



# **LONDON BOROUGH OF BRENT**

## **MINUTES OF THE EXECUTIVE Monday, 13 December 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 Adeyeye, Mrs Bacchus, Beckman, Cheese, S Choudhary, Gladbaum, Harrison, Lorber, McLennan and HB Patel

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

Councillor Powney declared a personal interest in the item referred by the Call in Overview and Scrutiny Committee relating to waste recycling and collection as a member of the West London Waste Authority.

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

RESOLVED:-

that the minutes of the previous meeting held on 15 November 2010 be approved as an accurate record of the meeting.

### **3. Petition - Save Day Centres for People with Learning Disabilities in Brent**

Ms Anjna Manek addressed the Executive on behalf of users and carers in connection with proposals to change day care provision for adults with learning disabilities and referred to the petition which had been presented to the council against the closure of day centres. Ms Manek stated that the Department of Health in promoting the personalisation agenda had intended for users to be able to have an individualised service and be more able to exercise choice and control, and had not intended for day care centres to close. Studies have yet to be carried out into the valuing people agenda and Ms Manek suggested that the council await the outcome of the survey into the transformation of adult social care launched by 'Putting People First' the results of which were due to be available from February 2011.

Ms Manek expressed concerns put forward by the Stonebridge carers relating to the subsidence at the premises and wondered how the council could find money to spend on the proposed new civic centre and libraries but could not identify funds to meet the cost of repairs at the centre. She referred to the council's assertion that the building was 'not fit for purpose' and countered that the expenditure of £150,000 should be more than sufficient to make significant improvements. Ms Manek also referred to the differences between the age groups of service users at the Stonebridge and Strathcona centres and pointed out that many of the older users

had been excluded from the education system in their early years and as such had a different life experience to younger people.

Ms Manek questioned why, despite all the input received, the fourth option remained the preferred option and why none of the views expressed by users and carers had been featured. Ms Manek put forward the view that between five to ten per cent of families would not be able to cope under the new arrangements and would have to move their family members into residential accommodation.

Ms Manek urged the Executive to give separate consideration to the building of the new centre at John Billam from the future use of Strathcona and Stonebridge Centres and put forward a counter proposal, to be overseen by a board of trustees, of developing two centres, one in the north of the borough and another in the south, in addition to the John Billam development, possibly using former library premises. She agreed to submit detailed proposals in writing for further consideration.

The Chair, on behalf of the Executive, thanked Ms Manek for her contribution, commending her for being a voice for people in the community.

RESOLVED:

that the petition be noted.

#### **4. Adult Social Care Direct Services review**

Councillor R Moher (Lead Member, Adults, Health and Social Care) introduced the report from the Director of Housing and Community Care which set out the results of consultation on the draft Day Opportunities Strategy, which was a precursor to the transformation of all buildings-based, directly provided adult social care services. She also responded on the deputation received earlier in the meeting from Ms Manek on behalf of Brent Learning Disability Users and Carers who had also submitted a petition against proposals to close day centres. Councillor Moher stated that the report had been the result of a protracted consultation period which had included 42 meetings, many of which she had attended. She referred to the recommended option four in the Director's report which involved the closure of the Stonebridge Centre which was underused and had structural problems and the transfer of users to the Strathcona Centre in Preston Road. Once the proposed centre on the John Billam site had opened the centre at Albert Road would close and users would transfer with users from ASPPECT. Councillor Moher assured that other locations such as the use of the Millennium Centre in Willesden were under consideration and it was recognised that some options may need a building as a base.

Martin Cheeseman (Director, Housing and Community Care) drew members' attention to the discussion at the recent meeting of the One Council Overview and Scrutiny Committee held on 8 December 2010 which had also received a deputation from service users and carers. He emphasised that option four was dependent on 30% of users being assessed as independent and also being willing not to have day centre based provision. Should this not be achieved, he would report back to the Executive with alternatives proposals. Further consideration would be possible while the John Billam Centre was being constructed. Martin Cheeseman referred to the recommendations from the One Council Overview and

Scrutiny Committee in particular the specific recommendation that the Strathcona Centre be kept open as a safety net. The Director responded that Stonebridge and Strathcona centres were currently operating at less than 50% capacity and that having three day centres could not be justified in the present circumstances. He agreed to meet with a steering group to further consider developments.

The Executive agreed the recommendation from the One Council Overview and Scrutiny Committee that officers should report back in the event of problems in implementing option four.

