



## LONDON BOROUGH OF BRENT

### MINUTES OF THE CABINET Tuesday 15 November 2016 at 7.00 pm

**PRESENT:** Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Hirani, Mashari, Miller, W Mitchell Murray and Southwood

**Also Present:** Councillors Jones, Ketan Sheth, Conneely, Ms Shaw, Warren, Chohan and Duffy

#### 1. **Declarations of Interests**

There were no interests declared.

#### 2. **Minutes of the Previous Meeting**

RESOLVED:-

That the minutes of the previous meeting held on 24 October 2016 be approved as an accurate record of the meeting.

#### 3. **Matters Arising**

There were no matters arising.

#### 4. **Petitions (if any)**

None

#### 5. **Scrutiny Task Group Report on Housing Associations**

Speaking in his former role as Chair of Brent's Housing Association Scrutiny Task Group, Councillor Tom Miller, Lead Member for Stronger Communities, presented the task group report on Brent's Housing Associations.

Councillor Miller thanked Councillor Ketan Sheth, Chair of the Community and Wellbeing Scrutiny Committee, and James Diamond, Scrutiny Officer, for their support to the work of the task Group.

Councillor Harbi Farah, Lead Member for Stronger Communities, thanked Councillor Tom Miller and the task group members for their report.

Councillor Muhammed Butt, Leader of the Council thanked Cllr Tom Miller and Cllr Ketan Sheth for their work on this stating that Cabinet would report back to the Community and Wellbeing Scrutiny Committee with an update in 6 months.

RESOLVED:-

- i. Cabinet noted the recommendations agreed by the committee as set out in Appendix A.
- ii. Cabinet noted the findings of the Scrutiny Task Group's report in Appendix B.

## 6. **Housing Management Options for Council Stock**

Councillor Muhammed Butt, Leader of the Council, informed the meeting that Councillor Carol Shaw had submitted a request to speak.

Councillor Shaw, Brondesbury Park Ward, expressed concerns about BHP customer service. She stated that any in-house service, should provide improved customer services for residents.

Councillor Harbi Farah, Lead Member for Housing and Welfare Reform, thanked Councillor Shaw for her contribution. He stated that concerns about BHP customer services were well documented. Councillor Tom Miller, Cabinet Member for Stronger Communities, agreed with Councillor Shaw's comments stating that, in his view, it reflected the majority of elected member's position.

RESOLVED:-

- i. Cabinet agreed that the preferred option for future housing management service provision to the Council's tenants and leaseholders is Option 2, an in-house service, subject to consultation;
- ii. Cabinet authorised officers to undertake consultation with Council tenants and leaseholders on the preferred option as set out in paragraph 2.1 and to then provide a further report to Cabinet on the responses to that consultation to inform a final decision on future housing management service arrangements.
- iii. Cabinet instructed officers to report further on appropriate arrangements to provide for effective oversight and scrutiny by members and residents of the housing management service should the final decision be that the service be provided in-house.

## 7. **Authority to Participate in the Joint Procurement of Community Equipment and Services with the London Boroughs of Harrow and Barnet**

Councillor Krupesh Hirani, Lead Member for Community Wellbeing, introduced the report stating that Brent's current community equipment and services contract is due to expire on 31 March 2017 and, in order to address the risk of not having a new contract (and community equipment service in place) at the expiry of the current contract, Barnet Council has agreed to lead on an accelerated tender procurement process for the establishment of a framework for community

equipment and services, in collaboration with the London Boroughs of Harrow and Brent.

He stated that approval is therefore sought to take part in this collaborative procurement, as required under the Council's Contract Standing Order 85.

RESOLVED:-

- i. Cabinet gave approval for Brent Council to participate in a collaborative procurement led by the London Borough of Barnet to establish a framework for community equipment and services.
- ii. Cabinet gave approval to the collaborative procurement exercise detailed in 2.1 above being exempt from the normal requirements of Brent Council's Contract Standing Orders and Financial Regulations for good operational and/or financial reasons in accordance with Contract Standing Orders 84(a) and 85(c).
- iii. Cabinet gave approval to the pre tender considerations set out in paragraph 3.15 of this report.
- iv. Cabinet delegated authority to the Strategic Director of Community Wellbeing in consultation with the Lead Cabinet Member for Community Wellbeing to approve the award of a call-off contract from the Barnet framework agreement for community equipment and services to ensure that service provision is in place for the 1st April 2017.

