicators which will ensure that Brent Council becomes a national beacon of diversity best practice be endorsed;
- (iii) that as part of achieving our aspiration for Brent Council to become a national beacon of diversity best practice, the five stage approach to meeting the EFLG assessment be endorsed.

#### 14. **South Kilburn Regeneration - next steps**

The report from the Directors of Policy and Regeneration and Housing and Community Care summarised the progress made since February 2010 on the regeneration of South Kilburn, and set out proposals for building on the momentum established by the Council over the past year. Specifically the report set out proposals for re-investing the capital receipts secured through the advance stages of South Kilburn's regeneration, as agreed by the Executive in February 2010. Councillor Crane (Lead Member, Regeneration and Economic Development) reminded the Executive that this was a much needed project and that agreement was required for the compulsory purchase of properties and the next phase of planning permission. He referred to proposals for a Healthy Living Centre in partnership with GPs and the NHS which would be an important part of the scheme. Capital receipts to be generated would be used to repay the debt and end interest incurred.

The Executive welcomed the report.

The Executive also had before them appendices to the report which were not for publication as they 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 progress made on the South Kilburn Regeneration project as set out in the report from the Directors of Policy and Regeneration and Housing and Community Care be noted;
- (ii) that the remainder of Phase 1 of the regeneration proposals be progressed in line with the overall phasing strategy, incorporating the redevelopment of Cambridge Court, Wells Court, Hicks Bolton House, Bond House and Ely Court;
- (iii) that it be noted that officers were working with the Homes and Communities Agency to prepare a short, medium and long term investment strategy for South Kilburn;
- (iv) that officers progress a detailed planning application for Cambridge Court (Zone 6i) and Wells Court (Zone 6D) for approximately 105 new homes;

- (v) that officers progress a detailed planning application for the Ely Court site (Zones 6iii and 6iv);
- (vi) that officers progress a detailed planning application for the Bond House and Hicks Bolton House sites (Zones 13N and 13S);
- (vii) that it be noted that the new social rented housing developed as part of the above sites has the primary purpose of delivering decant accommodation for residents from blocks within Phase 2 of the regeneration programme;
- (viii) that officers be authorised to begin the procurement process to assemble an EU compliant framework of prospective developer partners to bring forward the remaining Phase 1 sites, and future Phase 2 and 3 sites;
- (ix) that approval be given to the assessment criteria set out in paragraph 3.24 of the Directors' report which will be used to select prospective development partners for inclusion on the framework;
- (x) that approval be given to the making of compulsory purchase orders (CPOs) to acquire (a) the leasehold interests listed in appendix 2 of the Directors' report (the CPO Land) and (b) any new rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976;
- (xi) that approval be given to the submissions 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;
- (xii) that approval be given to:
  - (a) the Director of Housing and Community Care entering 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;
  - (b) the 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;
  - (c) the service of all requisite notices on the holders of the CPO Land relating to the making and confirmation of the CPOs;
  - (d) the Director of Housing and Community Care removing 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);

(e) the Director of Housing and Community Care within the defined boundary of the CPO Land, acquiring 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;

(f) the Director of Housing and Community Care, if so advised, seeking 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.

- (xiii) that approval be given to enter into a legal agreement with the South Kilburn Neighbourhood Trust (SKNT) requiring the repayment to SKNT of New Deal for Communities (NDC) Grant of up to £2.5m in 2009/10 and 2010/11 used to fund leaseholder buy backs in the next demolition phase of the South Kilburn redevelopment programme;
- (xiv) that the proposals set out in paragraphs 3.9-3.13 of the Directors' report to establish a consistent, effective and efficient approach to neighbourhood management in South Kilburn be noted;
- (xv) that authority be delegated to the Director of Housing and Community Care in consultation with the Lead Member for Housing and Customer Services, to agree the proposed allocation policy for phase 1 as set out in Appendix 1 to the Directors' report or with such amendments as he sees fit following consultation with residents and stakeholders.
- (xvi) that approval be given to the ongoing community engagement and consultation approach set out in paragraphs 3.29-3.33 of the Directors' report;
- (xvii) that the Director of Housing and Community Care be authorised to seek the Secretary of State's consent to the disposal and redevelopment of phase 1 sites on 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.

## 15. **Code of Corporate Governance**

The report from the Director of Finance and Corporate Resources and the Borough Solicitor sought approval from the Executive for the adoption of a new Code of Corporate Governance.

RESOLVED:-

that the Code of Corporate Governance as appended to the report from the Director of Finance and Corporate Resources and the Borough Solicitor be adopted.

**16. Authority to Award a contract for Office Supplies**

The report from the Director of Business Transformation requested approval to award a contract in the form of a call off contract from a framework agreement established by the London Contracts and Supply Group for office supplies. The report detailed briefly the procedure followed leading to the award of the framework agreement and why there has been a decision to call off from the framework agreement.

RESOLVED:-

that approval be given to the award of the contract for office supplies to Office Depot (UK) Ltd for a term of 3 years 9 months commencing on 1 July 2010.

**17. National non domestic rate relief and hardship relief**

The Council has the discretion to award rate relief to charities or non-profit making bodies. The report from the Director of Finance and Corporate Resources included applications received since the Executive last considered relief in December 2009. Councillor Butt (Lead Member, Resources) advised that the applications all met the criteria and funding could be met from within budget provision.

RESOLVED:-

that approval be given to the discretionary rate relief applications as set out in appendices 2, 3 and 4 of the report from the Director of Finance and Corporate Resources.

**18. Reference of item considered by Forward Plan Select Committee (if any)**

None.

**19. Any Other Urgent Business**

None.

The meeting ended at 7.35 pm

A JOHN  
Chair