



## LONDON BOROUGH OF BRENT

### MINUTES OF THE CABINET Monday 16 November 2015 at 2.00 pm

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

Also present: Councillors Ahmed, Tatler and Warren

Apologies for absence were received from: Councillor Mashari

#### 1. **Welcome**

The Chair, on behalf of the Cabinet, welcomed students of The Crest Academies to the meeting and thanked the Academy for hosting the meeting.

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

None made.

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

RESOLVED:

that the minutes of the previous meeting held on 19 October 2015 be approved as an accurate record of the meeting.

#### 4. **Matters arising**

None.

#### 5. **Determination of the proposal to permanently expand Leopold Primary School from January 2016**

The report from the Strategic Director, Children and Young People reminded the Cabinet that, in October 2014, in line with the School Place Planning Strategy, the alteration to permanently expand Leopold Primary School by two forms of entry (2FE) had been proposed by the Governing Body of Leopold Primary School in partnership with the council. The report informed the Cabinet of the outcome of the statutory consultation on the proposal to alter the school from January 2016 through permanent expansion and recommended that the statutory proposal to expand be approved.

Councillor Moher (Lead Member, Children and Young People) reminded the Cabinet that the school had already expanded to another site at the former Gwenneth Rickus Building and as extra school places were still required, the

change would be made permanent. The Cabinet noted the responses to the consultation.

RESOLVED:

that approval be given to the permanent expansion of Leopold Primary School, a community school, by two forms of entry from January 2016, (conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 and any related conditions granted on 6 October 2015). The alterations would provide sufficient permanent primary school places in this region in line with the council's statutory duties and its School Place Planning Strategy 2014-2018.

## 6. **School Place Planning Strategy 2014-18 - update**

Councillor Moher (Lead Member, Children and Young People) introduced the report which provided an update to the School Place Planning Strategy 2014-18, approved by the Cabinet in October 2014. The report updated Cabinet with regard to pupil projections and sought approval for a number of amendments to the Strategy. Councillor Moher stated that the demand for primary places continued to increase, although at a slower rate than previously and the additional places would help to achieve the recommended 5% surplus. Demand for secondary school places was expected to increase in 2016 and to exceed supply by 2018. Demand for Special Educational Need places was also expected to increase and 140 SEN specialist places would need to be provided to reduce reliance on out borough placement. The Cabinet noted that the borough's secondary schools all had Academy status and hence were outside of local authority control. Councillor Moher drew attention to the proposed changes to the strategy.

With the Chair's consent, Councillor Warren referred to concerns raised at a recent Teachers' JCC meeting by the Teachers' Panel over the council's stance on the government policy on Academies and Free Schools and asked if the Cabinet was in support. Councillor Moher responded that the council had duty to comply with government policy and to provide school places. The Chair (Councillor Butt, Leader of the Council) drew attention to the council's duty to work with statutory partners including Free Schools and Academies.

RESOLVED:

- (i) that approval be given to the refresh of the Brent Pupil Place Planning Strategy provided as Appendix 1 of the report from the Strategic Director of Children and Young People;
- (ii) that approval be given to the amendments to five of the sixteen operating principles which underpin the strategy outlined in section 3 of the report;
- (iii) that it be noted that whilst primary school place projections indicate that demand for reception places would slow down from 2016, recent changes in the birth rate meant that future projections were likely to be revised upwards. There would be a continued growth in demand for places in primary years other than Reception. All current planned expansions remain necessary;

- (iv) that it be noted that the demand for secondary places would increase from September 2016 with demand outstripping supply from 2018. Depending on the size of sites, the equivalent of two or three additional secondary schools would be needed by the 2022/23 academic year;
- (v) that approval be given to officers working with the Education Funding Agency (EFA) to secure sites for new secondary schools to meeting the anticipated growth in demand for additional secondary places;
- (vi) that the need to provide an additional 140 Special Educational Needs specialist places be noted;
- (vii) that approval be given to the strategy of meeting the need for Special Educational Needs places by providing 40 Additional Resources Provision (ARP) places in mainstream schools together with 100 places at new specialist Free School provision at the site of the former Avenue School in NW6;
- (viii) that approval be given to the revised financial profile;
- (ix) that authority for the allocation of capital funding for future projects and programmes be delegated to the Chief Finance Officer in consultation with the Lead Members for Regeneration and Growth and Children and Young People.

