



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held in the Conference Hall, Brent Civic Centre on Monday 17 July 2023 at
10.00 am

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

Also present: Councillors Chohan & Georgiou.

1. **Apologies for Absence**

An apology for absence was received from Councillor Mili Patel (Deputy Leader and Cabinet Member for Finance, Resources & Reform).

In welcoming everyone to the meeting Councillor Muhammed Butt (as Leader) began by taking the opportunity to highlight the range of work being undertaken across the Council to support local communities and businesses in an effort to extend opportunities. As an example, specific reference was made to the upcoming Wembley Jobs Fair as well as the recent launch of the Ealing Road & Alperton Creative Enterprise Zone and the variety of local community events being hosted across the borough. In recognising the extent of work required to deliver such a diverse and responsive range of events Cabinet thanked all officers involved for their hard work and efforts.

2. **Declarations of Interest**

No declarations of interest were made at the meeting.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Monday 19 June 2023 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 the Community & Wellbeing or Resources & Public Realm Scrutiny Committees submitted for consideration at the meeting.

7. Financial Outturn Report 2022 - 23

As a result of Councillor Mili Patel (Deputy Leader and Cabinet Member for Finance, Resources & Reform) having submitted her apologies for absence Councillor Muhammed Butt (Leader of the Council) introduced a report which detailed the outturn for income and expenditure against the Council's revenue budget and capital programme for 2022 - 23 and other key financial data. Cabinet was informed that whilst the outturn in relation to the General Fund was in line with the forecast position and reflected a breakeven position for the year this had included a service overspend of £3.7m for Children & Young People along with an overspend of £0.9m in relation to Adult Social Care and Health which had been addressed through the budgeted use of corporate contingencies. In relation to the outturn on the Council's Capital Programme, spend in 2022-23 had totalled £165m which equated to 71% of the approved budget. Members also noted and welcomed the improved outturn position relating to the Dedicated Support Grant (DSG) compared to the Q3 forecast position.

In considering the outturn position, members were advised that the pressures identified in relation to the Children & Young People and Adult Social Care & Health budgets were being driven as a result of increased costs and pressures on demand-led services. These had resulted in a range of actions being taken in order to control spend and mitigate against the pressures identified, which members noted and supported as detailed in section 3 of the report.

In noting the update provided, members also felt it important to highlight the ambitious nature of the Council's Capital Programme and ongoing commitment this represented in relation to delivering the Council's regeneration programme and aspirations across the borough.

In summing up Councillor Muhammed Butt, supported by Cabinet, thanked officers (including the finance team) for their efforts, given the challenging economic background and associated impacts arising from the current cost-of-living crisis. In highlighting the efforts being made to continue providing services to support those residents in need it was **RESOLVED** that Cabinet note the overall financial outturn position for 2022 - 23.

8. Medium Term Financial Outlook

As a result of Councillor Mili Patel (Deputy Leader and Cabinet Member for Finance, Resources & Reform) having submitted her apologies for absence Councillor Muhammed Butt (Leader of the Council) introduced a report which set out the overall financial position facing the Council along with the significant risks, issues and uncertainties identified in relation to the Council's Medium Term Financial Strategy (MTFS). The report also set out the proposed budget setting and consultation strategy for 2024 - 25.

Cabinet noted that the risks and uncertainties identified were focussed around the high level of inflation, rising interest rates and increased demand and demographic led pressures on key services along with ongoing uncertainty over government funding. Despite the difficulties and financial challenges identified, Cabinet also noted how the MTFS aimed to provide a framework for delivery of the Council's broader ambitions and longer term priorities. These included those identified within

the Borough Plan, the cost-of-living crisis and other future steps to ensure the Council continued to operate in a financially sustainable and resilient way whilst supporting those most in need.

