

**London Borough of Brent**  
**Summary of the decisions taken by the Cabinet held in the Conference Hall, Brent Civic Centre at 10am on**  
**Monday 12 December 2022**

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

ALSO PRESENT (in remote attendance): Councillors Donnelly-Jackson and Southwood.

Agenda Item No	Item	Ward(s)	Decision
1.	Apologies for Absence		None received.
2.	Declarations of Interest		No declarations of interest were made at the meeting.
3.	Minutes of the Previous Meeting		Cabinet RESOLVED that the minutes of the previous meeting held on Monday 14 November 2022 be approved as an accurate record of the meeting.
4.	Matters Arising (if any)		None.
5.	Petitions (if any)		There were no petitions submitted for consideration 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.	Public Space Protection Order (PSPO) - Borough Wide including Wembley Park (Wembley Stadium Events), Parks, Open Spaces, Graveyards and Cemeteries	All Wards	Cabinet noted the comments made by John Fluxman (representing Brent Trades Council) who had requested to speak at the meeting in respect of the item. In addressing Cabinet, Mr Fluxman advised that as a representative of Brent Trades Council he was speaking to express concerns regarding the proposed inclusion of Prohibition 8 within the boroughwide Public Space Protection Order (PSPO) which sought to prohibit the use of a megaphone or microphone with speaker without consent. Whilst recognising the context to the introduction of the boroughwide PSPO and prohibitions identified,

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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			<p>concerns were highlighted at what was felt to be the disproportional impact of the prohibition in relation to the potential interference with the legitimate right to political protest and demonstration, which was also felt to contradict Article 11 of the Human Rights Act regarding freedom of assembly and association. Concerns were also identified in relation to the consultation process undertaken in developing the proposals as Brent Trades Council had not been included as a stakeholder.</p> <p>As a result of the concerns highlighted, Mr Fluxman advised he was asking Cabinet to consider amending the proposed PSPO to ensure that political protest was also included as a specific exemption under Prohibition 8.</p> <p>In responding to the comments raised, Councillor Muhammed Butt (as Leader of the Council) provided an assurance that the PSPO had not been designed to remove the freedom and right to lawful protest or to demonstrate and instead had been focussed on protecting the local community and assisting to tackle and reduce anti-social behaviour and other nuisance across the borough. The proposals were not therefore intended to prevent political campaigning or demonstration, which it was confirmed would be clarified within the final wording of any prohibition agreed. In thanking Mr Fluxman for his comments, Councillor Butt also highlighted the Council’s aim to engage with as wide a range of stakeholders as possible, which he advised it would be possible for Brent Trade Council to participate in as part of any relevant future</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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			<p>consultation process.</p> <p>Having considered the comments made Cabinet RESOLVED:</p> <ol style="list-style-type: none"> <li>(1) To endorse, subject to the comments outlined above, the proposed extensions, addition of new prohibitions and the suggested removal of others set out in the full report (attached as Appendix 1 to the report included on the agenda) and accompanying appendices.</li> <li>(2) To note that the Parks, Open Spaces, Cemeteries and Graveyards (POsCGs) PSPO expired on 16.09.2022</li> <li>(3) To note that the Wembley Park PSPO was due to expire on 31.12.2022 and would be allowed to expire.</li> <li>(4) To note that the Borough wide street drinking PSPO was due to expire on 19.10.2023. It was proposed to vary this PSPO to include the prohibitions set out in (10) below and extend its duration.</li> <li>(5) To note that the prohibition relating to; Use of illegal drugs or psychoactive substances is only to be enforced by the Metropolitan Police.</li> <li>(6) To approve the introduction of, in effect, one single PSPO across the entire borough with specific prohibitions in the area</li> </ol>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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			<p>surrounding Wembley Stadium (Wembley Park) and POsCGs.</p> <p>(7) To confirm the proposed areas shown in Appendix 4, 5 &amp; 6 of the report.</p> <p>(8) To approve the proposed removal/discontinuation of prohibitions set out in section 5 of Appendix 1 of the report.</p> <p>(9) To delegate authority to the Corporate Director Resident Services in consultation with the Cabinet Member for Safer Communities &amp; Public Protection for the function of making all Public Spaces Protection Order under the Anti-Social Behaviour Crime and Policing Act 2014 Act.</p> <p>(10) To note that the new PSPO would be implemented as follows:</p> <p><u>Entire Borough (including POsCGs &amp; Wembley Park)</u>                      (1) consumption of alcohol, (2) Use of illegal drugs or psychoactive substances (formerly known as legal highs or balloons), (3) Littering (urination or defecation), (4) Littering (spitting), (5) Littering (bottles, cans, packets, food, chewing gum, cigarettes), (6) Dog fouling <b>(7) Illegal trading (food or other items in the street)*</b>, <b>(8), Use of megaphone or microphone with speaker without consent*</b> and <b>(9) Aggressive begging*</b></p> <p><b>*Does not apply to POsCGs</b></p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			<p><u>Wembley Park only</u>                      (10) Illegal trading of merchandise, (11) Illegal trading of tickets (ticket touting), (12) Distribution of free literature (including giveaway items) without consent, (13) Charity collectors without consent, (14) Busking without consent, (15) Ambush marketing (including fly posting), (16) Pyrotechnics such as flares or smoke emitters, (17) Obstruction of the public highway, preventing the free flow of person’s movement and (18) Flying of drones</p> <p><u>Parks, Open Spaces, Cemeteries &amp; Graveyards only</u>                      (19) Unauthorised use of motor vehicles (including e-scooters and e-bicycles), (20) Use of permitted vehicles without due care and attention, (21) Loss of control of dogs (dog not within eyesight of owner and/or do not respond to recall), (22) Dogs that are prohibited from specific areas, (23) Letting a dog off a lead in a specified area, (24) More than four dogs being walked at the same time, (25) Flying drones and model aircrafts without consent, (26) The lighting of fires or use of barbeques, (27) The use of fireworks without consent, (28) Defacing or damaging fixtures, furniture or other items, (29) Launching of sky lanterns, (30) Feeding wild animals inclusive of birds and (31) Unauthorised events or activities. activities.</p>
8.	High Rise Major Works and	All Wards	Cabinet RESOLVED:

