



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 14 October 2019 at 4.00 pm

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Agha, Farah, Hirani, Miller, M Patel, Krupa Sheth, Southwood and Tatler

Also present: Councillors Crane, Kabir, Long, Nerva and Thakkar

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes of the Previous Meeting**

RESOLVED: that the minutes of the previous meeting be approved as an accurate record of the meeting

4. **Matters Arising (if any)**
5. **Petitions (if any)**
6. **Reference of item considered by Scrutiny Committees (if any)**

6.1 **Outcome of Call-in - Future School Organisation Arrangements of Roe Green Infant School**

Having considered the report from the Head of Executive and Member Services and the supplementary report from the Strategic Director, Children and Young People, alongside representations from stakeholders and Councillor Ketan Sheth, on behalf of the Community and Wellbeing Scrutiny Committee, the Cabinet RESOLVED:

- i) To confirm the original decision taken by Cabinet on 9 September 2019, enabling the decision to take immediate effect.
 - ii) That officers develop alternative options to meet the demand for education places for young people 16-25 with SEND at the Strathcona Site from September 2022 in conjunction with the Cabinet Members for Schools, Employment and Skills, Children's Safeguarding, Early Help and Social Care and Regeneration, Property & Planning.
- 6.2 **Knife Crime Scrutiny Task Group Report**

RESOLVED: that the recommendations set out in the report of the Knife Crime Task Group be agreed.

6.3 **Affordable Housing Task Group report**

RESOLVED:

- i) Cabinet noted the recommendations set out in the report of the Affordable Housing in New Developments Task Group.
- ii) Cabinet noted the additional proposal of the Resources and Public Realm Scrutiny Committee: *that plans for new housing developments take into account the known needs of people with disabilities awaiting housing provision.*

7. **Quarter 2 Financial Report 2019/20**

RESOLVED: that the overall financial position and the actions being taken to manage the issues arising be noted.

8. **Brent Together- Draft Volunteering Strategy for 2019-2023**

RESOLVED: that the draft Volunteering Strategy for 2019-2023, as attached at Appendix 1 to the report from the Assistant Chief Executive be agreed.

9. **Financing Purchase of Residential Block by i4B or First Wave Housing**

RESOLVED:

- i) Cabinet approved an equity investment in the existing i4B street purchases programme by purchasing i4B shares up to a maximum of £21.8m for the first 300 properties, as agreed in principle by Cabinet in February 2019.
- ii) Cabinet agreed for new loan facilities of up to £110.5m be made available to i4B and First Wave Housing for phase 2 of the PRS purchase programme, including the potential Quintain block purchase.
- iii) Cabinet agreed that drawdowns on the loan facility to finance the potential Quintain block E01 02 purchase would be conditional on the negotiation of points as described in paragraphs 3.15 and 3.16 below.
- iv) Cabinet delegated to the Director of Finance, in consultation with the Deputy Leader, authority to determine whether the conditions set out in paragraphs 3.15 and 3.16 below have been discharged.
- v) Cabinet agreed for equity investment of up to £22.1m for phase 2 of the PRS purchase programme, including by purchasing i4B shares up to a maximum of £22.1m.
- vi) Cabinet agreed to delegate the precise terms and mix of loan and equity funding for phase 2 of the PRS purchase programme to the Director of Finance, such that the total funding for phase 2 of the PRS purchase programme does not exceed £110.5m.

- vii) Cabinet noted the new details of the potential block purchase from Quintain, together with the financial and legal implications.

10. **Preparing Brent for the UK leaving the EU with or without a deal update**

RESOLVED:

- i) Cabinet noted the contents of the report.
- ii) Cabinet noted that the Strategic Director, Customer and Digital Services has been appointed Brent's Brexit Lead and that the Brexit Co-ordination Group will continue to monitor risks and escalate as necessary.
- iii) Cabinet noted that the Brexit Co-ordination Group will continue to act as stewards for the funds allocated from government for Brexit preparations.

