



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 29 June 2015 at 2.00 pm

PRESENT: Councillor Butt (Chair), Councillor Pavey (Vice-Chair) and Councillors Denselow, McLennan and Southwood

Also present: Councillors Chohan, Filson, Harrison, Mahmood and Warren

Apologies for absence were received from: Councillors Hirani, Mashari and Moher

1. **Declarations of personal and prejudicial interests**
2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 1 June 2015 be approved as an accurate record of the meeting.

3. **Matters arising**

None

4. **Section 75 agreement for the Better Care Fund**

On behalf of Councillor Hirani (Lead Member for Adults, Health and Well-being), Councillor Butt (Leader of the Council) introduced the report seeking approval for the Council to enter into an agreement, under section 75 of the National Health Services Act 2006, with Brent NHS Clinical Commissioning Group to govern the delivery of the approved Better Care Fund Plan for 2015/2016.

Councillor Butt highlighted that, in order to qualify for Better Care Fund ("BCF") funding, the Council and Brent NHS Clinical Commissioning Group (CCG) were required to make an application, to include submission of a BCF Plan. Following the initial submission of the draft BCF Plan in April 2014 by the Council and CCG, the Government required further work and assurance before the BCF plans were approved. The revised Brent BCF plan was submitted to Government and approved with support on 29 October 2014. The BCF funding allocation for Brent is £22,432,000 for 2015/2016.

In response to a question from Councillor Warren (Leader, Brent Conservatives), Phil Porter (Strategic Director, Adults) explained that the BCF plan pooled funds

can be managed in a number of ways and there is a choice about which organisation manages the pooled budget. Under the proposals in the report, Cabinet is being asked to agree that the local authority will host the pooled budget.

RESOLVED:

- (i) Cabinet agreed to enter into a partnership arrangement under section 75 of the National Health Services Act 2006 with Brent NHS Clinical Commissioning Group on the basis outlined in this report to govern the delivery of the approved Better Care Fund Plan for Brent for the period 2015/2016.
- (ii) Cabinet agreed that the local authority will host the pooled budget for the reasons set out in paragraph 3.7 of the report.
- (iii) Cabinet delegated authority to approve the final terms of the proposed partnership arrangement to the Strategic Director, Adults in consultation with the Chief Finance Officer and Chief Legal Officer.
- (iv) Cabinet noted the intention to further report to Cabinet should any material structural, staffing, financial or other changes in addition to those set out in this report be proposed as part of the implementation of the Better Care Fund Plan.

5. Authority to award contract for Children's Centres Services

On behalf of Councillor Moher (Lead Member for Children and Young People), Councillor Butt (Leader of the Council) introduced the report requesting authority to award contracts as required by Contract Standing Order No 88. Councillor Butt explained that the report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

In response to a question from Councillor Warren (Leader, Brent Conservatives), Gail Tolley (Strategic Director, Children and Young People) explained that the high staffing levels in the Kilburn locality/children's centre related to the catchment area in Kilburn.

In response to a question from Councillor Filson, Gail Tolley (Strategic Director, Children and Young People) explained that the staff age profile was characteristic for staff working in this profession.

The Cabinet also had before them appendices to the report which were not for publication as they 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) Cabinet awarded the contract for Children's Centres Services to Barnardo Services Ltd (the company authorised by the Trustees of the Charity to sign any contracts).
- (ii) Cabinet authorised the Operational Director, Property and Projects to enter lease and licence agreements in accordance with the details set out in Appendix 6 of the report in consultation with Strategic Director, Children and Young People and the Chief Legal Officer.
- (iii) Cabinet noted the implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006 for Council staff arising from the award of the contract for Children's Centres Services as set out in Section 7 and agree to the transfer of such staff.

6. **Gordon Brown Outdoor Education Centre – proposals to replace the end of life Shrubbery Building**

On behalf of Councillor Moher (Lead Member for Children and Young People), Councillor Butt (Leader of the Council) introduced the report informing Members that the purpose of this report is to inform Cabinet Members of the condition of one of the accommodation units at the Gordon Brown Outdoor Education Centre (GBOEC). The report outlines and seeks authority for plans for replacement and seek approval for financial arrangements to complete the build to ensure the sustainability of the Centre's buildings in the future.