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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	Energy Efficiency Programme 2023 - 2026		<p>(1) To approve the variation to the contract with Wates Construction Limited for the Integrated Asset Management, Planned and Cyclical Maintenance and Responsive Repairs Maintenance Works (“IAM Contract”) to allow for the reinstatement of the undertaking of major works.</p> <p>(2) To delegate the commission of a works contract for those matters detailed in Section 4 of the report from the IAM contract to the Corporate Director of Resident Services in consultation with the Cabinet Member for Housing, Homelessness &amp; Renters Security.</p> <p>(3) To approve an extension of the IAM contract in connection only with the works detailed in (2) above that had an approximate completion date of Spring 2025.</p> <p>(4) To note that the value of the works detailed in (2) above may exceed £40M over 3 years.</p>
9.	Asset Management Strategy Delivery Plan	All Wards	Cabinet RESOLVED to note the proposed Capital Budget spend for delivery of the Asset Management Strategy.
10.	Authority to Award Contracts for Parking and Traffic Civil Enforcement and Cashless Parking Services	All Wards	<p>Cabinet RESOLVED:</p> <p>(1) To approve the award a contract for the provision of Parking and Traffic Civil Enforcement Services to Marston Holdings</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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			<p>Limited for an initial contract period of five (5) years, with an option to extend for up to a further five (5) years on an annual basis and notes that the value of the contract is estimated to be circa £4.47m per year, or circa £44.54m over the 10 year duration of the contract (excluding CPI indexation and LLW increases).</p> <p>(2) To approve the award a contract for the provision of Cashless Parking (including permits) Services to Pay by Phone Limited for an initial contract period of five (5) years, with an option to at extend for further five (5) years and notes that the value of the contract is estimated to be circa £36,439 per year, or circa £364,390 over the 10 year duration of the contract (excluding indexation increases).</p> <p>(3) To note the contents of Section 4 of the report with regard to the financial savings and benefits associated with the letting of the contracts referred to in (1) and (2) above.</p>
11.	Uncollectable Debt Write-off		Cabinet RESOLVED to note the debt written off as described, with a total value of £683,004.32 as set out in Appendix 1 (exempt) of the report.
12.	Brent Infrastructure Funding Statement 2021-22	All Wards	<p>Cabinet RESOLVED:</p> <p>(1) To note the content of the report and Appendix 1 “Brent Infrastructure Funding Statement 2021/22”.</p>