**8. Authority to enter into partnership arrangements under section 75 of the National Health Service Act 2006**

Councillor Krupesh Hirani, Lead Member for Community Wellbeing, introduced the report stating that the report seeks approval for the Council to enter into three separate partnership arrangements under Section 75 of the National Health Service Act 2006 in respect of:

- the delivery of the approved Better Care Fund Plan with NHS Brent Clinical Commissioning Group (Brent CCG);
- the provision of Brent's Integrated Community Equipment Services (BICES) with Brent CCG and
- the delivery of adult mental health social care with Central North West London NHS Foundation Trust (CNWL).

RESOLVED:-

- i. Cabinet delegated approval to the Strategic Director of Community Wellbeing in consultation with the Chief Finance Officer and Chief Legal Officer to enter into partnership agreements pursuant to Section 75 of the National Health Service Act 2006 for such period or periods as may be

agreed but with all partnership agreements to conclude by 31 March 2023, in respect of the following:

- the delivery of the approved Better Care Fund Plan with NHS Brent Clinical Commissioning Group (Brent CCG);
  - the provision of Brent's Integrated Community Equipment Services (BICES) with Brent CCG and
  - the delivery of adult mental health social care with Central North West London NHS Foundation Trust (CNWL).
- ii. Cabinet gave approval for the Council to act as lead agency on behalf of the partners for the continued operation of a pooled budget with Brent CCG and CNWL under the partnership agreement of which Brent Council will be the budget holder.
- iii. Cabinet gave approval for the transfer of the Council's pro rata contribution as set out in paragraph 4.1-4.3.1 for the financial year 2016/17 to relevant pooled budgets with annual financial contributions to the pooled budgets for subsequent financial years to be delegated to the Strategic Director of Community Wellbeing in consultation with the Chief Finance Officer provided that there is no substantial change in Partnership arrangements.
- iv. Cabinet delegated to the Strategic Director of Community Wellbeing, in consultation with the Chief Legal Officer and the Chief Finance Officer the exact form of that written agreement required to enter the proposed partnership agreements as detailed in 2.1.
- v. Cabinet delegated to the Strategic Director of Community Wellbeing, in consultation with the Chief Legal Officer and the Chief Finance Officer award of Mental Health contracts with a value not exceeding £1m.

9. **South Kilburn Regeneration Programme - Carlton & Granville Centres Site - Development Options**

Councillor Muhammed Butt, Leader of the Council, informed the meeting that several requests to speak on this item had been received.

Councillor Butt welcomed Lesley Benson, Headteacher, Granville Plus Nursery School, to the meeting. Ms Benson spoke in support of the Council's effort to consult with stakeholders and pleaded with the Council to work with the nursery school on the architecture of the development. She spoke of the children attending the nursery school. She expressed concern that the Council would consult with the Nursery School after the design brief had been finalised.

Councillor John Duffy, Kilburn Ward, expressed concern at the report being considered by Cabinet.

Councillor Lesley Jones MBE, Willesden Green Ward, spoke of her professional experience in Early Years and as a schools inspector. She spoke of the excellent work carried out by the Granville Plus Nursery School.

Councillor John Warren, Brondesbury Park Ward, expressed concern about the degree of local consultation. He indicated that he would be seeking the support of other non-Cabinet Members to call in the decision by Cabinet, if approved.

Councillor Rita Conneely, Kilburn Ward, spoke in support of the Granville Plus Nursery School.

Momota Ahmed, Communications Manager, The Concord Café (National Algerian Centre), spoke about the work of The Concord Café and the work carried out by the volunteers. She spoke about the impact of the café in terms of fighting depression and loneliness.

Councillor Roxanne Mashari, Lead Member for Regeneration, Employment, Skills and Growth, introduced the report and thanked all the speakers for their contributions. She recognised issues with the consultation exercise carried out in July stating that, going forward, the Council would work collaboratively and consultatively with current tenants of the site.