RESOLVED:

- (i) that approval be given to the final version of the Day Opportunities Strategy attached at Appendix B to the report from the Director of Housing and Community Care;
- (ii) that approval be given to the implementation of Option 4 where implementation is built on a comprehensive and inclusive reassessment and support planning process for every current service user, and is subject to staff and union consultation;
- (iii) that officers report back in the event of any problems in implementing the recommended option four.

## 5. **Deputation - waste collection strategy**

Viv Stein (Brent Campaign Against Climate Change) and Elaine Henderson (Brent Friends of the Earth) addressed the Executive in support of the recommendations made by the Call in Overview and Scrutiny Committee on 30 November 2010 relating to waste and street cleansing and the waste collection strategy reports which had been called in for scrutiny. Ms Stein stated that the recycling system proposed to be adopted by the council involving fully co-mingled dry recyclables collection was likely to increase emissions and was unlikely to achieve 60% recycling target. While there may be less collections within the borough, overall there would be an increase in emissions once factors such as the use of larger vehicles travelling longer distances, increased electricity from mechanical separation and the possibility of reprocessing overseas. Ms Stein questioned whether an energy audit had been modelled on the proposed new system and if not, could the council be sure that it would reduce emissions. Additionally, Ms Stein questioned whether the low quality materials produced by co-mingling would be landfilled or incinerated and not recycled. Ms Stein argued that the crushed glass produced by co-mingling contaminated recycled waste and had to be made into products that created increased CO<sub>2</sub> levels. Ms Stein requested that the Executive reconsider kerbside sorting or alternatively separate glass for twin-stream collection.

Elaine Henderson (Brent Friends of the Earth) referred to the recommendations made by the Call in Overview and Scrutiny Committee and suggested that residents would prefer a weekly collection and that there was evidence that the use of additional containers which were emptied more frequently would increase recycling levels. Ms Henderson also felt that residents would be concerned at the possibility of waste being sent abroad for separation by child labour and that this would deter

them from using the recycling bins. She also made reference to the practices in other local authorities, in particular LB Ealing, where kerbside recycling had still been able to achieve significant improvement in recycling rates. On the question of the council's consultation on the waste strategy Ms Henderson advised consideration was being given to obtaining a report from the Plain English Campaign on the clarity of the council's consultation publications. She urged the Executive to accept the Call in Overview and Scrutiny Committee's recommendations.

**6. Reference from Call in Overview and Scrutiny Committee - waste collection and strategy**

The Call in Overview and Scrutiny Committee had met on 30 November and considered the reports on waste and street cleansing and the waste strategy which had been agreed by the meeting of the Executive on 15 November. The Committee made a number of recommendations in connection with the frequency of street cleanings, the retention of the weekly waste collection, the sale of recycled materials within the UK and the retention of kerbside recycling. Councillor Powney (Lead Member, Environment, Planning and Culture) responded to deputations received earlier in the meeting from representatives from Brent Friends of the Earth and Brent Campaign Against Climate Change who spoke in support of the recommendations from the Call in Overview and Scrutiny Committee held on 30 November 2010. He pointed out that the council needed to have regard to the financial situation as to introduce additional collections would require more staff and he stated that officers had confirmed that the proposed co-mingling system was in line with WRAP (Waste Resources Action Programme) and the best diversion from landfill.

Councillor Lorber (who had chaired the Call in Overview and Scrutiny Committee) stated that it was felt that the Executive should be more concerned over whether waste products ended up in the third world for recycling. He was also concerned at the cost of new waste bins that would only serve to confuse residents and take up additional space.

In conclusion, Councillor Powney stated that the further waste recycling was likely to be dealt with within Europe which had similar employment laws. It was the intention for residents to be given only one large green box with their wheelie bins avoiding the need for multiple boxes. In response to criticism, he put that the consultation had been thorough and urged the Executive to reject the recommendations from the Call in Overview and Scrutiny Committee.

RESOLVED:

that the recommendations of the Call in Overview and Scrutiny Committee in relation to waste and street cleansing and the waste collection strategy be not endorsed.

*Councillor Powney declared a personal interest in the item referred by the Call in Overview and Scrutiny Committee relating to waste recycling and collection as a member of the West London Waste Authority.*

**7. Authority to approve extension of contracts for housing support services for people with physical disabilities**

Councillor Thomas (Lead Member, Housing and Customer Services) introduced the report from the Director of Housing and Community Care which sought exemption from full tendering requirements and approval to re-commission services with existing providers of Supporting People funded housing support for people with physical disabilities. The programme in Brent started in 2003 and was currently valued at £12.3m.

