



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held in the Conference Hall, Brent Civic Centre on Monday 17 January 2022 at 10.00 am

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Knight, Nerva, Krupa Sheth, Stephens, Southwood and Tatler.

Also present: Councillors Kennelly and Maurice for agenda item 9.

1. **Apologies for Absence**

None received.

2. **Declarations of Interest**

There were no declarations of interest made at the meeting.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Monday 6 December 2021 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any) & Deputation**

Councillor Muhammed Butt (Leader of the Council) welcomed Caroline Turriff to the meeting, as an online participant, who had been invited to speak on behalf of local residents living in the proximity of Hazel Road Playground and on Greyhound Road, Kensal Green in order to highlight concerns relating to anti-social behaviour associated with individuals congregating around three street benches at the bottom of Greyhound Road and opposite the playground. Members were advised that the request to speak was supported by a petition, which currently contained over 150 signatures requesting removal of the benches.

In addressing Cabinet Caroline Turriff highlighted the nature of the anti-social behaviour being experienced by local residents, which included street drinking, substance abuse, sexual harassment of female residents and harassment of children and parents accessing the park, noise, swearing use of the surrounding bushes as a toilet (which had resulted in the bushes needing to be removed by a local resident) and litter. This had led to residents feeling intimidated, threatened and unsafe with specific concerns raised about the safety of women and children living in the surrounding area. Whilst recognising the importance of street benches, particularly for elderly or less mobile residents, it was pointed out the surrounding

area already contained a number of benches with local residents also willing to engage in consultation on the potential relocation of the benches, around which the concerns were focussed, to an alternative location such as the Kensal Green open space triangle in order to make the approach to the playground safer for those using the facility. Given the concerns raised, members were therefore asked to urgently consider removal of the benches from their current location.

In responding, Councillor Promise Knight (as Lead Member for Community Safety & Engagement), began by thanking Caroline Turriff for her presentation. Whilst highlighting the progress made by the Council in tackling anti-social behaviour across the borough it was recognised that this would not prevent the need for further action and to address specific concerns as they were highlighted. In view of the supporting evidence provided and concerns raised in relation to the level of harassment being experienced, impact on residents health and safety and wider concerns relating to safeguarding, she advised it had been agreed to remove the benches with support also requested from the relevant agencies in relation to engagement with those individuals causing the nuisance, many of whom were entrenched street drinkers, on the issues identified. In addition, she advised that Licensing Officers had also been asked to engage with licensed premises operating in the area in an effort to assist in tackling the wider concerns identified in relation to street drinking.

Caroline Turriff welcomed and thanked the Lead Member for the response and actions outlined, with Councillor Muhammed Butt (Leader of the Council) reaffirming the Council's commitment towards tackling anti-social behaviour and ensuring the necessary measures (working in association with the lead member and ward councillors) were implemented in relation to the specific location highlighted at the meeting.

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

There were no references from Scrutiny submitted for consideration at the meeting.

7. Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND

Councillor Stephens (Lead Member for Education, Employment and Skills) introduced the report which, further to the refresh of the School Place Planning Strategy 2019-2023, outlined a business case for capital investment designed to provide additional school places for the increasing number of children in the borough with Special Educational Needs (SEND).

In considering the report, Cabinet noted the increasing demand for SEND provision in Brent, as detailed within section 3 of the report and associated financial pressure in relation to the High Needs Block within the Dedicated Schools Grant which development of the SEND capital programme had been designed to address. Members were advised of the various work streams within the Capital Programme, as detailed within section 4 and Appendix A of the report, which would deliver a total of 427 new SEN pupil places at a cost of £44.19m. This would involve not only an increase in Additionally Resourced Provision (ARP), expansion of existing SEND schools and capital improvement projects but also the construction of a new build SEND school which would significantly increase in borough SEND provision and

assist in reducing the number out of borough placements. Whilst noting the financial benefits of the approach outlined within the programme, members were also supportive of the strong educational and social rationale in terms of being able to place students within borough.

