



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 15 January 2018 at 6.00 pm

PRESENT: Councillor Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Hirani, Miller, M Patel, Southwood and Tatler

Also Present: Councillor Mashari

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of Interest**

There were no declarations of interest by Members.

3. **Minutes of the Previous Meeting**

It was **RESOLVED** that the minutes of the previous meeting held on 11 December 2017 be approved as an accurate record of the meeting.

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

There were no matters arising.

5. **Petitions (if any)**

There were no petitions to be considered.

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

Cabinet noted that, on 19 July 2017, the Community and Wellbeing Scrutiny Committee received a report about children's oral health in the borough. The report, which was presented by the Director of Public Health, Dr Melanie Smith, outlined that Brent's children have some of the worst oral health outcomes in England with dental extractions remaining the main cause of elective hospital admissions in children. Dr Smith had stressed that, although there had been some improvement, levels of tooth decay remained unacceptable bearing in mind that it was almost entirely preventable.

Councillor Krupesh Hirani, Cabinet Member for Community Wellbeing, thanked the Community and Wellbeing Scrutiny Committee for its report and recommendations.

RESOLVED that:

- 6.1 The recommendations to Cabinet made at the Community Wellbeing Scrutiny Committee be noted; and

- 6.2 In relation to recommendation five (within Appendix one) Cabinet requested further clarity from colleagues within the Council's Public Health team.

7. 2017/18 Mid-Year Treasury Report

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report which asked Cabinet to note the 2017/18 Mid-Year Treasury report. It was noted that the report had already been reviewed by the Audit Advisory Committee and was to be forwarded to the Council.

Councillor McLennan stated that the Council's Treasury Management Strategy was underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which included the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.

It was noted that the Code also recommends that Members be informed of Treasury Management activities at least twice a year. The report therefore ensured that the authority embraced best practice in accordance with CIPFA's recommendations.

RESOLVED that:

- 7.1 The 2017/18 mid-year Treasury report be noted by Members.

8. Bobby Moore Bridge Dressing/Advertising Lease, Olympic Way, Wembley

Councillor Muhammed Butt, Leader of the Council, introduced the report which recommended that a new lease for the dressing/advertising on Bobby Moore Bridge be entered into for four years with Wembley City Estate Management.

Councillor Butt stated that the lease will be outside the security of tenure provisions of the 1954 Landlord and Tenant Act except Sections 24 to 28 (inclusive) of the 1954 Act be excluded in relation to the tenancy.

RESOLVED that:

- 8.1 A new four year lease for Bobby Moore Bridge dressing/advertising be entered into with Wembley City Estate Management; and
- 8.2 The lease will be outside the security of tenure provisions of the 1954 Landlord and Tenant Act except Sections 24 to 28 (inclusive) of the 1954 Act be excluded in relation to the tenancy.

9. Council Loans Framework for in-borough Capital Projects

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report which sought authority to establish a capital advances lending framework. She stated that responsibility for the advance of loans and administration of the loans pool would be delegated to the Chief Finance Officer in consultation with the Deputy Leader of the Council.

Councillor McLennan stated that under this framework, loans would be available to part-finance the delivery of in-borough capital schemes that produce outcomes in line with the Council's aims and objectives. She noted that, for the avoidance of doubt, this was about providing an option to provide debt finance to schemes that were already part of the council's approved capital programme.

Councillor McLennan stated that agreeing the recommendations within the report would therefore provide a structured approach to this aspect of financing in the capital programme, with the proper governance and clarity of decision making required for such transactions and a framework for financial monitoring and control.

RESOLVED that:

9.1 The establishment of a framework for the provision of senior loans to:

- Joint ventures to which the Council is party;
- Council subsidiaries; and
- Third party organisations in which the Council has no direct financial interest.

be approved, subject to conditions (the 'framework') outlined in the report;

9.2 The advance of loans to organisations as set out above, be delegated to the Chief Finance Officer in consultation with the Deputy Leader of the Council;

9.3 The list of voluntary loan controls included with Appendix 1 of the report, be approved;

9.4 The daily monitoring and administration of loans be delegated to the Council's Chief Finance Officer;

9.5 The authority to procure and award a contract for specialist advice on loans pool management, if required, be delegated to the Chief Finance Officer; and

9.6 A loan facility of up to £40m be made available to the South Kilburn (Queen's Park 2) Council-proposed Joint Venture with LondonNewcastle.

