



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Wednesday 20 January 2016 at 7.00 pm

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

Also present: Councillors Kelcher, Perrin and Stopp

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 14 December 2016 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Authority to market Tenterden Pavilion under the Council's Community Asset Transfer (CAT) Policy**

Councillor Butt welcomed Mr David Daniels and Mr David Pearson to the meeting and invited them to present their deputation.

Mr Daniels informed Cabinet that he spoke on behalf of a number of Tenterden Area Local Residents. Mr Daniels stated that, whilst he welcomed the proposal being made, there is a critical issue relating to Anti-Social Behaviour which the Cabinet should be aware of, if not already.

Mr Daniels reported that, thanks to the Leader of the Council, Councillor Butt, and Councillor Pavey, in his capacity as Barnhil Ward Councillor, much anti-social behaviour had now been eliminated in the area close to the Pavilion.

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that through the Council's Community Asset Transfer (CAT) policy, the Tenterden Sports Pavilion and associated playing fields was the subject of an Expression of Interest (EOI) by Forest United (1973) Youth Football Club Limited. She stated that this EOI has been evaluated and has passed the relevant

tests as outlined in the CAT policy. The next step of the decision making process is for Cabinet to grant authority to market the asset as a CAT opportunity.

Councillor McLennan stated that the CAT policy had been launched in July 2015. It outlined a framework that supports the identification, transfer and sustainable management of Council assets by Third Sector Organisations (TSOs). It encouraged TSOs to approach the Council with proposals for assets by submitting a completed Expression of Interest (EOI) template, which summarised their vision for the asset including how the intended use and supported Borough Plan 2015-19 priorities.

RESOLVED:

- (i) that the marketing of the Tenterden Pavilion and associated playing fields be approved as a CAT opportunity;
- (ii) that it be noted that the subsequent granting of the lease will be to the preferred CAT bidder, following marketing through a non binding informal tender process with the final decision to let the asset on the agreed terms to be approved by Cabinet;
- (iii) that officers advertise in the local newspaper in accordance with Section 123 of the Local Government Act 1972 the land shown edged red on the Site Plan Appendix III attached to the report and in the event of objections they be considered by the Strategic Director unless in the opinion of the Strategic Director significant objections are received in which case this should be reported back to the Cabinet for consideration;
- (iv) that a planning condition be included that stipulated that no area associated with the Pavilion should be left available when the facility is not in use and that the design of the new facility should be developed to discourage any anti-social behaviour.

5. Scrutiny Task Group on Closed Circuit Television (CCTV)

Councillor Kelcher, Chair of Scrutiny, presented the report of the scrutiny task group established to look at CCTV. The task group was established by the Scrutiny Members in response to Brent residents' requests for increased levels of CCTV in the borough.

Councillor Kelcher stated that the purpose of the task group was to analyse and understand the effectiveness of CCTV in Brent and its impact on reducing anti-social behaviour crime, and, to review policies and processes in comparison to others and best practice.

The review was concerned with the perception and attitudes of residents, and, the deterrence of crime for Brent communities. The review also focused on apprehending offenders, costs and alternative funding and the levels of reassurance given to residents.

The review is aligned with borough priorities, such as 'Working in partnership with citizens and building stronger residents and council relationships'. And 'Continuing to reduce crime and making people feel safer'.

Councillor Butt, Leader of the Council, thanked Councillor Kelcher for his introduction and, on behalf of his Cabinet colleagues, welcomed the report.

Councillor Denselow, Cabinet Member for Stronger Communities, welcomed the report stating that the Cabinet would be able to adopt all of the recommendations made by the Task Group.

Councillor Mashari, Cabinet Member for Employment and Skills, praised the task group on its report stating that ward councillors regularly received a significant number of requests for additional CCTV.

Councillor Butt, Leader of the Council, stated that he had recently shadowed the CCTV team which deserved the praise highlighted by the scrutiny report.

RESOLVED:

that the 22 recommendations made by the task group be approved and support be extended to the development of an action plan across the council and partner organisations to take these forward.

6. National Non Domestic Rates - Applications for discretionary rate relief and London Living Wage discretionary discount

Councillor Mashari, Lead Member for Employment and Skills, introduced the report stating that the council has the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship.

Councillor Mashari stated that the award of discretionary rate relief was based on policy and criteria agreed by the Executive in September 2013. New applications for relief have to be approved by the Cabinet. The report detailed new applications for relief received since the Cabinet last considered such applications on 21 September 2015.

Councillor Mashari reminded members that the Cabinet agreed at its meeting on 26 January 2015 to award a Business Rates discount to companies who agreed to pay its employees the London Living Wage and who became accredited with the Living Wage Foundation. The level of discount was 5 times the costs of accreditation, 30% of the cost of the discount is borne by the council. This scheme was introduced for 12 months, from 1 April 2015 to 31 March 2016, it was agreed a review would be carried out once the scheme had been operational for 12 months.