**RESOLVED:-**

- i. Cabinet agreed to the Phase 1 of the Carlton and Granville Centres site redevelopment being the refurbishment and reconfiguration of the Granville Centre to allow for an interim Enterprise Hub to be established.
- ii. Cabinet delegated authority to Head of Estates Regeneration in consultation with the Lead Member for Regeneration, Growth, Employment and Skills to enter into all agreements with the Greater London Authority in respect for the funding for the refurbishment of the Granville Centre.
- iii. Cabinet delegated authority to the Chief Executive in consultation with the Lead Member for Regeneration, Growth, Employment and Skills to enter into legal agreements, including any lease with the South Kilburn Trust (SKT) and also with the GLA to secure their funding contribution in return for project delivery of the interim Enterprise Hub by March 2018.
- iv. Cabinet delegated authority to the Chief Executive in consultation with the Lead Member for Regeneration, Growth, Employment and Skills to oversee scheme development through further viability testing, local consultation, and planning consent;
- v. Cabinet approved the procurement of an architecturally led multidisciplinary design team to develop a detailed planning application for redevelopment of Carlton and Granville Centres site as Phase 2 of the work by either:
  - calling off the Greater London Authority (GLA) and Transport for London (TfL) Architecture, Design and Urbanism Panel (ADUP) or such other appropriate OJEU compliant framework; and evaluating those tenders in accordance with the relevant Framework; or alternatively
  - carrying out an OJEU compliant procurement process and inviting tenders on the basis of the pre-tender considerations set out in paragraph 3.30 of this

report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph

- The cost of the design team and associated consultants is anticipated to be in the region of £1m. £350,000 has already been assigned to this project so the balance will be up to £650,000 to be funded “up-front” by the Council.
- vi. Cabinet noted that irrespective of which procurement option detailed in 2.5 above is selected, officers will report back to Cabinet to seek Members’ approval to award the proposed contract, once a preferred design team has been identified.

## 10. **On Street Parking Management Review**

Councillor Eleanor Southwood, Lead Member for Environment, introduced the report stating that the report sets out the approach for a review of the management of on-street parking in the borough.

Councillor John Warren, Brondesbury Park Ward, stated that he believed the Review to be long overdue. He asked Members of Cabinet to consider whether the Cabinet’s Highways Committee could consider the results of the review.

Councillor Eleanor Southwood stated that the report provides detail of how the review will be scoped and how operational changes to parking management will be implemented. She stated that some CPZs are no longer fit for purpose.

Councillor Krupesh Hirani, Lead Member for Community Wellbeing, welcomed the review and expressed concerns at Councillor Warren’s suggestion.

RESOLVED:-

- i. Cabinet approved the approach for an on street parking management review.
- ii. Cabinet considered the levels of demand, a proposed programme and the financial implications for a review of CPZs and implementing new CPZs, at a future Cabinet meeting.

## 11. **Development Management Policies Local Plan: Consideration of the Planning Inspector’s Final Report and Proposed Adoption of the Plan.**

Councillor Roxanne Mashari, Lead Member for Regeneration, Growth, Employment and Skills, introduced the report stating the report explains that the Council has received an Inspector’s report into the Examination of the Development Management Policies Local Plan.

Councillor Mashari stated that the Inspector has found the document ‘sound’ subject to recommended ‘main’ modifications being made.

Councillor Mashari stated that Cabinet is being apprised of the modifications and outline of the next stages. She stated that Cabinet is recommended to recommend to Full Council that the Development Management Policies Local Plan incorporating modifications is adopted.

Councillors McLennan, Miller and Hirani welcomed the report.

RESOLVED:-

- i. Cabinet accepted the main modifications and minor modifications to the Development Management Policies Local Plan that the Council submitted for Examination as set out in Appendix 1 and Appendix 2 to this report.
- ii. Cabinet recommended to Full Council that the modified Development Management Policies Local Plan is adopted.
- iii. Cabinet agreed that the Strategic Director Regeneration & Environment be authorised to make further editorial changes to the document prior to it being adopted by Full Council.

## 12. **Safer Brent - MetPatrol Plus Scheme**

Councillor Tom Miller, Lead Member for Stronger Communities, stated that during the 8 May 2016 Safer Brent Partnership (SBP) meeting, the SBP chair recommended that the board progress addressing the option for investing in the MetPatrol Plus scheme.

Councillor Miller stated that the main purpose for this is to develop options for how the board can develop and operate more purposefully to deliver the key priorities and statutory obligations.

He stated that the paper considers what objectives the MetPatrol Plus scheme could meet, and the contributions SBP partners could provide.

Councillors Butt, Hirani, and Southwood all expressed support for this initiative stating that this addressed concerns expressed residents and would be welcome support for the Police.

RESOLVED:-

- i. Cabinet agreed that the options are addressed in this paper regarding how the Safer Brent Partnership board can develop and operate more purposefully, making Brent Safer.
- ii. Cabinet gave its approval to enter into the proposed Section 92 (of the Police Act 1996) Partnership Agreement and to approve the terms underpinning the scheme, if a growth bid was to be approved.

