



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 22 April 2013 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors Arnold, Crane, Hirani, Jones, Long, J Moher and Powney

Also present: Councillors Mrs Bacchus, Cheese, Chohan, S Choudhary, A Choudry, Hashmi, Lorber, Mitchell Murray and Krupa Sheth

Apologies for absence were received from: Councillors Beswick

1. **Declarations of pecuniary interests**

None made.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 11 March 2013 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Authority for procurement of community based mental health support**

A review of mental health services confirmed the need to change longstanding structures and test the market and the procurement provided an opportunity to increase focus on outcomes and service user involvement. The contracts for both children and adult services were due to expire and the Clinical Commissioning Group had expressed an interest in being involved. Councillor Hirani reminded the Executive of the commitment to sign up to the Time to Change campaign, designed to display the council's commitment to tackling mental health discrimination and which matched the council's vision to mainstream funding. The Executive noted a further report would be submitted in July.

Phil Porter (Interim Director, Adult Social Services) confirmed that responses to the initial consultation had supported the proposals.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:

- (i) that the findings of the Brent Mental Health Services Review be noted;
- (ii) that officers be authorised to advance communication with the Clinical Commissioning Group (CCG) and other sub-regional partners as set out in paragraph 3.11 and 3.12 of the report from the Interim Director of Adult Social Services;
- (iii) that approval be given to an exemption from the usual tendering requirements of Contract Standing Orders to allow the following of a competitive dialogue process for the good operational reasons set out in the report;
- (iv) that approval be given to the placement of an advertisement asking for potential providers to express interest in participating in a competitive dialogue as set out in paragraph 3.16 of the Director's report;
- (v) that officers carry out service user and community consultations, market research and determine the market readiness for the use of a tender in the form a competitive dialogue, as the first stage in the competitive dialogue process, as set out in paragraph 3.16 of the report;
- (vi) that approval be given to the timetable set out in paragraph 3.17 of the Director's report;
- (vii) that it be noted that a further report would be presented in July 2013 for the purpose of approving the pre-tender considerations as required by Contract Standing Orders, including a final recommendation that a competitive dialogue route will proceed where a favourable response arises from the expression of interest.

5. Annual report on school standards and pupil attainment

The report before the Executive summarised the current position regarding standards in Brent schools and the attainment of our children and young people. In introducing the report, Councillor Arnold emphasised the council's commitment to high performance. She drew attention to the proposed new framework for inspecting schools announced in February and the Brent Ofsted categorisation as at November 2012. Councillor Arnold referred to the proposal to establish an Education Commission, independent of the council to assist in the review of provision in Brent, identifying strengths and areas for development and how resourced. Additionally, Krutika Pau, Director, Children and Families confirmed that regular meetings were taking place of the Brent Schools Partnership, established

by headteachers, which was developing a joint approach to school improvement in the borough.

RESOLVED:

- (i) that the report and the actions being taken to improve standards in schools be noted;
- (ii) that agreement be given to the establishment of an Education Commission to review school provision in the borough with the remit as described in paragraph 13.4 of the report from the Director of Children and Families. Whilst, the Commission will report formally in November 2013, issues for action will be addressed as they emerge.

6. **Travel Assistance Policy for young people**

The West London Alliance (comprising Brent, Hounslow, Ealing and Harrow) has formulated a new joint policy on children's eligibility for travel assistance to be fully in place for implementation in summer 2013. The report before the Executive sought approval for the West London Alliance Eligibility Policy which provided clear criteria for access to transport provision and promoted the adoption of alternative, including independent travel training, reflecting the needs of the individual. The approach accorded with the Adult Social Care 'Promoting Independence' policy agreed in 2012. Councillor Arnold (Lead Member, Children and Families) advised that the policy would provide for a consistent approach across the four boroughs involved. Eligibility would be reviewed annually and scarce resources used wisely.

In response to a question from Councillor Cheese, Councillor Butt (Chair, the Leader of Council) confirmed that the intention of the policy was to standardise provision. The Director of Children and Families replying a question from Councillor Lorber highlighted that the new arrangements introduced an annual review and would help promote independence looking at each child's individual needs.

RESOLVED:

- (i) that the WLA Travel Assistance Policy for Young People Eligibility Policy for access to Council-funded transport for pupils in special schools and other learning centres be adopted;
- (ii) that each pupil receiving transport should have their eligibility reviewed annually.