## **7. Community Infrastructure Levy – procedural matters**

The report from the Chief Operating Officer reminded the Cabinet that the Community Infrastructure Levy (“CIL”), introduced by the Community Infrastructure Levy Regulations (“CIL Regs”) in 2010 (as amended) made under the Planning Act 2008, was approved by Full Council in 2013 and came into force on 1 July 2013. The CIL Regs introduced CIL as a levy on development charged in accordance with an approved scheme. The report now before members sought approval for the council to accept some of the discretionary provisions included in the regulations and set out the procedural process for the same.

Councillor McLennan (Lead Member, Housing and Development) welcomed the proposals which would allow the council more flexibility over discretionary social housing relief, infrastructure payments and the procedure for deciding reviews for exceptional circumstances relief. The Strategic Director, Regeneration and Growth confirmed that that there would be a further report back.

RESOLVED:

- (i) that Discretionary Infrastructure Payments be made available in Brent and authority to accept or refuse to accept land and infrastructure as payment of CIL in lieu of money be delegated to the Operational Director Planning and Regeneration;
- (ii) that the decision to accept or refuse claims for exceptional circumstances relief be delegated to the Strategic Director Regeneration and Growth in consultation with the Lead Member, Housing and Development;

- (iii) that Discretionary Social Housing Relief Cabinet made available in Brent be noted.

## 8. **Contaminated Land Inspection Strategy**

Councillor Denselow (Lead Member, Stronger Communities) introduced the report which proposed a revised Contaminated Land Strategy and drew attention to the council's statutory duty inspect land to identify contaminated land and publish a Contaminated Land Inspection Strategy. He pointed out that the funding pot available from central government to support survey work had reduced.

RESOLVED:

that agreement be given to a revised Contaminated Land Inspection Strategy at Appendix A to the report from the Strategic Director, Regeneration and Growth.

## 9. **Statement of Gambling Principles**

The Cabinet noted that as a licensing authority under the Gambling Act 2005, Section 349, the council had a duty to prepare and publish every three years a Statement of Principles that set out the policy for dealing with applications and regulating gambling premises within the borough. The Act also required licensing authorities to keep the Statement under review from time to time. The Cabinet noted that the Alcohol and Licensing Committee had agreed the Statement of Gambling Principles on 26 October 2015. The Cabinet in approving the report, agreed on the need for a future wider review of gambling practices in the borough.

RESOLVED:

- (i) that the draft revised Statement of Gambling Principles (31 January 2016 – 31 January 2019) at Appendix 1 of the report from the Strategic Director, Regeneration and Growth be noted;
- (ii) that approval be given to the revised Statement of Gambling Principles (31 January 2016 – 31 January 2019).

## 10. **2015 Parking Strategy**

Councillor Southwood (Lead Member, Environment) introduced the report on the 2015 Parking Strategy which had been developed to provide a strategic foundation for the council's parking policies and operational practice. It drew together existing policy in a coherent baseline document, with the aim of establishing a firm foundation for future policy development. The Strategy reflected the priorities and objectives set out in the new Long Term Transport Strategy, the council's Local Plan and the Borough Plan. Councillor Southwood stated that the Strategy sought to affirm the approach to on-street parking and also to complement the work of other service areas leading, for example, on: transportation; economic development; planning; air quality; and carbon reduction policy. A review of CPZs would be a huge undertaking and there was also a need for a clear offer for business parking and consistency over areas of worship and gatherings.

Councillor Denselow (Lead Member, Stronger Communities) referred to the recent European Directive on air quality plans and Councillor Southwood agreed that this placed an increased incentive on local authorities to be more engaged.

Councillor Pavey (Deputy Leader) thanked Councillor Southwood for the efforts made to consult members on the Strategy and questioned what additional information was available to help discussions over transportation assessment and travel plans. Councillor Hirani (Lead Member, Adults, Health and Well-being) expressed the wish for CPZs to be fit for purpose and updated to meet needs. Regarding a review of CPZs, Councillor Southwood advised that the next step would be to explore funding options.