## 13. **Council Tax Support Scheme**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report stating that the report reviews whether changes should be considered to the provision of the localised Council Tax Support Scheme for 2017/18 and makes recommendations accordingly.

RESOLVED:-

- i. Cabinet agreed that the existing Council Tax Support scheme for Brent Council is retained for 2017/18 for the reasons set out within Section 8 of the report (Financial Implications) and not to invite Full Council to revise the Council Tax Support scheme for 2017/18.
- ii. Cabinet noted that due to the introduction of Universal Credit additional changes may be necessary in future years if expenditure on Council Tax Support is to be kept within the agreed Council Tax budget.

#### **14. Treasury Management Mid-Year Report**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report stating that the Council's Treasury Management Strategy is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.

The Code also recommends that Members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority is embracing best practice in accordance with CIPFA's recommendations.

Councillor McLennan stated that in addition to reporting on risk management, the Code requires the Authority to report on any financial instruments entered into to manage treasury risks.

RESOLVED:-

- i. Cabinet noted the 2016/17 mid-year Treasury report, which has already been reviewed by the Audit Committee and is to be forwarded to the Council.

#### **15. Wholly Owned Investment Company and Subsidiaries**

Councillor John Warren, Brondesbury Park Ward, expressed concern about the monitoring arrangements in place. he expressed reservation at the appointment of Councillor Crane to the Board.

Conrad Hall, Chief Finance Officer, outlined the monitoring arrangements in place.

Councillor Margaret McLennan, Deputy Leader, reminded Members that Cabinet had approved Brent's investment strategy at its meeting on 11 April 2016.



This strategy was designed to set the framework through which the capital programme will help to deliver the council's long-term vision to "*make Brent a great place to live and work...*" and to help deliver the five Brent 2020 priorities.

She stated that the Strategy explicitly signalled a shift away from short-term solutions to long-term public investment, and envisaged a council embracing more innovative and agile corporate structures to enable a more enterprising culture focused on seizing opportunities and managing rather than eliminating risks.

One action was to establish a local authority controlled company, originally envisaged to enable speedy delivery of the temporary accommodation reform plan. Councillor McLennan stated that the report therefore includes a focus on how the WOC will help deliver the Council's targets for the development of new affordable homes and why establishing a Company will offer the Council flexibility to intervene strategically to ensure that new housing development can contribute fully to strategic priorities.

#### RESOLVED:-

- i. Cabinet approved the establishment of the wholly owned company, to be called "Investing 4 Brent", for the objects and purposes set out in the report
- ii. Cabinet agreed to appoint the following as Directors of the Company, with all the responsibilities under the Companies Act that flow from that:
  - Councillor George Crane;
  - The Strategic Director of Community Wellbeing (Phil Porter); and
  - The Director of Policy, Partnerships and Performance (Peter Gadsdon).
- iii. Cabinet noted that the Board of the Company will be chaired by an independent voting Director, and that Martin Smith, the former Chief Executive of Ealing Council is proposed for this role.
- iv. Cabinet approved the Articles of Association and Shareholders Agreement as set out at Appendices One and Two.
- v. Cabinet approved the company's initial business plan, which is set out at Appendix Three.
- vi. Cabinet authorised the loan facility between the council and the company, as summarised in this report, and authorise the chief finance officer to finalise the legal documentation accordingly and thereafter to authorise loans on the terms set out in this report.
- vii. Cabinet delegated to the deputy Leader, in consultation with the Chief Finance Officer, the precise mix of loan and equity funding, for the reasons set out in paragraph 6.8.
- viii. Cabinet approved the provision of an initial loan of £1m to meet the working capital (cash flow) requirements of the company on terms as summarised in

this report and delegate authority to the Chief Finance Officer to finalise the legal documentation accordingly.

- ix. Cabinet noted that the company is intended to be incorporated by the end of the calendar year, and as soon as practicably possible following expiry of the scrutiny call-in period.
- x. Cabinet delegated to the deputy leader, in consultation with the chief finance officer, authority to finalise the Articles of Association and other legal documentation required formally to incorporate the Company in accordance with the requirements of the Companies Act 1985.

## 16. **Church End Car Park, Acquisition of additional Land**

Councillor Muhammed Butt, Leader of the Council, introduced the report. He stated that Cabinet approval had been granted on 20 January 2016, for the redevelopment of the Church End car park site in Brent Council's ownership to provide 34 homes, in conjunction with Catalyst Housing Group, who would develop 65 homes on adjacent land in their ownership bringing the total number of units between both sites to 99 new homes.