11. **Selective and Additional Licensing in the Private Rented Sector in Brent**

RESOLVED:

- i) Cabinet noted the outcome of the consultation process detailed in the Consultation Findings Report of September 2019 as set out in Appendix 1, in particular the representations received and the Council's consideration thereof, and the response to these representations as set out in Appendix 2.
- ii) Cabinet noted the consultation evidence set out in Appendix 3 relating to the problems being caused by poorly managed HMOs, and also that the report has considered that additional licensing will assist the Council in achieving wider objectives, as well as alternatives to additional licensing.
- iii) Cabinet noted the content of the Equality Impact Assessment as set out in Appendix 10.
- iv) Cabinet agreed, subject to recommendations 1 – 3 above, that the legal requirements for introducing additional licensing for the whole of the Borough of Brent as set out in paragraphs 10.1 to 10.6 of the report have been met.
- v) Cabinet agreed, subject to recommendations 1 – 3 above, that the Council using its powers under section 56 of the Housing Act 2004, to renew and authorise the designation of the entire Borough of Brent as an area subject to additional licensing to last for five years from 1st February 2020 or on a later date to be set by the Strategic Director of Community Wellbeing as delineated and edged red on the map at Appendix 5.
- vi) Cabinet agreed that the evidence report set out in Appendix 3, highlights that the legal requirements as set out in the report, paragraphs 10.11 to 10.21, for introducing Selective Licensing on the grounds of anti-social behaviour (ASB); and/or poor property conditions; and/or high levels of deprivation have been met with regard to the proposed selective licensing designation areas as summarised in table 2 in section 5.0 of the report.

- vii) Cabinet agreed, subject to recommendations 1 – 3 above, to authorise the designation of four areas for selective licensing to last for five years from the date of designations coming into force, and which cover the following Council wards as delineated and edged red on the map(s) in appendices 4A to 4D:
- i. Designation 1: A selective licensing scheme designation in the wards of Harlesden, Wembley Central and Willesden Green wards under Part 3, s.80 Housing Act 2004 on the grounds of poor housing (property) conditions and ASB with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force.
 - ii. A selective licensing scheme under Part 3, s.80 Housing Act 2004 to the following designated areas of the borough with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force, for the reasons as follows:
 - Designation 2: Queensbury, Fryent and Brondesbury Park – this is along the A5 corridor and on the Grounds; Poor Housing (Property) Conditions and ASB
 - Designation 3: Barnhill and Welsh Harp – Grounds; Poor Housing (Property Conditions), Deprivation and ASB
 - Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury on the Grounds; Poor Housing (Property) Conditions and ASB.
- viii) Cabinet agreed to seek consent from the Secretary of State for the designation for Selective Licensing of the four designation areas as set out in appendices 4A to 4D and paragraph 2.7, which will last for five years from the date of the designation(s) coming into force, if approved by the Secretary of State.
- ix) Cabinet agreed the authority to issue the required statutory notifications in relation to the Additional and Selective Licensing Scheme designations be delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead member for Housing and Welfare Reform.
- x) Cabinet agreed that, subject to the issue of statutory notifications, that the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform be authorised to decide the date from which the council will begin to accept applications for Additional licensing.
- xi) Cabinet agreed that, subject to consent being obtained from the Secretary of State, and the issue of statutory notifications, that the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare reform be authorised to decide the date from which the council will begin to accept applications for Selective Licensing for each of the four designated areas and decide the date on which the designations and the extended Selective Licensing scheme will come into effect.

- xii) Cabinet agreed that the licensing conditions for the proposed designation areas for additional licensing as set out in Appendix 8, and for selective licensing as set out in Appendix 9 be approved and authorised the Strategic Director for Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to make any minor variations to such licensing conditions.
- xiii) Cabinet agreed to the proposed fee structure for licence applications under the Additional and Selective Licensing schemes set out in Appendix 7.
- xiv) Cabinet agreed that authority be delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform to agree the basis for and level of any changes including discounts which may be applied to these licensing application fees.
- xv) Cabinet noted that the Additional and Selective Licensing schemes will be kept under review at least annually. Any significant changes, including the withdrawal of a licensing designation or a proposal to introduce any new designation(s), will be subject to further consultation and a decision by Cabinet.