Thanks were expressed to Councillor Mili Patel (as former Lead Member for Children's Safeguarding, Early Help and Social Care) for her role in development of the programme, with Cabinet also noting the engagement of the Brent Parent Carer Forum and wider stakeholder representatives on the Brent Children's Trust in the process as well as the ongoing involvement of ward councillors.

The close alignment between the programme, School Place Planning Strategy 2019-2023 (which included the redirection of resources following Cabinet's decision to close the Secondary Expansion Programme) and High Needs Block Deficit Management Plan was highlighted for members who also recognised its importance as a key infrastructure project within the borough.

Having noted and welcomed the benefits associated with the programme and thanks to all those involved in its development Cabinet **RESOLVED**:

- (1) To approve the SEN Capital Programme as detailed within the report.
- (2) To allocate £44.19m of capital funding to deliver the programme.
- (3) To delegate authority to approve the project business cases to the Strategic Director of Regeneration and Environment in consultation with the Strategic Director of Children and Young People and the Director of Finance.
- (4) To delegate authority to agree pre-tender considerations, procure and award the necessary technical, consultancy and services contracts valued in excess of £2m and works contracts valued in excess of £5m to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Schools, Employment and Skills and the Strategic Director for Children and Young People.
- (5) To note that further reports would be brought forward providing updates on progress on the delivery of the programme.

8. **Brent Council's School Admission Arrangements for 2023/24**

Councillor Stephens (Lead Member for Education, Employment & Skills) introduced a report seeking agreement, in accordance with statutory requirements, to the proposed admission arrangements and schemes of co-ordination for Brent community schools for the 2023/24 academic year.

In considering the report Cabinet were advised that there were no proposed changes to the admission arrangements for community schools in 2023/24.

Cabinet **RESOLVED** to agree the proposed admission arrangements for Brent community schools and the scheme of co-ordination for maintained schools in Brent for the 2023/2024 academic year (as detailed within Appendix 2 and 3 of the report).

9. **Brent Active Travel - Healthy Neighbourhoods and School Streets**

Prior to consideration of this item, Councillor Muhammed Butt (Leader of the Council) welcomed Councillor Kennelly to the meeting who he advised had requested to speak on the proposals relating to Healthy Neighbourhoods. In addressing Cabinet, Councillor Kennelly thanked the Lead Members and all officers involved for their response in terms of the recommendations within the report and work to engage with local residents. Whilst highlighting the importance in promoting sustainable active travel and healthy neighbourhoods as part of the Council's wider approach towards tackling air quality and the climate emergency, he pointed out the need to ensure local residents were properly listened to and their views taken into account in the development and introduction of any schemes moving forward. Having recognised the lessons learnt, particularly given the views expressed by local residents within his ward, Councillor Kennelly felt that whilst change was supported the future approach towards developing and delivering Healthy Neighbourhood needed to be focussed around an engagement process on active travel schemes designed to deliver a cleaner and greener environment across the borough.

In responding to the comments raised, Councillor Butt (Leader of the Council) also drew attention to written representations submitted by the Brent Cycling Campaign relating to a number of concerns regarding the consultation, design and implementation of the Healthy Neighbourhood proposals and content of the report due to be considered by Cabinet. It was noted that these had been referred to the Lead Member for Regeneration, Property & Planning for direct response outside of the meeting.

Councillor Tatler (Lead Member for Regeneration, Property & Planning) was then invited to introduce the report providing an overview of the Brent Active Travel programme along with an updated assessment of the Brent Healthy Neighbourhoods and School Streets schemes taking account of the trail performance and consultation and community engagement process.

In introducing the report, Cabinet was reminded of the background, aims and objectives along with the statutory guidance behind the introduction of the Healthy Neighbourhood schemes, School Street schemes and the Council's Active Travel programme linked to the wider objectives in terms of improving air quality, public health, climate change and road safety.

