



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 16 September 2013 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors A Choudry, Crane, Denselow, Mashari, McLennan, J Moher and Pavey

Also present: Councillors Cheese, Hashmi and Van Kalwala

Apologies for absence were received from: Councillor Hirani

1. Declarations of personal and prejudicial interests

None made.

2. Minutes of the previous meeting

RESOLVED:

that the minutes of the previous meeting held on 19 August 2013 be approved as an accurate record of the meeting.

3. Matters arising

None.

4. Order of business

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

5. Deputation - funding to develop community based meals on wheels

With the consent of the Executive, Dr Calderbank (on behalf of Brent Fightback) addressed the meeting about the proposals in the report from the Acting Director of Adult Social Services to cease the provision of a council meals-on-wheels service and to replace it with services provided by community organisations. Dr Calderbank expressed concern at the possible reduction in care for the elderly and vulnerable clients, the impact on the providers in terms of redundancies, reliance on unpaid volunteers, reliability of service and any sanctions and alternative arrangements in place in the event of service failures. He also questioned arrangements in place for on-going monitoring to ensure that standards were maintained. Dr Calderbank drew attention to complaints over the absence of puddings which had been addressed and questioned why the council was proceeding with the scheme in the light of the

findings from the pilot. He regretted the intention to leave charitable organisations to bridge funding gaps.

Mr Graham Durham speaking on behalf of Brent NHS Patients Campaign, while supporting the work of community organisations, also questioned the reliance on volunteer staff and noted that new employment opportunities were now not likely to come back to the borough at the end of the previous contract. Mr Durham drew attention to the complaints particularly about food quality and the lack of puddings and also plans for presentation of meals. He stressed the need for strong contract compliance given the number of contractors involved and questioned the basis of cost savings reminding the Leader of his commitment to London living wage. He felt that it was possible that not all clients would be comfortable in having their food delivered by an organisation with a spiritual background.

The Chair thanked the speakers for their contributions.

6. Funding to develop community based meals on wheels

Phil Porter (Acting Director of Adult Social Services) introduced the report which described a proposal to cease the provision of a Council meals-on-wheels service, and set out progress made to date on developing and facilitating transition to service users being sign-posted to community organisations able to provide such services.

The report also set out the current meals on wheels budget, and provided an illustration on the projected savings from this service restructure over the next two financial years. The report sought approval to proceed with the transition to this model of meeting service users' needs. Phil Porter stated that the driver for the proposals was to improve services and to increase independence and control, working with the community. He acknowledged the complaints made but put that from the pilot, the majority were happy with the service. Service provision had been timely and contact made with the clients. He assured that no changes would be made without a review of individual needs assessing capacity and support networks and contingency plans would be in place. Phil Porter acknowledged there would be challenges but the council would work with providers and social workers would help resolve problems. He also referred to the council's commitment to pay London Living Wage and difficulties in making this a contractual requirement. Savings would be made but there was potential for a better service and contingency plans were in place. Puddings would be available for purchase. The council would be taking on the role of facilitator and empowerment clients while ensuring they were safe, not exploited and had their preferences respected.

Other members of the Executive put forward their experience of community provision. Councillor Mashari referred to visits to Cricklewood Homeless Concern and had been impressed by the standards and quality of service. Additionally, an advantage was some providers were located close to residents and, in some cases, a close relationship already existed. She felt that cultural and personal preferences would be better catered for.

Councillors Pavey and Denselow raised questions on arrangements in place for customers to change their provider and also, bearing in mind the vulnerability of clients what sanctions were in place to protect clients. Phil Porter assured that

organisations such as Elders Voice would assist and support, food standards would be assessed during reviews and the core contract specified the range of requirements. The council would work with providers but the prime concern was the safety of the community and ensuring they get their meals.

The Chair, Councillor Butt (Leader of the Council) expressed support for the proposals which would deliver an improved service for residents and also savings for the council. He thanked the presenters for their contributions whose concerns would be taken into account.