12. **Continued Use of Retained Right to Buy Receipts**

RESOLVED

- i) Cabinet agreed the continuing retention of Right to Buy receipts (subject to government legislation), as part of the Brent Retention Agreement (2012) with the Secretary of State for Ministry of Housing Communities and Local Government until 31 March 2024.
- ii) Cabinet agreed to continue to acquire existing properties until 31 March 2024 subject to financial viability including the flexibility to part-fund the cost of advance purchases within the South Kilburn regeneration area through retained Right to Buy receipts.
- iii) Cabinet agreed to continue to grant retained Right to Buy receipts to external partners for the provision of affordable homes for rent in line with the agreed procedure and delegate authority to the Strategic Director for Community Wellbeing in consultation with the Director of Finance and Operational Director for Housing to approve the criteria for grant funding, to approve criteria for evaluation of bids and to approve the allocation of such grants on acceptable terms.
- iv) Cabinet agreed to continue to contribute retained RTB receipts to support residential development of council-owned sites and for a commensurate proportion of the homes to be provided as affordable rented accommodation, subject to financial viability and to delegate authority to the Strategic Director for Community Wellbeing in consultation with the Director of Legal, HR, Audit and Investigations, the Director of Finance and the Operational Director, Housing to approve the contribution of such receipts.

13. Digital Strategy and Business case 2019-2023

RESOLVED

- i) Cabinet agreed the Digital Strategy 2019-23 as set out in Schedule 1.
- ii) Cabinet agreed the Outline Business Case as set out in Schedule 2 with the funding identified to deliver the programme.
- iii) Cabinet agreed the Cyber Security Strategy 2019-23 as set out in Schedule 3.
- iv) Cabinet delegated to the Strategic Director of Customer and Digital Services, in consultation with the Deputy Leader, authority to award a contract for a digital development partner.

14. South Kilburn Queens Park (SKQP) LLP - Termination and the Option to Acquire Falcon Land

RESOLVED

- i) Cabinet noted the content of the report and appendices.
- ii) Cabinet agreed to terminate the SKQP LLP Project Agreement and Members Agreement after 30 October 2019 should it not be possible for the parties to agree a solution with regard to outstanding conditions precedent.
- iii) Cabinet agreed that, subject to termination of the SKQP LLP Project Agreement and Members Agreement pursuant to paragraph 2.2, Brent Council enter into the option agreement to acquire the Falcon Public House site.
- iv) Cabinet delegated authority to the Strategic Director of Regeneration and Environment in consultation with the Cabinet Member for Regeneration, Property and Planning, to exercise its option and agree terms for the acquisition of the Falcon Public House site.

15. Brent Local Plan Publication and Submission for Examination

RESOLVED

- i) Cabinet agreed that the Brent Local Plan set out in Appendix 1 is published for consultation.
- ii) Cabinet delegated authority to the Strategic Director of Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to make proposed modifications to the Brent Local Plan prior to submission and if required through the Examination process.

- iii) Cabinet recommended that Full Council approve the submission of the draft Brent Local Plan with any proposed modifications, plus associated documents as set out in regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012), to the Secretary of State for Examination.
- iv) Cabinet approved the Brent Local Development Scheme 2019-22 as set out in Appendix 2.
- v) Cabinet delegated authority to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to approve future Brent Local Development Schemes.
- vi) Cabinet revoked the Alperton Masterplan Supplementary Planning Document July 2011.

16. Article 4 Directions to Remove Permitted Development Rights for Changes of Use from Office and Light Industrial to Residential and also from Residential to Houses in Multiple Occupation

RESOLVED

- i) Cabinet approved the issuing of a non-immediate Article 4 Direction removing permitted development rights for change of use from Office (B1(a)) and Light Industrial (B1(c)) to residential (C3) for the remainder of the borough not covered by existing Article 4 Directions to remove these permitted development rights.
- ii) Cabinet approved the issuing of a non-immediate Article 4 Direction removing permitted development rights for change of use from Residential (C3) to Houses in Multiple Occupation (C4).
- iii) Cabinet delegated authority to the Strategic Director for Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to consider consultation responses and the decision on whether to confirm the Article 4 Directions.