In assessing the outcome of the Healthy Neighbourhood schemes, members noted the progress and challenges with implementation of the original programme, given the original delivery methods and timetable required by the Government and TfL along with the outcome in relation to the wider community engagement process around design and implementation of the schemes. A summary of the assessment process and recommendations being made as a result in relation to the existing schemes had been provided within Appendix A of the report. In considering the evaluation monitoring reports included as part of the assessment, Members were advised that a number of minor corrections had needed to be made, which had resulted in an adjustment to the consultation figures for the Tokyngton and Wembley Central ward. The changes were as follows - Responses from roads where modal filters were installed (London Road and Tokyngton Avenue) a total of

21 (not 18) responses were received. Of these 6 (29%) (not 4 - 22%) supported the scheme and 15 (71%) (not -78%) did not). It was confirmed that the amendments had no effect on the overall outcome from the consultation or recommendations within the report.

In terms of the overall assessment process, whilst noting the views expressed as a result of the consultation and engagement programme, Members attention was also drawn to the feedback provided on the future approach identified in relation to the collaboration, design, development and delivery of Healthy Neighbourhood schemes on which a further report would be prepared for a future Cabinet meeting and work with continue in relation to air quality.

Members were also advised of the progress being made in development and delivery of the Schools Streets programme and assessment undertaken in relation to their implementation, as detailed within Appendix B of the report. As a result, it had been proposed that 26 of the schemes should be made permanent with a report also to due to be provided for Cabinet on the future approach towards expanding the programme in collaboration with the local community.

Members were supportive of the approach outlined within the report, having recognised the key outcomes from the assessment process and preference identified for a more collaborative design and engagement process involving the local community in relation to the Healthy Neighbourhood schemes. It was noted this would include a specific focus on Active Travel given the wider benefits identified in relation to air quality, health and wellbeing and in response to the climate and ecological emergency, the extent of car ownership across the borough and need to address the differing circumstances in each locality. In recognising the lessons learnt from the process to date, members advised they were keen to move forward working collaboratively with the local community in terms of the future approach towards developing and delivering Health Neighbourhood schemes whilst also highlighting and welcoming the importance and success of the Schools Streets programme.

In summing up Councillor Muhammed Butt thanked the Lead Members and officers involved for their work in developing the programme during such a challenging period, along with all those who had engaged in the consultation and assessment process. He ended by highlighting the Council's commitment towards developing the engagement process in order to ensure schemes were developed on a collaborative basis and to reflect the circumstances within each area.

Having considered the comments made, Cabinet **RESOLVED:**

- (1) To note the outcome of the scheme assessments and approves the officer recommendations in Section 4.0 and Appendix A of the report.
- (2) To authorise the Strategic Director for Regeneration and Environment:
 - (a) to progress Statutory Notifications and consider responses to the Statutory Notifications before making experimental and permanent traffic orders regarding the Healthy Neighbourhoods and School Streets schemes that are referred to in the report;

- (b) to make any necessary Traffic Management Orders involving experimental and permanent traffic orders regarding existing and forthcoming Healthy Neighbourhoods and School Streets schemes that are referred to in the report;
 - (c) to revoke and implement changes to existing Healthy Neighbourhoods and School Streets schemes that are referred to in the report.
- (3) To note that a further report would be presented to Cabinet to agree the future approach to developing and delivering Healthy Neighbourhood and School Streets schemes.
 - (4) To note that a further policy report would be presented to Cabinet for approval relating to the use of CCTV enforcement cameras and exemptions.
 - (5) To note that development and implementation of future schemes would depend upon future funding being made available for that purpose.

10. **Authority to Tender Contract for Grounds Maintenance Services**

Councillor Krupa Sheth (Lead Member for Environment) introduced the report detailing the procurement strategy and timetable for the Grounds Maintenance Services Contract, as the second of the Redefining Local Services (RLS) services to be issued for tender.

In considering the report Cabinet noted the aims and objectives of the RLS programme along with the service improvement priorities with the intention to procure Grounds Maintenance services via a standalone contract given the benefits and opportunities detailed within section 4.4 of the report. Members welcomed the approach outlined, with particular support expressed for the insourcing of the Park Wardens and way in which it was felt the proposal would ensure that the borough's green spaces continued to be well maintained and protected in order to provide a high quality and safe environment given the importance of parks and green spaces to the health, wellbeing and quality of life for residents across the borough.