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

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RESOLVED:

- (i) Cabinet approved an invest to save proposal to replace the poor condition Shrubbery dormitory with a new facility that would provide modern living quarters for pupils and teachers with increased capacity to accommodate children.
- (ii) Cabinet approved inviting tenders on the basis of the pre-tender considerations set out in paragraph 3.10 for the replacement works to the Shrubbery building.
- (iii) Cabinet approved the use of £250,000 revenue contributions identified from Youth Support Services to support this work.
- (iv) Cabinet approved a schedule of price increases in the region of 4.5% (but not limited to this figure) to support the Centre in generating revenue to repay £325,000 over twelve years to keep pace with costs and keep fees within affordable levels for participating schools.

7. ICT Work with the Local Government Association

Councillor Pavey (Deputy Leader of the Council) introduced the report setting out proposals for Brent Council to partner with the Local Government Association for the provision of ICT services.

RESOLVED:

- (i) Cabinet approved the Council entering into an agreement to partner with the Local Government Association for the provision of ICT services, including the implementation of new infrastructure for their offices, the hosting of their ICT services at the Brent Data Centres, and the ongoing provision of ICT support services.
- (ii) Cabinet delegated authority to the Chief Operating Officer in consultation with the Lead Member (Deputy Leader of the Council), the Chief Legal Officer and Chief Finance Officer to establish a company jointly owned by London Borough of Brent and the Local Government Association.

8. Authority to Award Contract for the Supply of ACD Call Centre Software for Customer Services

Councillor Pavey (Deputy Leader of the Council) introduced the report requesting authority to award a contract as required by Contract Standing Order No 88. Councillor Pavey informed Members that the report summarises the process undertaken in procuring this contract and recommends to whom the contract should be awarded.

RESOLVED:

Cabinet awarded the contract for ACD Call Centre Software for Customer Services to Freedom Communications (UK) Ltd, for a period of three (3) years plus two (2) possible single year extensions.

9. Joint Procurement of Legal Counsel (Barristers' Services)

Councillor Butt (Leader of the Council) introduced the report requesting approval to participate in collaborative procurement with the London Borough Legal Alliance ("LBLA") for the establishment of a framework for provision of barristers' services. He explained that, as the proposed procurement is to be led by the London Borough of Waltham Forest, approval is also sought, as required by Contract Standing Order 85, to use that borough's Contract Standing Orders and Financial Regulations.

In response to a question from Councillor Filson, Fiona Alderman (Chief Legal Officer), highlighted that, in 2014-15, 59% of the Council's spend on Counsel was on public law proceedings involving children. This follows a 20% increase in public law cases involving children in 2013-14. In 2014 the local Family Court moved to Hatton Cross from Neasden, so increasing the reliance on external Counsel as opposed to in-house lawyers undertaking advocacy.

RESOLVED:

- (i) Cabinet gave approval to the Council to participate in collaborative procurement led by the London Borough of Waltham Forest to establish a framework for barristers' services.
- (ii) Cabinet gave approval to the collaborative procurement exercise detailed in report paragraph 2.1 being exempt from the normal requirements of Brent Council's Contract Standing Orders and Financial Regulations for good operational and/or financial reasons in accordance with the Contract Standing Order 84(a) and 85(c).
- (iii) Cabinet gave approval to the pre tender considerations set out in paragraph 3.10.1 of the report.

10. **Performance Report Q4 2014/15**

Councillor Pavey (Deputy Leader of the Council) introduced the report stating that the purpose of this report is to provide Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively.

Councillor Pavey informed Members that the performance measures in the report represent those considered to be most relevant to tracking achievement against the six corporate priorities for Brent. Where available, quartile and benchmarking information has been used to inform target setting. Annual performance measures are reported when new performance data becomes available.

Councillor Pavey informed Members that the performance measures included within this report represent a small subset of those measured within the council. A wider range of performance measures are tracked within each council department, through the One Council programme and by Partners for Brent.