RESOLVED:

- (i) that the progress made to date in developing a market within the community, for the provision of meals to vulnerable individuals through developing a network of providers who will contract directly with the individual to provide meals be noted;
- (ii) that the progress made to date in informing service users of the proposed change and beginning to shift service users into services with community-based providers be noted;
- (iii) that approval be given to the cessation of a council meals on wheels service;
- (iv) that approval be given to the development of a community directory of local providers for service users to choose from, whilst allowing scope for service users to make their own choices and spend their money (including, possibly direct payments to assist with the cost of delivery) on alternative meal options;
- (v) that approval be given to the process of reviewing the care needs of all those who currently receive a meals on wheels service so that effective care plans can be set up to ensure that, notwithstanding the termination of the contract with *Apetito*, we continue to fulfil our statutory duty. This may include facilitating individuals, unable to access community resources independently, to receive a meal in their home via a direct payment of £3.50 towards the 'transactional costs' of food delivery and preparation. (As is required currently any individual will be required to make a £3.50 client contribution towards each meal);
- (vi) that proposals for Adult Social Services to procure an emergencies and major incidents meals service to provide hot meals to rest centres where there is a need for these to be provided following a major disaster or other emergency situation, pending the termination of the *Apetito* contract be noted;
- (vii) that the meals on wheels budget and savings projections be noted.

7. Deputation - lease disposal: land adjacent to 19 Dudden Hill Lane and 290 High Road, Willesden

Mr Mistry (Brent Indian Community Centre) and Mr Clive Newman (local resident) addressed the Executive concerning proposals in the report from the Strategic

Director of Regeneration and Growth to regenerate land adjacent to 19 Dudden Hill Lane as part of development for a table tennis centre, to be provided by the charity Greenhouse, with residential accommodation. Mr Mistry felt that BICC, the adjacent land owner, had not been adequately consulted and was disappointed that plans they had submitted, were not being progressed and their investment wasted. Mr Newman also referred to what he considered to be on-going negotiations and at having their proposals rejected. He felt the report was misleading and he had written separately to members. Mr Newman and asked for consideration to be deferred to allow a proper discussion.

David Whittington acting for Greenhouse, advised that he had been in discussion with the council about community investment and a sporting facility for young people. The site was in disrepair and the new premises would be a state-of-the-art sporting facility with a landmark entrance. He referred members to the aims of the charity as set out in the Director's report and assured that community consultation would be a fundamental part of the proposals.

The Chair thanked the presenters for their contributions.

8. Lease disposal - land adjacent to 19 Dudden Hill Lane and 290 High Road, Willesden

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report before the Executive on the future of land adjacent to 19 Dudden Hill Lane and responded to concerns heard earlier in the meeting from adjacent property Mr Mistry speaking for adjacent property owner Brent Indian Community Centre and also Mr Clive Newman.

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).

Councillor Crane reminded the Executive of the history of the site which had always been difficult to manage and the opportunity from Greenhouse to invest in young people, many of whom were disadvantaged. The facility could also be used by schools and the wider community. Councillor Crane acknowledged the informal use of the site by BICC would have to cease should the scheme progress hence on-going discussions. He referred them to the financial implications set out in the appendix to the report and the significant investment which would provide a welcome boost for the area.

Councillor R Moher (Deputy Leader, Lead Member) commended the work of the Greenhouse with Wembley High School children. The coaches had been much appreciated and there had been a positive impact on education which had benefitted the wider community. The project would also make a positive contribution to the healthy borough programme. Councillor Choudry (Lead Member, Crime Prevention and Public Safety) echoed concerns over the lack of consultation and Councillor Crane clarified the area which was under consideration and drew attention to the detailed information in the appendix to the report.

The Chair (Councillor Butt, Leader of the Council) restated the wish that the proposal would be a catalyst for development in the area. He referred to concerns expressed earlier in the meeting which would also be taken into account during the consultation exercise and drew members' attention to the information set out in appendix to the report which was not for publication.

He thanked Mr Mistry and Mr Newman for their contributions.