Having considered the report, Cabinet **RESOLVED**, having noted the information contained within the exempt appendix of the report:

- (1) To approve inviting tenders for the Grounds Maintenance Contract on the basis of the pre-tender considerations set out in paragraph 4.7 of the report, subject to due consideration by officers of any leaseholder observations in response to the stage one section 20 leaseholder consultation, and delegates the final decision to proceed with inviting tenders to the Strategic Director for Regeneration & Environment in consultation with the Lead Member for Environment.
- (2) To approve Officers evaluating the tenders for the Grounds Maintenance Contract on the basis of the evaluation criteria set out in paragraph 4.7 of the report.

11. **Draft Planning Obligations Supplementary Planning Document**

Councillor Tatler (Lead Member for Regeneration, Property & Planning) introduced a report setting out the need for the Council to replace its existing Planning Obligations Supplementary Planning Document (SPD), last adopted in 2013, and presenting an updated Draft SPD for approval, prior to publication and statutory consultation.

In considering the report, Cabinet noted that the updated SPD had been designed to address the change in development plan policy as well as the requirements in relation to the range of financial and non-financial planning obligations contained within the new Brent Local Plan, once that had been formally adopted. A summary of the various broad planning obligations included within the SPD had been provided within section 3.5 of the report with members noting the inclusion of Affordable Workspace, Social Infrastructure, Children's Play Space, Trees, Air Quality, Carbon-Offsetting, Heritage & Design as new categories of obligation and the update of existing obligations to better reflect the new policy context and planning environment and guidance.

In recognising the technical nature of the SPD Cabinet **RESOLVED**:

- (1) To note the content of the report and Appendix 1 'Draft Planning Obligations Supplementary Planning Document'.
- (2) To approve the draft Planning Obligations SPD for public consultation.
- (3) To delegate authority to the Lead Member for Regeneration Property & Planning, in consultation with the Strategic Director for Regeneration and Environment, to consider representations made during consultation and adopt the Supplementary Planning Document as part of the Council's suite of Local Plan related documents, and provide authority to revoke the existing 2013 Planning Obligations SPD once superseded.

12. **Draft Affordable Workspace Supplementary Planning Document**

Councillor Tatler (Lead Member for Regeneration, Property & Planning) introduced a report presenting the Draft Affordable Workspace Supplementary Planning Document (SPD) for approval prior to its publication and statutory consultation.

In considering the report, Cabinet noted that development of the Affordable Workspace SPD had been designed to link with the Affordable Workspace Strategy and Action Plan agreed by Cabinet in September 2020 in order to provide clarity, clear expectations and detailed guidance around implementation of the relevant overarching Local Plan development policies. Members noted the importance of Affordable Workspace in terms of supporting the growth and retention of local business and jobs, attracting new sectors and start-ups as part of Brent's Inclusive Growth Strategy and the ongoing development of the boroughs economic strength and diversity.

In welcoming the report, members also noted the ongoing engagement process being undertaken, in conjunction with the Assistant Chief Executive, around the development of a network of Affordable Workspace providers that reflected the make-up of local communities across Brent along with the prioritisation of targets for local Brent residents to access new affordable workspace.

Having considered the report Cabinet **RESOLVED**:

- (1) To approve the draft Affordable Workspace Supplementary Planning Document for publication and statutory consultation.
- (2) To delegate authority to the Lead Member for Regeneration, Property & Planning, in consultation with the Strategic Director for Regeneration & Environment, to consider representations made during consultation and adopt the Supplementary Planning Document as part of the Council's suite of Local Plan related documents.

13. **Amendments to the Housing Allocation Scheme**

Councillor Southwood (Lead Member for Housing & Welfare Reform) introduced a report setting out a number of proposed changes to the Council's Housing Allocation Scheme/

In considering the report Cabinet noted that the review had been informed by the stock maximisation strategy agreed in August 2021 and outcome of a recent legal challenge to ensure that the scheme was compliant in terms of all homeless households who fell within the statutory reasonable preference categories. The review had also been designed to take account of updated Government guidance along with implementation of the Domestic Abuse Act 2021 relating to the allocation of social housing for domestic abuse victims.