Councillor Pavey informed Members that additional performance measures may be included, by exception, if performance levels highlight particular achievements to be celebrated, or present risks associated with the realisation of Brent's priorities.

Councillor Pavey reminded Members that this is the last Quarterly Performance report under the 2013-14 Borough Plan, as a new one has been agreed for 2015-16. A new suite of key indicators is currently being finalised under the main priorities of the new Borough Plan.

Christine Gilbert (Chief Executive) reported that the targets are deliberately ambitious and challenging.

RESOLVED:

- (i) Cabinet noted the performance information contained in this report and agree remedial actions as necessary.
- (ii) Cabinet considered the current and future strategic risks associated with the information provided and agree remedial actions as appropriate.

(iii) Cabinet agreed to challenge progress with responsible officers as necessary.

11. **Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation**

Councillor McLennan (Lead Member Housing and Development) introduced the report providing details of the competitive tender process undertaken for establishing a Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation (Private Sector Accommodation) in accordance with the Council's Private Sector Accommodation Scheme (PSA).

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

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RESOLVED:

Cabinet approved the appointment of the contractors recommended and listed at paragraph 3.1.10 onto the Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation. It is anticipated that the DPS will commence in July 2015 for a period of two (2) years with an option to extend up to a further two (2) years.

12. **Authority to Award Contract for Temporary Classroom Provision at Elsley Primary School**

On behalf of Councillor Moher (Lead Member for Children and Young People), Councillor Butt (Leader of the Council) introduced the report requesting authority to delegate the award of a high value works contract as required by Contract Standing Order No 86 (e) (ii) for the provision of temporary classrooms at Elsley Primary School.

Councillor Butt explained that this report explains the anticipated requirement for temporary primary school classroom provision, and seeks approval for this temporary project and associated budget and summarises the process undertaken in tendering the contract for the Elsley Primary School temporary classroom provision and the requirement to delegate award.

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

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RESOLVED:

(i) Cabinet noted the anticipated requirement for temporary primary school provision for the 2015-16 academic year.

- (ii) Cabinet approved the proposed project at Elsley Primary School to provide two additional reception bulge classrooms and two re-located reception classrooms.
- (iii) Cabinet approved the proposed capital allocation for this temporary project noting the proposed funding sources.
- (iv) Cabinet delegated the award of the contract for the construction of temporary classroom provision at Elsley Primary School to the Strategic Director of Regeneration and Growth in consultation with the Chief Finance Officer and Chief Legal Officer.

13. **Brent Corporate Plan 2015 - 2016**

Councillor Butt (Leader of the Council) introduced the report setting out Brent's proposed Corporate Plan for 2015 - 2016.

Councillor Butt stated that the objectives, milestones and success measures set out in the plan have been developed to provide a clear programme of operational activities to deliver the ambitions and outcomes agreed in the 'Brent Borough Plan 2015 – 2019' by the Cabinet and Full Council in March 2015.

Christine Gilbert (Chief Executive) explained that the Corporate Plan will be actively managed both at member level and at officer level (by the CMT, managers and their teams). She stated that performance against the plan would be regularly monitored so that prompt management action could be taken, where necessary, if there is slippage or if an activity needs to be changed in the light of circumstances. She explained that the current plan corresponds to current Council resources.

RESOLVED:

- (i) Cabinet agreed the Corporate Plan 2015 – 2016.
- (ii) Cabinet noted that regular quarterly and annual reports will be brought to the Cabinet monitoring progress and evaluating performance. Cabinet noted that the new performance management framework will be subject to a separate report in August 2015.

14. **Review of 2014/15 Financial Performance**

Councillor Pavey (Deputy Leader of the Council) introduced the report setting out the year- end financial position for 2014/15 and the unaudited statement of accounts.

In response to a question from Councillor Filson, Conrad Hall (Chief Financial Officer) stated that the figures in paragraph 3.27 should read that 12,444 PCNs were issued in February, and the total for the year should read 162,617.

RESOLVED:

Cabinet noted the year-end financial performance and the unaudited statement of account.

15. **Reference of item considered by Scrutiny Committee**

None

16. **Any other urgent business**

None.

The meeting ended at 2.55 pm

M BUTT
Chair