



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 25 July 2016 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Hirani, Mashari, W Mitchell Murray and Southwood

Also present: Councillor Chohan

Apologies for absence were received from: Councillor Pavey

1. **Introductions**

Councillor Butt, Leader of the Council, opened the meeting by thanking Stephen Hughes, the outgoing interim Strategic Director of Resources, for his work over the past six months.

2. **Declarations of interests**

Councillor Butt, in respect of item 12: – London Road, Wembley, HA9 7ET - redevelopment proposals, as a Governor at Ark Elvin Academy.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 27 June 2016 be approved as an accurate record of the meeting.

4. **Matters arising**

None.

5. **Authority to Award a Contract for Accommodation Based Mental Health Support**

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that in accordance with Contract Standing Orders 88 and 89, the report requested Cabinet approval to award two contracts for Accommodation Based Mental Health (ABMH) services to support people who have mental health needs and were in recovery.

Councillor Hirani stated that the report provided further detail of the services, the procurement process followed and provided a recommendation of who the contracts should be awarded to as determined through the evaluation process.

The Cabinet also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

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 1, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.a of the report to Look Ahead Care and Support for a term of one year with option to extend by up to two successive one year periods;
- (ii) that approval be given to the award of Contract 2, an Accommodation Based Mental Health contract to support people with mental health needs as detailed in paragraph 3.2.b to Metropolitan Housing Trust for a term of one year with option to extend by up to two successive one year periods.

6. **Charging for Adult Social Care Services**

Councillor Hirani, Cabinet Member for Community Wellbeing, introduced the report stating that, in March 2016, Cabinet agreed to consult with current and future recipients of adult social care services on 3 minor changes to the existing charging policy.

Councillor Hirani stated that the proposal for change was as follows:

The introduction of new single charging policy which would include how Adult Social Care will charge for non-residential care and housing related support and residential care service in the future.

Using the Department for Works and Pension benefit entitlement information to undertake the financial assessments in the future

The introduction of an average charge of £29.07 where it has not been possible to undertaken a financial assessment using the DWP information.

Councillor Hirani stated that the council has now completed thirty days consultation on proposed changes. He said that the report outlined the responses to that consultation, the potential impact on the residents and resulting recommendations taking into account the feedback that has been received from current and future users of Adult Social Care Services.

He informed members that a summary of the consultation process and outcomes was included within the report.

RESOLVED:

- (i) that the responses received during the thirty days consultation from 25 April to 27 May 2016 be noted;

- (ii) that approval be given for officers to implement a single charging policy which combined the existing Fairer Charging Policy for housing related support and CRAG related to charging for residential care services;
- (iii) that it be noted that the new charging policy includes residents supported through the Shared Lives scheme under Fairer Charging;
- (iv) that agreement be given to the use of Department Work and Pension (DWP) information to undertake financial assessment for all new customers;
- (v) that approval be given to an average charge of £29.07 for customers in receipt of services and where information cannot be obtained from the DWP, Housing Benefit or Council Tax systems. The charged would be made from the time that the service commenced up until a financial assessment can be completed.

7. Wembley Housing Zone Programme – Property Acquisition

Councillor Farah, Cabinet Member for Housing, introduced the report stating that the Wembley Housing Zone was designated by the GLA last year with the aim to accelerate housing and affordable housing development and to promote regeneration.

He stated that in July 2015 Cabinet approved the approach which was to bring forward a programme of acquisition and development of a number of sites between Wembley town centre and the regeneration underway on the Stadium lands, including the council-owned site due to be released through the construction of the new Ark Elvin Academy. Cabinet also approved entering into a legal agreement with the GLA to secure their funding support and this has been concluded.

Councillor Farah stated that discussions were underway with the owners of a number of identified sites in order to establish the development programme.

He informed members that the report sought the approval of Cabinet to the terms for the acquisition of a first of these identified sites, that of Ujima House and its car park in order to progress the implementation of the Wembley Housing Zone and agreement to enter into a contract with the Greater London Authority to fund the acquisition of the property.

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:

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 enter into a contract for the acquisition by the council of Ujima House and its car park on the terms set out in Appendix One to the report, with approval of the final terms to be delegated to the

Strategic Director, Resources in consultation with the Strategic Director,
Resources in consultation with the Cabinet Member for Housing;

- (ii) that approval be given to enter into a funding contract with the Greater London Authority to receive Housing Zone grant to fund the acquisition of Ujima House and car park, with approval of the final terms of the funding agreement to be delegated to the Strategic Director, Resources in consultation with the Cabinet Member for Housing.

