



Brent

## LONDON BOROUGH OF BRENT

### MINUTES OF THE CABINET Monday 15 December 2014 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor Pavey (Vice-Chair) and Councillors Crane, Denselow, Hirani, Mashari, McLennan and Moher

Also present: Councillors S Choudhary, Filson, Mahmood, J Mitchell Murray and Warren

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

None made.

#### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 10 November 2014 be approved as an accurate record of the meeting subject to the following amendment to clause 6, paragraph 2:

Councillor Pavey's comment on the Allocation Scheme Review be amended to read that he "referred to the overall shortage of housing and the proposal to allow couples with one child to bid for one bedroomed properties. He felt this was a sensible amendment which reflected the fact that many small families already used rooms as additional bedrooms. Recognising this in our Allocation Scheme would enable more families to remain within their communities."

#### 3. **Matters arising**

None.

#### 4. **Budget 2015/16 and 2016/17**

With the permission of the Chair, Mr Dunwell addressed the committee, indicating his support of the council undertaking necessary efficiency savings and specifically, for the cessation of the Ward Working budget and the Brent Connects forums.

Councillor Pavey (Deputy Leader) introduced the report from the Chief Finance Officer which updated members on the financial position for the 2015/16 and 2016/17 financial years. He advised that the council was required to make savings of £54m over this period in order to deliver a balanced budget. Draft officer savings proposals totalling £60m were set out in the report for initial consideration by the Cabinet. In drafting these proposals, officers had been instructed to identify as many different options as possible to enable choices to be made between difficult policies. Councillor Pavey advised that the proposals included some positive and innovative ideas; however, these alone could not deliver the level of savings required and difficult decisions would have to be made in order to meet the unprecedented financial challenge. With the agreement of the Cabinet, a period of consultation and public engagement would be held, the outcome of which would inform the subsequent decisions taken by the Cabinet in developing the budget for 2015/16 - 2016/17.

The Chair invited contributions from councillors and members of the public in attendance at the meeting.

Councillor Warren raised concerns regarding the likelihood of some of the savings options detailed in the report, the inclusion of which he felt had raised public anxiety. Members of the public expressed their distress regarding the proposal to close the New Millennium Day Centre. Users of the facility emphasised that the centre provided an essential function and the closure of the centre would significantly and negatively affect many people. Further concerns were expressed by members of the public and representatives of the Brent Youth Parliament regarding the consequences of cutting youth services. Mr Lorber suggested that the ceremonial position of the Mayor could be cut to provide additional savings to the council.

The Leader welcomed the comments made and emphasised the importance of the proposed consultation. Members expressed that it was necessary to consider all savings options to ensure that the services required by those most in need were protected. The council was having to examine every possibility, including the cessation of services, delivering services through alternative models and enhancing income generation.

RESOLVED:

- (i) that the financial position and its implications as detailed in the report from the Chief Finance Officer be noted;
- (ii) that the draft officer savings proposals summarised in Appendix One and detailed in Appendix Two be noted;
- (iii) that consultation be carried out with residents, the voluntary and community sector, local businesses and other groups as necessary on the draft savings proposals and their consequences.

## **5. Brent's Borough Plan 2015-2019**

The Cabinet received a report from the Chief Executive. The report set out the first draft of the proposed Brent Borough Plan for 2015 to 2019. The Borough Plan constituted a community strategy for Brent and detailed how the council, its partner services, local residents, local business and the voluntary and community sector would work together to improve the quality of life for local people. The priorities and targets contained within the plan had been informed by an extensive programme of consultation which had been conducted over the past three months. The Brent Borough Plan provided a shared vision for the borough, detailed the priorities through which the vision could be achieved, as well as the promises and specific outcomes that would be focused on over the period April 2015 to January 2019. The plan would be reviewed and revised each year in light of the achievements made. With the agreement of the Cabinet, the draft plan would be used as the basis for further discussion with the council's partners and the final borough plan would be submitted to Full Council for approval in March 2015.

Members sought further details of the consultation conducted and queried how it compared with the activities of other local authorities. Christine Gilbert (Chief Executive) explained that exhaustive engagement had been held to a degree far more comprehensive than was usual for local authorities. Several different tactics had been employed to ensure the widest possible audience was reached including small focus groups and a residents' survey. The Leader added that responses to the consultation had been received via the website and local businesses had been engaged. The Chief Executive further explained that the draft plan had been discussed at the recent Partners for Brent meeting and very positive

feedback had been received. It was felt that the plan had captured the key aims for the borough and illustrated the added value of working together with partner agencies. Councillor Hirani welcomed the focus on partnership and emphasised the increasing importance of this for the council in coming years.

