



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held as an online virtual meeting on Monday 20 July 2020 at 4.00 pm

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

Also present (in remote attendance): Councillor Kelcher (Chair of the Resources and Public Realm Scrutiny Committee)

1. **Apologies for Absence**

An apology for lateness was received from Councillor Farah (Lead Member of Adult Social Care).

2. **Declarations of Interest**

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on 15th June 2020 be approved as an accurate record of the meeting.

4. **Matters Arising (if any)**

None.

5. **Petitions (if any)**

None.

6. **Reference of item considered by Scrutiny Committees (if any)**

None.

7. **Poverty Commission**

Following advice from Councillor Eleanor Southwood (Lead Member for Housing and Welfare Reform) Cabinet **NOTED** that the report from the Commission had been deferred, and were informed this was due to a desire for the emerging recommendations and draft report to first be considered through the scrutiny process. It was anticipated the report would be submitted to Cabinet in September for consideration.

8. **COVID-19 Support Fund**

Councillor Margaret McLennan (Deputy Leader and Lead Member for Resources) introduced the report, and highlighted that it had been produced in partnership with the Lead Member for Housing and Welfare, Councillor Eleanor Southwood. Cabinet noted that the Authority had received £3.9 million in funding from the Ministry of Housing Communities and Local Government for the creation of a hardship fund, with the expectation that a contribution be given to all residents of working age in council tax support. When these grants had been discharged £2.6 million remained available, and the report outlined a proposal to distribute the remainder through the creation of two new support funds.

Councillor Muhammed Butt (Leader of the Council) then welcomed Councillor Kelcher to the meeting who had requested to speak on this item as Chair of the Resources and Public Realm Scrutiny Committee, in order to outline the comments and recommendations made by the Scrutiny Committee when they had considered the proposals within the report, at their meeting on 14 July 2020.

Councillor Kelcher advised that the Scrutiny Committee had recognised the economic as well as health and social impact of the Covid-19 pandemic on local residents, and as such had welcomed the proposed establishment of the new support funds and made the following recommendations in support:

- That the Covid-19 Interest Free Loans eligibility criteria should be extended to include debt;
- A member development session be arranged on the new support funds and their referral process;
- That information already held be used to proactively offer advice and support for vulnerable local people;
- A review of debt collection processes be undertaken in light of Covid-19 to ensure that the circumstances of vulnerable people adversely affected by the pandemic were fully taken into account.

As comments made during the discussion, Cabinet further noted that the creation of interest free loans distributed through a credit union would provide sustainable support beyond the March 2021 deadline set by government for the distribution of the funds, and were informed the schemes had been reviewed as part of the Poverty Commission. Councillor McLennan also took the opportunity to thank officers for their work on the report, noting that schemes would assist many local residents in hardship.

In expressing their endorsement for the proposal, Cabinet noted the alleviation the schemes would provide to those residents not eligible for alternative support, and the importance of developing the borough's mutual sector. Whilst noting that authority had been delegated to officers to determine the criteria for the allocation on the scheme, Cabinet requested that these criteria be circulated to all Members as soon as developed. The Strategic Director of Finance agreed to this request, highlighting that the grant programme was due to launch on 1st August, followed by a tender exercise for selection of a credit union and the launch of the loan scheme on the 7th August.

It was **RESOLVED** that Cabinet:

- (1) note the proposals set out in sections 5 and 6 of the report to introduce two new support funds using the surplus money from the Council Tax: COVID-19 Hardship Fund 2020-21.
- (2) approve the establishment of a grant facility to assist Brent residents financially impacted by Covid-19 as set out in section 5 of the report (“Covid-19 Support Fund Grant”).
- (3) delegate to the Strategic Director for Customer Services in consultation with the Cabinet Member for Housing and Welfare Reform authority to agree eligibility criteria for the Covid-19 Support Fund Grant above and thereafter administer and award grants.
- (4) approve the establishment of an interest free loan arrangement to assist Brent residents financially impacted by Covid-19 as set out in section 6 of the report (“Covid-19 Support Fund Loan”).
- (5) approve payment to the Credit Union of such sums remaining in the Council Tax – COVID – 19 Hardship Fund 2020 – 21 and at such frequency as the Director of Finance considers appropriate from which Covid-19 Support Fund Loans will be made and delegates to the Director of Finance in consultation with the Director of Legal, HR, Audit and Investigations authority to finalise the terms of the investment.
- (6) delegate to the Strategic Director for Customer Services in consultation with the Cabinet Member for Housing and Welfare Reform authority to agree the final eligibility criteria based on draft eligibility criteria in Appendix 2 of the report for the Covid-19 support Fund Loan and thereafter administer it in association with the Credit Union.
- (7) Delegate to the Strategic Director for Customer Services in consultation with the Cabinet Member for Housing and Welfare Reform authority to review and agree revised eligibility criteria for both the Covid-19 Support Fund Grant and the Covid-19 Support for the reasons detailed in section 5.16 and 6.19 of the report.
- (8) To support and approve the following recommendations made by the Resources & Public Realm Scrutiny Committee being taken forward as part of the development and implementation of the new support funds:
 - (a) That the Covid-19 Interest Free Loans eligibility criteria be extended to include debt;
 - (b) A member development session be arranged on the new support funds and their referral process;
 - (c) The Strategic Director, Customer & Digital Services be requested to consider how best to proactively use data already available to offer advice and support for vulnerable local people; and
 - (d) The Strategic Director, Customer & Digital Services be requested to undertake a review of debt collection processes in light of Covid-19 to ensure that the