8. **Parking Annual Report 2015-2016**

Councillor Southwood, Cabinet Member for Environment, introduced the report stating that Brent Council was committed to providing a high quality parking service and a fair, consistent and transparent approach to parking and traffic enforcement. She said that the purpose of the Annual Report was to explain the aims and objectives of the council's Parking service and the key achievements of the last financial year.

Councillor Southwood stated that the report included a statistical analysis setting out information on the number of parking and traffic related Penalty Charge Notices (PCNs) issued for the period 2015/2016, the revenue and expenditure recorded in the Parking Account, and how the surplus on this account has been spent or allocated.

The report also met a key requirement set out in the 2015 Statutory Guidance issued under the Traffic Management Act 2004. This required local authorities to produce and publish online an annual report on parking enforcement activities.

Councillor Hirani welcomed that the number of PCNs issued by CCTV for bus lane contraventions had fallen.

Councillor Southwood reminded members that a highlight of the year for the service had been the British Parking Association's decision to recognise Brent's Parking service as 'Team of the Year' at the BPA's national awards ceremony in March 2016.

RESOLVED:

- (i) that approval be given to the publication of the Parking Service's draft Annual Report 2015/16, set out as the Appendix to the report;
- (ii) that responsibility for approval of Parking Annual Reports from 2016/17 onwards be delegated to the Highways Committee;
- (iii) that it be noted that additional information on the outcome of appeals to the independent appeal service, Environment and Traffic Adjudicators (ETA), will be added to the published Annual Report in September 2016.

9. **Carlton and Granville Centres, Granville Road, NW6 5RA - redevelopment and investment proposals**

Councillor McLennan, Deputy Leader of the Council, introduced the report. She informed members that the Cabinet had approved the Strategic Property Plan 2015-19 setting out a presumption for Brent to retain its limited property assets, utilising them to support regeneration, generating revenue savings, and capital investment for new income generation.

Councillor McLennan stated that in January 2016 Brent had successfully secured £1.8m from the London Regeneration Fund (LRF) which was matched funded with a further £2m (£1.5m capital & £500k revenue) from the South Kilburn Trust (SKT) to deliver a new Enterprise Hub as part of addressing the lack of good quality, small workspace provision in the borough and provide a permanent location for the South Kilburn Trust to continue to deliver services and support to the local community within South Kilburn.

She stated that the report updated members on proposals to deliver a new Enterprise Hub and proposed the re-development of the Carlton and Granville Centres as a location for the Enterprise Hub and deliver 95 new homes with additional community space.

RESOLVED:

- (i) that approval be given to Option 2 for redeveloping the Carlton and Granville Centres, Granville Road, London, NW6 5RA (the subject site) to deliver 95 new homes, an Enterprise Hub and 3274sqm of additional community use space;
- (ii) that a further update be provided to formally approve final scheme plans and the required capital investment to bring forward the phased redevelopment of the Carlton and Granville Centres and ensure continuity of occupation for the Enterprise Hub within the site;
- (iii) that the site be included within the scope of the South Kilburn Masterplan review to ensure wider place making considerations are incorporated;
- (iv) that the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment, Chief Legal Officer and Chief Finance Officer enter into a legal agreement with the South Kilburn Trust and the GLA to secure their funding contributions in return for project delivery of the Enterprise Hub by March 2018, and setting out council commitment to underwrite the shortfall in project funds;
- (v) that authority be delegated to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment, Chief Legal Officer and Chief Finance Officer to oversee scheme development through further viability testing, local consultation, and planning consent;
- (vi) that authority be delegated to the Strategic Director for Resources in consultation with the Strategic Director for Regeneration and Environment,

Chief Legal Officer and Chief Finance Officer in respect to any works and/or professional services contracts for scheme development to agree pre-tender considerations, invite tenders and thereafter award the contract.

10. South Kilburn Regeneration Programme - phase 3A

Councillor Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report which related to Hereford House and Exeter Court (being part of 'Phase 3A' of the South Kilburn regeneration programme and as shown edged red on Appendix 1 of the report).

She informed members that the report sought the Cabinet's approval of a procurement strategy for an architecturally led multidisciplinary design team for the comprehensive redevelopment of Hereford House and Exeter Court, being part of Phase 3A of the South Kilburn regeneration programme.