Councillor Warren, with the permission of the Chair, expressed the view that the priorities set out in the plan were as anticipated and questioned whether an extensive consultation had been necessary.

RESOLVED:

- (i) that the progress made in developing the Borough Plan be noted;
- (ii) that the draft plan and the borough plan consultation findings be utilised as the basis for further discussion with partners between now and the formal adoption of the plan by Council in March 2015.

## **6. Senior Manager Restructuring proposals**

The Cabinet considered a report from the Chief Executive detailing proposals for the restructure of the council's senior management team. The report emphasised the challenging financial conditions for local government which were set to become increasingly more severe over the next four years. The proposed restructure reflected the need to refocus the council's senior management and corporate centre to meet the challenges of this funding environment and would deliver savings of approximately £1.4m. The report sought authorisation for the deletion of several posts at Strategic Director, Director and Operational Director level and the creation of the following posts: Chief Operating Officer, Operational Director Strategic Commissioning, Operational Director Community Services and Chief Legal Officer. The proposed restructure aimed to strengthen the council's strategic commissioning and community focus, to enable the council to develop and deliver the comprehensive change programme that was necessary over the next few years.

The proposals before the Cabinet had been agreed by the General Purposes Committee at its meeting on 5 November 2014 subject to staff consultation. Christine Gilbert (Chief Executive) summarised the responses received during the consultation period, which had closed on 5 December 2014. The meeting was advised that there was general support for the model of the Chief Operating Officer position and department and there would be a need to focus on culture change within the organisation to reflect the changing trajectory of council provision. There had been an acceptance amongst responders that Environment and Neighbourhoods was not sustainable as a department. However, there had also been recognition that it would be important to maintain continuity between the old and new structures. It had been determined therefore that the Director of Environment and Neighbourhoods should remain with the council until May 2015 to assist the transition between senior management structures and to counter the loss of organisational memory.

At the invitation of the Chair, Councillor Filson expressed the view that Human Resources, Legal and possibly Communications should be represented on the Senior Management Team and questioned the rationale of the Chief Operating Officer position. Councillor Warren queried why the proposed recruitment process for this position varied from the other appointments. Mr Lorber queried the rationale for appointing the position on a one year fixed term basis and sought details of the anticipated costs of redundancies arising from the restructure.

Christine Gilbert explained that the Chief Operating post would be permanent but the intention was to appoint to the position for one year on a fixed term basis in order to allow the new Chief Executive to be involved in the appointment of the permanent member of staff. As a result of the post being fixed term, the position would be advertised both internally and externally at the same time. It was recognised that as the remaining positions were being appointed to on a permanent basis, it was appropriate that they be advertised internally first to help avoid redundancies. Conrad Hall (Chief Finance Officer) confirmed that the savings of £1.4m would be ongoing, year on year, and the initial costs of redundancy were as yet unknown.

RESOLVED:

- (i) that following staff consultation, the senior officer posts listed below be deleted:
  - Strategic Director, Environment and Neighbourhoods
  - Operational Director, Neighbourhoods (Vacant)
  - Operational Director, Environment and Protection
  - Assistant Chief Executive
  - Director of Legal and Procurement
  - Operational Director, Finance
  - Operational Director, ICT
  - Operational Director, Brent Customer Services
- (ii) that following staff consultation, the posts listed below be created:
  - Chief Operating Officer (at Strategic Director level)
  - Operational Director, Strategic Commissioning
  - Operational Director, Community Services
  - Chief Legal Officer (and Monitoring Officer)
- (iii) that the post of Chief Operating Officer be appointed on a one year fixed term basis, in the first instance;
- (iv) that the Chief Executive, in consultation with the Leader of the Council, be authorised to make such other changes as may be needed to give effect to the proposals detailed in the report.