17. Secondary School Expansion Programme - Update and Approval of Capital Funding

RESOLVED

- i) Cabinet approved the secondary school expansion programme as described in paragraph 3.15 of the report.
- ii) Cabinet allocated £35.1m of capital funding to deliver a phased secondary school expansion programme.

- iii) Cabinet noted that further reports will be brought to Cabinet seeking approval of capital allocations to individual projects from the overall programme funding based on detailed project business cases.
- iv) Cabinet noted that the Strategic Director of Regeneration & Environment will make decision/s to award one or more low/medium value services contracts for the consultant team required to deliver the secondary school expansion programme.

18. Development of Family Hubs

RESOLVED

- i) Cabinet agrees to the development into Family Hubs of those sites listed in Table 1 below for the reasons detailed in the report and particular in paragraph 6.10 of the report.

Table 1

Current Children’s Centre sites proposed to become Family Hubs

Fawood and Curzon (managed as one Hub)	Preston Park (adjacent to Preston Park primary school)
Alperton (adjacent to Alperton School)	St Raphael’s (centrally located on the Stonebridge estate)
Church Lane (adjacent to Fryent Primary school)	Three Trees (adjacent to Queens Park Community school)
Granville Plus (part of the Granville site)	Willow (predominantly as a SEND hub situated adjacent to Chalk Hill Primary school)

- ii) Cabinet agrees that the sites detailed in Table 2 below will cease Children’s Centre provision, and seek alternative usage options for the reasons detailed in the report and in particular in paragraph 6.10 of the report.

Table 2

Current sites proposed to end existing Children’s Centre provision from, seeking alternative usage options:

Mount Stewart (based on Mount Stewart school site, possible future use as a full time school nursery)	Welcome Centre and Barham Park Annex (possible future use for Barham Park site as a community resource by a voluntary sector provider)
Treetops (based in King Edward Park possible future use by the onsite private nursery provider full time)	Wykeham (adjacent to Wykeham primary school, possible future use by the school as 2 year olds’ provision or for alternative educational use).
Wembley Primary (Integrated with Wembley primary school, possible future use by the school as additional office and nursery provision)	Harmony (adjacent to Mitchell Brook primary school, possible future use as continuation of school nursery or for alternative educational use).

- iii) Cabinet approved an approach to manage Family Hubs as set out in the report and in particular in paragraph 6.21 of the report, with health services being commissioned and the majority of other services being brought in-house.

- iv) Cabinet delegated authority to the Strategic Director, Community Wellbeing in consultation with the Lead Member for Public Health, Culture and Leisure to tender and award a contract(s) to deliver health services from Family Hubs as detailed in appendix 4.
- v) Cabinet delegated authority to approve requests to the Strategic Director, Children and Young People to Tender and Award some specific services to be delivered from Family Hubs as detailed in appendix 4.

19. Consultation on Admissions Arrangements for Community Schools for 2021/22

RESOLVED

- i) Cabinet agreed to carry out statutory consultation on the proposed changes to Community Schools Oversubscription Criteria as set out in section 4.0 of the report, to take effect for the academic year 2021/22. The consultation is as required by the School Admissions Code, revised in December 2014.
- ii) Cabinet noted that the results of the consultation will be reported back to Cabinet for a final decision on the proposals by February 2020.

20. Exclusion of Press and Public

RESOLVED: that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of agenda item **X** on the grounds that this involved the likely disclosure of exempt information as defined in Paragraph **X**, Part 1 of Schedule 12A, as amended, of the Act: *Insert category of exempt information*

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

21. Any other urgent business

None.

The meeting ended at 5.50 pm

COUNCILLOR MUHAMMED BUTT
Chair