In recognising the significance of the ongoing financial challenges identified, members felt it important to also reflect on the measures taken to have delivered total cumulative savings of £196m since 2010. Despite the delivery of these and additional programme of savings agreed for 2023-24 and 2024-25 it was recognised that further savings would be required during 2024-25 – 2025/26. In noting the difficulty in being able to identify precise targets, given the lack of clarity around the future level of local government funding and uncertainty over the current economic environment and inflationary pressures, members were advised that these additional requirements would need to be factored into development of the 2024-25 budget proposals.

In expressing concern at the risks and significant challenges identified alongside the approach of central government in relation to the funding of local public services, members were keen to highlight their commitment to continue supporting those most in need particularly in relation to the cost-of-living crisis as evidenced through the ongoing provision being made available for the Resident Support Fund.

Having considered the comments made and noted the need to ensure resources continued to be utilised as effectively as possible Cabinet **RESOLVED:**

- (1) To note the contents of the report and the potential financial impact on the Council's Medium Term Financial Strategy.
- (2) To agree the budget setting process for 2024/25, including the approach to consultation and scrutiny, as set out in section eight of the report.
- (3) To note and agree the proposed 2022/23 capital budget carry forwards and capital virements for 2023/24 as set out in section nine of the report.
- (4) To note the financial position with regards to the Housing Revenue Account, as set out in section ten of the report.
- (5) To note the financial position with regards to Schools and the Dedicated Schools Grant, as set out in section eleven of the report.

9. **Financial Forecast Report Quarter 1 2023/24**

As a result of Councillor Mili Patel (Deputy Leader and Cabinet Member for Finance, Resources & Reform) having submitted her apologies for absence Councillor Muhammed Butt (Leader of the Council) introduced a report, which detailed the current forecast of income and expenditure against the revenue and capital budget for 20223 - 24 and other key financial data.

Whilst, at this early stage of the financial year, the overall forecast was a break even position Cabinet once again noted the pressures and risks highlighted during consideration of the Medium Term Financial Strategy in relation to the current economic climate, ongoing impact of the cost-of-living crisis and increased demand and demographic led pressures on key services along with the ongoing uncertainty

over government funding. Whilst no new material risks had been identified at this stage in the financial reporting cycle, members advised the position would continue to be closely monitored throughout the year.

In addition to the forecast position on the General Fund and Capital Programme, members also noted the forecast position on the Dedicated Schools Grant and Housing Revenue Account along with the progress against delivery of the savings target of £13.5m agreed for 2023 - 24, as detailed within Appendix A of the report.

Having noted the ongoing challenges identified and work being undertaken to ensure the Council's overall budget position remained within target in order to continue delivering against the aims and priorities identified, it was **RESOLVED**:

- (1) To note the new grant funding received in year, the overall financial position and the actions being taken to manage the issues arising as detailed within the report.
- (2) To note the savings delivery tracker as detailed in Appendix A of the report.
- (3) To approve the virements as set out in section 3.7.7 of the report identified as required to adjust the budgets at corporate Directorate level for 2023 – 24.
- (4) To note that for the 2023/24 Q1 monitoring period the Council had complied with its Prudential Indicators which had been approved by Full Council as part of the Council's Treasury Management Strategy Statement and Capital Strategy Statement, as set out in Appendix B of the report.

10. **Brent Local Implementation Plan (LIP) Two-Year Delivery Plan: 2023/24 - 2024/25**

Prior to consideration of the main report, Councillor Muhammed Butt (Leader of the Council) invited Councillor Georgiou, who had requested to speak on the item, to address the meeting. In addressing Cabinet, Councillor Georgiou highlighted what he felt was the need for a full review of the achievements delivered through the previous Local Implementation Plan (LIP) Delivery Plan and expressed concern that a decision on the 2023-2025 Plan was being considered in advance of any such process having been undertaken.

In responding, Councillor Muhammed Butt thanked Councillor Georgiou for his comments and advised that the concerns raised had been noted. Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure & Climate Action) was then invited to introduce a report providing an update on the LIP funding arrangements for the two-year period 2023 - 24 – 2024 – 25 along with details of the programme of transport schemes and measures approved by Transport for London (TfL) to be implemented by the Council up to 31 March 2025.