## **7. School Budget Proposals - 2015/16**

Councillor Moher (Lead Member Children and Young People) presented a report from the Strategic Director of Children and Young People setting out the school budget proposals for 2015/16. The total schools' budget for 2015/16 was provisionally estimated as £213m. This included an additional £11m funding for Brent schools to be received as part of the Department for Education's (DfE) 2015/16 "fairer funding" distribution. The increase in funding for schools represented, on average, a five percent increase for primary schools and a seven per cent increase for secondary schools. In addition, the DfE had announced that non-recoupment academies and free schools would convert for funding purposes to "recoupment" academies from April 2015/16, therefore simplifying the current academy funding system and funding them all through the local formula. This would have a neutral financial impact for Brent, as whilst the Dedicated Schools Grant allocations had increased, the amount to be recouped by the DfE would increase by the same amount. The Schools Forum had agreed that the additional funds should be distributed through proportional increases in pupil-led factors and had also agreed to move towards the national average for the funding ratio between the primary and secondary sector, thereby reducing the amount of resources allocated under the minimum funding guarantee (MFG). Councillor Moher drew members' attention to the table detailing the provisional schools funding for

2015 and advised that this would be re-calculated using the most recent schools census figures prior to final submission.

During discussion, members sought further detail on SEN funding and phased protection, questioned whether the funding formula took account of a school's reserves and noted the importance of working in partnership with Brent's schools.

Gail Tolley (Strategic Director of Children and Young People) advised that there was currently a system of top up funding from the High Needs funding block which had settled into the schools financial system and was welcomed by schools. Conrad Hall (Chief Finance Officer) advised that the schools funding formula did not take into account the reserves held by schools. Councillor Moher confirmed that the council was working with schools to look at how valued services provided by the council could be funded in the future.

RESOLVED:

that the schools' budget for 2015/16 be approved.

## **8. Permanent expansion of Manor Special School**

A report on the permanent expansion of Manor Special School was presented to the Cabinet by Councillor Moher (Lead Member Children and Young People). The report detailed the outcome of the statutory proposals to increase the permanent provision at Manor Special School from 132 places to 176 places from September 2015. Manor School provided school places for primary aged pupils between the ages of 4 to 11 years old with moderate learning difficulties / autism spectrum disorder. There had been increased demand for SEN placements in Brent for a number of years, following a national trend though exacerbated in Brent by increased inward migration. Demand for SEN school places was expected continue to rise in line with the increasing pupil population. Manor School had a Good Ofsted rating and was popular with parents. Expanding provision at the school would enable children, who would otherwise be placed at independent special schools some distance from their homes, to access good quality local provision thereby reducing transport costs for the council and travelling time for those children, as well as meeting parental demand. A recent feasibility study had confirmed that Manor School had the capacity to accommodate the additional school places on the existing site via internal remodelling and the building of a small extension. A period of consultation had been undertaken with key interested parties including parents, staff and the wider community. This had been followed by a six week statutory period during which representations could be made; no objections had been raised.

Members' attention was drawn to the financial implications set out in the report. Councillor Moher advised that the Education Funding Agency (EFA) had awarded the Council £1.541m of Targeted Basic Need (TBN) grant to fund the project. This TBN grant would be subject to reclamation by the EFA if the project was not pursued. In August 2014 the Cabinet approved the allocation of £641k from Basic Need Capital grant allocated to the council for the provision of school places in order to address a funding gap between the TBN grant and the total forecast project cost of £2.182m.

RESOLVED

that the expansion of Manor Special School by the addition of 44 new places for students aged 4 to 11 from September 2015 be approved.

9. **Consultation on Community Schools Oversubscription Criteria and Admission Arrangements**

Councillor Moher (Lead Member Children and Young People) introduced a report from the Strategic Director of Children and Young People which sought the Cabinet's agreement to consult on proposed amendments to the oversubscription criteria for Brent Primary Community schools for the 2016/17 admissions round. It was intended that the results of the consultation would be reported back to Cabinet in March 2015 for a final decision. Councillor Moher outlined the proposed changes to the oversubscription criteria which included the creation of an additional criterion to prioritise children with a sibling connection to the school who lived within the catchment area over those with a sibling connection who lived outside of the school's catchment area; a move straight line measurement of distance between home address and the school; and a clarification of the wording of the social medical criterion. The council was required to consult widely on any proposed changes to the admission arrangements for a minimum period of eight weeks. As part of the consultation, the proposed changes would be published to the internet, in the local press, circulated to schools, places of worship, nurseries and children's centres and consultation meetings would be held locally for parents to attend.

The Chair invited comments from the audience. Councillor Filson raised a concern regarding the change to the method for measuring distance between an applicant's home address and the school. Mr Lorber questioned how families housed in illegal developments were dealt with. The Leader reminded the meeting that the proposed changes remained under review and the results of the consultation would be reported to the Cabinet for final decision in March 2015.

RESOLVED:

- (i) that the statutory consultation be carried out on the proposed changes to Community Schools Oversubscription Criteria to take effect from September 2016/17.
- (ii) that it be noted that the results of the consultation would be reported back to the Cabinet for final decision on the proposals in March 2015.