The proposed changes to the Allocation Scheme had been detailed within section 6 of the report, along with their impact and outcome of the formal consultation on each of the proposals, with the full consultation results having been detailed within Appendix 1 of the report. Members noted that as a result of the change proposed in relation to reasonable preference to all homeless households (as opposed to those where the main duty had been accepted under homelessness legislation) a new Priority Band C- category would be introduced, although this would have minimal impact on homeless households to whom the Council had already accepted the main duty (requiring a family sized home) as they would still retain a higher priority.

In supporting the proposed changes, members specifically welcomed the amendment to the priority recognising cases involving special guardianship and as a result Cabinet **RESOLVED**:

- (1) To approve the following changes to the current Allocations Scheme:
 - (a) Change 1: Give reasonable preference to homeless households as set out in paragraphs 6.2 to 6.4 of the report;
 - (b) Change 2 - Give priority to existing Council tenants, who need a transfer, to bid for all new build properties as set out in paragraphs 6.5 to 6.12 of the report;
 - (c) Change 3 - Emergency Management Transfers as set out in paragraphs 6.13 to 6.19 of the report;
 - (d) Change 4 - Transfers due to Overcrowding as set out in paragraphs 6.20 to 6.24 of the report;

- (e) Change 5 - Award Priority Band A to Special Guardians as set out in paragraphs 6.25 to 6.28 of the report;
 - (f) Change 6 - Decant moves for essential repair as set out in paragraphs 6.29 to 6.33 of the report.
- (2) To note and give due regard to the content of the Equalities Impact Assessments, as set out within Appendices 2 & 3 of the report.
- (3) To delegate authority to the Strategic Director Community Wellbeing to implement the proposed changes to the Council's Allocation Scheme as set out in paragraph (1) above.

14. **Qtr3 Financial report 2021/22**

Councillor McLennan (Deputy Leader, Lead Member for Resources and Interim Lead for Children's Safeguarding, Early Help and Social Care) introduced a report which detailed the current (Quarter 3) forecast of income and expenditure against the revenue budget for 2021/22 and other key financial data.

In considering the report, Cabinet noted the total pressures currently forecast for the year, which amounted to £6.9m. Of this £5.4m related to pressure on the Dedicated Schools Grant (DSG) which would need to be recovered in future years and £1.5m as a result of pressure on Children and Young People due to an increase in the number of unaccompanied Asylum Seeking children. Whilst significant uncertainties remained in relation to the recovery from the pandemic, members were advised that the 2021/22 budget had been set to accommodate an estimate of the additional costs and loss of income arising as a result, which was currently forecast as £25.1m. It was, however, currently anticipated that the pressures identified could be contained within the growth provided to service areas along with specific government grants received in-year.

Members noted the updates provided in relation to the forecast for each service and budget area along with the identified risks and uncertainties, with attention also drawn to the progress being made in relation to delivery of the budget savings agreed for 2021/22 – 2022/23 as detailed within Appendix A of the report. The majority of savings (£10.4m) remained on track with mitigating actions agreed in relation to the £0.8m currently identified as delayed. Details were also provided on the progress being made in relation to delivery of the various initiatives funded in July 21 to promote recovery from the pandemic, as detailed within Appendix B of the report.

As a final update, Cabinet also noted the update provided in relation to the impact of the provisional Local Government Finance Settlement announced in December 2021, which had been in line with the expectations set within the autumn budget and Spending Review. As a result, members were advised there had been no change required to the draft budget proposals agreed by Cabinet in December 2021.

In summing up, Councillor Muhammed Butt highlighted the Council's commitment, despite the ongoing challenges identified, to continue delivering against its core aims and priorities whilst robustly managing the Council's finances.

As a result, Cabinet **RESOLVED**:

- (1) To note the overall financial position within the Q3 Financial Update and actions being taken to manage the issues arising, as detailed within the report.
- (2) To note the budget setting strategy for 2022/23 as detailed within the report.