10. Pan London Energy Project (LEP) Water Framework

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report and stated that the Water market in England had been deregulated in April 2017. She stated that to comply with the Public Contracts Regulations 2015, the London Borough of Brent will require a contract for a Water Retailer. In this newly deregulated market, the most economically advantageous approach would be to collaborate with other authorities. On behalf of local and other public sector authorities, The London Energy Project (LEP), with Haringey Council acting as the Lead Authority, will co-ordinate a mini-competition through the Crown Commercial Services (CCS) Framework for Water, Wastewater and Ancillary Services, accessed by call-off from YPO. The intention is to appoint a single water and waste water retailer to meet multi-site authorities' business requirements for back-office and water efficiency products and services, with each authority having a separate contract.

Councillor McLennan stated that the report was being brought forward to allow for the decision making of the joint procurement with the other local authorities to proceed; and that delegated authority was being given the Strategic Director, Resources to award the contract to the preferred bidder for water, following the mini-competition outcome, which will include rigorous evaluation of quality, price, financial standing and terms and conditions.

RESOLVED that:

- 10.1 The collaborative procurement of a single water retailer through the Crown Commercial Services (CCS) Framework for Water, Wastewater and Ancillary Services, to be led by the London Borough of Haringey, be approved;
- 10.2 The use of the London Borough of Haringey's Contract Standing Orders and Financial Regulations for the collaborative procurement, as detailed in 10.1 above, be approved;
- 10.3 Authority to award a call off contract following the collaborative procurement referred to in 10.1 above for a period of two years with an option to extend for a further two years from 1 April 2018, be delegated to the Strategic Director of Resources in consultation with the Deputy Leader;
- 10.4 The use of the London Energy Project (LEP) Team to manage supplier performance and service development to deliver services in line with LEP authorities' collective business requirements post contract award to maximise benefits, be endorsed.

11. Merchant Acquiring Services and Equipment

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report and stated that the current Merchant Acquiring Services and Equipment contract was due to expire on 31 March 2018 and that a new contract needed to be established.

She stated that, in simple terms, the contract provided chip and PIN terminals to take credit and debit card payments, and provided the service that transferred payments from the companies who issued credit and debit cards to the Council's bank account.

Councillor McLennan stated that this report was being brought forward for Members to note the use of the Crown Commercial Services (CCS) Framework for Merchant Acquiring Service ref RM 3702 Lot 1 to procure a new contract and to delegate authority to the Strategic Director, Resources in consultation with the Deputy Leader to award the contract to the preferred bidder, following the mini-competition, which would include rigorous evaluation of quality, price, financial standing and terms and conditions.

RESOLVED that:

- 11.1 The procurement of Merchant Acquiring Services through mini-competition under the Crown Commercial Services (CCS) Framework for Merchant Acquiring Service on the basis of the pre - tender considerations set out in paragraph 3.5 of the report be noted; and

11.2 Cabinet to delegate authority to the Strategic Director of Resources Awarding and entering into the call off contract under the CCS Framework for Merchant Acquiring Services be delegated to the Strategic Director of Resources.

12. Review of the Shared Procurement Service

Councillor Margaret McLennan, Deputy Leader of the Council, stated that with the recent resignation of the Harrow Divisional Director of Procurement and Contracts it was now an opportune time to review whether or not Brent continued to see benefit in the shared procurement service or whether it believed it would be more beneficial to dissolve the shared service and make alternative arrangements i.e. bring the function back in house.

Councillor Muhammed Butt, Leader of the Council, stated that, at just over 1 year into the shared service, a number of difficulties had been identified.

Councillor McLennan stated that the report detailed the advantages and disadvantages of both options and made a recommendation to bring the function back in house.

RESOLVED that:

12.1 The recommendation to end the shared procurement service agreement with the London Borough of Harrow, at the end of the current Financial year, by mutual agreement, and proposal to bring the procurement function back in house, be agreed; and

12.2 Authority to agree the precise terms of the exit arrangements required to bring the procurement function back in house, be delegated to the Strategic Director of Resources in consultation with the Deputy Leader.

13. The Use of Food Banks in Brent Scrutiny Task Group Report

Councillor Muhammed Butt, Leader of the Council, welcomed Councillor Roxanne Mashari, Chair of the Use of Food Banks In Brent Scrutiny Task Group, to the meeting.

Councillor Mashari thanked the Cabinet and stated that the report set out the findings and recommendations of the recent task group into the use of food banks in Brent.