10. **Agreement to a Revised Service Level Agreement between LB Brent and LB Harrow for the Trading Standards Consortium**

The Cabinet received a report from the Strategic Director of Environment and Neighbourhood Services seeking agreement to revise the longstanding Service Legal Agreement between the council and the London Borough of Harrow for the Trading Standards Consortium.

Councillor Crane (Lead Member Environment) advised that Brent had provided a Trading Standards Service for Harrow on a consortium basis since 1 April 1965. A formal consortium agreement was first drawn up between Brent and Harrow in 1996 based upon the prior agreement and a further change was made to the arrangements in 2001 with the introduction of the Executive system of governance, establishing the Joint Advisory Board. The working text of a new Consortium Agreement had been agreed between Brent and Harrow officers in 2003 and though it is understood to have never been formally signed, both parties had abided by its terms. The 2003 Agreement was now outdated and changes were required to ensure the continued efficient and effective operation of a shared Trading Standards Service. Members' attention was drawn to the proposed changes detailed in the report which included better reflecting the changed Executive arrangements for both boroughs, updating performance and financial reporting and oversight arrangements and

extending the notice required to dissolve the arrangements. It was highlighted that the arrangements allowed efficiencies of scale to be achieved which permitted both councils to deliver trading services with a far greater impact than was achievable separately. Councillor Crane noted that Harrow's Cabinet had agreed the revised Service Level Agreement at its meeting on 15 January 2014.

RESOLVED:

- (i) that the continued provision of Trading Standards through a shared service arrangement with the London Borough of Harrow be agreed;
- (ii) that authority be delegated to the Strategic Director, Environment and Neighbourhoods in consultation with the Director of Legal and Procurement to agree revisions to the service level agreement necessary to enable shared service arrangements to continue to operate in an efficient and effective manner.

**11. Delegation of powers to London Councils Transport and Environment Committee: appeals service for parking on private land**

Councillor Crane (Lead Member Environment) presented a report to the Cabinet which asked members to confirm previous arrangements and agree the ongoing delegation of powers to the London Councils Transport and Environment Committee Joint Committee (LCTEC) for the purpose of providing an appeals service for parking on private land. The Cabinet was further asked to agree that the LCTEC Governing Agreement be formally varied accordingly. The service had been provided on a cost recovery basis by London Councils through a contract with the British Parking Association since October 2012 and it was proposed that it should continue in this way until the end of the contract period in October 2015.

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 it be confirmed that the functions delegated to London Councils Transport and Environment Committee to enter into the arrangements with the British Parking Association were and continue to be delivered pursuant to section 1 of the Localism Act 2011;
- (ii) that the exercise of Section 1 of the 2011 Act be delegated to London Councils Transport and Environment Committee for the purpose of providing an appeals service for parking on private land under contract on a full cost recovery basis;
- (iii) that the Strategic Director Environment and Neighbourhoods be authorised to take all relevant steps to give effect to the matters set out in (i) and (ii) above through a formal variation to the LCTEC Governing Agreement.

**12. Changes to Council-Owned Car Parks**

The Cabinet considered a report which proposed changes to several of the council's car parks. Councillor Crane (Lead Member, Environment) explained that the report set out

proposals to change the operational use of some car parks, including their charge tariffs, introduce charges and operational controls to Northwick Park Car Park and Disraeli Road Car Park and formalise changes which had already occurred, such as the closure of the Town Hall Car Park. Detailed rationale for the proposals was provided in the report, supported by the findings of surveys conducted on the usage of the various car parks. Subject to Cabinet approval, officers would undertake statutory consultation on the proposals, the responses to which would be reported to the Strategic Director for Environment and Neighbourhoods and the Lead Member for Environment. Members were therefore also asked to agree that authority be delegated to the Operational Director for Environment and Protection to implement any minor alterations to the proposals as necessary, in consultation with the Cabinet Member for Environment.

The Chair opened the meeting to comments from members of the public and non-executive members. Mr Lorber raised a concern that the proposals for the Northwick Park car park would create difficulties in residential roads near to Northwick Park Hospital but accepted that any such matters would be highlighted during the statutory consultation period. Ward members for Northwick Park, Councillors Perrin, J Mitchell Murray and McLennan emphasised the difficulties caused to residents situated near to the hospital and Councillor J Mitchell Murray expressed his support for the proposal to introduce a tariff at the car park.