7. **Authority to tender a contract for information, advice, guidance and support for young people**

The report from the Director of Children and Families concerned the procurement of information, advice, guidance and support for young people to make informed choices about learning and work options known as Connexions Services. The proposed procurement was for the council and also on behalf of schools and further education establishments and the request for approval to invite tenders was as required by the council's Standing Orders. Councillor Arnold (Lead Member, Children and Families) was pleased to report that a relatively low percentage of 16-

18 year olds in Brent were not in education, employment or training however, legislation introduced in 2011 (the Education Act) allowed schools to be able to procure independent careers advice and some were sharing a contractor. A number had chosen to remain with the same contractor but mostly only on an annual basis. Councillor Arnold drew members' attention to the council's statutory responsibilities and to the Equalities Impact Assessment appended to the report.

RESOLVED:

- (i) that the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.11 of the report be approved;
- (ii) that officers invite expressions of interest, agree shortlists, if relevant, and invite tenders in accordance with the procurement timetable and evaluate them in accordance with the approved evaluation criteria referred to in (ii) above.

8. Authority to establish a Dynamic Purchasing System (DPS) for the provision of cleaning services to Brent schools

Councillor Arnold (Lead Member, Children and Families) reminded the Executive that in August 2011 authority had been given to invite tenders for a cleaning framework agreement for the provision of cleaning services to all schools in Brent. Following subsequent discussions it had been agreed that any contract should allow small and local services providers to be able to participate providing the minimum criteria had been met. Councillor Hirani (Lead Member, Adults and Health) suggested that schools be encouraged to use the council's framework.

RESOLVED:

- (i) that approval be given to establish a Dynamic Purchasing system (DPS) for the provision of cleaning services to schools rather than a Framework Agreement (with multiple suppliers) recommended by the previous report;
- (ii) that approval be given to the Pre-Tender consideration set out in section 4 of the report from the Director of Children and Families, and officers authorised to invite providers to apply for admission onto the DPS;
- (iii) that the Head of Procurement appoint new service providers onto the DPS subsequent to them meeting the selection criteria as stated by the Council in the tender documentation as and when required.

9. South Kilburn Regeneration Phase 2

The report from the Director of Regeneration and Major Projects summarised the progress made on the regeneration of South Kilburn and set out the approvals required by the Executive to further progress Phase 2 of the regeneration programme, comprising Site 11b, Phase 2a and Phase 2b. Councillor Crane (Lead Member, Regeneration and Major Projects) reported back on a recent visit with the Leader of the Council to the area where he had observed the high quality of the completed phase 1 and further progress on other phases at varying stages of development including the Albert Road site, Bronte and Fielding House and also

commercial space. He was pleased to draw attention to the Gloucester and Durham Court project which aimed to deliver 214 homes with an energy centre for the South Kilburn neighbourhood heating system and updated on progress towards delivering a Healthy Living Centre within the Peel development. Councillor Crane paid tribute to the work of the South Kilburn team who had played a key role in the transformation of area.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:

(i) *General Recommendations*

that the progress made on the South Kilburn Regeneration Project as set out in the report be noted.

(ii) *Site 11b Recommendations*

(i) that authority be delegated to the Director of Regeneration and Major Projects in consultation with Director of Legal and Procurement to award and enter into a Development Agreement with the preferred developer partner in respect of Site 11b.

(ii) that the sum set out in Appendix 2 (restricted) from the proceeds of the sale of Site 11b be re-invested into the regeneration of South Kilburn, including for the purpose of bringing forward further development sites within the regeneration area.

(iii) that the Director of Regeneration and Major Projects (where the Director of Regeneration and Major Projects in conjunction with the Director of Legal and Procurement consider applicable) be authorised to take the necessary steps to override or where requisite extinguish rights and interests in Site 11b which might otherwise act to constrain the development by:

(a) appropriating the land Site 11b or any part or parts thereof for planning purposes under Section 122 of the Local Government Act 1972 when no longer required for the purpose for which it is currently held

(b) taking any other legal steps as may be necessary to achieve this objective.

(iii) *Phase 2a Recommendations*

(i) that authority be delegated to the Director of Regeneration and Major Projects in consultation with Director of Legal & Procurement to award and enter into a Development Agreement with the preferred developer partner in respect of Phase 2a subject to the Council obtaining vacant possession of

the site and the Secretary of State's consent to the disposal under Section 32 of the Housing Act 1985.