In considering the report, Cabinet noted that following reestablishment of a two-year LIP Delivery Plan funding process by TfL post pandemic the Council had received confirmation of a £2.004m allocation for 2023-24 with confirmation of funding for 2024-25 anticipated later in the year. Members were advised that a summary of the confirmed allocation had been detailed within Table 3.1 of the report with full details

on the schemes included within the Delivery Plan set out in Appendix A of the report.

Members welcomed the focus within the Delivery Plan on the delivery of high impact and transformational schemes linked to strategic priorities within the Borough Plan with the aim of encouraging more active and sustainable forms of travel and creating safer, greener transport options linked to initiatives such as safer and healthier travel, Safer School streets, healthy streets and places, local safety improvements, a cleaner and greener Brent and measures to address more localised congestion and parking problems.

Whilst noting and expressing concern at the financial challenges and pressures being experienced by TfL as a result of uncertainty around Government funding, Cabinet was supportive of the approach taken in relation to development of the Delivery Plan linked to an assessment of relevant evidence-led data, development activity and strategic schemes supporting both the Council's and TfL's objectives alongside the completion of schemes with ongoing funding commitments. Whilst noting the work required to finalise design requirements for the schemes within the Plan, Members particularly welcomed the focus on safe and sustainable school travel initiatives as well as on measures, from a public health perspective, designed to mitigate against the impact of traffic and pollution, improve air quality and encourage more active modes of travel.

In commending the Delivery Plan and ongoing investment commitment this represented for local residents Cabinet **RESOLVED:**

- (1) To note the LIP funding position for the two-year period 2023/24 – 2024/25, as detailed within the report.
- (2) To approve the LIP Two-Year Delivery Plan for 2023/24 – 2024/25 and programme delivery arrangements as detailed within the report, and:
 - (a) To give approval to the Head of Healthy Streets & Parking to deliver the programme of schemes and initiatives using the allocated budgets and resources available.
 - (b) To authorise the Head of Healthy Streets & Parking to undertake any necessary statutory and non-statutory consultations in consultation with the Cabinet Member for Environment, Infrastructure and Climate Action, and to consider any objections or representations regarding the proposed schemes.
 - (c) To delegate authority to the Head of Healthy Streets & Parking in consultation with the Cabinet Member for Environment, Infrastructure and Climate Action, as appropriate, to make the decision on whether to deliver the proposed schemes following consideration of the objections and representations in the consultation process. If, in the opinion of the Head of Healthy Streets & Parking that significant objections are raised, he be authorised to refer such objections to Cabinet for further consideration and make a decision on whether to deliver the proposed schemes.
 - (d) To authorise the Head of Healthy Streets & Parking, in consultation with the Cabinet Member for Environment, Infrastructure and Climate Action, to vire

scheme allocations where necessary (e.g. pending the outcome of detailed design and consultation) within the overall LIP budget, and in accordance with the Council's financial regulations.

- (e) To authorise the Head of Healthy Streets & Parking to deliver schemes that receive any additional in-year grant funding as approved by Transport for London, or another funding body, subject to the outcome of consultation, and to brief the Cabinet Member for Environment, Infrastructure and Climate Action, as appropriate.

11. **Brent / Harrow Inter Authority Agreement for the Special Needs Transport Shared Service**

Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure & Climate Action) introduced a report detailing the arrangements to enter into an Inter Authority Agreement with Harrow Council for the provision of Special Needs Transport Services.

In considering the report, members noted that the proposal had been designed to reflect the outcomes arising from an ongoing collaborative cross departmental review of the Special Needs Transport client side model, policy framework and operational commissioning and delivery model along with an independent assessment of options (as detailed within Appendix 2 of the report). Whilst this had identified the continued use of a shared service arrangement with Harrow as the best way forward, the approach developed had been subject to a number of changes to better serve Brent's requirements. These had included the establishment of a cross service client team (an element of which would be based in Harrow) to support operational decisions, a cross service travel board, revised key performance indicators and enhanced involvement in third party contractor procurement and management.

