



LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Monday 12 March 2012 at 7.00 pm

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

ALSO PRESENT: Councillors Al-Ebadi, Gladbaum, Harrison, Hashmi, Hunter, Lorber, McLennan and CJ Patel

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

None made.

2. **Order of business**

The Executive agreed to take early in the meeting, those items for which members of the public and non-Executive members were present.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 13 February 2012 be approved as an accurate record of the meeting subject to the amendment of Councillor Jones' declaration of interest as a member of Willesden Locality Board to relate to the Treetops Nursery item.

4. **Barham Park Improvements**

Councillor Lorber (Leader of the Liberal Democrat Group) addressed the meeting in relation to the report from the Director of Environment and Neighbourhood Services which provided an update on potential improvements to Barham Park and sought approval for a feasibility study into the future use of Barham Park buildings and options for improving the space. Councillor Lorber questioned whether expenditure of £30,000 a feasibility study was a good use of the Charity's funding particularly as a number of studies had been commissioned over the years. He felt that the proceeds from the disposal of the associated cottages was a capital receipt which belonged to the Trust and questioned the implication in the report that compliance with terms of use stipulated by the Trust was optional. Councillor Lorber put that the council's use of the park and buildings had to be regularised, that every day spent empty was a financial loss to the Charity and asked that approaches from voluntary organisations to occupy the premises be taken seriously. He stated that the Children's Centre on the site was at risk following the closure of Barham Library and urged the Executive to listen to the community.

Councillor Powney (Lead Member, Environment and Neighbourhoods) responded that it was reasonable to use funding from the capital receipt for the purpose of a feasibility study which would also help the council to regularise its position in the use of the property. The council wished to have the legal position clearly defined to ensure compliance. Councillor Powney outlined the recommendations in the report and commended them to the Executive.

RESOLVED:-

- (i) that the Trustees approve a £30,000 budget to develop an option appraisal, project management plan and feasibility study for the future uses of the Barham Park buildings and options for improving the open space. This would be funded from the Barham Park Trust income from the sale of 776 and 778 Harrow Road;
- (ii) that following approval of recommendation (i) by the Trustees, officers will obtain the necessary approvals from the Charity Commission to spend the Trust funds;
- (iii) that the Trustees ask officers to advertise (at the appropriate time) the proposed letting of public open space under Section 123 of the Local Government Act 1972 and if in the opinion of the Assistant Director - Property and Asset Management, there are significant objections to report back to the Trustees for it to consider.

5. Deputations - temporary expansion of Brent schools

Karen Flaum (local resident) addressed the Executive concerning proposals in the report from the Director of Children and Families for the expansion of some schools in the borough in order to meet the demand for school places in the academic year 2012/13. She referred to past applications for planning permission to demolish houses and build flats where concerns had been expressed over where the children due to live in the flats would go to school, given the shortage of places in the vicinity. Ms Flaum made specific reference to proposals to build housing on part of the Willesden Green library site and went on to suggest that communication between Planning Service and the Children and Families Department should be improved.

Councillor John (Chair, Leader of the Council) thanked Ms Flaum for her contribution and assured her that all options would be considered.

6. Temporary expansion of Brent schools: 2012-13

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report from the Directors of Regeneration and Major Projects and from Children and Families which put forward approaches to reducing the mismatch between supply and demand in relation to school places. In response to concerns raised earlier in the meeting by Karen Flaum over the number of houses being demolished and flats built in their place, Councillor Crane contributed that demand for school places was also increased by the number of people moving into the borough and the matter was under review. Councillor Arnold (Lead Member, Children and Families) added that the shortage of school places was a reality across London attributed to

increasing birthrates, the impact of the recession leading to less families leaving Brent and to a reduced number of parents choosing to send their children to private schools. The council was planning a programme of high quality provision including special needs.

