



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 9 March 2020 at 4.00 pm

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

Also present: Councillors Chohan and Colwill

1. **Apologies for Absence**

An apology for absence was received from Gail Tolley (Strategic Director, Children & Young People) with Nigel Chapman attending as her representative.

2. **Declarations of Interest**

None received.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Monday 10 February 2020 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any)**

None.

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

None.

7. **Change in Order of Business - Urgent Item: Coronavirus/Covid-19 response and preparedness**

Councillor Muhammed Butt (Leader of the Council) advised of a change in the order of the agenda, which he had agreed to enable an urgent update to be provided on the plans being prepared and already in place to respond to the coronavirus/Covid-19 pandemic.

In accordance with the provisions outlined in the Council's Access to Information Rules and Standing Order 60 the Leader of the Council confirmed that he had

AGREED to the following report being considered as an urgent item by Cabinet. This was on the grounds that the update had been designed to reflect the pace at which the coronavirus situations was developing both globally and across the UK:

Coronavirus/Covid-19: Response & Preparedness

Dr Melanie Smith (Director of Public Health) introduced the report providing Cabinet with an overview of the current response and preparedness for a coronavirus/Covid-19 pandemic.

Cabinet were provided with an update on the coronavirus as well as the national response being co-ordinate to tackle its spread including the actions to date taken at both a national and local level, as detailed in section 5 of the report. As part of the overall approach, a specific Covid-19 Response Framework had been produced by London Resilience, which was supported by a local multi-agency plan maintained by the Brent Resilience Forum and review of existing Business Continuity Plans and the HR pandemic policy. In view of the urgent nature of the item Councillor Muhammed Butt, Leader of the Council, agreed to a request to speak submitted by Councillor Councillor Colwill, as Leader of the Conservative Group at the meeting. Was highlighting his support for the actions taken to date, Councillor Colwill was keen to ensure that the necessary funding and support was also provided for the NHS and local hospitals.

As a result of the update, Cabinet **RESOLVED**:

- (1) To note the content of the report and update provided in relation to the response established both nationally and locally to the COVID-19/coronavirus along with the current guidance and advice from Public Health England (PHE).
- (2) To note the current update provided at the meeting in terms of confirmed cases which now stood at 319 people having been tested as positive in the UK. Of these 61 were located in London, including three in Brent.
- (3) To note and endorse the particular focus on support and communication being provided by the Council for Adult Social Care commissioned providers, including Homecare agencies and Care Homes, which had been designed to reflect the latest guidance from PHE.
- (4) To thank officers for the update provided and their ongoing efforts in developing and delivering the Council's response.

8. Co-operation Agreement with Network Homes

The Cabinet Member for Housing and Welfare Reform Resources, Councillor Eleanor Southwood, introduced the report seeking approval to enter into an agreement with Network Homes to share resources and expertise on a range of projects to deliver new affordable housing.

Cabinet noted the aim, given the ambitious scale of the Council's strategic housing targets to promote strong, local cross-sector co-operation with housing organisations and other partners in order to maximise capacity around delivery. The agreement would not be exclusive, so would provide scope for similar

partnership arrangements to be developed with other organisations and for the incorporation of additional new housing schemes in future.

RESOLVED that Cabinet:

- (1) Note the content of the report.
- (2) Note the management arrangements in place to ensure adherence with the Council's standing orders and financial regulations.
- (3) Note that both organisations had taken legal advice in the development of the agreement to ensure compliance with Regulation 12 (7) of the Public Contracts Regulations 2015.
- (4) Approve entering into an agreement with Network Homes on the basis that the Council and Network Homes operate as two public bodies concerned with the delivery of affordable housing, working in collaboration as per Regulation 12 (7) of the Public Contracts Regulations.
- (5) Delegate authority to the Strategic Director of Community Wellbeing in consultation with the Director of Finance and Cabinet Member for Housing and Welfare Reform, to finalise and sign the agreement.
- (6) Agree that Network Homes internal rules and procedures should govern the procurement of contracts let under the agreement referred to in (4) above, with the Council contributing to Network Homes procurement and management costs.

9. **Uxendon Manor Primary School Expansion Project**

The Cabinet Member for Schools, Employment and Skills, Councillor Amar Agha, introduced the report providing an update on the current position regarding the expansion project at Uxendon Manor Primary School. In considering the report, Cabinet noted the amendment to the date in section 3.3 of the report, which members were advised should have read "November 2018" and not 2019.

RESOLVED that Cabinet:

- (1) Note the background and current project position as set out in paragraphs 3.1 – 3.8 of the report and the way forward set out in paragraphs 3.9 – 3.12 of the report.
- (2) Note the increased forecast project costs of £17.3m as set out in paragraph 4.1 of the report as a result of the original contractor failure and the proposed resolution.
- (3) Approve the virement of the sum of up to £6.0m from the basic need capital grant to this project as set out in paragraphs 4.1 – 4.4 of the report to meet the increased forecast project costs.
- (4) Note that it was intended that such losses and costs, including the costs of re-procurement that had arisen as a result of the original Contractor's default of

its obligation, would be pursued to the extent possible under the Parent Company Guarantee. This value stood at £6.3m and was set out in paragraph 4.6 of the report.