He informed Members that the opportunity has arisen for Brent Council to purchase Catalyst's freehold interest in their site, to enable Brent to deliver the entire scheme of 99 homes.

Councillor Mashari, Lead Member for Regeneration, Growth, Employment and Skills welcomed the report.

### RESOLVED:-

- i. Cabinet agreed to the acquisition of the Catalyst Housing owned land and buildings necessary to implement the entire redevelopment of the Church End car park site (see confidential appendix three for details of the proposed purchase price)
- ii. Cabinet, in respect of the Catalyst land, agreed to capital investment of £21.8m to bring forward the development of the planning consented 65 homes and associated commercial units on the Church End car park site.
- iii. Cabinet noted that £8.2m was approved for the development of 34 new homes on the adjoining council owned site, due to increased build costs, that Cabinet approve an additional £500k.
- iv. Cabinet noted, the total investment required for the redevelopment of the Brent & Catalyst land is a total scheme budget of £30.5m.
- v. Cabinet delegated authority to the Strategic Director of Resources in consultation with the portfolio lead member to finalise contract terms and appropriate the land referred to in paragraph 2.1.

**17. National Non Domestic Rates – Review of Discretionary Rate Relief Scheme and Applications for Relief**

Councillor Margaret McLennan, Deputy Leader of the Council, stated that the Council has the discretion to award rate relief to charities or non-profit making bodies.

The award of relief is based on policy and criteria last agreed by Cabinet on 16 September 2013, this taking effect from 1 April 2014. It was agreed at the meeting to review the scheme every 3 years, it is therefore necessary to undertake a review.

Councillor McLennan stated that Business Rates retention is presently planned to be introduced in 2020/21. This will result in the council retaining, based on current shares, 80% of rates income (the GLA will have the remaining 20% share), however this has still to be confirmed.

She stated that the report also details new applications for relief received since the Cabinet last considered such applications on 20 January 2016.

RESOLVED:-

- i. Cabinet agreed that there be no change to the existing policy and criteria for determining entitlement to discretionary rate relief in respect of National Non-Domestic Rates (policy detailed in Appendix 1). The policy will be reviewed in September 2019 or when Business Rates Retention is introduced whichever is the earlier.
- ii. Cabinet agreed that the application for discretionary rate relief detailed in Appendix 2 of the report be approved

**18. Future Options for Oracle ERP Hosting and Support**

Councillor Margaret McLennan, Deputy Leader, introduced the report setting out proposals for the future options for the One Oracle system support and hosting arrangements upon expiration of the current contract in July 2018.

She stated that the contract was awarded in 2012 and the successful bidder was Capgemini. The Council is part of a 7 Council partnership which shares the hosting and support contract between the Council partners and Capgemini. The seven Councils are Barking and Dagenham, Brent, Croydon, Havering, Newham, Lambeth and Lewisham.

The partnership was established with the 6 original Councils in 2012 (Newham was a recent joiner who went live in 2016). The OneOracle system was implemented in August 2014. The initial contract for LOT2 - systems support and hosting with Capgemini was to expire in July 2016 but following a short market testing exercise this contract has been extended to July 2018. Procurement rules prohibit further extension, other than in exceptional circumstances

RESOLVED:-

- i. Cabinet approved the adoption of Option 3, move to Oracle on premise hosted service provided by the in-house Brent Digital Service.
- ii. Cabinet approved that Brent Digital services can offer this service to other authorities as a chargeable service.
- iii. Cabinet approved to delegate to the Strategic Director of Resources the award of the contract for implementation of the system.

**19. Leasing of 8th Floor North Wing**

Councillor Muhammed Butt, Leader of the Council, introduced the report asking members to consider the vacant office accommodation at the Civic Centre and approve the occupation on a lease.

RESOLVED:-

- i. Cabinet delegated authority to the Strategic Director Resources to finalise terms and complete the lease to the Valuation Office Agency in consultation with the Head of Legal Service in accordance with the details in the confidential Appendix.
- ii. Cabinet noted that there is interest from the Job Centre Plus and the Clinical Commissioners Group in also relocating to the Civic Centre.

**20. Exclusion of Press and Public**

None.

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

None.

**22. Any other urgent business**

RESOLVED:-

**Executive Appointments to Outside Bodies**

- i. Cabinet AGREED to appoint Councillor Farah (Lead Member for Housing and Welfare Reform) to replace Councillor Pavey to the London Housing Consortium - Building Components and Solutions.

The meeting ended at 8.28 pm

COUNCILLOR MUHAMMED BUTT  
Chair