RESOLVED:

- (i) that the applications for discretionary rate relief detailed in Appendices 2 and 3 to the report be approved;

- (ii) that the discretionary discount scheme for businesses accredited to the London Living Wage Foundation be extended for a further 6 months, from 1 April 2016 to 30 September 2016 on the basis that the Business Rates discount will continue to be five times the cost of accreditation and will be awarded to businesses in Brent which become accredited with the Living Wage Foundation and who meet the criteria detailed in Appendix 4 of the report;
- (iii) that approval of this scheme is pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 and that this proposal is considered reasonable having regard to the interests of those persons who are liable to pay council tax in the borough of Brent and that a further report be submitted once the scheme is reviewed in May/June 2016.

7. Extension of Contract for Hosting and Support for Oracle eBusiness Suite (oneOracle)

Councillor Pavey, Deputy Leader of the Council, introduced the report stating that the report sought authority to extend the contract for hosting and support for the Oracle eBusiness Suite (oneOracle).

RESOLVED:

that an extension of the contract for hosting and support for the Oracle eBusiness Suite (oneOracle) to Cap Gemini for 2 years from August 2016 be approved.

8. 2015 Report of the Director of Public Health

Councillor Butt welcomed Mr Martin Francis to the meeting and invited him to present his deputation. Mr Francis spoke about instances of tooth decay and the high levels of obesity in the borough in Under 5s.

Councillor Hirani, Cabinet Member for Adults, Health and Well-being, thanked Mr Francis for his contribution. He stated that Brent could be proud of the low numbers of pregnant women that smoked and the breastfeeding rates were higher than average. He also stated that there had been a dramatic decrease in the number of teenage pregnancies in Brent. Councillor Hirani highlighted to Members that childhood obesity and tooth decay were still a concern not only for children now, but the potential health problems this could lead to as they got older. He stated that a project taking community dentists into schools to give check-ups to children and to inform their families of the dental services available to them across was starting to make a difference.

RESOLVED:

that the 2015 report from the Director of Public Health which considered the health of the Under 5s in Brent be noted.

9. Scrutiny Task Group on Fly-tipping

Councillor Stopp, stated that this task group had been established by the Scrutiny Members in response to communicated concerns from Brent residents regarding increased fly-tipping levels.

The purpose of the task group was to analyse and understand the borough's knowledge, behaviour and understanding of fly-tipping, and, to review local fly-tipping policies and processes of the council and its partners.

Councillor Stopp stated that the review was concerned with reducing the levels of fly-tipping in Brent and ensuring clean and safe environments for Brent residents; and as a result, a reduction in clean-up and enforcement costs. The review also focused on the borough priorities, such as working in partnership with citizens and building stronger resident's and council relationships.

He stated that 'making sure that Brent was an attractive place to live, with a pleasant environment, clean streets, well-cared for parks and green spaces' was an objective within the Council's Borough Plan. Ensuring that fly tipping was reduced and in the long term eradicated was a widely backed element within the context of our "Better Place" priorities.

Councillor Stopp stated that the review focussed on a top-to-bottom analysis of Brent Council's internal and external processes for dealing with fly-tipping. Key areas of focus were agreed during the work of the task group, these included knowledge, education, enforcement, impact, publicity.

Councillor Stopp suggested the possible re-launch of the Cleaner Brent app.

Councillor Southwood, Cabinet Member for Environment, thanked Councillor Stopp and the task group members for their work and the final report.

Councillor Stopp highlighted that the task group recommended that the term "Fly-tipping" should be changed to "Illegal Rubbish Dumping" (IRD) in communications with residents. Residents rarely refer to dumped rubbish as fly-tipping and there is apparently confusion among some residents about what "fly-tipping" actually meant.

Councillor Butt, Leader of the Council, thanked Councillor Stop for his work with the Task Group and praised the work of residents' groups such as Keep Wembley Tidy which could be a model to adopt across the borough.

RESOLVED:

that the 26 recommendations made by the task group be approved support be extended to the development of an action plan across the council and partner organisations to take these forward.

10. **Agreement to extend the London North West Healthcare NHS Trust contract for health visiting (HV) and Family Nurse Partnership (FNP)**

Councillor Butt asked Mr Martin Francis to present his deputation which highlighted 0-5 children's public health services.

Councillor Hirani, Cabinet Member for Adults, Health and Well-being, stated that the responsibility for commissioning of 0-5 children's public health services transferred from NHS England (NHSE) to local authorities on 1st October 2015. The contract for Health Visiting and Family Nurse Partnership (FNP) services for Brent was held with London North West Healthcare Trust (LNWHT).