RESOLVED:-

- (i) that the current and future demand for primary school places as set out in Section 3 of the report from the Directors of Regeneration and Major Projects and Children and Families be noted;
- (ii) that approval be given to the allocation of £1.35m from the Council's Main Capital Programme for providing additional primary 'bulge' classes places across Brent schools from September 2012;
- (iii) that approval be given to the list of school and non-school based schemes listed in Appendix 1 of the report for providing temporary primary provision, subject to due diligence completed by the Council and agreement with the school;
- (iv) that agreement be given to the prioritised use of properties listed under Table 9 in Appendix 1 for the purpose of providing temporary primary provision;
- (v) that authority be delegated to the Director of Regeneration and Major Projects and Director of Children and Families in conjunction with the Lead Member of Regeneration and Major Projects to substitute a scheme with another if any of the proposed schemes in Appendix 1 are not feasible, subject to due diligence completed by the council and agreement with the school;
- (vi) that authority be delegated to the Director of Regeneration and Major Projects to appoint one or more works contractors using existing construction frameworks, for the recommended temporary school expansion schemes referred to in paragraph (iii) above.

7. **Khat Task Group - final report**

The Executive had before them the final report from the Overview and Scrutiny Khat Task Group. Councillor Hunter, Task Group Chair, in introducing the report, set out the three main issues investigated by the task group namely, the perceived impact on Khat use on the community in Brent, associated anti-social behaviour and the lack of treatment services and diversionary activities in the borough specifically aimed at Khat users. Users were frequently unemployed, had language difficulties or suffered from the trauma of war. Efforts needed to be made to increase employment chances and decrease addiction and partnership work was recommended with the employment agencies and health services. Discussions were also recommended to take place with the owners of mafrish (Khat cafes) to get agreements on the sale of Khat. Councillor Hunter referred to the need to raise awareness of Khat, paan and shisha and was pleased to report on the health event held on 15 March 2012 attended by both men and women which also helped to raise the profile of the Somali community.

Councillor Jones (Lead Member, Customers and Citizens) contributed that she was due to meet with the Director of Customer and Community Engagement to discuss ways of publicising positive achievements in the Somali community as recommended by the task group. Councillor Beswick (Lead Member, Crime and Public Safety) welcomed the report referring to particular areas in borough where addiction was a problem and pointed to the role of both self-help and also partnership working to encourage people to desist from usage. Councillor Hunter agreed with Councillor Arnold (Lead Member, Children and Families) on the need to ensure that support was extended to all Somali groups and she reiterated the need for health advice and education.

Councillor John (Chair, Leader of the Council) commended the task group's work adding that the Somali organisations she had spoken to were grateful for the attention that had been given to this issue. She concurred that employment was key and, on behalf of the Executive, thanked the task group members for their work.

RESOLVED:-

- (i) that the recommendations set out in the report be agreed;
- (ii) that the members of the task group be thanked for their work.

8. Safeguarding and Looked After Children Inspection - outcome and action plan

Councillor Arnold (Lead Member, Children and Families) introduced the report on the outcome of the safeguarding and Looked After Children inspection, a revised version of which had been circulated in advance of the meeting. The inspection took place between 3-14 October 2011 and Councillor Arnold outlined the findings in the Care Quality Commission Ofsted inspection report and asked members to approve the department's resultant action plan. It was recommended that power be delegated to the Director of Children and Families to make amendments to the action plan as required, to ensure the continued drive to improvement. Councillor Arnold assured that the inspection report was being taken very seriously and the authority acknowledged the need to raise standards to above the current judgement of 'adequate' for both Safeguarding for Looked After Children services. Further action would also be taken to address concerns expressed on the health of looked after children which resulted in this service being given an 'inadequate' rating. A variety of monitoring arrangements would be put in place to ensure that all services were at a high standard including a mid-year challenge of progress against the plan by an external agency and a peer challenge in mid-November.

The Director of Children and Families acknowledged the need to make a step change given the authority's corporate responsibilities and assured that robust monitoring arrangements would be in place.

RESOLVED:-

- (i) that the outcome of the Safeguarding and Looked After Children inspection report for Brent be noted;

- (ii) that approval be given to the revised Action Plan contained in Appendix B of the revised report which address the recommendations identified in the inspection report and articulated the department's ambitions to make significant and far reaching improvements to the service;
- (iii) that authority be delegated to the Director of Children and Families to make amendments to the Action Plan as required, to ensure this continues to drive improvement.

9. **Education Standards in Brent 2011**

The report from the Director of Children and Families commented on education standards achieved by Brent schools at the end of the academic year 2010/11. Councillor Arnold (Lead Member, Children and Families) was pleased to report that standards continued to rise and commended the work of the Early Years Quality Improvement Team. There was also improved performance by ethnic groups, in particular, Somali children and Black Caribbean children. At primary level, Key Stage 1, results for Level 2+ improved to near national averages and there was above average progress from Key Stage 1 to Key Stage 2. Standards at Level 4+ and Level 5+ were at or above national averages. Councillor Arnold was pleased to report that there had been a general improvement over the past five years.