RESOLVED:

- (i) that approval be given to the 2015 Parking Strategy as set out in Appendix A to the report from the Chief Operating Officer, superseding the council's 2006 Parking and Enforcement Plan;
- (ii) that the priority hierarchy for on-street parking as set out in section 2.25 of the 2015 Parking Strategy (as reproduced in paragraph 3.4 in the report) be re-adopted;
- (iii) that the policy and operational objectives set out in section 2.27 of the 2015 Parking Strategy (as reproduced in paragraph 3.5 in the report) be specifically confirmed.

## 11. **Visitor Parking Charges**

The Cabinet considered the report from the Chief Operating Officer which set out a range of options for changes to Brent's visitor parking pricing scheme. The report also provided background information, the policy context, benchmarking comparisons and usage patterns of daily visitor parking in Brent.

Councillor Southwood (Lead Member, Environment) in introducing the report, stated that the proposals were intended to improve the management of parking demand within the borough's CPZs, to enable more realistic choices to be made by visitors when considering the options of driving or using more sustainable modes of travel, and to ensure that charges stood comparison with adjoining boroughs. She referred to problems of congestion near schools and difficulties in finding parking spaces experienced by those providing support to residents. The option of half day parking would help parking turnover. Councillor Southwood clarified that the annual household permits would continue at the same price to aid residents who had essential visitors.

With the consent of the Chair, Councillor Warren addressed the meeting and referred to the £9m surplus in the parking account in 2014/15, putting the view the parking charges were a money making opportunity. The Chair responded, drawing attention to the annual parking account and the cost of providing a service. Charging was a means of meeting these costs. A student from Crest Academy addressed the meeting and spoke in support of providing a good parking service. Councillor Pavey added that the charges covered the revenue cost of the

Transportation Service and covered less than half of the total expenditure incurred by the council on concessionary fares.

Members welcomed the proposals in particular the four hour permit, the opportunity to help those in receipt of informal care, emphasised the need to make parking available where possible and to provide a good quality, fair service.

The Cabinet supported Option B in the report.

RESOLVED:

- (i) that approval be given to proceed to formal consultation on the proposals set out in the from the Chief Operating Officer report for a standard all-day charge for visitor parking permits of £4.50; and an increase in the charge for an Annual Visitor Household permit to £165 for a full year, £99 for six months, and £66 for three months;
- (ii) that included in the preferred option be the offer of a lower price visitor parking permit of £3 (linked to the cost of a return bus fare and other off-peak public transport fares outside of Zone 1) in option (b) namely:  
  
The option of offering a visitor permit valid for up to 4 hours at a £3 charge rate;
- (iii) that authority to implement the proposed price changes including amending any relevant Traffic Management Orders, following consultation, be delegated to the Chief Operating Officer in consultation with the Lead Member for Environment.

## 12. **Order of business**

RESOLVED:

that the order of business be varied so as to take later in the meeting, that item for which members of the public were expected to be present.

## 13. **Flood Risk Strategy**

Councillor Southwood (Lead Member, Environment) introduced the report from the Chief Operating Officer which advised of the duties placed onto Local Lead Flood Authorities (LLFAs) by the Flood Risk Regulations 2009 including the requirement to prepare a Flood Risk Strategy. The Flood Risk Strategy before the Cabinet detailed actions the council and other key stakeholders were taking to manage flood risk in Brent and the objectives. The Flood Risk Strategy has been drafted and a consultation had taken place with key stakeholders, including local residents/businesses, neighbouring boroughs, Thames Water and the Environment Agency. The Strategy has been amended to take on board feedback. Councillor Southwood stated that the exercise had been a useful opportunity to take stock, manage and mitigate risks and look to the future.

Councillor Denselow referred to fines imposed on Thames Water in the last twelve months under the London Permit Scheme relating to Chamberlayne Road for

working without a permit, failures to submit permits within prescribed timescales and a breach of permit conditions. He questioned whether additional sanctions could be levied and Councillor Southwood agreed that this could be investigated but also efforts be made ensure proper usage. The Cabinet agreed that it would be useful to establish where developments had been built over historic water sources such as streams, increasing flooding risks.

