



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 17 June 2013 at 7.00 pm

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

Also present: Councillors Cheese, S Choudhary and Hashmi

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

None declared.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 20 May 2013 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Supporting Peoples Services - approval of award of contracts and contract extensions**

The report from the Directors of Adult Social Services and Regeneration and Major Projects requested authority for the extension of Supporting People contracts for a sheltered housing service and handyperson and accident prevention services and approval to the pre-tender considerations and criteria for a new procurement exercise. Councillor Hirani (Lead Member, Adults and Health) outlined the procurement process and advised it was being recommended that interim contracts be awarded to Elders Voice and Willow Housing.

RESOLVED:

- (i) that an exemption from the usual tendering and quotation requirements of Contract Standing Orders be agreed to allow the award of interim contracts for Supporting People funded Willow Sheltered Housing Service and Handyperson and Accident Prevention services to the incumbent providers, on the basis of good operational and financial reasons as set out in paragraphs 3.4 - 3.11 of the report from the Directors of Directors of Adult Social Services and Regeneration and Major Projects;

- (ii) that the award of an interim nine month contract be approved for Willow Sheltered Housing Service to Willow Housing Limited and a seven month contract for the Handyperson and Accident & Prevention service to Elder's Voice as outlined in Para 3.10 and 3.11 of the report;
- (iii) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for a new Handyperson and Accident and Prevention Service and Sheltered Housing Service as set out in paragraphs 3.9 of the report;
- (iv) that approval be given for officers to invite expressions of interest, agree shortlists and invite tenders in accordance with the procurement timetable and evaluate them in accordance with the approved evaluation criteria referred to in (iii) above.

5. Procurement of information, advice and guidance provided in Children's Centres

Councillor Pavey (Lead Member, Children and Families) introduced the report which concerned the procurement of Information Advice and Guidance for families of children aged 0-5 attending Children's Centres in Brent. The report requested approval to invite tenders as required by Contract Standing Orders 88 and 89. The report also sought the Executive's approval of the project timetable and selection criteria for the procurement exercise. Councillor Pavey stressed the importance of the service in providing free advice to parents and carers with 1,208 assisted in 2012/13. The procurement process would take into account value for money and outcomes and the contract aimed to start in April 2014.

Members requested that in future, information on the types of service provided be made available.

RESOLVED:

- (i) that the pre-tender considerations and the criteria to be used to evaluate tenders for an Information Advice and Guidance Service at Children's Centres as set out in paragraph 4.1 of the report from the Director of Children and Families be approved;
- (ii) that officers invite tenders and evaluate them in accordance with the approved evaluation criteria.

6. Introduction of a charge based regulatory advice service for businesses under the Primary Authority Scheme

The report from the Director of Environment and Neighbourhood Services sought approval for the introduction of a Primary Authority Partnership (PAP) scheme in the London Borough of Brent and for the introduction of a charging system to increase the availability of advice and support to businesses, and especially Small and Medium sized Enterprises (SMEs), with provision of up to seven hours free advice and guidance on regulatory matters. It was thought that the proposals would reduce and simplify the regulatory burden on businesses entering into PAPs by ensuring that they can have confidence in applying the advice they have been

given nationwide with consistency of approach between different local enforcement agencies.

Councillor Mashari (Lead Member, Environment and Neighbourhoods) welcomed the proposals to offer SMEs free advice and for improved consistency on regulatory matters. The charges were to cover administrative costs and were considered to be relatively low. Councillor Butt (Chair, Leader of the Council) echoed the value of small businesses being able to get advice at an early stage of their venture.

RESOLVED:

- (i) that approval be given to the adoption of the Primary Authority Partnership scheme under the Regulatory Enforcement and Sanctions Act 2008 (RESA);
- (ii) that authority be delegated to the Director of Environment and Neighbourhood Services to enter into Primary Authority agreements with businesses and to request nomination of partnerships to the Better Regulation Delivery Office under the provisions of Section 25 of the Regulatory Enforcement and Sanctions Act 2008;
- (iii) that the council adopt a system of providing up to seven hours' regulatory advice for all businesses free of charge, and the introduction of a charge based scheme on a cost recovery basis for those that require more than seven hours' of advice as detailed in the report from the Director of Environment and Neighbourhood Services;
- (iv) that the council adopt the proposed hourly charging rates of £51.54 (Annual Contract) and £64.43 (Pay As you Go contract) and, thereafter, to increase these rates on an annual basis on 1 April each year by the annual change in the Retail Price Index (RPI) for January of the year concerned.