#### RESOLVED:

- (i) that the Town Hall, Church End Road, and Cecil Road Car Parks be removed from Schedule 1 and 2 of the Council's Off-Street Traffic Order, as detailed in paragraph 3.1 of the report from the Strategic Director of Environment and Neighbourhood Services;
- (ii) that the Disraeli Road and Northwick Park Car Parks be included in the Schedules to the Council's Off-Street Traffic Order, including the proposed operational hours and parking tariffs set out in paragraphs 3.3 to 3.8 of the report from the Strategic Director of Environment and Neighbourhood Services, subject to any amendments arising following statutory consultation;
- (iii) that the cost of season ticket parking for Preston Road Car Park (Preston) be revised to the prices set out in paragraph 3.9 to 3.19 of the report from the Strategic Director of Environment and Neighbourhood Services, subject to amendments arising following statutory consultation;
- (iv) that season ticket parking for Elm Road Car Park (Wembley Central) be introduced to the proposed prices as set out in paragraphs 3.20 to 3.26 of the report from the Strategic Director of Environment and Neighbourhood Services;
- (v) that the proposals detailed at paragraphs 3.27 to 3.31 to amend the Car Park tariffs in the Wembley Event zone; extend parking controls; and permit long stay parking at market rates be agreed;
- (vi) that authority be delegated to the Operational Director (Environment and Protection) to implement any minor alterations following statutory consultation, in consultation with the Cabinet Member (Environment).

### 13. **Authority to award Enhanced Reablement**

Councillor Hirani (Lead Member Adults, Health and Wellbeing) introduced the report from the Strategic Director of Adults. The report sought authority to award four contracts for Enhanced Reablement Services for a term of one year with an option to extend by a further year, in accordance with Contract Standing Order 88. The Enhanced Reablement service



provided an integrated rehabilitation service for Brent Adult Social Care service users with complex needs and followed on from a pilot which ran from November 2012. Prior to the development of the service there had been no intermediate care service within Brent which offered integrated input from social services and health professionals. The pilot transitioned to a mainstream service model in May 2013. Outlining the achievements made following the introduction of the service, Councillor Hirani explained that on average, 18 per cent more service users with complex needs were becoming independent whilst hospital admissions had decreased by 12 per cent and goal attainment had increased by 35 per cent. It was considered that four separate contracts from different providers should be procured to ensure supply capacity, quality and contingency across the borough. The preferred bidders had been selected through a mini competition using the West London Alliance (WLA) Homecare Framework, with a weighting of 60 per cent cost and 40 per cent quality. It was recommended that contracts be awarded to MNA Homecare Services Limited, Capital Homecare (UK) Limited, DeVere Care Limited and Supreme Care Services Limited. The contracts would be funded from the 2015/16, 2016/17 and 2017/18 Reablement and Safeguarding revenue budget within Adult Social Care.

Responding to members' queries, Councillor Hirani advised that the standard reablement programme ran over a period of six weeks; however the focus was on goal attainment and if a longer period was required this would be accommodated. The measurement of independence and repeat hospital admission was taken after six months but it would be important to reassess this after a longer period of time. The contracts were all London Living Wage compliant.

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 a contract for Enhanced Reablement Services be awarded for a term of one year with an option to extend by one further year to each of the following:
  - MNA Homecare Services Limited
  - Capital Homecare (UK) Limited
  - DeVere Care Limited
  - Supreme Care Services Limited;
- (i) that an exemption from Contract Standing Order 104(b) be agreed to permit the award of contracts to the four highest scoring bidders as detailed in i) above for the reasons set out in paragraph 6.4 of the report from the Strategic Director of Adults.

#### 14. **Authority to award a contract for Social Care and Support Services in Extra Care Housing**

In accordance with Contract Standing Order 88, Members considered a report seeking authority to award a social care and support services contract for a term of two years with the option to extend, for a new Extra Care Housing (ECH) scheme at Willow House. The scheme would provide 38 self-contained one-bedroom flats and 2 two-bedroom flats for people aged 55 and over who had mental health, learning disabilities, physical disabilities and/or sensory impairment(s). Introducing the report, Councillor Hirani (Lead Member Adults, Health and Wellbeing) advised that the value of the contract would be £1.8m over a

period of 4 years and this would be met from the Extra Care Sheltered Housing budget in the Commissioning Unit contained within the Adult Social Care budget. In concluding his introduction, Councillor Hirani summarised the benefits of this model of service provision and explained that the preferred bidder, London Care Plc, was selected through a mini competition using the West London Alliance (WLA) Homecare Framework and the contract was compliant with the London Living Wage.

