



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 11 September 2017 at 6.00 pm

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

Also present: Councillors Perrin and Shahzad

1. **Apologies for Absence**

An apology for absence was received from Councillor Eleanor Southwood (Lead Member for Environment).

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 14 August 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 discussed by Cabinet.

6. **Brent's Child and Adolescent Mental Health Services: A Scrutiny Task Group Report**

Councillor Ahmad Shahzad OBE, Chair of task group, thanked the Cabinet for the opportunity to present this task group report.

Councillor Shahzad informed members of Cabinet that the purpose of the scrutiny task group was to review the effectiveness of the CAMHS model in providing support to young people in Brent at present, and how the model could be adapted to better meet needs in the future. He stated that this included looking at the transformation plans being developed.

Councillor Shahzad stated that the focus of the task group in gathering evidence was on qualitative evidence from face-to-face discussions with NHS and health

providers, Brent Clinical Commissioning Group (CCG), school and further education representatives, and community representatives.

Councillor Shahzad informed Cabinet that the other members of the task group were Councillor Ruth Moher, Councillor Neil Nerva and Dr Jeff Levison, a co-opted committee member. He stated that Hamza King was co-opted to represent Brent Youth Parliament.

Councillor Shahzad presented the task group's full recommendations:

Brent Clinical Commissioning Group:

1. Increase investment in mental health support with Brent's schools to ensure all schools can access Targeted Mental Health in Schools (TaMHS), Place2Be or an equivalent mental health support programme for schoolchildren.
2. Improve pathways to young people receiving CAMHS support by emphasising to head teachers that they can refer directly to CAMHS and increasing the CCG's information and communication to schools about what support is available.
3. Offer a programme of peer and staff support in schools and further education to strengthen awareness of emotional health and wellbeing and signpost them to effective support.
4. Organise a network of community champions to promote good mental health and wellbeing among children and young people in their community and signpost young people to effective support.

Brent Clinical Commissioning Group and Brent Council:

5. Organise a one-off event for parents modelled on *'It's Time to Talk'* to develop community-led solutions to improving children and young people's emotional wellbeing and mental health in Brent, and strengthen partnership working between the CCG, local authority, schools, voluntary sector, faith and community groups, youth organisations, and further education colleges on this issue.

Councillor Mili Patel, Cabinet Member for Children and Young People, thanked Councillor Shahzad for his work leading the task group and welcomed the group's recommendations.

RESOLVED that:

- 6.1 The recommendations and contents of the task group's report, as they were agreed by Community and Wellbeing Scrutiny Committee on 19 July, be noted.

7. Brent Local Implementation Plan (LIP) Submission for 2018/19 - 2020/21

On behalf of the Cabinet Member for Environment, Councillor Ellie Southwood, Councillor Butt, Leader of the Council, introduced the report.

Councillor Butt stated that the primary source of funding for schemes and initiatives to improve transport infrastructure and travel choices in Brent is Local

Implementation Plan (LIP) funding, which is allocated through Transport for London (TfL). Councillor Butt stated that LIPs set out how London boroughs will deliver better transport in their area, in the context of borough priorities, overarching Mayoral transport priorities and Healthy Streets outcomes. This was welcomed by Councillor Krupesh Hirani, Cabinet Member for Adults, Health and Wellbeing.

Councillor Butt stated that the purpose of this report is to update Cabinet on the provisional LIP allocations, and gain the approval of Cabinet to submit the 2018/19 Corridors, Neighbourhoods and Supporting Measures LIP programme to TfL and following approval by TfL, to implement the schemes and initiatives within the submitted/approved LIP programme and funding.