Councillor Gladbaum (Chair, Children and Families Overview and Scrutiny Committee) contributed that education standards were a regular item on the committee's agenda and would be carefully scrutinised. She also paid tribute to the School Improvement Service, head teachers and staff for their efforts.

RESOLVED:-

that the following be noted:

- a) continuing improvements in education standards in Brent schools;
- b) the contribution made by Services to Schools to these outcomes;
- c) priorities identified at each Key Stage in order to accelerate further improvements in educational standards.

10. **Former Charteris Sports Centre, 24-30 Charteris Road, NW6 7ET**

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report which, on the basis of received bids from interested parties recommended the disposal of the former Charteris Sports Centre which was now surplus to Council requirements.

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:

that the Director of Regeneration and Major Projects Executive be authorised to agree a sale of the property in accordance with the confidential appendix to the Director's report and to accept the highest bid.

11. Authority for exemption to tender contract for SEN Independent Special School provision

The report from the Director of Children and Families sought approval for an exemption in accordance with paragraph 84(a) of Standing Orders to allow a three year contract to be awarded to Transitional Care Education Services (TCES) for 15 places for secondary aged students with Statements of Special Educational Need for Behavioural, Emotional and Social Difficulties, with an anticipated commencement date from 1 September 2012 for SEN Independent Special School provision. It specifically addressed the arrangements for students placed with the North West London Independent Special School (NWLIS), an independent day special school for students with BESD run by TCES. This would allow for the development of a long term partnership with a partner provider. Councillor Arnold drew members' attention to the advantages and risks associated with the proposals which would be monitored.

The Director of Children and Families added that discussions were taking place within the West London Alliance on the provision of local authority maintained secondary provision for students with Statements of Special Educational Needs for BESD to improve outcomes and improve efficiency.

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 for an exemption from the usual requirement of Contract Standing Orders in accordance with paragraph 84(a) of Contract Standing Orders for the good operational reasons set out in section 3.1 – 3.2.9 of the report, to allow the award of a three-year contract to TCES from 1 September 2012 to 31 August 2015 at the rates outlined in this report and agreed in principle with TCES;
- (ii) that the cost reduction in current 'spot' purchase rates for Brent young people already placed at NWLIS for the interim period March 2012 to August 2012 from when the three year contract would proceed be noted;
- (iii) that authority be delegated to the Director of Children and Families to conclude negotiations with TCES and award the proposed three year block contract.

12. Brent Town Hall Planning Brief

The report from the Director of Regeneration and Major Projects followed on from recommendations to Planning Committee on 16 November 2011 to undertake a consultation exercise on the Development and Planning Brief to guide the future development of Brent Town Hall. Planning Committee was invited to review and comment upon the contents of the brief and approve a broader more comprehensive consultation exercise. It was also recommended to Planning Committee that the results of the consultation be reported to Executive for approval and subsequent adoption as a Supplementary Planning Document (SPD). The Planning and Development Brief provided detailed guidance for future potential owners of the Town Hall and its site and indicated what original fabric was important and what elements of the building have potential for sensitive adaptation and alteration. The report before the Executive explained the need for the brief and the principles that it required of any new proposals for alteration and development of this important listed building and its curtilage. Councillor Crane (Lead Member, Regeneration and Major Projects) drew members' attention to the responses from English Heritage and Barn Hill residents and to the aim for the character of the building to be preserved.

RESOLVED:

- (i) that the contents of the development brief (Appendix One to the report from the Director of Regeneration and Major Projects) be noted and approval given to its adoption as a "Supplementary Planning Document";
- (ii) that the results of the consultation exercise be noted and agreement given to the council's response as set out in Appendix Two to the report;
- (iii) that the Director, Regeneration and Major Projects be authorised to make further editorial changes to the document in relation to advice from the council's consultant's advising on the historic building implications and managing the disposal process.

13. 186 Church Road London NW10 9NP - disposal of a shop and upper parts

The report from the Director of Regeneration and Major Projects informed of the proposed disposal of the shop and upper parts that was previously occupied by the Churchend and Roundwood Youth and Community Association (CRYCA) and sought the Executive's decision to proceed with the disposal by auction.