Councillor Hirani stated that the current contract was due to expire at the end of March 2016. The contract between the Council and LNWHT for the six month period had a value of £2,563,000. The Local Authority has a statutory responsibility to ensure the provision of a health visiting service: the mandated requirements were set out at paragraph. These elements are mandated until March 2017.

Councillor Hirani informed colleagues that the contract with the current provider, LNWHT could be extended to maintain the current service provision by continuing the current (DH specified) service specification and issuing of a local authority contract for the period from 1 April 2016 to 31 March 2017 with an annual value of £5,126,000. The resource for the commissioning of these services will be part of the Public Health grant.

RESOLVED:

that the extension of the service provision with LNWHT for 0-5 children's health services for health visiting and FNP from 1st April 2016 to 31st March 2017 be approved on the Department of Health's Public Health terms and conditions for public authorities.

11. West London Alliance Accreditation Purchasing and Contract Management (APC) Dynamic Purchasing System (DPS)

The report circulated under this title was withdrawn. See meeting to be held on 8 February 2016.

12. Housing Tenancy Conversions

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that the Council's Housing Private Finance Initiative (PFI) project provides 364 units of Temporary Accommodation (TA) for homeless households and 20 units of residential care accommodation through contractual arrangements running until 2028.

It was originally intended that a rising proportion of the TA units would be converted to Social Rented properties over the course of the contract (temporary to permanent conversions), in order to provide settled accommodation for at least 158 households by the end of the contract.

RESOLVED:

- (i) that it be noted that the revised Project Agreement was entered into in April 2015;
- (ii) that it be noted that the projected financial deficit at the end of the contract, without exercising the option to convert PFI units to alternative tenures, has

increased due to the impact of external factors since the last report to Cabinet;

- (iii) that up to 122 units of Temporary Accommodation be converted to 'Discounted Market Rent units, as set out in the report, and the Strategic Director Community Well-being, in consultation with the Chief Finance Officer and the Chief Legal Officer be delegated authority to issue to Brent Coefficient Limited a schedule setting out the units to be allocated as Discounted Market Rent units in accordance with the Project Agreement.

13. Times House and the Falcon Public House, South Kilburn - acquisition financing proposals

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report reminding members that, in accordance with Brent's Executive approval in 2011, site assembly was planned in order to deliver proposals in respect of the South Kilburn regeneration programme, including the compulsory purchase of the Genesis owned Keniston Press, and the Greene King Retailing Limited owned Falcon Public House site.

Councillor McLennan stated that as these acquisitions were programmed in future years, the report sought approval to bring land assembly forward, setting out the background, property information and options.

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 authority be granted to acquire Times House, 50 Claremont Road, London W9 3DZ, (the Keniston Press site), this financial year 2015/16, as detailed in Appendix 1 to the report (not for publication);
- (ii) that authority be granted to acquire The Falcon Public House, 341 Kilburn Lane, London W9 3EG site, this financial year 2015/16, as detailed in Appendix 1 to the report;.
- (iii) that the Strategic Director of Resources, in consultation with the Strategic Director of Regeneration and Environment and the Chief Finance Officer be delegated authority to finalise the terms of the proposed acquisitions and enter into any associated agreements and contracts.

14. Church End redevelopment update and investment proposals

Councillor McLennan, Cabinet Member for Housing and Development, introduced the report stating that the Cabinet decision on 11 March 2013, approved redevelopment plans at the Church End Car Park (the subject site), a site that is in dual ownership between the Council and Catalyst Housing, this report provides an

update. She stated that since approval, the Council has adopted the Strategic Property Plan 2015-19, that set out a presumption for Brent to retain its limited property assets, utilising them to support regeneration and for income generation, Church End was one of the Borough's five designated growth areas. This report proposed that capital investment be approved to enable Brent to implement the current planning consent, delivering 34 new homes, retail, and a new market square.

The report proposed bringing forward the development of both land parcels (the Council and Catalyst lands) concurrently, thus significantly reducing delivery time, this would require the termination of the existing market arrangement and its replacement through the period of redevelopment by a new facility at Neasden.

A report would be brought forward to Cabinet in March 2016 seeking authorisation for the procurement of a contractor to deliver the scheme.

Councillors Hirani and Mashari welcomed the report stating this was a fantastic opportunity for the area.