7. Deputation - adoption of Revised Planning Design Guide for Barn Hill Conservation Area

Robert Dunwell (Barn Hill Residents Association 2004) addressed the Executive and requested that consideration of the Barnhill Guide be deferred to allow time for further discussion, review and re-consultation. Mr Dunwell referred to what he considered to be procedural failures during the consideration of the Guide by the Planning Committee on 16 January and 17 April 2013, the submission of a supplementary report to the Planning Committee and subsequent changes made to the policy.

The Executive noted and thanked Mr Dunwell for his contribution.

8. Adoption of Revised Planning Design Guides for Barn Hill Conservation Area and Queen's Park Conservation Area

The review of Brent's Conservation Area Design Guides was being undertaken with the overall aim of producing up to date documents to give clear guidance primarily to residents on acceptable types of development. These documents have an important role in ensuring the special character of our conservation areas is

preserved and where possible enhanced. Revised Planning Design Guides for Barn Hill Conservation Area and Queen's Park Conservation Area have been produced.

In introducing the report from the Director of Regeneration and Major Projects Councillor Crane (Lead Member, Regeneration and Major Projects) reminded the Executive that design guides were the basis on which residents could obtain advice in advance of submitting a planning application. He referred to the endorsement of the guides by the Planning Committee on 16 January 2013 and the public consultation which had commenced on 28 January 2013. The report stated that general support for the revised Design Guide was an important factor in how effective they are and in both areas there was discussion with the Residents Association on the content of the Guides before local consultation with all local residents was undertaken. The Planning Committee on 17 April 2013 considered the consultation responses and the recommendations made to revise the documents where appropriate. The Committee endorsed these further changes and recommended that the final documents incorporating the recommended revisions be reported to Executive for adoption. Councillor Crane referred to the deputation earlier in the meeting from Robert Dunwell and observations he made over the Barn Hill Design Guide. Councillor Crane stated that he was satisfied that the consultation and decision making process had been adequate and satisfactory and recommended that the design guides be adopted.

Other members of the Executive welcomed the report and the Design Guides. Councillor Denselow was pleased to see reference specific reference to basement extensions and commended the consultation exercise that had been carried out in his ward, Queen's Park. In response to an enquiry from Councillor Mashari, Councillor Crane was pleased to advise that a programme of Design Guides would be rolled out to other areas around the borough. Councillor Pavey (ward councillor, Barnhill), contributed that having read through the Barn Hill Design Guide he was of the opinion that competing points of view and been taken into account and Councillor Butt concurred with this view.

The Executive agreed the report and appended design guides.

RESOLVED:

that approval be given to the adoption of the revised Planning Design Guides for the Barn Hill Conservation Area and the Queen's Park Conservation Area for development management purposes to guide the consideration of future planning applications in these areas.

9. **Bridge Park redevelopment proposals**

The report from the Director of Regeneration and Major Projects referred to the need to bring Bridge Park Community Leisure Centre and associated buildings up to a reasonable standard and which would require significant investment funds for which were not currently available. It advised that the council has been in discussion with the owners of the adjoining Unisys site (General Mediterranean Holdings-GMH) and it was proposed to sell part of the Bridge Park site to GMH to fund the design and build of a completely new sports centre paid for out of the proceeds of residential and commercial development on the Unisys and on the Bridge Park sites. The report looked at a range of other development options and

uses for the Bridge Park site and recommended that the council entered into an agreement with GMH to redevelop the Bridge Park site.

Councillor Crane (Lead Member, Regeneration and Major Projects) advised that the council would have full control over the design and build of the sports centre, that options for the existing occupiers were being considered and also drew members' attention to the land sale agreement. Under the proposed arrangements the current sports centre would be able to remain open until the new facility was operational. Councillor Crane assured that the council would be consulting widely with residents, businesses and development partners. He commended the recommendations to the Executive.