- (5) Note that subject to (3) above the Strategic Director of Regeneration & Environment in consultation with the Cabinet Members for Schools, Employment and Skills would approve the award of a Medium Value Works Contract as set out in section 5.1 of the report.

10. **Alperton Housing Zone - use of the Council's compulsory purchase powers on Abbey Manufacturing Estate, Alperton**

The Cabinet Member for Regeneration, Property & Planning, Councillor Shama Tatler, introduced the report providing an overview of negotiations to acquire land interests by private treaty on Abbey Manufacturing Estate within the Alperton Housing Zone and seeking approval to authorise commencing a compulsory purchase process.

RESOLVED that Cabinet:

- (1) Note the background to Alperton Ltd & Alperton Projects 2 Ltd's ('the developer') redevelopment proposals for Abbey Manufacturing Estate and the developer's endeavours to negotiate acquisition of freehold and leasehold interests within the site.
- (2) Note the previous in-principle approval given by Cabinet July 2015 to use compulsory purchase powers in Alperton Housing Zone.
- (3) Agree in-principle, the making of a Compulsory Purchase Order (CPO) pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 on Abbey Manufacturing Estate, subject to a further specific resolution of Cabinet in respect of making, confirming and implementing CPOs, if required.
- (4) Agree advancing the preliminary stages of the compulsory purchase process on Abbey Manufacturing Estate, including but not limited to, land referencing, issuing section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (Section 16 notices), engaging, consulting and negotiating with landowners and preparation of documentation and undertaking all matters that the Council might need to undertake to inform a further report to Cabinet to make, confirm and implement the CPO, if required.
- (5) Note that the Strategic Director Regeneration & Environment will approve the procurement of additional compulsory purchase support as set out in paragraph 3.13 of the report, if required, the cost of which will be indemnified by the developer.
- (6) Delegate authority to the Strategic Director Regeneration & Environment, in consultation with the Cabinet Member for Regeneration, Property & Planning, to enter into an indemnity agreement with the developer to indemnify the Council for all costs associated with the compulsory purchase process on Abbey Manufacturing Estate.

11. **Alperton Housing Zone - use of the Council's compulsory purchase powers at Grand Union, formerly known as Northfields Industrial Estate**

The Cabinet Member for Regeneration, Property & Planning, Councillor Shama Tatler, introduced the report providing an overview of negotiations to acquire land interests by private treaty on the former Northfields Industrial Estate within the Alperton Housing Zone and seeking approval to authorise commencing a compulsory purchase process. As with the previous decision, Cabinet noted the economic, social, housing and environmental benefits arising from the regeneration schemes and thanked officers for the work undertaken to date in order to progress the comprehensive redevelopment scheme.

RESOLVED that Cabinet:

- (1) To note the background to St George's ('the developer') redevelopment proposals for the former Northfields Industrial Estate and St George's endeavours to negotiate acquisition of freehold interests within the site.
- (2) To note the previous in-principle approval given by Cabinet in July 2015 to use compulsory purchase powers in Alperton Housing Zone.
- (3) To agree in principle the making of Compulsory Purchase Orders (CPOs) pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 on the former Northfields Industrial Estate subject to a further specific resolution of Cabinet in respect of making, confirming and implementing CPOs, if required.
- (4) To agree advancing the preliminary stages of the compulsory purchase process on the former Northfields Industrial Estate, including, but not limited to, land referencing, issuing notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (Section 16 notices), engaging, consulting and negotiating with landowners and preparation of documentation and undertaking all matters that the Council might need to undertake to inform a further report to Cabinet to make, confirm and implement the CPO, if required.
- (5) To note that the Strategic Director Regeneration & Environment would approve the procurement of additional compulsory purchase support as set out in paragraph 3.13 of the report, if required, the cost of which will be indemnified by the developer.
- (6) To delegate authority to the Strategic Director Regeneration & Environment, in consultation with the Cabinet Member for Regeneration, Property & Planning, to enter into an indemnity agreement with the developer to indemnify the Council for all costs associated with the compulsory purchase process on the former Northfields Industrial Estate.

12. **Brent Bike Hangars**

The Cabinet Member for Environment, Councillor Krupa Sheth, introduced the report seeking approval to use of a Framework Agreement to procure a bike hangar supplier and updating Cabinet on alternative bike hangar arrangements and the

offer for Brent residents. As part of the update, Cabinet noted that it would also be possible to provide bike hangars on Brent Housing managed estates with work being undertaken to identify suitable locations and access for inclusion as part of the future programme.