RESOLVED that:

- 7.1 Brent's 2018/19 total provisional Local Implementation Plan (LIP) provision of £3,397,000 be noted;
- 7.2 The proposed 2018/19 programme of LIP Corridors, Neighbourhoods and Supporting Measures schemes, as set out in **Appendix A** of the report, be approved. Through application of the prioritisation matrix, as described in the report and, subject to TfL approval in autumn 2017, the Head of Highways and Infrastructure, in consultation with the Lead Member for Environment, be instructed to deliver this programme using the allocated budget and resources available;
- 7.3 The Head of Highways and Infrastructure, in consultation with the Lead Member for Environment, be authorised to undertake any necessary statutory and non-statutory consultation and consider any objections or representations regarding the schemes set out in **Appendix A** of this report. If there are no objections or representations, or the Head of Highways and Infrastructure in consultation with the Lead Member for Environment considers the objections or representations are groundless or unsubstantiated, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment be authorised to deliver the schemes set out in **Appendix A** of this report. Otherwise, the Head of Highways and Infrastructure in consultation with the Lead Member for Environment be authorised to refer objections or representations to the Highways Committee for further consideration;
- 7.4 The scheme allocations were noted as being provisional and it was noted that the schemes may be subject to change during development and following the consultation process; and
- 7.5 The Head of Highways and Infrastructure, in consultation with the Lead Member for Environment, be authorised to vire scheme allocations where necessary (e.g. pending the outcome of detailed design and consultation) within the overall LIP budget, in consultation with the Lead Member for Environment, and in accordance with financial regulations.

8. **Managing Street Drinking and Identified Problem Areas - Pilot Evaluation**

Councillor Tom Miller, Cabinet Member for Stronger Communities, introduced the report stating that Brent has implemented 6 pilot Public Spaces Protection Orders (PSPOs) in Harlesden, Kilburn, Ealing Road (including One Tree Hill), Neasden, Wembley Park and Sudbury for the duration of 6 months, to tackle problematic areas where street drinking has been prevalent over the years.

Councillor Miller stated that this order was made possible under the Anti-Social Behaviour, Crime and Policing Act 2014 ("the 2014 Act"), and was implemented after consultation with residents and stakeholders.

The order gave Brent Council the ability to issue Fixed Penalty Notices (FPNs), or begin court proceedings against, anyone street drinking in prohibited areas.

Councillor Miller informed Cabinet that the evidence about street drinking and associated Anti-Social Behaviour (ASB) will also be used to update the Statement of Licensing Policy. The evidence can be used to consider introducing cumulative impact policies which, amongst other things, could limit the number of off-licences in PSPO areas and imposing additional conditions on existing off-licences aimed at reducing street drinking if they are found to breach their existing conditions. Conditions can include reduction on their opening hours, no sale of high strength alcohol over 6% ABV, no sale of single cans etc.

Councillor Miller stated that this report provides an update on the effectiveness of the PSPOs, the scale of the problem in Brent as well as options going forward for Cabinet on how to tackle the street drinking problem when the borough wide Control Drinking Zone (CDZ) ends in October 2017.

RESOLVED that:

- 8.1 Option 2 of the options appraisal, set out in section 6.0 of the report, namely 'Implement a Borough Wide Public Space Protection Order ("PSPO") to replace the existing Controlled Drinking Zone which expires in October 2017', be agreed; and
- 8.2 The increase in the Fixed Penalty Notice (FPN) issued under sections 52 and 68 of the Anti-Social Behaviour Crime and Behaviour Act 2014 ("the 2014 Act") from £75 to £100, be approved.

9. **Brent Domestic Abuse Advocacy and MARAC Coordination: Contract Variation**

Councillor Tom Miller, Cabinet Member for Stronger Communities, reminded Cabinet that, in June 2017, Cabinet agreed the proposed option to commission Independent Domestic Violence Advocacy (IDVA), Family Support and Multi Agency Risk Assessment Conference (MARAC) coordination services, allocating a council budget of £270,226 per year for an initial period of 3 years with the option to extend by a further 2 years. The contract was subsequently re-tendered in July 2017 and awarded using delegated powers in September 2017.

Councillor Miller informed Cabinet that, in February 2017, the council's Community Protection Service submitted a funding application to the Home Office Transformation Fund for additional specialist domestic abuse IDVA intervention.

Councillor Miller stated that the council was notified its application had been successful in July 2017, however contract validation regarding provider requirements was not confirmed by the Home Office until August 2017, after the IDVA, Family Support and MARAC coordinator services tender had closed. Given the additional funding awarded to the council is for very similar services to those it has very recently procured, it is considered that rather than procuring a further contract, the recently let Brent Domestic Abuse Advocacy and MARAC Coordination Contract should be varied to include the additional provision covered by the grant funding.