RESOLVED:

- (i) that approval be given to the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for comprehensive redevelopment of Hereford House and Exeter Court by either:
 - calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
 - inviting tenders using a Restricted procedure under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 3.7 of this report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph.
- (ii) that the decision as to the procurement options details in (i) above be delegated to the Strategic Director of Regeneration and Environment;
- (iii) that the intention to report back to Cabinet to seek approval to award the proposed contract for an architecturally led multidisciplinary design team, once a preferred design team has been identified be noted.

11. South Kilburn Regeneration Programme - Site 18 encompassing Salusbury Road Car Park, Cullen House and adjoining land

Councillor Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills introduced the report stating that it set out the approvals required by the Cabinet to further progress this project originally within Phase 2b of the regeneration programme.

Councillor Mashari stated that the report sets out proposals for Salusbury Road Car Park, Cullen House and adjoining land comprising of the spur road, Keniston Press, TfL offices at Premier House and the Falcon Public House (together defined as "Site 18"), which formed part of Phase 2b of the South Kilburn regeneration programme and as shown edged red on Plan A at Appendix 1. The development

had been stalled since 2012 due to safeguarding of the site by High Speed Two Ltd (HS2) for a proposed ventilation shaft and auto transformer.

She stated that the council had recently successfully secured the release of this site from HS2.

RESOLVED:

(i) that consent to restart the proposed redevelopment of Site 18 be confirmed and also and that the recommendations made in July 2011, can be relied upon by officers to secure possession of Site 18 and where relevant, following the completion of the statutory consultation exercises as set out below:

i) authorise the Strategic Director of Regeneration and Environment to seek the Secretary of State's Consent to the disposal and development of Cullen House for the purposes of Ground 10A of Schedule 2 to the Housing Act 1985 to enable the Council to apply for a court order to obtain vacant possession of residential dwellings let under secure tenancies, Section 32 Housing Act 1985 to dispose of housing land, Section 19 Housing Act 1985 for appropriation of land for planning purposes and under the necessary Act (if applicable) to dispose of non-housing land;

ii) make a compulsory purchase order to acquire all interests and rights in Site 18 and any new rights in Site 18 which may be required under section 13 of the Local Government (Miscellaneous Provisions) Act 1976; and

iii) authorise the submission of CPOs, once made, to the Secretary of State for confirmation whilst at the same time seeking to acquire the land by private negotiated treaty on such terms as may be agreed by the Director of Finance and Corporate Resources. The full extract from the 2011 decision is set out in Appendix 2 of the report.

(ii) that approval be given and authority be delegated to the Operational Director of Regeneration to commence statutory consultation with the secure tenants residing in Cullen House on the following three matters: (i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of Schedule 2 to the Housing Act 1985; (ii) consultation on the Council's proposal to make a CPO on properties in Cullen House that are currently occupied by secure tenants; and (iii) consultation in connection with the draft allocation policy for allocating homes to secure tenants living within Cullen House. Following statutory consultation the draft Allocation Policy, would be brought back to the Cabinet for approval.

12. **London Road, Wembley, HA9 7ET - redevelopment proposals**

Councillor Butt, Leader of the Council, introduced the report stating that the proposed redevelopment of London Road provided a significant opportunity for the council to provide good quality housing for vulnerable households, while also

generating significant revenue savings in two key areas of expenditure: Temporary Accommodation and care homes.

He stated that proposal was to redevelop the site to provide approximately 55 new Temporary Accommodation (TA) units for homeless households, 67 Private Rented Sector (PRS) homes and 14 units of New Accommodation for Independent Living (NAIL) together with replacement non-residential space as detailed in the site plan and Pellings feasibility study.

RESOLVED:

- (i) that approval be given to capital investment of £33m to bring forward the development of the London Road scheme, subject to further viability testing, local consultation and planning consent as detailed in paragraph 3.17 of the report from the Strategic Director of Resources;
- (ii) that the expenditure necessary to progress the project through to grant of planning permission, estimated to be in the region of £500,000 be noted;
- (iii) that it be noted that the land at Ark Elvin Academy, presently used as temporary parking, was surplus to requirements and approval be given to application to Secretary of State through a section 77 application, to secure agreement that the land was no longer required for educational purposes and could be used for residential.

(Councillor Butt declared an interest in this item as a Governor at Ark Elvin Academy).

13. **National Non-Domestic Rates (NNDR) - Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation**

Councillor Mashari, Cabinet Member for Regeneration, Growth, Employment and Skills introduced the report stating that Cabinet had agreed, at its meeting on 26 January 2015, to award a Business Rates discount to companies who agreed to pay its employees the London Living Wage and who became accredited with the Living Wage Foundation.