(ii) that the sum set out in Appendix 3 (restricted) from the proceeds of the sale of Phase 2a be re-invested into the regeneration of South Kilburn, including for the purpose of bringing forward further development sites within the regeneration area.

(iii) that the Director of Regeneration and Major Projects (where the Director of Regeneration and Major Projects in conjunction with the Director of Legal and Procurement consider applicable) be authorised to take the necessary steps to override or where requisite extinguish rights and interests in Phase 2a or any part or parts thereof which might otherwise act to constrain the development by:

(a) appropriating the land Phase 2a or any part or parts thereof for planning purposes under Section 122 of the Local Government Act 1972 when no longer required for the purpose for which it is currently held

(b) seeking the Secretary of State's consent under section 19 Housing Act 1985 in order to appropriate any part of the land consisting of a house or part of a house for planning purposes where applicable.

(c) taking any other legal steps as may be necessary to achieve this objective.

(iv) that in exercise of the power granted by the Secretary of State for Communities and Local Government under section 14A of the Acquisition of Land Act 1981, the Bronte & Fielding CPO be confirmed;

(v) that authority be delegated to the Director of Regeneration and Major Projects to carry out all statutory requirements associated with the exercise by the Council of the power granted under section 14A of the Acquisition of Land Act 1981 in connection with the Bronte & Fielding CPO and, thereafter to take all necessary steps to implement the Bronte & Fielding CPO in furtherance of the delivery by the Council of the South Kilburn Regeneration Programme, by acquiring all non-Council-owned interests in the area shown edged red ('the Bronte & Fielding CPO Land') on Plan C attached at Appendix 1 being at and adjacent to Bronte House and Fielding House for the development of the Bronte & Fielding CPO Land, and the compulsory acquisition of such interests shall be effected through the use by the Council of the general vesting declaration ("GVD") process pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981 and/or through the use of the Notice to Treat and Notice of Entry procedure pursuant to the Compulsory Purchase Act 1965, as appropriate and securing possession of secure tenancies by possession proceedings pursuant to Ground 10A of Schedule 2 to the Housing Act 1985.

(iv) *Phase 2b Recommendations*

(i) that officers' intentions, (subject to Director of Legal & Procurement Confirmation that participation in the HCA framework is legally permissible), to progress procurement of a full architectural design team to develop detailed design and specification to RIBA Stage D+ for Gloucester House

and Durham Court as shown edged red on Plan D at Appendix 1, by calling off the Homes and Communities Agency's Multidisciplinary Panel and report back to the Executive following award of contract, be noted;

(ii) that the statutory consultation currently being undertaken with secure tenants occupying properties in Phase 2b on three proposals be noted:

(i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act 1985; (ii) consultation on the Council's proposal to make a CPO on properties in Phase 2b that are currently occupied by secure tenants; and (iii) consultation in connection with a draft Allocation Policy for Phase 2b. Officers will report back to the Executive detailing the outcome of this statutory consultation; and may, depending on the outcome of the consultation and members views on that, seek Executive approval to a) authorise the Director of Regeneration and Major Projects to seek the Secretary of State's consent to the disposal and development of Phase 2b for the purpose of Ground 10A of Schedule 2 to the Housing Act 1985; and b) authorise the final Phase 2b Allocation Policy.

(iii) that approval be given to the acquisition by agreement pursuant to section 227 of the Town and Country Planning Act 1990 and the making of a compulsory purchase order (CPO) pursuant to section 226 Town and Country Planning Act 1990 to acquire all non-Council interests in the area as shown edged red ('the Gloucester and Durham CPO Land') on Plan D and E attached at Appendix 1 being at and adjacent to Gloucester House, Durham Court, Masefield House and Wordsworth House together with any new rights which may be required for the development of the Gloucester and Durham CPO Land under section 13 Local Government (Miscellaneous) Provisions Act 1976.