15. **Treasury Management Mid-Year report 2021-22**

Councillor McLennan (Deputy Leader, Lead Member for Resources and Interim Lead for Children's Safeguarding, Early Help and Social Care) introduced a report updating Members on Treasury Management activity for the first half of the financial year 2021-22.

In considering the report Members noted the economic context under which the Council's Treasury Management Strategy had been operating and update provided in relation to the Council's debt management position, as detailed within section 3.14 – 3.24 of the report. Members were advised that the Council had undertaken minimal borrowing through the first half of the year. The estimated borrowing requirement for the remainder of the financial year 2021/22, which took account of the Council's ongoing capital financing requirement, usable reserves, planned capital expenditure and minimum revenue provision, had been identified as £60m. Members were advised that the Council's main objective when borrowing remained to ensure an appropriate balance between securing low interest costs and achieving cost certainty. In terms of long term borrowing options, the Public Works Loan Board (PWLB) remained the main source given the relatively low current funding margins, however, other low cost forward funding options also continued to be explored as opportunities arose. Members' attention was also drawn to the standard rates at which local authorities could borrow from the Public Works Loan Board (PWLB) along with the change in lending arrangements, designed to ensure that assets were not being invested by Local Authorities primarily for yield.

Members also noted the update provided in relation to the Council's Treasury Investment Activity, as detailed in sections 3.25 – 3.34 of the report with most of the Council's funds currently being held in Money Market Funds.

Members welcomed the report and approach being delivered in terms of the Council's Treasury Management activity to support delivery of the Council's wider ambitions and priorities, particularly in relation to housing and regeneration. Having noted the assurance provided that the Council had complied with the Treasury Management Indicators for 2021/22, as detailed within Appendix 1 of the report Cabinet **RESOLVED** to note the 2021-22 Mid-Year Treasury report and approve it being forwarded on to Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

16. **Corporate Performance - Q2 2021/22 Performance Report**

Councillor McLennan (Deputy Leader, Lead Member for Resources and Interim Lead for Children's Safeguarding, Early Help and Social Care) introduced the report providing a corporate overview of performance information linked to the Borough Plan priorities for the second quarter 2021/22 (July – September 2021).

In presenting the report, Councillor McLennan highlighted the ongoing impact of the Covid-19 pandemic across the organisation as the Council had continued to focus on the recovery programme and effect this had had on a number performance indicators across priority areas. This had resulted in the introduction of an additional purple KPI rating which had been used to rate KPIs that were outside of target as a direct result of performance directly attributable to the impact of the Covid-19 pandemic.

Members noted the progress made in terms of performance during the monitoring period with 30 out of the 62 Borough Plan Indicators now being rated as “on or above target” (green), five as “just off target” (amber) and six as “off target” (red). There had also been a reduction in the number rated as purple “off target due to Covid” which was now two. 16 indicators had been provided for contextual use only with data awaited on the remaining indicators. An additional 14 internal business indicators had also been included of which two were rated green, two amber, and seven as red. One had been rated as purple with two provided for contextual information only.

Having recognised the ongoing challenges identified as the Council continued to recover from the pandemic, Councillor Muhammed Butt in summing up, felt it was also important to highlight the Council’s continued efforts to manage and mitigate against the strategic risks identified as part of the overall approach towards supporting local residents. Lead Members and officers were also thanked and encouraged to continue their focus on working jointly in seeking to mitigate and address performance, where identified as required, with members specifically welcoming and recognising the efforts being focussed around housing voids, the reduction of households in temporary accommodation and delivery of the Council’s affordable social housing programme.

Having considered the update provided, Cabinet **RESOLVED**:

- (1) To note the performance information contained in the updated report format.
- (2) To note the current and future strategic risks associated with the information provided and agree the remedial actions on strategic risks identified as appropriate alongside the challenge on progress being provided with responsible officers as necessary.

17. Exclusion of Press and Public

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

18. Any other urgent business

None.

The meeting ended at 11.00 am

COUNCILLOR MUHAMMED BUTT
Chair