RESOLVED:

- (i) that capital investment of £8.2m be made to bring forward the 34 planning consented homes on the Council's portion of the site, comprising 33 flats for sale or rent and 1 affordable home along, with the non-residential floorspace and a market square, subject to resolving planning requirements.
- (ii) that the Strategic Director of Resources in consultation with the Chief Legal Officer and Chief Finance Officer be authorised to appropriate the land shown coloured pink and green on the plan in Appendix [1] to the report, comprising the Church End Car Park and other land to be acquired by the Council by agreement or compulsory purchase ("the Site") for the planning purposes of facilitating the development or redevelopment of the Site when the Church End Car Park is no longer required for the purposes for which it is held immediately before appropriation pursuant to the provisions of section 122 of the Local Government Act 1972.
- (iii) that officers make a submission to the General Purposes Committee, to stop up the paths on the car park site and landscaped area; that Eric Road remains as Public Highway; and that the new market square site will be adopted as Public Highway, as outlined in Appendix 2 to the report;
- (iv) that it be noted that Officers are still pursuing the CPO and land swap as detailed in the March 2013 report to Cabinet, but that the funding arrangements have changed as outlined in Section 4 of the report;
- (v) that it be noted that the existing Church End market arrangements will be terminated and that a replacement market facility is proposed in Neasden Town Centre, that the existing market operator has been informed, and that following Cabinet approval a consultation exercise will be undertaken with stall holders.

15. Brent Cycle Strategy

Councillor Southwood, Cabinet Member for Environment, introduced the report informing Members that the Strategy has been developed to provide a transparent framework from which works to increase the number of people cycling will be implemented as well as prioritise investment for cycling throughout the borough.

Councillor Southwood stated that priorities and objectives have been developed following consultation with residents and key stakeholders regarding cycling in the borough which also reflect the priorities and objectives set out in the Borough Plan and the Mayor's Transport Strategy.

The priorities and objectives of the cycle strategy when implemented will also complement and support the Long Term Transport Strategy (LTTS) as well as work of other service areas such as Public Health and Air Quality.

RESOLVED:

- (i) that the consultation be noted;
- (ii) that the Brent Cycle Strategy as set out in Appendix A to the report be approved;
- (iii) that the Strategic Director, Regeneration and Environment, in liaison with the Lead Member for Environment be authorised to approval the final content of the strategy, including design.

16. Authority to award contracts for the supply of Street Lighting LED lanterns and Central Management System

Councillor Southwood, Cabinet Member for Environment, presented the report explaining that the report requested authority to award contracts as required by Contract Standing Order No 88. The report summarises the process undertaken in tendering these contracts and, following the completion of tender evaluation, recommends to whom the contracts should be awarded.

The report also measured the success of the tendering exercise against the business case for investment set out in the Cabinet Report Street Lighting: Energy and Carbon Savings Proposals - authority to tender, 14 April 2014.

Councillor Mashari, Cabinet Member for Employment and Skills, welcomed the report highlighting the savings to be made from electricity expenditure and the potential reduction in carbon emissions.

Conrad Hall, Chief Finance Officer, highlighted the financial implications set out in paragraphs 4.1 to 4.13. He stated that the business case for investing in LED and CMS estimated that the Council would need to make provision for £7.725m of capital funding. This estimate was inclusive of the supply of equipment and installation costs, with responsibility for installation falling to the council's PFI sub contractor, Bouygues.

RESOLVED:

- (i) that the procurement process followed by the council to secure value for money from the supply of LED luminaires and an associated Central Management System be noted;
- (ii) that the contract for the supply of LED (Lot 1 Light Emitting Diode) Street lighting luminaires be awarded to Bouygues E&S Infrastructure UK Limited, on the basis that the tender was the Most Economically Advantageous Tender, and surpassed the business case recommendations outlined to Cabinet in April 2015;
- (iii) that a contract for the supply of a CMS (Lot 2 Central Management System) be awarded to DW Windsor Limited, on the basis that the tender was the Most Economically Advantageous Tender, and surpassed the business case reported to Cabinet in April 2015;
- (iv) that the installation of procured equipment by the council's Private Finance Initiative (PFI) sub-contractor, Bouygues E&S Infrastructure UK Limited, be authorised within a programme expected to last approximately 14 months, commencing in April 2016;
- (v) that the Operational Director (Community Services), in consultation with the Lead Member for Environment and relevant ward Members, be authorised to make appropriate adjustments to lighting levels using CMS at a localised level in response to traffic and pedestrian needs, subject to budget provision;
- (vi) that the Chief Finance Officer be authorised to secure the capital required to deliver this project, noting the financial implications set out in paragraphs 4.1 to 4.13 of the report;
- (vii) that a draft Lighting Plan be developed, for recommendation to Cabinet in 2016/17, which will set out options for how the council could achieve further savings of at least 10% from energy costs and carbon emissions, and addressing:
 - road safety objectives;
 - community safety perceptions; and
 - residents' and visitors' travel choices.

17. Reference of item considered by Scrutiny Committee

None.

18. Any other urgent business

None.

The meeting ended at 8.40 pm

M BUTT
Chair