RESOLVED that:

9.1 The variation of the Brent Domestic Abuse Advocacy and MARAC Coordination Contract, to include the delivery of the Home Office Transformation Fund services detailed in paragraph 3.2 of the report to the value of an additional £100,000 per annum for three years, be agreed.

10. Implementation of Financial Penalties as alternatives to prosecutions under Housing Act 2004 introduced under Part 2 Housing and Planning Act 2016

Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, introduced the report setting out the powers and obligations introduced by the Housing and Planning Act 2016 relating to the Government's response to tackling rogue landlords and improving the private rental sector.

Cabinet noted that the Housing and Planning Act 2016 received royal assent on the 12 May 2016. Part two of the Act is concerned with rogue landlords and property agents and introduces:

- Civil penalties of up to £30,000
- Extension of Rent Repayment Orders (RROs)
- Banning orders for the most prolific offenders
- Database of rogue landlords/property agents

Councillor Farah stated that the most significant and radical of those listed above is the introduction of civil penalties. Unlike fines issued by the Courts when criminal prosecutions are taken, income received from a civil penalty can be retained by the local housing authority; provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector. This means that any income received from civil penalties issued can be reinvested into carrying out more enforcement work to bring about further improvements within the private rented sector (PRS).

Councillor Farah stated that Brent's PRS currently represents over 1/3rd of the housing stock, somewhere in the region of 36,000 properties and our research indicates that it is still growing. There are more PRS properties in Brent than the combined social housing stock. The corporate vision is that "Brent will be a thriving, vibrant place, where our diverse community lives in an environment that is safe,

sustainable and well maintained”, yet we know that there are still many tenants that are being exploited by rogue and criminal landlords who let out substandard, poorly managed and sometimes dangerous accommodation.

Councillor Farah stated that since the introduction of property licensing in Brent in January 2015, the Private Housing Service (PHS) has made great strides to tackle many of these criminal activities, prosecuting more landlords, agents and lead tenants in the past eighteen months than the previous eighteen years added together, but despite this there is still much more to do. By agreeing to adopt these new enforcement powers, the Cabinet will be arming PHS with additional tools to combat those criminals who flout the law and more importantly the income generated by the fines will be reinvested to provide additional resources to see further improvements with the PRS with increased enforcement activities.

RESOLVED that:

- 10.1 The Council shall adopt the new enforcement powers against rogue landlords and letting agents contained within the Housing Act 2004 as amended by the Housing and Planning Act 2016;
- 10.2 It was noted that the enforcement powers once in force, enable the Council to serve notices imposing Civil Penalties of up to a maximum of £30,000 in respect of the following offences:
 - Failure to comply with an Improvement Notice
 - Failure to licence or be licensed in respect of Houses in Multiple Occupation (HMOs)
 - Failure to licence or be licensed in respect of the Landlords Selective Licensing Scheme
 - Failure to comply with licensing conditions
 - Failure to comply with an Overcrowding Notice
 - Failure to comply with a regulation in respect of an HMO
 - Breaching a Banning Order;
- 10.3 It was noted that the enforcement powers once in force, enable the Council to apply a Rent Repayment Order in respect of the following offences:
 - Failure to comply with an Improvement Notice
 - Failure to comply with a Prohibition Order
 - Breaching of a Banning Order
 - Using violence to secure entry to a property
 - Illegal eviction or harassment of the occupiers of a property;
- 10.4 The Housing Enforcement Policy, within Appendix 1 of the report which had been amended to include reference to the issuing of civil penalties as an alternative to prosecution for relevant offences under the Housing Act 2004, be agreed; and
- 10.5 The Strategic Director of Community Wellbeing be authorized to authorise other council officers, including but not limited to the Head of Private Housing Services (PHS), PHS Managers, PHS Enforcement Officers and PHS Licensing Officers, to discharge the powers listed above.