She reminded members that the level of discount was five times the costs of accreditation, 30% of the cost of the discount was borne by the council. The discount was restricted to the first 100 companies who became accredited. However it was agreed to review the scheme in 2016 in order to assess its effectiveness and whether it should be further extended.

Councillor Mashari stated that to date, there were now 16 accredited Brent businesses in the borough including the Council as well as 7 other national employers with branches in the borough. Of the 16 accredited businesses 15 meet the criteria for entitlement and have claimed or are in the process of claiming their business rates discount. As well as this, the Living Wage Foundation and Brent's Employment, Skills and Enterprise team remain in ongoing discussions with a number of Brent businesses about accreditation so it was expected that some of these businesses would shortly gain accreditation.

Councillor Mashari stated that getting businesses to agree to commit to pay the London Living Wage and gaining accreditation was a long term process, it was therefore recommended that the scheme be extended to 31 March 2019 so that those companies already in discussion could qualify as well as providing further time for encouraging other businesses to become accredited.

The council had the discretion to award discounts in national non-domestic rates to businesses under section 47 of the Local Government Finance 1988. To award discounts under this provision a business must meet criteria set by the council's Cabinet. Any discount scheme needs Cabinet approval. The qualifying criteria was set out in Appendix 1 to the report.

RESOLVED:

- (i) that the discretionary discount scheme for businesses accredited to the London Living Wage Foundation be continued to 31 March 2019 on the basis that the Business Rates discount would continue to be five times the cost of accreditation and would be awarded to businesses in Brent which become accredited with the Living Wage Foundation and who met the criteria detailed in Appendix 1 to the report from the Strategic Director, Resources;
- (ii) that it be noted that the approval and continuation of the scheme were pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 and that the Cabinet was satisfied that that this proposal is reasonable having regard to the interests of those persons who are liable to pay council tax in the borough of Brent;
- (iii) that it be noted that officers in Employment, Skills and Enterprise and Customer Services monitor the scheme in terms of take up and costs and would report back to Cabinet at a later date should any changes to the scheme be required;
- (iv) that applications for such discounts in National Non-Domestic Rates that meet the criteria as set out in Appendix 1 be considered and approved jointly by the Head of Employment, Skills and Enterprise and the Operational Director Customer Services.

14. Voluntary Sector Initiative Fund - Local Grants 2016 - 2018

Councillor McLennan, Deputy Leader of the Council, introduced the report. She stated that following assessment of 43 applications to the Voluntary Sector Initiative Fund – Local Grants scheme, the report sought agreement to grant fund 11 projects led by voluntary organisations for two years, subject to performance.

Councillor McLennan stated that the grant had been promoted through the Council's website, social media channels, at Brent Voluntary Sector Liaison Forum, via press releases to local press, via direct emails to all organisations on the community directory, councillors and relevant council departments, and via CVS Brent's e-newsletter and social media.

Councillor Hirani stated that it was important to give feedback to those organisations who had not been successful in this round. Councillor McLennan stated that feedback would be given to all unsuccessful applicants on their bid. Meetings will be offered with CVS Brent for all applicants identified as needing capacity building or grant writing support.

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) that the grant funding allocations from the Voluntary Sector Initiative Fund – Local Grants scheme to the voluntary sector led projects set out in paragraph 3.12 of the report from the Director Performance, Policy and Partnerships, which would run between 1 October 2016 and 30 September 2018, be approved:
- (ii) that it be noted that all grant funding allocations referred to in (i) above would be made subject to the Council's Grant Conditions with the organisation required to sign an agreement with the Council, stating the purpose of the grant and expected outcomes before funding is released;
- (iii) that for the reasons detailed in paragraph 3.20 of the report, in cases where an organisation either declined the grant before or during the funding period or the grant was withdrawn for performance reasons or other breach of grant conditions, that the decision to reallocate the fund is delegated to the Director of Performance, Policy and Partnerships.

15. Reference of item considered by Scrutiny Committee

None

16. Exclusion of Press and Public

RESOLVED:

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in the Local Government Act 1972 namely:

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

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

17. School Building Project Costs

The Cabinet considered a report from Strategic Director, Resources and Strategic Director, Regeneration and Environment in closed session and a decision was made in closed session.

18. **Any other urgent business**

None.

The meeting ended at 7.35 pm

M BUTT
Chair