RESOLVED:

- (i) that approval be given to a sale by private treaty with Greenhouse Charity;
- (ii) that officers negotiate and enter into an agreement for a lease on the subject lands, as set out in the plan attached to the report from the Strategic Director of Regeneration and Growth to enable the construction of a table tennis centre with, if required, residential development;
- (iii) that on satisfactory completion of building works, the council enters into a lease of up to 250 year lease subject to negotiation with Greenhouse Charity in accordance with the terms set out in the confidential Appendix to the report from the Strategic Director of Regeneration and Growth;
- (iv) that authority be delegated to the Operational Director Property and Projects to agree such terms that are in the best interests of the Council;
- (v) that officers advertise (at the appropriate time) the proposed letting of public open space (as set out in paragraph 5.3 of the report from the Strategic Director of Regeneration and Growth) under Section 123 of the Local Government Act 1972 and if, in the opinion of the Operational Director Property and Projects, there are significant objections to report back to the Executive for it to consider;
- (vi) that it be noted that the Brent Indian Community Centre (BICC) have enjoyed informal use of an adjacent play area, the Greenhouse proposal would terminate such arrangement and officers will involve BICC in future consultation;
- (vii) that it be noted that due to the emerging Housing Revenue Account Growth Strategy the site has been forwarded to them to appraise, should a feasible option come forward then members will be provided with a verbal update.

9. Extra Care Sheltered Housing Scheme Management Grant

The report from the Directors of Adult Social Care and Regeneration and Major Projected requested that the Executive authorise the award of a grant for the purpose of providing scheme management within local extra care services. Phil Porter Acting Director of Adult Social Services reminded the Executive of the background to the scheme stating that consideration was now to be given to a revised proposal. There would be an annual review of the grant which was for four years.

RESOLVED:

that approval be given to the award of a four year grant of £84,864 p.a. to Willow Housing and Care for the provision of the housing support element of extra care scheme management to the occupiers of 136 extra care units.

10. Statutory consultation on proposed changes to Business Permits

The report from the Strategic Director of Environment and Neighbourhoods summarised the representations received from the statutory consultation process following the proposed changes to business permits agreed on 19 September 2012 and made recommendations in relation to the issues raised during the consultation process. Councillor J Moher (Lead Member, Highways) acknowledged the increase which was considered to be relatively minor in comparison to other boroughs and the retail price index.

RESOLVED:

- (i) that the representations received in relation to the notices of proposals dated 9 May 2013 and 6 June 2013 and summarised in section 5.0 of the report from the Strategic Director of Environment and Neighbourhoods be noted;
- (ii) that approval be given to the proposals previously agreed by the Executive on 19 September 2012 in the report entitled "Parking Service Simplification and Pricing" and further summarised in section 4.1 of the report without change;
- (iii) that officers be authorised to proceed with the implementation of the proposals set out in Section 4.1 of this report as previously agreed by the Executive on 19 September 2012.

11. Stonebridge redevelopment proposals including primary school expansion and the Stonebridge Day Centre

The subject land was detailed in Appendices 1 and 2 of the report from the Strategic Director of Regeneration and Growth, and comprised the former Stonebridge Day Centre currently Stonebridge Primary School Annexe, Stonebridge Primary School including the Welsh School and adjoining lands including the Adventure Playground and Stonebridge Open Space. The report set out redevelopment proposals, as per the Urban Initiatives options and capacity study (Appendix 3) and South Studio RIBA stage A & B options and capacity study (Appendix 4) which indicated what could be achieved. Councillor Crane (Lead Member, Regeneration and Major Projects) advised that discussion would take place on the future use of the day centre. A further report would be submitted should sufficient capital funding not be raised from property sales. Further consultation would also be required on the future of the Welsh School and a review conducted into the management and operation of the nearby playground.

RESOLVED:

- (i) that approval be given to the following the principles of redevelopment:

- that the existing Stonebridge Day Centre be redeveloped to provide new housing
 - that the listed Stonebridge Primary School be permanently expanded from two Forms of Entry (2FE) to three Forms of Entry (3FE) accommodating 'bulge classes' currently located at Stonebridge Day Centre – subject to School Governing Body consent
 - that the existing Adventure Playground be re-planned and improved
 - that the Stonebridge Open Space be re-planned and improved
 - and that residential development is brought forward in order to better utilise the lands
- (ii) that public consultation and negotiation be undertaken on the development proposals with local stakeholders in particular, the managers of the Adventure Playground, the Welsh School and the Secretary of State in relation to land adjacent to Stonebridge Primary School;
- (iii) that approval be given to the disposal of the surplus former Stonebridge Day Centre and of any new housing land as indicated in Appendices 1 and 2 of the Director's report;
- (iv) that authority be delegated authority to the Operational Director Property and Projects, to agree the detailed terms of the disposal transaction(s) in conjunction with the Director of Finance and Corporate Services;
- (v) that it be noted that, subject to confirmed scheme costs, there could be a requirement for additional funding. If this is required there will be a separate report to Executive. This could be met from the potentially increased receipt from the Day Centre over and above that included in the capital disposals programme;
- (vi) that approval be given to the Stonebridge Open Space being taken as a contribution toward the funding of overall redevelopment scheme proposals.