Members welcomed the approach outlined as a means of further enhancing the support being provided to some of the most vulnerable young people and their families and in complimenting the wider support being provided for children with physical and behavioural special educational needs across the borough. Having noted the exempt information contained in Appendices 2 & 3 of the report it was therefore **RESOLVED**:

- (1) To note the contents of the report in relation to the Brent / Harrow Inter-Authority Agreement for the provision of a Special Needs Transport shared service.
- (2) To note that entry into the Brent/Harrow Inter Authority Agreement was required to ensure continuity of service and a means for delivery of the transport operation whilst a wider transformation of the overall service was undertaken.
- (3) To approve Brent Council entering a shared service arrangement with the London Borough of Harrow for the provision of special needs transport as set out in paragraph 3.1.7 of the report, effective from 1st August 2023 for a period of three years with an option to extend by a further period or periods of up to three years.

12. **Selective Licensing in the Private Rented Sector in Brent 2023 - Phase 2**

Councillor Promise Knight (Cabinet Member for Housing, Homelessness & Renters Security) introduced a report seeking approval to extend the Private Rented Sector (PRS) Selective Licensing scheme within the borough.

In considering the report Cabinet noted the extension of the PRS Selective Licensing scheme followed a previous Designation (1/2023) agreed on 17 April 2023 covering the wards of Dollis Hill, Harlesden & Kensal Green and Willesden Green. The subsequent extension (Designation 2/2023) for which approval was now being sought had been designed to cover a further 18 wards (excluding Wembley Park) for a five-year period covering 65.7% of the Private Rented Stock in Brent on the basis of poor property conditions.

As before, members noted the growth in the private rented sector across the borough, with around 58,000 homes now privately rented (representing 46% of total dwellings). Members were advised the scheme would require landlords of privately rented accommodation within the designated areas to apply for a Council licence and comply with the property management licence conditions designed to ensure required standards were met in relation to property conditions and the way in which tenants are treated. Consultation on the proposed scheme had run for 12 weeks from October 2022 to January 2023, with the detailed findings of the consultation process set out in Appendix 1 of the report. Members were advised that in terms of an overall response, the majority of residents and businesses who engaged were in favour of the scheme with landlords less in favour or not all.

Members thanked officers for the work undertaken to gather the necessary evidence to support development of the scheme along with the extensive nature of the consultation process. In welcoming the scope of the selective licensing scheme in seeking to address poor property conditions and anti-social behaviour directly with private sector landlords, members were keen to recognise how this would ensure support and safeguards were provided for tenants whilst also seeking to drive up standards within the private rented sector in the designated areas. Whilst concern was expressed at the delay in the Government bringing forward the Renters Reform Bill, Cabinet felt the PRS Selective Licensing scheme highlighted the Council's commitment, working with a range of stakeholders including the Renters Union, to support tenants within the private rented sector in being able to hold landlords to account and in ensuring the delivery of high quality standards of accommodation.

Having considered the report, Cabinet **RESOLVED**:

- (1) To note the outcome of the consultation process detailed in the Consultation Findings Report of February 2023 and the Report Appendices (as detailed in Appendix 1 & Appendices 1(A) of the report), the representations received and the Council's consideration thereof, and response to these representations (as detailed in Appendix 2 of the report).
- (2) To note the consultation evidence (as detailed in Appendix 3 of the report) relating to the problems being caused by poorly managed privately rented properties, and that the report has considered that selective licensing will

assist the Council in achieving its wider objectives, as well as having considered the alternatives to licensing.