circumstances of vulnerable people adversely affected by the pandemic were fully taken into account.

9. **Council Tax 13A Policy**

Councillor Eleanor Southwood (Lead Member for Housing and Welfare Reform) and Councillor Margaret McLennan (Deputy Leader and Lead Member for Resources) introduced the report, which sought approval for the introduction of a Policy to formalise the authority's usage of Section 13A(1)(c) of the Local Government Finance Act 1992. Cabinet were made aware that the authority had recently discharged this function in the distribution of the funding provided by the government for use as a council tax support scheme during the COVID-19 pandemic.

In addition, it was noted that the Policy would permit the authority the discretion to apply exemptions in council tax by class, for example to care leavers.

It was **RESOLVED** that Cabinet:

- (1) approves the proposed discretionary reduction Policy pursuant to section 13A(1)(c) of the Local Government Act 1992 as set out in appendix A of the report.
- (2) notes that the proposed Policy pursuant to section 13A(1)(c) of the Local Government Act 1992 linked to council support for vulnerable residents alongside other support mechanisms such as Discretionary Housing Payments (DHP) and Local Welfare Assistance (LWA).
- (3) delegates authority to the Strategic Director, Customer and Digital Services in consultation with the Director of Finance in respect of decisions on individual applications for reducing Council Tax payable pursuant to the proposed policy under section 13A(1)(c) of the Local Government Finance Act 1992 as set out in Appendix A of the report.

10. **Parking Policy 2020**

Councillor Krupa Sheth (Lead Member for Environment) introduced the report outlining the 2020 Parking Policy, which provided a comprehensive guide to current parking policies and operational practices. The Policy had been built on the 2015 Parking Policy and reflected cabinet decisions over the past five years along with the long term parking strategies and goals for the authority, including those represented in the borough plan.

Cabinet's attention was drawn to three key achievements made in recent years that had been captured in the new policy; the amendment in the price of parking bookings, the simplification of parking emission zones for resident's permits, and the introduction of a diesel surcharge on permits, to encourage the use of cleaner vehicles.

Whilst supporting the inclusion of a provision for special events and one-off events, Members queried whether the timeframe for approval of road closures was conducive to the aim of encouraging community use of local streets. It was clarified

that the six to eight week turnaround for approval of applications only applied to larger events requiring a Traffic Management Order (TMO) and was for statutory and safety reasons.

In supporting the detailed data on the number of CPZ zones and the clarity provided on parking transgression codes, Councillor Muhammed Butt, Leader of the Council, highlighted the importance that all members were made aware of the policy, so they could have a complete understanding of parking practices in the borough.

It was **RESOLVED** that Cabinet:

- (1) approves the Parking Policy 2020 attached as Appendix A to this report, superseding the Council's 2015 Parking Strategy.
- (2) notes and confirms the policy revisions set out in paragraph 3.5 of the report that had been introduced since 2015, following Cabinet approval.

11. **Heat Billing & Metering Methodology**

Councillor Margaret McLennan (Deputy Leader and Lead Member for Resources) introduced the report, which detailed a methodology for billing residents of properties that were metered for heat on communal heating systems. Such properties were planned as part of the South Kilburn District Energy Scheme, and would support the authority's targets in reducing fuel poverty and meeting its climate emergency objectives. The proposal was for a trial of the scheme to be undertaken at Gloucester and Durham Courts, and Cabinet noted that residents of the trial area had been consulted and were supportive of the scheme.