RESOLVED:

that approval be given to the Flood Risk Strategy for Brent as described in Section 3 and appended to the report from the Chief Operating Officer.

#### **14. Brent Financial Inclusion Strategy**

On behalf of Councillor Mashari (Lead Member, Employment and Skills), Councillor Butt (Leader of the Council), in introducing the report from the Chief Operating Officer, summarised the aims of the Financial Inclusion Strategy which sought to assist residents to improve their financial health by enhancing their financial capability to plan for and make the right decisions, reduce living costs particularly for those on low incomes or on benefits, particularly in the light of recent changes to the benefits system and the introduction of Universal Credit. The strategy drew on a number of issues for Brent in relation financial inclusion and set out the strategic objectives, as informed by consultation with partners, to deliver the Financial Inclusion Strategy and Action Plan.

RESOLVED:

- (i) that the strategic approach as set out in the Financial Inclusion Strategy and Action Plan at Appendix 1 to the report from the Chief Operating Officer be endorsed;
- (ii) that the content of the Equality Impact Assessment which as set out in Appendix 2 to the report be noted.

#### **15. Authority to tender contracts for local advice and guidance services**

The report from the Chief Operating Officer concerned commissioning arrangements for local advice and guidance services. Current arrangements for the provision of generalist and specialist legal advice would end on 31 March 2016. The report set out the requirements and options considered in remodelling and commissioning advice and guidance services with the aim of enabling better access, earlier intervention to limit escalation of problems and better outcomes for people requiring advice and guidance.

With the consent of the meeting, Jacky Peacock addressed the Cabinet on behalf of Advice for Renters and Brent CAB, two members of the Brent Advice Matters (BAM) consortium, and referred to a crisis in demand for advice services. Jacky Peacock commended the consortium's website launched in May 2015 and which currently provided information and referral pathways for work, money, benefits and housing issues with sections for health and immigration planned for the future. The website was currently funded through a Big Lottery grant but this was due to end shortly. In any event, she felt that face to face advice would always be required and

drew attention to the number of private tenants which was expected to quadruple in coming years. She requested information on the tender process and hoped there would be a facility for small grants for organisations.

The Cabinet agreed on the value of flexibility and also that the Chief Operating Officer should take appropriate advice from community representatives in advance of going to tender.

RESOLVED:

- (i) that approval be given to the invite of tenders for local advice and guidance services in two separate lots on the basis of the pre - tender considerations set out in paragraph 3.28 of the report from the Chief Operating Officer;
- (ii) that approval be given to the evaluation of the tenders referred to in (i) above on the basis of the evaluation criteria set out in paragraph 3.28 of the report;
- (iii) that approval be given to an exemption from Contract Standing Order 104(b) to permit evaluation of bids on the basis of quality criteria alone, for the reasons set out in paragraph 3.29 of the report;
- (iv) that authority be delegated the Chief Operating Officer to consult with community representatives on the final detail of the tenders in advance of the tender exercise.

## 16. **Play Streets**

The Cabinet received a report on plans to introduce Play Streets in the borough and to close certain residential streets to allow children to play safely near to where they live. This initiative, which would promote community cohesion and a healthier lifestyle for children, had already been introduced by many Local Authorities across London since it was first introduced in London by Hackney in 2012. The report considered relevant legislation and guidance for the provision of regular road closures for designated Play Streets.

With the consent of the Chair, Liz Unna, (head of the Kempe Road Play Street Working Group) addressed the meeting in support of the introduction of Play Streets in the borough which had been found to help children develop life skills and also to bring communities together.

Councillor Southwood (Lead Member, Environment) thanked the working group for their contribution and help with the pilot scheme and looked forward to the opportunity to increase physical exercise and community development. Cabinet members joined Councillor Southwood in thanking the working group and noted that the projected annual cost of providing Play Streets within the borough would be funded from the 2016/17 LIP budget with cones and signs provided free of charge by the LoHAC (London Highways Alliance Contracts) contractor.