(iv) that approval be given to the following, namely the:

(i) Making, publication and submission by the Council to the Secretary of State of the CPO, in respect of the Gloucester and Durham CPO Land for confirmation, whilst at the same time seeking to acquire the CPO Land by private negotiated treaty on such terms as may be agreed by the Director of Regeneration and Major Projects;

(ii) Director Regeneration and Major Projects to enter into agreements and give undertakings on behalf of the Council with the holders of interests in the Gloucester and Durham CPO Land or parties otherwise affected by the scheme setting out the terms for the withdrawal of their objections to the confirmation of the CPO and including the offering back of any part of the Gloucester and Durham CPO Land not required by the Council after the completion of the development or the acquisition of rights over the Gloucester and Durham CPO Land in place of freehold acquisition, where such agreements are appropriate;

(iii) Making of one or more 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 CPO be confirmed by the Secretary of State or (if the CPO is unopposed) should the CPO be confirmed by the

Council in the event that the Council is authorised by the Secretary of State to exercise the power conferred by section 14A of the Acquisition of Land 1981;

(iv) Serving on those who have or are reputed to have an interest in, and/or are in occupation of, the Gloucester and Durham CPO Land, all requisite notices relating to the making and confirmation of the CPO and any proceedings relating to the same;

(v) Director of Regeneration and Major Projects to remove, while the CPO is in draft form, and prior to its being made, from the CPO 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 CPO (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) or after the CPO has been made to submit modifications to the Secretary of State;

(vi) Director of Regeneration and Major Projects within the defined boundary of the Gloucester and Durham 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 the CPO;

Director of Regeneration and Major Projects, if so advised, to seek to acquire for the Council any interest in land wholly or partly within the limits of the Gloucester and Durham CPO Land for which a blight notice has been validly served.

(v) that the Assistant Director of Property and Asset Management (where the Assistant Director of Property and Asset Management in conjunction with the Director of Finance consider applicable) be authorised to acquire third party interests and rights within Phase 2b as necessary to progress the regeneration programme;

(vi) that the Director of Regeneration and Major Projects (where the Director of Regeneration and Major Projects in conjunction with the Director of Legal and Procurement consider applicable) be authorised to take the necessary steps to override or where requisite extinguish rights and interests in Phase 2b or any part or parts thereof which might otherwise act to constrain the development by:

(a) appropriating Phase 2b or any part or parts thereof for planning purposes under Section 122 of the Local Government Act 1972 when no longer required for the purpose for which it is currently held

(b) seeking the Secretary of State's consent under section 19 Housing Act 1985 in order to appropriate any part of the land consisting of a house or part of a house for planning purposes where applicable.

(c) taking any other legal steps as may be necessary to achieve this objective.

(v) *Phase 3 and Phase 4 Approvals*

(i) that the Assistant Director of Property and Asset Management (where the Assistant Director of Property and Asset Management in conjunction with the Director of Finance consider applicable) be authorised to acquire third

party interests and rights within Phase 3 and Phase 4 of the South Kilburn Masterplan Area as necessary to progress the regeneration programme by way of negotiation.

10. **Disposal of land adjoining 19 Elms Gardens, Elms Court, Sudbury and establishment of a replacement allotment site at Gladstone Park Gardens, Dollis Hill**

The report from the Director of Regeneration and Major Projects set out proposals to bring back into use a disused former allotment that had been neglected for a number of years, by splitting the site into two. Two disposal proposals were suggested comprising on one part a short-term lease arrangement in stages for allotment related use and on the other a longer-term freehold disposal for redevelopment. As the proposals comprised a loss of allotment land, the report asked the Executive to note previously approved replacement site proposals at Gladstone Park including provisions for forward funding of works the cost of which would be recovered from the capital receipt generated.

Circulated in advance of the meeting was a revised Appendix 1 which related to a minor variance that had been agreed at the interface between the Stage 2 land and the land for disposal, which the Executive agreed.

Councillor Crane (Lead Member, Regeneration and Major Projects) stated that the proposals considered by the Executive in 2010 to dispose and re-use as housing could not be concluded. The proposals now involved leasing part of the site to Sudbury Elms Residents Association for a community garden originally in two phases. However, a site meeting indicated that work to clear the site had progressed significantly and the lease could comprise both Stage One and Stage Two sites indicated red and blue on the revised Appendix 1 to the report from the Director of Regeneration and Major Projects. The southern half of the site (edged in green in the Director's report) would be brought to the open market for disposal.

Mr Bennett (representing Sudbury Elms Residents Association) addressed the Executive and thanked the Council and all who had contributed to the successful collaboration. The site had been cleared by hand by residents assisted with Ward Working funds and plots brought back into use in excess of expectations.