Cabinet's attention was drawn to the provision within the methodology that no tenant would be billed for heat they did not use, and that there would be no allowance for pre-billing.

It was **RESOLVED** that Cabinet:

- (1) approve the option and implementation of credit billing for heating and hot water in residential communal systems and incorporate a heat meter as set out in this paper.
- (2) approve the in house management of the billing for heating and hot water residential properties at Gloucester & Durham as set out in the report;
- (3) approve the setting of tariffs in accordance with the guidance set out by the Heat Trust (in the absence of any current regulation on heat prices)
- (4) delegate authority to the Director of Finance, in consultation with the Strategic Director of Community Wellbeing and the Deputy Leader of the Council and Lead Member for Resources to agree a metering and billing policy in line with the recommended option set out in paragraphs 5.2 – 5.5 of the report and thereafter implement and operate the policy subject to such modifications as the Director of Finance considers necessary.

12. **Estate Parking**

Councillor Eleanor Southwood (Lead Member for Housing and Welfare Reform) introduced the report seeking approval for a renewed approach to parking enforcement on council owned housing estates. Cabinet noted that the limited enforcement action available to the current provider had resulted in many complaints from residents, councillors and emergency services, and were supportive of any action that could be taken to rectify the issue.

If approved, the recommended proposal, which would allow for meaningful enforcement, would be piloted on five estates and resident involvement in the process had been forefront. Councillor Southwood therefore recommended the Cabinet approve the extension of an existing agreement with SERCO, which, being the quickest option to introduce, would alleviate the safety concerns in the shortest timeframe.

It was **RESOLVED** that Cabinet:

- (1) note the contents of the report and approve the proposal to introduce Off Street Controlled Parking through Traffic Management Orders on land owned by the Council within its Housing Revenue Account.
- (2) delegate authority to the Strategic Director for Community Wellbeing, in consultation with the Strategic Director for Regeneration and Environment, to carry out statutory consultation in relation to proposed Traffic Management Orders, consider the consultation responses and thereafter, subject to any modifications as seen fit, to make and implement Traffic Management Orders on land owned by the Council within its Housing Revenue Account.
- (3) endorse Option Two as the preferred service delivery option, as set out in paragraphs 4.8.6 to 4.8.12 of the report. This option involves implementing Off Street Controlled Parking through a Traffic Management Order and following implementation, varying the Council's contract with SERCO to enable them manage the scheme.
- (4) note the proposed five pilot sites as set out in paragraph 3.8 of the report and approve the approach to further roll out, subject to an evaluation report, consultation with residents and approval of the capital investment required.
- (5) agree to charge residents £50 per annum per vehicle for their parking permits under Off Street Controlled Parking schemes on Council estates.

13. **6 monthly update and procurement reports on NCHP**

Councillor Eleanor Southwood (Lead Member for Housing and Welfare Reform) introduced the report which provided an update on the progress of the New Council House Programme. A further three sights had been added to the programme, comprising 370 homes; new opportunities to increase the stock were always sought including through Section 106 Orders. Cabinet noted that the figures presented excluded the additional homes on St Raphael's estate, where residents were due to be balloted on options for approval.

Having received an update on the various stages of approval and construction of the sites, Cabinet were pleased to note that the programme was on track, with an anticipation that the target number of new homes would be exceeded. In giving the programme their full support, Cabinet noted that Brent were leading the way on the delivery of affordable sites in London, as well as recognising the commitment to providing community facilities, which would benefit those most at need.

In considering the report, Cabinet noted the following corrections identified by Councillor Southwood during the meeting:

- Section 5.6 - South Kilburn Regeneration to add prior to the existing paragraphs "The below points are in relation to the South Kilburn Programme, which is separate to that of the New Council Homes Programme";
- Section 5.6.2 to amend the first sentence to read "There are potential opportunities at the following sites that will increase the overall delivery of the South Kilburn programme:"
- Section 5.6.2 to add after the bullet points – "These adjustments to delivery volumes would not change the inclusion of the sites in the South Kilburn Programme nor the offer to existing South Kilburn tenants

It was **RESOLVED** that Cabinet:

- (1) Note, subject to the above amendments, the contents of the report and progress to date in delivering both the New Council Homes Programme (NCHP) and other programmes and projects in place to deliver a total of 5,000 new affordable homes in the borough by 2024.
- (2) note the steps being taken as set out principally in Sections 6 and 7 of the report to add value to the programme, specifically in relation to stakeholder engagement and landscaping.