RESOLVED:-

- (i) that approval be given to an exemption from the usual tendering requirements of Contract Standing Orders in relation to the accommodation services and floating support services for people with physical disabilities, on the basis that there are good operational and/ or financial reasons for doing so as set out in Section 3 of the report from the Director of Housing and Community Care;
- (ii) that approval be given to an extension of one year from 17 December 2010 to 16 December 2011, for all the seven Supporting People funded Physical Disability/Sensory Impairment contracts, (as listed in paragraph 3.4 of the report from the Director of Housing and Community Care) with the scope to extend for up to another year to 16 December 2012 (two years in total) if the services continue to be strategically relevant, demonstrate good value for money, and continue to demonstrate satisfactory performance.

**8. Authority to award a construction contract for the re-building of Roundwood Youth Centre**

The report from the Director of Children and Families requested authority to award the contract in relation to the construction works at Roundwood Youth Centre as required by Contract Standing Order 88 (c). The report summarised the process undertaken in tendering the contract, following the evaluation of tenders, 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).

Councillor Arnold (Lead Member, Children and Families) advised that it had recently been confirmed that the funding moratorium in place since July 2010 had now been lifted and the project could now go ahead. She looked forward to what was considered to be an exciting project and a flagship proposal.

RESOLVED:-

- (i) that the award of a contract for pre-construction services and preliminaries in the sum of £346,990.00 to Morgan Sindall Construction plc (formally known

as Morgan Ashurst) in relation to the construction works at Roundwood Youth Centre be noted;

- (ii) that the authority be delegated to the Director of Children and Families to award a contract for the construction works at Roundwood Youth Centre to Morgan Sindall Construction plc, subject to confirmation of myplace Big Lottery funding from the Department for Education and subject to confirmation that the final price tendered is within the limit of the Big Lottery funding.

#### **9. Statement of licensing policy - Licensing Act 2003**

The report from the Director of Environment and Neighbourhood Services set out the outcome of consultation over the review of the Council's Statement of Licensing Policy under the Licensing Act 2003 and recommended changes to that policy.

RESOLVED:-

that approval be given to the report from the Director of Environment and Neighbourhood Services and to the adoption of the proposed changes to the Statement of Licensing Policy.

#### **10. Civic offices and property disposals strategy**

Councillor Crane (Lead Member, Regeneration and Economic Development) introduced this report which sought authority for work on the marketing and disposal of office buildings around the borough which would become available following the relocation to the Civic Centre scheduled for 2013. Councillor Crane advised that external consultants would be appointed to advise and help ensure maximum value. The Town Hall site was recommended to be appropriated for planning purposes.

RESOLVED:-

- (i) that the appointment of consultants Collyers International to provide advice and guidance to the marketing and selection of purchasers for various properties as outlined in the report and any additional properties that might become surplus following the outcome of various One Council Reviews be noted;
- (ii) that agreement be given to the appropriation of the Town Hall site pursuant to S.122 of the Local Government Act 1972 for planning purposes provided that it is satisfied in principle that the Town Hall site is no longer required for the purposes for which it is currently held;
- (iii) that it be noted that a report or reports will be presented to a future meeting of the Executive which would recommend the disposal of these assets. These reports will follow on from appropriate marketing and subject to contract negotiations.

#### **11. Local Development Framework - West London Waste Development Plan**

The Director of Environment and Neighbourhood's report asked the Executive to consider the draft West London Waste Plan which was proposed for public consultation and, in particular, to note the sites proposed for allocation for waste management use within Brent. Executive was asked to agree the draft plan for public consultation. Councillor Powney (Lead Member, Environment Planning and Culture) pointed out that fellow west London boroughs would be consulted and drew attention to the comments from the Planning Committee that had been set out in the report. The existence of an agreed Waste Plan would make it easier to resist applications to process waste outside of the identified sites.

RESOLVED:-

- (i) that the views expressed, and recommendation made, by Planning Committee in making a decision on the Waste DPD be noted;
- (ii) that the draft joint West London Waste Plan for formal public consultation for 6 weeks commencing in mid January 2011 be approved;
- (iii) that it be noted that approval is also has been, or is being, sought to undertake consultation on the draft West London Waste Plan by five other west London councils, namely Hillingdon, Ealing, Harrow, Hounslow and Richmond upon Thames, as members of the West London Waste Authority partnership.