Councillor Lorber (Leader of the Opposition, Sudbury Ward councillor) endorsed the tributes paid to residents for their work in clearing the site. He also welcomed the proposed change to the recommendations for the lease to now comprise Stage One and Stage Two, an indication of the confidence placed in the residents. Councillor Lorber made reference to the funding earmarked for the replacement site at Gladstone Park and suggested that costs could be reduced were residents to follow the example of Sudbury Elms Residents Association and get involved in the creation of a new site. He also requested that the Sudbury area should benefit from the disposal of the land sale and that any housing development should be complementary and sensitive to the existing accommodation.

Councillor Crane responded that part of the Elms Gardens decommissioning arrangement was for the capital receipt to go towards the new site at Gladstone Park. Additionally, the capital receipt would be smaller as some of the land was used for the community garden. He agreed that any new development should be

sensitive the existing accommodation and access restrictions but this would be dealt with under the planning process.

Members thanked residents and ward councillors for their contributions.

RESOLVED:

that approval be given to the following:

- (i) that on the Northern half of the site detailed as stage 1 and 2 in the Appendix 1 plan. A short term lease is entered into for less than 7 years to be contracted out of the security of tenure provisions of the 1954 Act, with the land to be used as an allotment / food growing community garden by the local Association or Trustees as the Council's legal services may determine appropriate at peppercorn rent, allowing that the land be bought back into use;
- (ii) the freehold disposal of the Southern half of the site edged in green on the Appendix 1 plan with access from Elms Court for re-development, the capital receipt estimate is between £900k-£1m;
- (iii) that, as per the 15 November 2010 Executive report agree to the creation of a new replacement site at Gladstone Park, Dollis Hill subject to the appropriate legal procedure and forward funding of works up to £250k, to create the new allotment, the cost of which will be recovered through the capital receipt generated under recommendation (ii) above.

11. **Underoccupier Incentive Scheme**

The Size Criteria, or 'Bedroom Tax' would be implemented for underoccupiers of social housing stock from the 1 April 2013, and tenants will receive a reduced amount of Housing Benefit with which to pay the rent. Given the current demand on social housing, particularly from homeless households who would be affected by other Welfare Reform measures, it was felt to be preferable to encourage underoccupiers to transfer to right sized accommodation. Councillor Long (Lead Member, Housing) referred to the council's existing financial incentive offered to households to motivate the move in operation since 1997 and the proposal to increase the flat rate of £1,000 to £2,000 per bedroom released, per household (to a maximum amount of £6,000). The cost of providing the increased incentive payments was offset against savings to both the Temporary Accommodation budget and the Housing Revenue Account. The Executive noted that there were currently 634 under occupiers and that tenants over 61 years of age were exempt.

Councillor Butt (Chair, Leader of the Council) reiterated that a support package was in place and that efforts would be made to minimize alarm and distress to the those residents that were not affected by the changes.

RESOLVED:

That approval be given to increase the financial incentive paid to tenants to move out of underoccupied Council housing stock to £2,000 per bedroom released but up to a maximum payment of £6,000 to any household, subject to the availability of

Council funding for the scheme and within the parameters set out in paragraph 3.5 of the report from the Director of Regeneration and Major Projects.

12. Knowles House, Longstone Avenue, NW10 - temporary use of vacant premises

Councillor Long (Lead Member, Housing) introduced the report from the Director of Regeneration and Major Projects which proposed an alternative use for the Knowles House. Longstone Avenue, formerly a residential care home, decommissioned in 2011 as the building was not fit for purpose. The change of use to temporary provision of bed and breakfast accommodation would require planning permission. At the end of the scheme the site would be disposed of on the open market for a capital receipt. Councillor Jones questioned whether Brent Housing Partnership would be in the framework as an opportunity to diversify and gain experience.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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

RESOLVED:

- (i) that approval be given to the use of Knowles House to provide temporary accommodation to persons in housing need arising under Part VII of the Housing Act 1996 for a period of 2 years, and possibly extending to 4 years;
- (ii) that it be noted that the scheme would not proceed if planning permission for change of use is not granted;
- (iii) that authority be delegated to the Assistant Director of Housing, Regeneration and Major Projects, to award the proposed call-off contract from the Council's Private Managed Temporary Accommodation Framework Agreement to the successful tenderer for the scheme for an initial period of two years (with the option to extend the scheme for a further two years) pursuant to the Council's Private Managed Temporary Accommodation Framework Agreement conditions of contract;
- (iv) that approval be given to the grant of a short term lease/licence at a peppercorn or nominal rent to the successful tenderer for the purpose of the performance of the contract, such lease to be ancillary to and run concurrently with the contract if considered expedient by the Assistant Director of Regeneration and Major Projects, Property and Asset Management, in consultation with the Director of Legal and Procurement on terms to be agreed by the officers. Rental income will be received from the non-secure tenancies placed within the scheme;
- (v) that approval be given to the use of Housing capital funding to the value of £50k for the works required to refurbish the building and bring it into use for the scheme;

- (vi) that approval be given to the disposal of the Knowles House site at the end of the scheme for a capital receipt and provide delegated authority to the Assistant Director of Regeneration and Major Projects, Property and Asset Management, to agree the terms of the transaction in conjunction with the Deputy Director of Finance.