Councillor Mashari stated that the task group made the decision to look at this area due to the significant rise in food bank usage nationally and lack of a detailed picture of food bank usage across Brent.

She stated that members were also concerned with the human impact food poverty is having on local communities and wanted to understand the scale and drivers of food poverty and food insecurity

Councillor Mashari stated that there were a number of issues which arose with the increased use of food banks. Concern was focused on vulnerable residents such as

the elderly, disabled and children, for example the impact of hunger on children and young people's education. The task group also explored why individuals need to use food banks, and ways to tackle stigma associated with this. This included the impact of welfare reform changes from central government, unemployment, rising costs of living and low pay. There also exists a varying degree of regulation, safe guarding and data collection across different providers.

The task group considered that the impact of welfare changes such as Universal Credit could be far reaching. It was vital, therefore, that the council and other local public sector partners put in place organisational arrangements that enable Brent to mitigate the impact Universal Credit as far in advance as possible.

Councillor Butt, Leader of the Council, thanked Councillor Mashari for her work in chairing the Task Group and thanked also the members of the Group: Councillors Conneely, Daly, Ezeajughi, Hoda-Benn, Kabir and Kansagra.

Councillor Margaret McLennan, Deputy Leader of the Council, reiterated the Cabinet's thanks for the report. Councillor McLennan noted that many of the task group's recommendations required support from and joint working with the Council's partners and suggested that the report be shared widely with partners.

RESOLVED that:

13.1 The report, appendix and the recommendations contained therein, be noted.

14. Approval for Commissioning a Block Contract for Semi-independent Living for Looked After Children aged 16+ and Care Leavers aged 18+

Councillor Mili Patel, Cabinet Member for Children and Young People, introduced the report which made recommendations for a preferred delivery model for Semi-Independent Living Services for Looked After Children aged 16+ and Care Leavers aged 18+.

Councillor M Patel stated that the report sought Cabinet approval to invite tenders for a block contract for three years with the option to extend for two years through a mini competition under the approved West London Alliance Semi-Independent List.

RESOLVED that:

14.1 The invitation of tenders for a contract for the delivery of Semi-Independent Living Services for Looked After Children aged 16+ and Care Leavers aged 18+ in line with the Proposed Delivery Model. detailed in section 7.0 and on the basis of the proposed tender arrangements set out in section 10.1 of the report, be approved;

14.2 The provision for officers to evaluate tenders referred to in 14.1 above on the basis of the evaluation criteria set out in paragraph 10.1 of the report, be approved; and

14.3 Authority to award the contract for Semi-Independent Living Services for Looked After Children 16+ and Care Leavers 18+ be delegated to the Strategic Director, Children and Young People in consultation with the Lead

Member for Children and Young People for the reasons detailed in paragraph 10.1 of the report.

15. Wembley Housing Zone Update and Appointment of Architecturally Led Multidisciplinary Design Team

Cllr Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report which provided Cabinet with an update on the Wembley Housing Zone programme, following on from the June 2017 Cabinet report.

Councillor Tatler stated that the proposed Joint Venture with developer HUB, as discussed in the June 2017 Cabinet report, would not be proceeding at this time, and therefore Council Officers were now focused on a smaller programme, including the former Copland school site and Ujima House and land to the rear. HUB will progress proposals for the sites within their interest. Officers do not envisage any reduction in the Wembley Housing Zone outputs from those envisaged under the joint venture proposal.

Councillor Tatler stated that officers have commenced work to contract an architecturally led, multidisciplinary design team to undertake designs for sites along Wembley High Road, including the former Copland school site and Ujima House and land to the rear, which had been discussed in further detail within the report.

She stated that the report seeks approval for delegated authority to Strategic Director, Regeneration & Environment in consultation with Lead Member for Regeneration, Growth, Employment and Skills to approve the preferred bidder from the Architecture, Design and Urbanism Panel (ADUP) framework.