- (3) To note the content of the Equality Impact Assessment as set out in Appendix 9 of the report.
- (4) To note the legal implications as set out in paragraph 11 of the report, which detail the legislative requirements for selective licensing.
- (5) To note that after Cabinet approval, if confirmed by the Secretary of State (DLUHC), the scheme shall be publicised via an agreed communications plan, and in accordance with the regulations before the scheme comes into force.
- (6) To agree that the evidence report (as detailed in Appendix 3 of the report) highlights that the legal requirements as set out in paragraphs 11.1 to 11.16 of the report for introducing Selective Licensing on the grounds of poor property conditions have been met regarding the proposed selective licensing designation.
- (7) To note that this designation falls within the description of designations which need confirmation by the Secretary of State under section 82 of the Housing Act 2004 and The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 as both the size of the private rented stock and the geographical area of the designation cover more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area.
- (8) To agree, subject to (1) and (2) above, to authorise the designation of 18 wards for selective licensing to last for five years from the date of designations coming into force, and which cover the following Council wards as delineated and edged red on the map in Appendix 5 of the report:

Designation 2/2023: A selective licensing scheme designation in the 18 wards of Alperton, Barnhill, Brondesbury Park, Cricklewood & Mapesbury, Kenton, Kilburn, Kingsbury, Northwick Park, Preston, Queens Park, Queensbury, Roundwood, Stonebridge, Sudbury, Tokyngton, Welsh Harp, Wembley Central, and Wembley Hill under Part 3, s.80 Housing Act 2004 on the grounds of poor housing (property) conditions with effect from April 2024 (in accordance with the criteria set out in the Housing Act 2004 and Selective Licensing of Houses (Additional Conditions) (England) Order 2015 , or at a later date in accordance with the statutory time required for the scheme to come into force.

- (9) To agree that the selective scheme described in (8) above shall be cited as the London Borough of Brent Designation No 2/2023.
- (10) To agree the authority to issue the required statutory notification in relation to the Selective Licensing Scheme Designation 2/2023 be delegated to the Corporate Director of Residents Services, in consultation with the Cabinet Member for Housing, Homelessness, and Renters' Security.

- (11) To agree that, subject to the issue of statutory notifications, the Corporate Director of Residents Services, in consultation with the Cabinet Member for Housing, Homelessness & Renters Security be authorised to decide the date from which the council will begin to accept applications for selective licensing.
- (12) To agree that authority be delegated to the Corporate Director of Residents Services, in consultation with the Cabinet Member for Housing, Homelessness & Renters Security to agree the basis for, and level of any changes including discounts which may be applied to the licensing application fees.
- (13) To note the standard licensing conditions for licences granted in the proposed designation areas for selective licensing as set out in Appendix 8 of the report, which were approved by Cabinet on 17 April 2023, and to authorise the Corporate Director for Residents Services, in consultation with the Cabinet Member for Housing, Homelessness & Renters Security, to make any minor variations to such licensing conditions.
- (14) To note that the Selective Licensing scheme will be kept under review at least annually and that any significant changes, including the withdrawal of a licensing designation or a proposal to introduce any new designation(s), will be subject to further decision by Cabinet.
- (15) To note the letters of support for the licensing proposals as attached in Appendices 10 a & b of the report.

13. Release of 23 shared ownership homes

Prior to consideration of the main report, Councillor Muhammed Butt (Leader of the Council) invited Councillor Georgiou, who had requested to speak on the item, to address the meeting. In addressing Cabinet, Councillor Georgiou began by advising that whilst the properties being considered were located within his ward (Alperton) it was felt the issues raised had borough-wide implications. On this basis, Councillor Georgiou advised he was seeking further clarification, following the response provided by Councillor Knight (as Cabinet Member for Housing, Homelessness and Renters Security) to a question he had raised at the Full Council meeting on 10 July 2023, on the reference made to repurposing as opposed to disposal of the homes. In addition, details were sought on the original classification of the 23 homes and how this applied to their status and inclusion as part of the New Council Homes Programme, with Councillor Georgiou advising that in his view shared ownership did not represent an affordable housing model.