**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

Agenda Item No	Item	Ward(s)	Decision
			(2) To approve the 2021/22 Brent Infrastructure Funding Statement for publication online.
13.	SCIL request for new Grand Union Canal Pedestrian / Cycle Bridge in Alperton	Alperton	<p>Cabinet RESOLVED:</p> <p>(1) To approve £6.855m Strategic Community Infrastructure Levy (SCIL) to design, plan, construct and maintain the proposed Grand Union Canal (GUC) bridge, subject to St George and Canal &amp; River Trust agreement on its preferred location.</p> <p>(2) To delegate authority to the Corporate Director of Communities and Regeneration to enter into agreements with St George, Canal and River Trust (CRT) and any other relevant third parties to negotiate terms in respect of any land transfer for the land required to site the bridge.</p> <p>(3) To approve the making of a scheme under section 106(3) of the Highways Act 1980 and thereafter the submission of the scheme to the Secretary of State for Transport for confirmation.</p>
14.	Corporate Performance - Q2 2022/23 Performance Report	All Wards	<p>Cabinet RESOLVED:</p> <p>(1) To note the performance information contained in the updated report format.</p>



**London Borough of Brent – Summary of Decisions taken by the Cabinet on Monday 12 December 2022 (continued)**

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			(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.
15.	Approval to participate in a Pan London Vehicle for the commissioning of secure Children's Home Provision for London	All Wards	<p>Cabinet RESOLVED:</p> <p>(1) To agree for Brent to become a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan London Vehicle (“PLV”) in order to develop and then oversee the running of London’s Secure Children’s Home provision for a five-year period from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2028 with break clause after three years as set out in Section 8 of the report; and in addition:</p> <p>(a) with reference to paragraph 4.5 in the report, to agree that the preference would be for the PLV to be hosted by London Councils in order to ensure appropriate political oversight from all participating boroughs;</p> <p>(b) to explore the potential to collaborate with other PLV members on future joint commissioning programmes.</p> <p>(2) To commit in principle to joint oversight and risk/benefit sharing, through the PLV, of the Secure Children’s Home (“SCH”) provision, for a five-year period to 31<sup>st</sup> March 2028,</p>

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			<p>including the build, service development and service commissioning phases, subject to ratification after the revision of the SCH business case, and renewable on a ten yearly cycle thereafter, with break-point after five years.</p> <p>(3) To delegate authority to the Corporate Director, Children and Young People in consultation with the Corporate Director, Finance and Resources and the Cabinet Member for Children, Young People and Schools to make the final determination on the Council's membership of the PLV, following completion of the revised SCH business case and legal documentation and, if appropriate, to enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement and run any aspect of the PLV arrangements.</p>
16.	Zero Hours Justice Campaign And Fair Tax Declaration	All Wards	Cabinet RESOLVED to support the Council's application to become a Silver Member of the Zero Hours Campaign and to support the principles to be followed in becoming a Fair Tax Declaration Authority.
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.