RESOLVED that:

- 15.1 The revised method of delivery of the Wembley Housing Zone programme such that the Council lead on design and planning for development on its own land interests, as set out in paragraph 3.3 of the report, be approved;
- 15.2 The intention to procure a multidisciplinary design delivery team using the pre-tender considerations detailed in Appendix 1, be noted;
- 15.3 Authority to award a contract for a multidisciplinary design delivery team from the Architecture, Design and Urbanism Panel (ADUP) framework using the evaluation criteria detailed in Appendix 2, for the reasons detailed in paragraph 3.11 of the report, be delegated to the Strategic Director Regeneration & Environment, in consultation with Lead Member for Regeneration, Growth, Employment and Skills;
- 15.4 Authority to oversee design development, viability testing, consultation and ultimately agree the scheme that is submitted for planning approval, be to delegated to the Strategic Director Regeneration & Environment in consultation with Lead Member for Regeneration, Growth, Employment and Skills; and

- 15.5 The release of up to £1m funding (already allocated for Wembley Housing Zones Masterplanning and Planning applications under a Joint Venture) to finance Council-led Masterplanning, Planning applications and supporting services and surveys of sites, as discussed in the report, be approved.

16. Air Quality Improvement Measures: Electric Vehicle Charging Infrastructure

Councillor Eleanor Southwood, Cabinet Member for Environment, introduced the report to inform and obtain approval from Cabinet for Brent's involvement in two projects that will provide new charging infrastructure for electric vehicles in Brent: The Rapid Charging Infrastructure Project and a project to deliver on-street residential charge points in lamp columns. Councillor Southwood stated that both projects required entry into supplier contracts. She stated that the report would also provide an update on progress with Source London infrastructure installation.

Councillor Southwood stated that the Brent Long Term Transport Strategy 2017 – 2035, Planning Policy Guidance, the London Plan and Brent Development Management Policies all sought improvements in air quality.

RESOLVED that:

- 16.1 Brent Council's continued involvement in the GULCS for the Rapid Charging Infrastructure Project and the project to provide on-street electric vehicle charge points in residential locations, be approved;
- 16.2 Brent Council's participation in a collaborative procurement led by Transport for London (TfL) and London Councils using the Crown Commercial Services Traffic Management Technology 2 Framework Agreement in order to select a single supplier to install, manage and maintain electric vehicle charge points in lamp columns in Brent, be approved;
- 16.3 The collaborative procurement exercise detailed in 15.2 above be 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 the Contract Standing Order 84(a) and 85(c) for the reasons detailed in paragraphs 6.8 and 11.2.3 of the report, be agreed;
- 16.4 The provision and installation of electric vehicle charge points in lamp columns to serve residents with no access to off-street parking now and in the future (subject to funding), be authorised in principle;
- 16.5 The Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, be authorised to undertake any necessary statutory and non-statutory consultations and consider any objections or representations regarding the installation of rapid charge points at on and off-street locations in Brent now and in the future (subject to funding), with consultation results referred to Highways Committee to determine the outcome of the responses;
- 16.6 The intention to commence a procurement using a mini-competition under the TfL Rapid Charge Point Concession Framework for the installation of electric vehicle rapid charge points, be noted; and

16.7 Authority to award contracts following mini-competitions under the frameworks detailed in 15.2 and 15.6 above to the successful bidders of the Rapid Charging Infrastructure Project and the project to provide on-street electric vehicle charge points in residential locations for the reasons detailed in paragraphs 11.1.8 and 11.2.6, be delegated to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment.

17. Update and approval of decisions to enable the disposal and redevelopment of 1-8 Neville Close, 1-64 Winterleys and 113-128 Carlton House and 1-71 Blake Court in pursuance of the Regeneration of South Kilburn

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report and reminded Cabinet that the regeneration of South Kilburn was a fifteen year programme that was approximately half way through.

She stated that the programme would deliver around 2,400 new homes of which 1,200 will be made available for social rent for existing South Kilburn, secure council tenants. To date 1073 new homes had been delivered with 60% (639) new homes having been made available for existing secure tenants of South Kilburn. Woodhouse Urban Park was opened to the public in May 2016 and South Kilburn residents were able to utilise St Augustine's Sports Hall.

Councillor Tatler stated that the South Kilburn Masterplan review took place in 2016, and that the community was at the heart of our decision making process. She stated that the Council had taken an inclusive and participatory approach to the consultation and engaged with residents and stakeholders of South Kilburn with extensive local consultation from July through to December, which directly fed into the drafting of a revised South Kilburn Supplementary Planning Document 2017 (SPD). The SPD was adopted by Cabinet on the 19 June 2017 and would be an important document in determining how the area continues to transform over the next 10-15 years.