RESOLVED:

- (i) that approval be given to the scheme detailed in the report from the Chief Operating Officer to support the setting up of Play Streets in Brent;

- (ii) that authority be delegated to the Head of Transportation, in consultation with the Lead Member, upon receiving requests for regular road closures for a play street in Brent:
  - (a) to decide whether to approve or reject the application or to refer the matter to the Highways Committee;
  - (b) to undertake statutory consultation and consider any objections or representations to such requests;
  - (c) to sign, make or revoke the necessary Traffic Management Orders;
  - (d) to provide the associated signs required to implement the changes
- (iii) that the Local Implementation Plan budget be used to fund this scheme.

#### 17. **Joint ICT work with London Borough of Lewisham**

The Cabinet considered the report from the Chief Operating Officer which set out proposals for working with the London Borough of Lewisham to establish a shared service for ICT by April 2016. Councillor Pavey (Deputy Leader) drew attention to the potential savings for the borough and the need to establish a joint committee.

RESOLVED:

- (i) that approval be given to the establishment of a shared ICT Service with the London Borough of Lewisham by April 2016, with Brent acting as the host Authority for the service;
- (ii) that approval be given to the creation of a Joint Committee consisting of two elected members from each council to discharge certain of their ICT functions (as specified) jointly and to oversee the shared service; noting that Brent would be represented on that committee by two members (or substitute members) of the Cabinet appointed by the Leader;
- (iii) that approval be given to the creation of a Shared Management Board, accountable to the Joint Committee, to manage the service, with an appointed director from each council amongst other key members of staff to be appointed from each council; and that Brent would be represented on the board by the Operational Director for Strategic Commissioning (or suitable alternative);
- (iv) that Brent be the host council and agreement given to the proposed staffing arrangements set out in section 3.4 of the report;
- (v) that it be noted that Brent would manage ICT procurement for both councils and that the proposed shared service arrangements allow for contract awards with a value of less than £500,000 to be made;
- (vi) that approval be given to the terms and conditions set out in the Collaboration Agreement between Brent and Lewisham Councils and the Chief Operating Officer be authorised to finalise the Agreement and agree

any appropriate amendments to it in consultation with the Chief Legal Officer;

- (vii) that it be noted that any changes to the council's Constitution to reflect the proposed creation of a Joint Committee with the London Borough of Lewisham for the shared ICT service would be reported to Full Council for approval;
- (viii) that it be noted that Lewisham officers would be presenting a report with similar recommendations to their Mayor and Cabinet meeting on the 11 of November.

#### **18. Performance Report, Q1 and Q2 2015/16**

Councillor Pavey (Deputy Leader) introduced the performance report for Quarter 1 and 2, the purpose of which was to provide Cabinet with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively. He drew attention to the revised format, and Cabinet members in turn addressed the areas of improved performance and those below and under target in their respective service areas. Councillor Pavey responded to the view put by Councillor Warren on whether the targets in the new format were sufficiently challenging and commenting on areas of concern including landfill and complaints, stating that the format had been revised to make it more accessible and Cabinet members would be monitoring closely. The Cabinet noted that the Chief Executive would be writing to the Chair of Brent Housing Partnership over the service's performance.

RESOLVED:

- (i) that the performance information contained in this report be noted and agreement given to remedial actions as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to remedial actions as appropriate.

#### **19. 2014/15 Treasury Management Outturn Report**

The report from the Chief Finance Officer updated members on Treasury Management activity and confirmed that the Council has complied with its Prudential Indicators for 2014/15.

RESOLVED:

that the 2014/15 Treasury Management outturn report, which has been seen by the Audit Committee and is also to be submitted to the Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code) be noted.

#### **20. 2015/16 Mid-Year Treasury Report**

The report from the Chief Finance Officer provided an update on recent treasury activity.

RESOLVED:

that the 2015/16 mid-year Treasury report which has been seen by the Audit Committee and is also to be submitted to the Council be noted.

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

None.

22. **Any other urgent business**

None.

The meeting ended at 3.40 pm

M BUTT  
Chair