RESOLVED that on the basis of the update provided, Cabinet delegate authority to the Strategic Director Regeneration & Environment, in consultation with the Cabinet Member for Environment, to award a contract for bike hangars using the Waltham Forest framework.

13. **Performance Report Q3 (Oct - Dec) 2019/20**

The Deputy Leader, Councillor Margaret McLennan, introduced the report setting out details on the Council's performance in the third quarter of 2019/20. Members noted that the report and accompanying performance scorecard had been updated to focus primarily on the Council's Borough Plan, Building a Better Brent (2019-2023) and its priorities. In considering the update, the Leader of the Council took the opportunity to thank all Cabinet Members and officers for their ongoing efforts and focus in terms of performance against the key priorities identified

RESOLVED that Cabinet:

- (1) Note the performance information contained in the report with Members specifically welcoming the significant progress in performance against the indicators introduced to measure the improvement in Key Stage results for boys of Black Caribbean heritage.
- (2) Note the current and future strategic risks associated with the information provided and agree remedial actions on strategic risks as appropriate with progress being challenged with responsible officers, as necessary.

14. **Brent Neighbourhood Community Infrastructure Levy (NCIL) Projects**

The Cabinet Member for Regeneration, Property & Planning, Councillor Shama Tatler introduced the report seeking approval to the allocation of Neighbourhood Community Infrastructure Levy (NCIL) funds for 12 community projects from Round Two of the 2019/20 NCIL programme.

RESOLVED that Cabinet:

- (1) Approve the following NCIL allocations:
 - (a) £132,400 to support the building of Barn Hall and all of the activities taking place, once built, for the Small Business Incubator Company in Willesden.
 - (b) £326,085 to support the Moving On Up Employment programme for Brent Council's Moving On Up Employment Consortium across all of Brent.
 - (c) £385,000 to support the expansion of the Lexi Hub for the Lexi Cinema in Kilburn and Kensal with Members recognising and commending the

team of volunteers for their ongoing efforts in developing and progressing the application.

- (d) £177,910 to support the Brent goes Wild Project for the Young Brent Foundation consortium in Wembley.
 - (e) £226,000 to support the Riverside Connections: Walking with Nature from Wembley Park to the Welsh Harp for Thames 21 to be delivered by Brent Council in Kingsbury and Kenton and Willesden.
 - (f) £109,620 to support the building of the new Millennium Garden of Peace and Life for Direct Services to be delivered by Brent Council in Willesden.
 - (g) £120,000 to support the financial support and debt management project for Advice4renters in Harlesden and Kilburn and Kensal.
 - (h) £200,000 to support a mentoring and education programme targeting gang members for Access UK across all of Brent.
 - (i) £395,596 to support the building of a second building for SEND pupils and the local community and families for Barham Primary School in Sudbury, Wembley.
 - (j) £140,423 to support the Person Centred Advocacy Project with Casework for the Bosnia and Herzegovina Community Advice Centre (BHCAC) in Harlesden.
 - (k) £105,290 to support the Inspiring Decent Work Futures (IDWF) for SEIDS Hub (Caritas Westminster) in Wembley.
- (2) Note in relation to each of the above awards, that the Assistant Chief Executive, Head of Strategy and Partnerships and Grants Manager would give further scrutiny on ensuring a deliverable measurable outcome analysis was completed in conjunction with the organisation/Brent Council. This would form part of a signed funding agreement regularly monitored. If the outcomes were not in line with Brent Council priorities and not agreed, the funding offer may be withdrawn.
- (3) Note the positive impact of each scheme as a key driver of positive change in local neighbourhoods and in addressing the Council's key priorities across the borough with members also keen to thank the officers involved in supporting the NCIL process and residents and community groups for their ongoing support. As part of future reports, members also requested that details be provided (for information) on schemes that had also been approved under £100k.

15. **Policy, Procedures and Use of Regulation of Investigatory Powers Act (RIPA) 2000**

The Deputy Leader, Councillor Margaret McLennan, introduced the report informing Cabinet of the Council's use and conduct of surveillance techniques in accordance

with the Regulation of Investigatory Powers Act (RIPA) 2000. In addition, Cabinet were updated on the Investigatory Powers Commissioner's Inspection with approval also being sought to recommended changes to the RIPA Policy.

RESOLVED that Cabinet:

- (1) Approve the proposed changes to the RIPA policy attached as Appendix A to the report.
- (2) Note the oversight role of Audit & Standards Advisory Committee (ASAC), and that the matters identified within the report had been considered by the Committee at its meeting on 20 January 2020.

16. **Exclusion of Press and Public**

There were no items that required the exclusion of the press or public.

17. **Any other urgent business**

None, other than considered at the start of the meeting (item 7 above refers).

The meeting ended at 4.38 pm

COUNCILLOR MUHAMMED BUTT
Chair