Councillor Tatler stated that the South Kilburn Regeneration Programme also included the delivery of a new larger high quality urban park and an improved public realm, a new local primary school, new health facilities, new retail facilities, an Enterprise Hub and Community Space, improved environmental standards and a South Kilburn District Energy System. The South Kilburn Programme has been recognised for exemplar design for new build homes as well as landscape projects and has won a number of prestigious awards.

Councillor Tatler stated that the report sought approval to authorise the Strategic Director, Regeneration and Environment to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to the disposal and development of 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House (as shown edged red Appendix 1) and 1-71 Blake Court (as shown within the SK Masterplan area at Appendix 2) for the purpose of Ground 10A of Schedule 2; and also seeks approval to authorise the final Allocation Policy for secure tenants with homes in 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and 1-71 Blake Court.

RESOLVED that:

- 17.1 Authority to seek the Secretary of State's consent to the disposal and redevelopment of 1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and Carlton Hall and 1-71 Blake Court (also referred to the report as "the South Kilburn properties") pursuant to Part V of Schedule 2 to the Housing Act 1985 and to seek possession of those dwellings occupied by secure tenants by relying on Ground 10A of Schedule 2 of the Housing Act 1985, be delegated to the Strategic Director of Regeneration and Environment;
- 17.2 Possession of the South Kilburn Properties be sought under Ground 10A of Schedule 2 of the Housing Act 1985, subject to the Secretary of State's consent to approve the adoption of the Allocation Policy as set out in Appendix 5 which will apply to the South Kilburn Properties; and
- 17.3 The Allocation Policy referred to within the report which sets out the basis on which replacement homes will be allocated to secure tenants in the South Kilburn Properties and the legal means to be adopted for seeking possession of the South Kilburn Properties, through the use of Ground 10A of the Housing Act 1985 (if approval is given by the Secretary of State) and compulsory purchase powers under section 226(1)(a) of the Town and Country Planning Act 1990, be noted.

18. Residential Extensions and Alterations Supplementary Planning (SPD2) Adoption

Councillor Shama Tatler, Cabinet Member for Regeneration, Growth, Employment and Skills, introduced the report which outlined the consultation responses received between 6 July and 17 August 2017 on the draft Residential Extensions and Alterations Supplementary Planning Document (SPD 2).

Councillor Tatler stated that the consultation responses received have resulted in some minor amendments, with revised text and additional drawings now providing clearer guidance. When adopted by Cabinet the document will replace the existing Brent Altering and Extending Your Home Supplementary Planning Guidance (SPG 5) adopted in September 2002, which will need to be revoked.

RESOLVED that:

- 18.1 The proposed amendments, as set out in Appendix 1 of the report, be approved;
- 18.2 The Residential Extensions and Alterations Supplementary Planning Document ('SPD 2 (amended)'), as set out in Appendix 2 of the report, be adopted;
- 18.3 The existing Brent Altering an Extending Your Home Supplementary Planning Guidance ('SPG 5'), adopted in September 2002, be revoked; and

18.4 The deletion of the word “original” from pages 291 and 302 of the Cabinet agenda pack, as specified by the Lead Member of the Regeneration, Growth, Employment and Skills at the meeting itself, be noted.

19. **Dockless Cycle Hire**

Councillor Eleanor Southwood, Cabinet Member for Environment, presented the report which informed Cabinet as to how dockless cycle hire could be beneficial for Brent with regards to encouraging cycling and walking, as set out in the Brent Long Term Transport Strategy 2015 – 2035 and the Brent Cycle Strategy 2016 – 2021.

Councillor Southwood stated that it would also promote active travel and could be instrumental in promoting a mode shift away from the car, improving residents’ health, and the Borough’s air quality/public realm environment. It would also help towards meeting the objective of the draft Mayor’s Transport Strategy of 80% of journeys by 2041 being made on foot, by bike or using public transport.

She stated that the report set out a proposal to introduce dockless cycle hire in Brent.

RESOLVED that:

19.1 Entry into a Memorandum of Understanding with a single supplier to provide a dockless cycle hire scheme on a pilot basis for one year, be approved;

19.2 Authority to select the single supplier and agree the terms of the Memorandum of Understanding, be delegated to the Strategic Director of Regeneration and Environment in consultation with the Lead Member for Environment; and

19.3 The contents of the report be noted.

20. **Exclusion of Press and Public**

None.

21. **Any Other Urgent Business**

None.

The meeting was declared closed 6.40 pm

COUNCILLOR MUHAMMED BUTT
Chair