RESOLVED:-

- (i) that the arrangement for the disposal of 186 Church Road London NW10 9NP be noted;
- (ii) that agreement be given to the sale of the property by auction or such other means as considered appropriate to secure the best consideration;
- (iii) that authority to be delegated to the Assistant Director, Property and Asset Management, in consultation with the Borough Solicitor to agree matters as required in order to bring the disposal to a satisfactory and completion.

14. **Approval for arrangements to procure Supporting People services for existing contracts terminating in 2012 to 2014**

Councillor R Moher reminded the Executive that the meeting on 14 March 2011 approval was given for Adult Social Care to join a West London framework agreement procurement project for Supporting People services. Before members now was an update on the progress of the West London framework. Councillor Moher advised that because of anticipated further delays in the establishment of the framework, authority was now being sought to extend contracts identified in the Procurement Plan submitted to the March 2011 meeting. Should it appear in May 2012 that the framework would not be established in June, a Brent Council led procurement process would be carried out using evaluation criteria similar to that to be used for the formation of the West London framework. Councillor Moher advised that an Equalities Impact Assessment would be carried out.

RESOLVED:-

- (i) that the update on the progress of the West London framework procurement project be noted;
- (ii) that agreement be given to an exemption from the usual tendering requirements of Contract Standing Orders to award interim contracts for Supporting People funded services to existing providers on the basis of good operational and financial reasons as set out in paragraph 3.3 to 3.4 of the report from the Director of Adult Social Services and the Director of Regeneration and Major Projects;
- (iii) that approval be given to the award of interim contracts for Supporting People funded services as set out in Table 1 of section 3.3 of the report for a period of up to 5 months;
- (iv) that approval be given to a one year contract extension to the Single Homeless Hostels contracts detailed in section 3.3 of the Directors' report;
- (v) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.5 of the report.
- (vi) that approval be given to officers inviting expressions of interest, agreeing shortlists, inviting tenders for the Supporting People Housing Related Support Services Framework and their evaluation in accordance with the evaluation criteria referred to in (v) above;
- (vii) that the Supporting People budget and saving update be noted.

15. **London 2012**

The Leader of the Council, Councillor John (Chair) introduced the report from the Chief Executive which provided an update on the 2012 Games and progress to date in ensuring successful delivery within Brent. She outlined the events that would be taking place in the borough and referred to the careful planning that was on-going involving all services. Partner agencies were also involved in ensuring the

safety and security of the Olympic Route Network. Councillor John assured that Brent's activities would be well run.

RESOLVED:-

- (i) that the progress being made on delivery of a successful Olympics in the Borough be noted;
- (ii) that agreement be given to Brent providing mutual aid as appropriate to other boroughs once the position was clarified;
- (iii) that services work closely with Police and health professionals to deliver safe events within the borough;
- (iv) that it be noted that it has been agreed to allow staff affected by the 2012/13 leave restrictions, the ability to sell 10 days annual leave back to the council during 2012/13.

16. Appointments to a Framework for Electronic Legal Resources

The report from the Director of Legal and Procurement concerned the purchase of on-line legal resources for use by Legal Services. It followed a report to the Executive in September 2011 which gave approval for the procurement of a framework for use by an association of London Boroughs known as the London Boroughs Legal Alliance (LBLA), with Brent leading that procurement. The report gave an update on the bidding process and sought approval for delegation to the Director of Legal and Procurement to make appointments to the framework.

RESOLVED:-

- (i) that the progress of the bidding process for a multi-provider framework for on-line legal resources as set out in section 4 of the report from the Director of Legal and Procurement be noted;
- (ii) that authority be delegated to the Director of Legal and Procurement to make appointments to the framework once the evaluation is completed.

17. Performance and Finance review 2010/11 Quarter 3

The joint report from the Directors of Strategy, Partnership and Improvement provided members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. Councillor John (Chair, Leader of the Council) stated that each lead member would be looking at the indicators and ensuring that concerns were addressed.

RESOLVED:-

- (i) that the Finance and Performance information contained in this report be noted and agreement given to remedial actions as necessary;

- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to remedial actions as appropriate;
- (iii) that it be noted that it be noted that progress will be challenged with responsible officers as necessary.

18. **Any Other Urgent Business**

None.

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

None.

The meeting ended at 7.55 pm

A JOHN
Chair