13. **Revised Allocation Scheme**

The report from the Directors of Regeneration and Major Projects and Strategy, Partnerships and Improvement outlined proposed changes to the council's Allocation Scheme that flowed from the approach set out in the Tenancy Strategy, which was approved by the Executive in July 2012. While the strategy set out the high-level policy aims, the Allocation Scheme addressed the detail of implementation as far as it affects the allocation of social housing and the management of the Housing Register. As it was a statutory document, formal consultation on the changes was required and the report sought approval for the key changes to the current scheme following completion of the consultation period on 8 March 2013.

Councillor Long (Lead Member, Housing) indicated that the Benefit Cap introduced as part of Welfare Reform would increase housing demand and so the council was trying to make maximum use of council stock. Councillor Long summarised the main changes but pointed to key problem of a general shortage of housing, expressing the view that central government's proposals would only serve to worsen the situation. She expressed the view that London should be treated differently from the rest of the country.

Councillor Long acknowledged that housing management would have to change in order to be able to meet the demands of the increased workload and the Director of Regeneration and Major Projects advised that the council was working closely with Brent Housing Partnership.

RESOLVED:

- (i) that approval be given to the revised Allocation Scheme;
- (ii) that approval be given to the proposals for the waiting list, including adoption of a residential qualification, and the revised banding system for the choice-based lettings scheme set out at paragraphs 4.1 – 4.7 of the report from the Directors of Regeneration and Major Projects and of Strategy, Partnerships and Improvement;
- (iii) that the proposals concerning tenure at paragraphs 5.1 – 5.3 of the report which have already been approved through the Tenancy Strategy, and that tenants will be informed at the earliest possible point of the type of tenancy they can expect to be offered be noted;
- (iv) that approval be given to the proposals on bidding, including the proposed limitations on the number and timing of bids, set out in paragraphs 6.1 – 6.2 of the Directors' report;

- (v) that approval be given to the proposals relating to “community contribution” set out in paragraphs 7.1 – 7.4 of the report;
- (vi) that approval be given to the proposals for granting additional priority and local connection to households in employment and certain disabled households set out in paragraphs 8.1 – 8.7 of the report;
- (vii) that approval be given to the proposals for income and savings thresholds set out in paragraphs 9.1-9.5 of the Directors’ report;
- (viii) that approval be given to the proposed approach to the treatment of overcrowding within the scheme set out in paragraphs 10.1 – 10.3 of the Directors’ report;
- (ix) that approval be given to the proposed banding scheme set out in paragraph 11.1 and Appendix 1 of the Directors’ report;
- (x) that approval be given to the proposed approach to the consideration of household composition and, in particular, the age at which children would be treated as non-dependent, set out in paragraphs 12.1 – 12.2 of the Directors’ report;
- (xi) that the content of the Equality Impact Assessment regarding the revised Allocation Scheme which is set out in Appendix 2 of the Directors’ report be noted.

14. Tackling Diabetes in Brent task group report

Councillor Colwill (Task Group Chair) introduced the report which brought to the Executive the work, findings and recommendations of the Overview and Scrutiny Committee’s task group investigation into Tackling Diabetes in Brent. He was grateful for the opportunity to be involved and also thanked colleagues on the task group and from the NHS for their contributions. The task group was set up to look into the impact of diabetes in Brent. Recent statistics on the disease indicated that there was an increasing impact of this disease on the people of Brent and on the NHS to treat it. The group focussed their findings around what was being done in terms of education and prevention. Councillor Colwill referred to the need for facilities to be in place to allow people help themselves in terms of reducing obesity, dietary control and adoption of healthy lifestyles.