In response to a query, Councillor Hirani confirmed that the savings represented by the contract had been included within the budget proposals and emphasised that the contract evidenced that the council could deliver different and improved models of care whilst reducing costs.

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:

that a contract be awarded to London Care Plc for the sum of £1.8m, for the provision of a Extra Housing Scheme social care and support services at Willow House; for an initial period of two (2) years with an option to extend up to a further two (2) years on an annual basis.

#### 15. **Procurement of Web Customer portal**

Councillor Butt (Leader of the council) presented a report to the committee from the Strategic Director of Regeneration and Growth. The report requested authority to award a contract for the provision, maintenance and support of an online Community Web Portal, in line with the requirements of Contract Standing Order 88 to the preferred bidder, Agilisys Limited. The web portal would enable easy and simple access 24 hours a day to online services via a single user account and reflected the council's new Community Access Strategy, which had been approved by the Cabinet on 13 October 2014. The preferred bidder had been selected using the Wandsworth Framework which had been established specifically in relation to single sign on portals. Subject to Cabinet approval, it was anticipated that the contract would commence in January 2015, with the portal going live in a phased manor between July 2015 and August 2016.

Responding to members' queries, Andrew Donald (Strategic Director, Regeneration and Growth) advised that on the introduction of Universal Credit, responsibility for processing claims would shift to the Department for Work and Pensions, the council would not therefore need to accommodate the service via the web portal.

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:

that the contract for the provision, maintenance and support of Brent Council's Online Community Web Portal be awarded to Agilisys Limited.

## 16. **Temporary Accommodation: Hotel Leasing and Brent House Conversion**

Introducing a report from the Strategic Director of Regeneration and Growth, Councillor McLennan (Lead Member Regeneration and Housing) explained that the Cabinet was asked to authorise the acquisition of one-year leases of three hotels to provide emergency accommodation to homeless households. Members were also asked to consider authorising the granting of a lease for the use of Brent House for emergency accommodation for a limited period, subject to planning permission. The proposed arrangements were designed to assist the council in meeting its statutory emergency housing obligations to homeless households at a time of increasing demand, and to minimise the cost of such provision. It was emphasised that whilst the council was currently meeting its statutory duty to provide temporary accommodation, the council was not in compliance with the statutory homeless order that required that families were not placed in private non-self-contained accommodation for more than six weeks. Under the proposed arrangements, the council would increase compliance with this rule as it did not apply to provision owned or managed by the local authority.

Councillor McLennan advised that a number of other projects were currently underway to reduce reliance on temporary accommodation and on Bed and Breakfast accommodation, including gaining access to an increased number of private rented properties outside Brent for discharge of the council's housing duty where suitable, and the launch of a lettings agency by Brent Housing Partnership in early 2015 to increase access to private rented properties within the borough. Members' attention was drawn to the financial implications of the proposals set out in the report.

With reference to the proposal regarding Brent House, Councillor Mashari (Lead Member Education and Skills) sought assurance that the accommodation provided would be of a suitable quality and would meet health and safety requirements. Andy Donald (Strategic Director, Regeneration and Growth) advised that the quality and management of the accommodation would be specified by the council when determining the appropriate provider. The council would expect the quality to exceed that provided by Bed and Breakfast alternatives. Councillor McLennan added that the council sought to raise the standard of temporary accommodation provided and enhance the council's control over that provision. Councillor Pavey expressed that it was a creative response to a difficult situation.

The Cabinet also had before them an appendix to the report which was not for publication as it contained the following categories 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);

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

RESOLVED:

- (i) that a lease be entered into for the three named hotels as set out in appendix 2 of the report for a term of 12 months;
- (ii) that authority to agree the final lease be delegated to the Operational Director, Property and Projects in consultation with the Director of Legal and Procurement;

- (iii) that an exemption from Contract Standing Order 86(b) be agreed to permit the direct award to Altwood Properties Ltd of 3 contracts for management services ancillary to the leases detailed in (i) and (ii) above;
- (iv) that a short-term lease be granted at a market rent to the successful tenderer or tenderers of the Brent House emergency accommodation scheme together with a related nominations agreement;
- (v) that authority be delegated to the Operational Director of Property and projects in conjunction with the Chief Finance Officer to agree the final contractual arrangements for the Brent House emergency accommodation scheme.

#### **17. Recommendation for Award of a High Value Construction Contract at Manor School**

Councillor McLennan advised that following the Cabinet's approval of the proposals to expand provision at Manor School, the report before the committee requested authority to award the contract to undertake the associated building works to Cosmur Construction Ltd. This company had been chosen following an open tender process detailed in the report. As timing was critical to this project, the contract would contain provision that performance must be completed before the end of August 2015.