## 12. **Collection Fund Surplus/Deficit at 31 March 2011**

As part of the Council Tax setting process for 2011/2012 the Council is required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2011. This must be done by the 15 January 2011 and this report asks Members to approve the balance projected. Councillor Butt (Lead Member, Resources) in introducing the report from the Director of Finance and Corporate Services referred to the total arrears as at 31 March 2010 and bad debt provision which had given rise to a shortfall of £7.25m as at 31 March 2010 and he recommended Council Tax bills for 2011/2012 include an element of approximately £10.34 at Band D to meet Brent's share of this deficit.

RESOLVED:-

that approval be given to the calculation of the estimated Collection Fund balance as at the 31 March 2011 as a deficit of £1.3million.

## 13. **Performance and Finance Review quarter two**

The report from the Director of Finance and Corporate Services summarised Brent Council's spending, activity and performance in the second quarter of 2010/11 and highlighted key issues and solutions to them. It took a corporate overview of financial and service performance and provided an in depth analysis of high and medium risk areas. The report was accompanied by appendices providing budget, activity and performance data for each service area, the Local Area Agreement, ring fenced budgets and the capital programme. Vital Signs trend data and graphs were also provided along with the council's overall budget summary. Councillor

John (Leader of the Council, Lead Member, Corporate Strategy and Policy and Co-ordination) emphasised the need for spending to be kept under control.

RESOLVED:-

- (i) that the council's spending, activity and performance in the second quarter of 2010/11 be noted;
- (ii) that all directors ensure that spending is kept within budget and underperformance tackled, and that measures are taken, in consultation with relevant portfolio holders, to achieve this;
- (iii) that approval be given to the virements detailed in appendix F of the report from the Director of Finance and Corporate Services.

#### 14. Fees and Charges

Councillor Butt (Lead Member, Resources) introduced the report which set out proposed increases in fees and charges for council services from 1 January 2011 and for on and off street parking charges from 1 February 2011. He pointed out that the increases were one of the measures the council needed to take to address the projected budget gap of £37m in 2011/12 resulting from reductions in government grant and pressures on the council's budget. Currently many fees and charges for council services in Brent are below fees and charges by other London councils and the increases proposed in the report would bring charges in Brent more into line with other councils. Councillor Butt outlined the increases involved and added that residents would be able to apply for discounts.

RESOLVED:

- (i) that the proposed increases in fees and charges in Appendix A to the report from the Director of Finance and Corporate Services apply from 1 January 2011;
- (ii) that the proposed increases from 1 January 2011 in charges for advertising, design and the language service be agreed;
- (ii) agree that in the event that any of the proposed increases in paragraphs (i) or (ii) above are in excess of the permitted maximum, the increases would be set at the maximum level allowed;
- (iv) that the increase in on- and off-street parking charges set out in paragraphs 5.8 and 5.9 of the report and the issue of the necessary notices to allow the increases to apply from 1 February 2011 or as soon as possible thereafter be agreed;
- (v) that the first hour of off-street parking is frozen at its current level and that officers report back to the next meeting of the Executive on the most effective way of implementing a free first hour parking;

- (vi) that be noted that, for those fees and charges that are inclusive of VAT, the increase would include the increase in VAT from 17.5% to 20% from 1 January 2011;
- (vii) that it be noted that officers will be reviewing charges in other areas listed in paragraph 5.10 of the report and would report back to the Executive on these issues.

15. **Reference of item considered by Call in Overview and Scrutiny Committee - Elms Gardens allotments**

The Executive had before them a recommendation made by the Call in Overview and Scrutiny Committee on 9 December 2010 for the Executive to suspend the disposal of the former allotment site adjacent to 19 Elms Gardens, Sudbury.

RESOLVED:-

- (i) that the views of the Call in Overview and Scrutiny Committee in relation to Elms Gardens allotments be noted;
- (ii) that the officers discuss the development proposals with Notting Hill Housing Association and the Homes and Communities Agency to seek views on the proposed purchase;
- (iii) that officers consult with Barham Park estate residents and officers fully review the decant requirements for the estate.

16. **Any Other Urgent Business**

None

The meeting ended at 8.00 pm

A JOHN  
Chair