Councillor Hirani (Lead Member, Adults and Health) confirmed that the task group’s recommendations would be considered in detail and also referred to the Health and Well Being Board. Other areas that would have to be taken into account in the future were the role of pharmacists and reference to social care. Reference was also made to the need for children with diabetes to be diagnosed at an early stage. The Executive noted that two obesity programmes in the borough focused on children and young people were due to end in March and requested an update.

RESOLVED:

- (i) that agreement be given to the task group's recommendations being considered in the allocation of the Public Health budget and the work programme of the Healthy Lifestyles Team;
- (ii) that members of the task group be thanked for their work.

15. **Community Right to Challenge**

The Localism Act 2011 introduced legislation that enables community groups and other relevant bodies to submit an expression of interest in relation to providing Council services. The report from the Directors of Legal and Procurement and Strategy, Partnerships and Improvement summarised the requirements of the legislation and made proposals concerning the necessary processes and procedure that the Council should have in place to be compliant with the provisions of the Act with respect to the right to challenge. The Community Right to Challenge did not automatically provide groups with the right to provide a service, it enabled them to express an interest. However if the expression of interest met the criteria set out within the act and the guidance it could trigger the requirement for the council to run an open competitive tendering process for these services.

In response to a request from Councillor Lorber to extend the bidding window from the proposed 1 May to 30 June, the Director of Legal and Procurement commented that community organisations had been consulted, the timescales were similar to those adopted in other boroughs and there was a need for certainty around service provision.

RESOLVED:

- (i) that the requirements of the Localism Act 2011 and the Statutory Guidance on the Community Right to challenge from the Secretary of State be noted;
- (ii) that for the financial year 2013/14, a bidding window be set for the period between 1 May 2013 and 30 June 2013 for community groups to submit expressions of interest to the Council under the community right to challenge;
- (iii) that for subsequent financial years after 2013/14, an annual bidding window be set for the period between 1 April and 30 May for community groups to submit expressions of interest to the Council under the community right to challenge;
- (iv) that officers be authorised to produce and publish a list of services due to be the subject of contracting processes in the following financial year in conjunction with the annual bidding window, starting from May 2013 for the financial year 2013/14;
- (v) that authority be delegated to directors for the relevant service areas to be responsible for assessing the expressions of interest against the criteria within the statutory guidance relating to the community right to challenge and deciding whether to accept or reject the expressions of interest;

- (vi) that the decision of the Director of Regeneration and Major Projects to accept the expression of interest made by Brent Tenants Rights Group regarding the Council's Tenancy Relations Service as set out in paragraph 3.33 of the report be noted.

16. **Temporary staff contract award**

Councillor R Moher introduced the report which requested authority to award a contract as required by Contract Standing Order No 88. The report summarised the process undertaken in selecting the supplier for this contract and 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:

- (i) that approval be given to the award of contract for Temporary Agency Staff to Reed Managed Services plc, for a period of three years from 1 August 2013 plus a possible extension of one further year on the basis of the rates outlined in section 4 of the report from the Director of Legal and Procurement;
- (ii) that approval be given to an exemption from the usual tendering requirements of Contract Standing Orders and to approve the direct award of an interim contract to Comensura Ltd for the period from 9 April 2013 to 31 July 2013 for the good financial and/or operational reasons set out in paragraph 3.15 of the report from the Director of Legal and Procurement.

17. **West London Alliance Accord**

The report from the Director of Legal and Procurement set out Brent Council's participation in and contribution to the West London Alliance programme of collaborative working and sought authority to adopt the West London Alliance Accord as the basis for the continued development of collaborative approaches by the West London boroughs.

Councillor Butt (Chair, Leader of the Council) stated that the report formalised the existing arrangements and sought to promote ownership. There was an expectation of increased involvement by elected members of the respective authorities and an increase in democracy.

RESOLVED:

- (i) that approval be given to adoption of the new West London Alliance Accord at Appendix 1 to the report from the Director of Legal and Procurement as the basis of on-going collaborative working amongst the boroughs of Barnet, Brent, Ealing, Harrow, Hillingdon and Hounslow, with authority being given to

the Chief Executive in consultation with the Lead Member to agree any appropriate minor alterations to the Accord;

- (ii) that the Chief Executive be authorised to agree Brent's annual financial contributions to the West London Alliance to be met from existing budget provision;
- (iii) that the 2 achievements of the WLA as set out in the West London Alliance Annual Report at Appendix 2 to the report be noted.

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

None.

19. Any Other Urgent Business

None.

The meeting ended at 8.20 pm

M BUTT
Chair