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:

that the contract for the construction works at Manor School be awarded to Cosmur Construction Ltd.

#### **18. Authority to award Public Health Contracts**

In accordance with Standing Order 88, the report before the Cabinet from the Director of Public Health sought authority to award contracts for the provision of Public Health services to the preferred bidders identified in the report. Councillor Hirani outlined the process undertaken in tendering the separate contracts for Substance Misuse Services, Sexual Health Services, School Nursing and Post Health Check and highlighted key issues for members' consideration. An open procurement process had been followed and a contract award criteria of 60 percent quality and 40 per cent price/commercial considerations had been specified. Members were reminded that the detailed evaluation methodology for each contract had been agreed by the Cabinet at its meeting on 15 September 2015. There had been a high level of competition when expressions of interest had been invited; however this had not been reflected in the number of tender submissions received and it was thought that this was an indication that market for the services was still in development. The report also provided an update on the collaboration between London boroughs on genitourinary medicine (GUM) services.

With regard to substance misuse services, Councillor Mashari ( Lead Member Education and Skills) queried how treatment and advice was targeted at Khat users, noting that this was a unique group which often did not identify with issues of substance misuse. Councillor Hirani explained that there were a number of specific services aimed at Khat users including outreach services and engagement with communities and community groups.

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 public health service contracts listed under Tables 1, 2, 3 and 4 in the report be awarded for an initial period of two years with the option to extend for a further period of up to two years;
- (ii) that it be noted that the sum value of the Substance Misuse Service contracts is based on a estimated two year budget of £9.464 million and offers a full 2 year savings of £0.951m from 2015/16 and 2016/17 rising to £2.289m if extended to 2018/19;
- (iii) that it be noted that the sum value of the Sexual Health Service contracts is based on a estimated two year budget of £2.544 million and offers a full 2 year savings of £0.001m from 2015/16 and 2016/17 rising to £0.004m if extended to 2018/19;
- (iv) that it be noted that the sum value of the School Nursing Services contract is based on a estimated two year budget of £3.056 million and offers a full 2 year savings of £0.048m from 2015/16 and 2016/17 rising to £0.176m if extended to 2018/19;
- (v) that it be noted that the sum value of the Post Health Check Service contract is based on a estimated two year budget of £0.492 million meaning the new contract would equate to an increase in cost of £0.003m 2015/16 and 2016/17 rising to £0.035m if extended to 2018/19;
- (vi) that an exemption from the usual tendering requirements of Contract Standing Orders in accordance with Contract Standing Order 84(a) be agreed to permit the negotiation of 2016/17 Genito-Urinary Medicine ("GUM") contracts as detailed in paragraph 6 of the report from the Director of Public Health.
- (vii) that authority be delegated to the Director of Public Health, in consultation with the Director of Legal and Procurement and Chief Finance Officer, to participate in negotiation of 2016/17 Genito-Urinary Medicine contracts as set out in paragraph 6 of the report.
- (viii) that authority be delegated to the Director of Public Health, in consultation with Director of Legal and Procurement, to finalise any outstanding contractual matters.

## 19. **Independent North-West London Healthcare Commission**

Councillor Hirani (Lead Member Adults, Health and Wellbeing) introduced a report from the Assistant Chief Executive which sought the agreement of Cabinet for the council to participate in the Independent North-West London Healthcare Commission. The Commission would examine the impact and implementation of the Sharing a Healthier Future (SaHF) programme. SaHF had encompassed the cessation of a number of acute services including Accident and Emergency units in North-West London. The Commission had been proposed in response to concerns raised in the media, by local authority leaders and inspection bodies such as the Care Quality Commission regarding timely access to health services and the capacity of out of hospital and community based services to cope with the cessation of acute services. Members were referred to the draft terms of reference

for the commission set out at Appendix 1 to the report. Councillor Hirani highlighted that the Commission would seek evidence from across the borough, including healthcare providers, user groups and would engage local people. If the Cabinet agreed to the council's participation, it was anticipated that a full report on the Commission's findings would be presented to Cabinet in the first half of 2015.

Conrad Hall (Chief Finance Officer) drew members' attention to paragraph 4.1 of the report and advised that this should read that the one off cost of the commission could be met from the underspend in the current year or, in the event that this was not achieved from reserves.