11. **London Business Rates Pilot Pool 2018-19**

Councillor Margaret McLennan, Deputy Leader, introduced the report which aimed to provide an update following the July Finance Review reported to Cabinet on 24 July on the proposal for an expanded London business rates retention pilot via a pan-London pool in 2018/19. Councillor McLennan stated that a draft prospectus from London Councils is enclosed in Appendix A and sets out how it is envisaged that a pilot pool could operate in 2018/19, should the government renew its commitment to this approach.

Councillor McLennan informed Cabinet that the report sets out the founding principles of a potential pool, options for allocating the financial benefits and the proposed governance and administrative arrangements for operating a potential pool.

She stated that the net one-off financial gain in 2018/19 from participating in the pool has been estimated at £229m for all London Boroughs and Greater London Authority. On current estimates the choice of distribution would give Brent a one-off financial benefit of between £4m and £4.8m.

RESOLVED that:

- 11.1 The report and the draft prospectus from London Councils enclosed in Appendix A of the report, be noted;
- 11.2 The two founding principles of the London Pool where no authority can be worse off than they would otherwise be under the current scheme and that all London boroughs will share some of the financial gain arising from the pilot pool, be noted; and
- 11.3 The Chief Finance Officer, in consultation with the Leader of the Council, be delegated authority to indicate an 'in principle' decision to participate in a pilot business rates pool in 2018/19 and to enter into negotiations in respect of the legal, governance and administrative framework, the sharing of any financial benefits other details in respect of the operation of the pool.

12. **Award of Telephony Contract**

Councillor Margaret McLennan, Deputy Leader of the Council, informed the Cabinet that the report requests authority to award 4 contracts for Telephony Services as required by Contract Standing Order No 88. This report summarises the process undertaken in procuring the contracts and recommends to whom the contracts should be awarded.

RESOLVED that:

- 12.1 The contract be awarded for Lot 1: Telephony to Voicenet Solutions T/A 8x8 Solutions for a term of 5 years;
- 12.2 The contract be awarded for Lot 2: Automated Call Distribution to Voicenet Solutions T/A 8x8 Solutions for a term of 5 years;

12.3 The contract be awarded for Lot 3: Mobile Telephony to Vodafone Limited for a term of 2 + 1 years; and

12.4 The contract be awarded for Lot 4: Automated Switchboard to Netcall Telecom Limited for a term of 5 years.

13. National Non Domestic Rates – Applications for Discretionary Rate Relief

Councillor Margaret McLennan, Deputy Leader of the Council, informed Cabinet 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. The award of discretionary rate relief is based on policy and criteria agreed by Cabinet on 15 November 2016. New applications for relief have to be approved by the Cabinet.

Councillor McLennan stated that the report details new applications for relief received since Cabinet last considered such applications in November 2016.

RESOLVED that:

13.1 The applications for discretionary rate relief as detailed in Appendix 2 of the report be approved.

14. Authority to Tender Contract for Insurance Services

Councillor McLennan, Deputy Leader of the Council, stated that the report concerns the future provision of the Council's Insurance Services contracts. She informed Cabinet that the report requests approval to invite tenders in respect of the proposed Insurance Services contracts to start 1 October 2018, as required by Contract Standing orders 88 and 89.

Councillor McLennan stated that the report also seeks authority to extend the contracts that form the current programme of insurance. This is to allow for time to tender a new insurance programme, including the insurable risks formerly covered under separate arrangements made by the Brent Housing Partnership (BHP).

The insurable risks of the formerly outsourced housing services under BHP are to form part of this procurement as the service is scheduled to be brought back under the Council's control.

RESOLVED that:

14.1 The Strategic Director of Resources be delegated authority to invite expressions of interest, invite tenders in respect of the Council's Insurance Services contracts, and evaluate them in accordance with the approved evaluation criteria in 3.6 following the procurement process; and

14.2 The extension of the current insurance services contracts for a period of twelve months: From 1 October 2017 to 30 September 2018, be approved.

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

None.

16. **Exclusion of Press and Public**

None.

17. **Any Other Urgent Business**

None.

The meeting was declared closed at 6.51 pm

COUNCILLOR MUHAMMED BUTT
Chair