Members welcomed the re-development proposals, particularly the opportunity to regenerate the Unisys site which was long awaited and also the extensive consultation that would take place. Members heard that the sports centre would be council run, open to the local community and that the previous covenant that had placed restrictions on the use of the site had been removed. Members drew attention to the nursery and church group currently operating from the site, the need for them to be involved in consultation at an early stage and for the nursery to be actively supported in their relocation. The Director of Regeneration and Major Projects advised that in terms of timescales, public consultation was planned to be completed by the end of July/August followed by dialogue with the parties involved and consideration of the finances involved. He assured that all interested parties would be consulted.

The Executive had before them an appendix to the report which was not for publication as it contained the following category of exempt information specified under Schedule 12A(3) of the Local Government Act 1972:

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

RESOLVED:

- (i) that the council pursue the option of GMH (and its subsidiary company) developing the Unisys and Bridge Park sites for residential and commercial development to fund a new Bridge Park sports centre;
- (ii) that agreement be given to the draft Heads of Terms as set out in appendix 3 of the report from the Director of Regeneration and Major Projects to form the basis of the detailed sale agreement between the council and GMH and instruct the Director of Regeneration to complete terms for a land sale between GMH, its subsidiary company and the council as set out in Appendix 3 subject to suitable parent company guarantees to the satisfaction of the council;
- (iii) that agreement be given to the making of a Compulsory Purchase Order (CPO) to acquire the freehold interest and other relevant legal interests of the Car Breakers site which for identification purposes is shown edged on the plan attached to this report at Appendix 1(a) ("the CPO Land") under Section 226(1)(a) of the Town and Country Planning Act 1990, to facilitate the carrying out of the redevelopment scheme ("the Scheme") and any new

rights in the CPO Land which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976;

- (iv) that approval be given to the submission of the CPO, once made, to the Secretary of State for confirmation, whilst the Council at the same time seek to acquire the land by private negotiated treaty, funded through funding from GMH under a separate agreement with the council;
- (v) that agreement be given to the making of one or more general vesting declaration(s) or service of Notice to Treat and Notice 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, if determined by the Director of Regeneration and Major Projects on the advice of the Director of Legal and Procurement Services, as necessary in order to implement the CPO;
- (vi) that authority be delegated to the Director of Regeneration and Major Projects to undertake the following:
 - (1) 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 CPO, where such agreements are appropriate;
 - (2) Service of all requisite notices on the holders of the CPO Land including rights in the CPO Land relating to the making and confirmation of the CPO;
 - (3) Remove 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);
 - (4) 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;
 - (5) 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;
- (vii) that public consultation on the development proposals be undertaken with local residents, interest groups, users and tenants;
- (viii) that an architectural practice be procured to design the new sports and community centre and submit plans with Unisys;
- (ix) that approval be given to the procurement of a design and build contractor to build the new sports centre through an appropriate contractor/developer Framework or by way of an OJEU advertisement, or by the use of a design, build and operate contract;
- (x) that officers undertake public consultation on all four options for the sports centre.

10. **Borough Plan 2013-14**

The report from the Interim Chief Executive set out - through its attached appendix – a proposed revision of the Borough Plan for 2013/ 2014. The Plan and its detailed targets have been the subject of consultation with Executive Members and Partners since March 2013. The document built on previous versions of the Borough Plan and comprised a shared vision for the borough and the priorities for making sure that vision is achieved; the promises and specific outcomes on which the council would be concentrating over the period from April 2013 to December 2104. Christine Gilbert, Interim Chief Executive, advised that the revised plan took account of current priorities and would be submitted to Full Council for approval. She outlined the minor changes included in the Full Council report which were the result of continuing discussions. It was noted that the new Plan would run until December 2014 to allow time for a new plan to be drawn up by the Administration following the Local Elections in May 2014.

RESOLVED:

- (i) that agreement be given to the priorities and targets set out within the Brent Borough Plan 2013 – 2014;
- (ii) that the Borough Plan 2013 – 2014 (as amended) be referred to the June 2013 meeting of Full Council for agreement.

11. Any other urgent business

The Executive extended best wishes to Fiona Ledden (Borough Solicitor) following her recent accident.

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

None.

The meeting ended at 7.45 pm

M BUTT
Chair