12. Residential leasehold property strategy

Councillor McLennan introduced the report which recommended the use of the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993 by the Council to carry out a rolling programme of enfranchisements in line with the Council's draft HRA Asset Management Strategy, utilising the enfranchisement pot to fund the programme. The Executive noted that enfranchisement was the process by which the council could seek to buy the freehold interest outright or purchase an extended lease term in relation to residential leasehold properties which the council owned for a defined period of time under long leases.

RESOLVED:

- (i) that approval be given to the proposed residential leasehold enfranchisement strategy, under the approach set out in paragraphs 3.31 to 3.34 of the report from the Strategic Director of Regeneration and Growth which recommended a combination of options for dealing with the council's fixed term residential leasehold interests;

- (ii) that approval 'in principle' be given to the recycling of capital receipts arising from the disposal of leasehold properties that are surplus to requirement into the enfranchisement pot;
- (iii) that approval 'in principle' be given that where the council was the freeholder and where the leaseholder was exercising his or her enfranchisement rights to buy the freehold or a lease extension, that these capital receipts be also recycled into the enfranchisement pot;
- (iv) that approval 'in principle' be given that that where the available funding in the enfranchisement pot potentially delays or prevents the council being able to carry out enfranchisements, that such costs be met directly from HRA Resources;
- (v) that it be noted that officers shall produce a report for the Executive on individual property transactions where the prescribed delegated authority limit of the Operational Director of Property and Projects was exceeded;
- (vi) that it be noted that the council owns the leasehold interest in two large blocks consisting of approximately 65 flats. The lease has 54 years remaining and officers are investigating the option of extending the lease. A separate report will be produced for the Executive on the recommendations once the options have been considered with BHP and discussions with the parties holding superior interests have taken place.

13. **National Non-Domestic Rate Relief – review of policy**

The Council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The award of relief was based on policy and criteria last agreed by the Executive in 2008. Councillor Denselow, in introducing the report, advised that officers had reviewed the current policy and criteria and it was proposed that no amendments be made. It was noted that from 1 April 2013 there have been changes to the financing of the cost of awarding relief and the respective proportions met by the council, the government and the GLA. These changes were part of the broader changes concerning NNDR arising from the new Business Rate retention scheme.

RESOLVED:

- (i) that the policy and criteria for determining entitlement to discretionary rate relief in respect of National Non-Domestic Rates as detailed in Appendix 1 to the report from the Strategic Director of Regeneration and Growth be agreed and to be effective from 1 April 2014 and that this be reviewed every three years;
- (ii) that the changes to the financing of discretionary rate relief as detailed in paragraph 3.8 and 3.9 of the Director's report be noted;
- (iii) that the applications for discretionary rate relief detailed in Appendix 3 of the Director's report be agreed.

14. Performance and Finance 2013/14 quarter 1

The Chair (Councillor Butt, Leader of the Council) introduced the report the purpose of which report was to provide members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. He drew attention to the measures in place to manage the overspend and changes within Children and Families and Adult Social Care to ensure financial targets were met. Mick Bowden commented that the overspend was currently forecast to be lower than in previous years and the Lead Member for resources concurred adding that the revised Borough Plan would lead to better outcomes.

RESOLVED:

- (i) that the Finance and Performance information contained in the report be noted and remedial actions agreed as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and remedial actions agreed as appropriate;
- (iii) that the responsible officers continue to make progress as necessary;
- (iv) that approval be given to the budget virements as set out within the appendix to the report.

15. WLWA Capital Contribution update

On 15 July 2013 the Executive agreed in principle to a capital contribution of up to £15million to the West London Waste Authority (WLWA) in respect of a waste treatment facility being built, in return for an annual interest payment from the WLWA. The report before members provided an update on the loan agreement being developed.

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:

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RESOLVED:

that the latest position on the WLWA capital contribution update be noted.

16. Any other urgent business

None.

17. Reference of item considered by Call in Overview and Scrutiny Committee

None.

The meeting ended at 8.15 pm

M BUTT
Chair