With the permission of the Chair, Councillor Warren addressed the meeting, stating that he was opposed to the Council's involvement with the Commission which he felt was politically motivated and that the council should take the role of a critical friend. Mr Lorber raised concerns regarding the benefit of participating in the Commission.

During the subsequent discussion, members of the Cabinet welcomed the creation of the Independent Commission emphasising the severity of the concerns raised regarding the NHS for the residents of Brent and the rest of North West London and noting the cross-party agreement on these concerns with the opposition party. Members' emphasised that the council had an obligation to the residents of Brent to deliver health priorities.

RESOLVED:

- (i) that the council participating in the Independent North-West London Healthcare Commission (draft terms of reference attached as Appendix 1 to the report) be agreed;
- (ii) that £25k be contributed to the costs of the Independent North-West London Healthcare Commission. The costs of participating are being shared equally across the four participating boroughs.

## 20. **Annual Audit Letter**

Councillor Pavey (Deputy Leader) presented a report from the Chief Finance Officer which set out the Annual Audit Letter for 2013/14 produced by the Council's external auditors KPMG. The Annual Audit Letter had been considered by the Audit Committee at its meeting in November 2014 and the Cabinet was asked to note the contents of the Letter which summarised the key finding from the audit of the authority's 2013/14 financial statements and Value for Money (VFM) conclusions. An unqualified opinion had been issued regarding the council's financial statements on 30 September 2014, which meant that the statements were considered to give a true and fair view of the financial position of the authority as at 31 March 2014. A few minor issues had been identified and these were detailed in the Annual Audit Letter before the meeting. An unqualified conclusion on the authority's arrangements to secure value for money for 2013/14 was also issued on 30 September 2014. This meant that KPMG were satisfied that the council had proper arrangements for securing financial resilience and challenging how it secured economy, efficiency and effectiveness. Accordingly, KPMG had issued the Audit Certificate on 30 September 2014 to confirm completion of the 2013/14 audit.

At the invitation of the Chair, Councillor Warren raised concerns regarding the headlines chosen by the auditors and explained that he had received advice from the Audit Commission that this was at this matter was at the discretion of the auditors.

RESOLVED:

that the contents of the Annual Audit Letter be noted.

## 21. **Collection Fund Report**

The report before the committee from the Chief Finance Officer sought approval of the estimated balance for both Council Tax and Business rates (NNDR). As part of the Council Tax setting process for 2015/2016 the Council was required to estimate the amount of any surplus or deficit on the Collection Fund as at 31 March 2015. For Council Tax, as a result of continued effective collection of amounts due to the council it was now possible to return the benefits of this as a one-off contribution to support the 2015/16 budget. Brent Council's share of the total surplus of £5m was £3.9m. This technical surplus related to council tax due on or before 31 March 2014, where the council had been more effective than previously assumed in collecting arrears, and also reflected strong collection performance of debts relating to 2014/15, and increases in the net collectable figure.

With regard to business rates, it was highlighted that there were many factors which could significantly affect the overall figure including entitlement to reliefs and properties coming on to, or being taken out of rating. Conrad Hall (Chief Finance Officer) advised that the greatest uncertainty concerned revaluations arising from appeals against the Valuation Office determinations. It was therefore recommended that a forecast of no surplus or deficit was assumed at present and the estimate for the Business Rates income figure for 2015/16, and the surplus or deficit figure as at 31 March 2015 would be taken from the NNDR1 return to be submitted in January.

RESOLVED:

- (i) that the estimated Collection Fund balance relating to Council Tax at 31 March 2015 as a surplus of £5.0m be agreed;
- (ii) that the current estimated balance relating to NNDR at 31 March 2015 as zero (no surplus or deficit) be noted;
- (iii) that authority be delegated to the Chief Finance Officer to amend these figures should material new information, such as debt collection performance, come to light in the intervening period.

## 22. **Q2 Performance Report**

The Leader drew members' attention to the performance report for quarter 2 for 2014/15 which provided a corporate overview of the performance information linked to the current priorities for Brent.

RESOLVED:

that the performance information contained in the report from the Assistant Chief Executive be noted.

## 23. **Appointment to Committees and Outside Bodies**

RESOLVED:

- (i) that Councillor Crane replace Councillor Perrin as deputy on the London Council's Grants Committee;

- (ii) that Councillor Crane be appointed to the vacant position on the Barham Park Trust Committee.

**24. Reference of item considered by Scrutiny Committee - none**

None

**25. Any other urgent business**

None.

The meeting ended at 9.28 pm

M BUTT  
Chair