14. **2019/20 Financial Outturn Report**

Councillor McLennan (Deputy Leader and Lead Member for Resources) introduced the report which set out the authority's financial position at the conclusion of the 2019/20 financial year. Cabinet were informed that the Authority had broken-even, with overspend in the Adult Social Care: Home Care Programme Retender, on Special Education Needs (SEN) and on complex child placements, being offset by savings elsewhere across the Council. In summing up Councillor McLennan thanked the finance team for their work on the report.

It was **RESOLVED** that Cabinet note the overall financial position, as detailed within the report.

15. **Quarter 1 Financial Report 2020/21**

Councillor McLennan (Deputy Leader and Lead Member for Resources) introduced the report, which detailed the current forecast of income and expenditure against the revenue budget for 2020/21 and other key financial data. Excluding the impact of Covid-19 the Council was currently forecasting an overspend of £0.9m on the General Fund, which related to Children & Young People. The overspend within

Children and Young People had been due to a number of complex cases involving the placements of older children into care. The Cabinet were assured that the department was working hard to alleviate the overspend.

Whilst presenting the financial position for Q1 Councillor McLennan emphasised the change to the financial position in light of COVID-19, which would be further detailed in subsequent reports.

Cabinet noted that the third tranche of government funding referred to in the report, had now been allocated, with the authority receiving £3.4 million for a total government contribution of £21.8 million.

It was **RESOLVED** that Cabinet note the overall financial position and the actions being taken to manage the issues arising as outlined at the meeting and detailed within the report.

16. **Medium Term Financial Outlook**

Councillor McLennan (Deputy Leader and Lead Member for Resources) introduced the report which set out the medium term financial outlook for the authority in light of the challenges, risks and uncertainties as a result of the spending related to COVID-19. Cabinet were informed that the budget set in February for 2020-2023 would need to be reviewed in light of the financial measures necessitated to tackle COVID-19. The impact on the Council's overall financial position as a result of Covid-19 had generated additional pressures estimated at £47 million. Three tranches of government funding worth £21.8 million had been received, leaving a shortfall to be addressed alongside the further additional pressures that were continuing to emerge.

As a result, Cabinet were informed that the Authority were starting to plan in order to mitigate these impacts identified, in both the short to medium term..

In concluding her introduction Councillor McLennan regretted the position and highlighted the need for the Council to develop a response that continued to maintain a commitment to strong financial resilience and sustainability given the significance of the financial challenges faces but also recognised the prudent approach adopted by the Council in management of its budget to date.

Councillor Muhammed Butt, Leader of the Council, acknowledged that the process would be difficult. The authority would continue to capture all costs associated with the response to COVID and were expecting that government would keep their commitment to reimburse local authorities for all expenses. Cabinet committed to continue to lobby London Councils and the London General Assembly to this end.

It was **RESOLVED** that Cabinet

- (1) note the contents of the report and the potential financial impact on the Councils Medium Term Financial Strategy.
- (2) agree the budget setting process for 2021/22, including the approach to consultation and scrutiny, as set out in section five of this report.

- (3) confirm their intention, as previously announced and subject to consultation and any other material changes to circumstances, to increase council tax by 3.99% in 2021/22.
- (4) note the Capital budgets and agree the proposed 2019/20 capital budget carry forwards and capital virements, as set out in section six of the report.

17. **Q4 Performance Report 2019/20**

Councillor McLennan (Deputy Leader and Lead Member for Resources) introduced the report which outlined the authority's performance over the past year against the Borough Plan 2019-2023. Cabinet's attention was drawn to areas where the authority had performed well, for example the rising attainment levels of Black Caribbean Boys. In light of the challenges of COVID-19 members noted that the Borough Plan would be subject to further review in order to reflect issues highlighted by the pandemic, for example in health inequalities. Whilst acknowledging the positive progress made against the metrics included in the plan, and agreeing to the desire for metrics that were more challenging, Cabinet also recognised that many of the current targets were outside of Member's direct control.

It was **RESOLVED** that Cabinet

- (1) Note the performance information contained in this report, along with the planned review and refresh of priorities within the Borough Plan
- (2) Note the current and future strategic risks associated with the information provided and agree remedial actions on strategic risks identified in relation to them.
- (3) Continue to challenge progress with responsible officers as necessary.

18. **Exclusion of Press and Public**

There were no items that required the exclusion of the press or public.

19. **Any other urgent business**

None.

The meeting ended at 5.02 pm

COUNCILLOR MUHAMMED BUTT
Chair