In reiterating the need to understand the process in terms of delivery of the New Council Homes Programme, Councillor Georgiou advised he was also seeking confirmation that any release of the units to an alternative provider would be at London Living Rent and, should that not be the case, for further clarity to be provided on the new model of ownership which had been referred to in the report. Councillor Georgiou also felt there was a need to be clear on the length of lease being offered in relation to the release of the properties, the potential financial impact arising from the disposal and any requirement for Secretary of State approval. Concerns were also highlighted regarding the timescale for the decision and impact on the availability of the properties since October 2022 along with the cost of financing any associated debt during this period in relation to the Housing

Revenue Account. In concluding, Councillor Georgiou advised that as a result of the issues raised he was calling for an Independent Scrutiny Task Group to be established to undertake a detailed review of the Council's approach (given the uncertainty highlighted) towards the ongoing delivery of affordable housing across the borough, chaired by a member of the Opposition Group.

In responding to the comments raised, Councillor Muhammed Butt (as Leader of the Council) advised that given the wide ranging nature of the issues raised he would arrange for a more detailed response to be provided for Councillor Georgiou outside of the Cabinet meeting. Councillor Knight (Cabinet Member for Housing, Homelessness and Renters Security) was then invited to introduce a report which provided an overview of 23 shared ownership homes that formed part of the acquired Grand Union (Block D) site and was seeking approval to disposal of the properties.

In considering the report Cabinet noted the background to the acquisition of the Shared Ownership units as part of a wider scheme to acquire 92 units of social housing for London Affordable Rent within the Grand Union development. Having assessed current market and economic conditions along with the reduced demand for shared ownership, members were advised that the Council had commissioned a marketing exercise seeking options to dispose of the units as a package to Registered Providers. A summary of the offers received had been detailed in Appendix 1 of the report (containing exempt information) with the recommended option identified as best reflecting current demand from a housing and affordability perspective and best able to meet Brent's ongoing housing need. Confirmation was provided that the proceeds of any disposal would need to be treated as a capital receipt earmarked for the Housing Revenue Account (HRA) for use to fund new capital expenditure aimed at the ongoing delivery of the Council's housing programme.

In supporting the approach outlined, Members commended the work being undertaken to ensure all available options were kept under review in order to address levels of housing demand across the borough and ensure the ongoing delivery of affordable housing. It was felt his approach not only recognised the challenging nature of current market and economic conditions but also need to consider each site on a case by case basis and highlighted the need for clear and decisive leadership in terms of the decisions needing to be made, reflecting the nature of demand and the individual circumstances relating to each scheme.

Having considered the report Cabinet **RESOLVED**, having noted the exempt information contained in Appendix 1 of the report:

- (1) To authorises the proposed disposal of the 23 shared ownership homes at Block D, Grand Union (the Property) in accordance with the Council's Constitution.
- (2) To recognise that in order to proceed with the proposed disposal of the Property reliance may be placed on the Secretary of State's general housing consent.
- (3) To recognise that Heads of Terms will need to be agreed with relevant third parties in respect of the proposed disposal of the Property and authorise

officers to negotiate and agree such Heads of Terms as may be necessary with the relevant third parties in relation to the same (which may include agreeing terms in respect of any variation which may need to be negotiated and agreed with regard to existing deeds).

- (4) To support the recommendation to proceed with the preferred option, offer 3 (as detailed in Appendix 1 of the report containing exempt information).

14. **Uncollectible Debt Write-Offs: 1 September 2022 to 31 March 2023**

Councillor Donnelly-Jackson (Cabinet member for Customers, Communities & Culture) introduced a report which, in accordance with Financial Regulations, provide a biannual update on those debts above £20,000 which had been written-off as unrecoverable covering the period 1 October 2022 – 31 March 2023.

In considering the report Cabinet noted the recovery action taken as a means of seeking to protect the Council's financial position prior to any debt being considered for write-off which also complied with the Council's Ethical Debt Recovery Policy and Write Off procedure.

Having reviewed the exempt information contained within Appendix 1 of the report relating to the individual debt write-offs Cabinet **RESOLVED** to note the debt-written off as detailed within the report.

15. **Exclusion of Press and Public**

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

16. **Any other urgent business**

None.

The meeting ended at 10.40 am

COUNCILLOR MUHAMMED BUTT
Chair