



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held in the Conference Hall, Brent Civic Centre on Monday 11 December 2023
at 10.00 am

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

Also present: Councillor Georgiou.

1. **Apologies for Absence**

None received.

In welcoming everyone, Councillor Muhammed Butt (as Leader of the Council) took the opportunity to formally welcome Alice Lester to the meeting as newly appointed Interim Corporate Director of Communities & Regeneration.

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 Thursday 16 November 2023 be approved as a correct record.

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

None.

5. **Petitions (if any)**

5.1 Planting of Additional Trees Along Bathurst Gardens

Councillor Muhammed Butt (as Leader of the Council) welcomed Naeema Hasan to the meeting, who had been invited to speak in support of a petition containing 58 signatures from local residents requesting the planting of additional trees along Bathurst Gardens. In welcoming the opportunity to speak on behalf of local residents, Naeema Hasan began by outlining what were felt to be the significant benefits provided by trees located within residential areas, which included improved air quality, improved energy conservation and most importantly improving the mental health and wellbeing of local residents.

In emphasising the disparity of tree coverage between Bathurst Gardens and neighbouring streets Naeema Hasan advised that, whilst being one of the longest street in the local area, Bathurst Gardens was an outlier in terms of the number of

trees containing only 12. This number compared to 48 trees on Clifford Gardens, 43 on Leigh Gardens, 37 on Buchanan Gardens, 51 on Palermo Road and 17 on College Road (between Mortimer Road and Purves Road). As an additional contribution in support of the comments raised, a further local resident (Arun Kumar) also spoke to highlight the number of mature trees which had been lost and not replaced over the years as a further contributory factor with the petitioners, as a result, calling on the Council to consider the planting of more trees along Bathurst Gardens.

In responding, Councillor Krupa Sheth (as Cabinet Member for Environment, Infrastructure & Climate Action) began by thanking Naeema Hasan for attending the meeting to present the petition on behalf of local residents. In highlighting the challenging nature of the financial position faced by the Council she advised that whilst unable to commit any core budget for the provision of new trees she would be willing, in response to the petition, to facilitate a meeting between local residents, ward councillors and the Council's Principal Landscape Architect in order to explore the alternative options available. This was in view of the need, given the resource pressures identified, for tree planting projects of the type being sought to be supported through external funding with the officer identified having already indicated he would be willing to meet with residents from Bathurst Gardens in order to consider the potential options available to seek funding for such a scheme. In concluding her response, Councillor Krupa Sheth reiterated her willingness to facilitate such a meeting in order to explore all available options.

5.2 Special Educational Needs and Disability School Transport

Councillor Muhammed Butt (as Leader of the Council) then moved on to welcome Zaynab Alfadhi to the meeting, who had been invited to speak in support of a separate petition containing 123 signatures regarding the arrangements for the provision of Special Educational Needs and Disability (SEND) school transport within Brent. In addressing Cabinet, Zaynab Alfadhi began by explaining that she was a resident of Brent and the parent of a child with special educational needs attending a special school in Brent. In presenting the petition she confirmed she would also be representing the families of other children with SEND across the borough in seeking to raise concerns, which had been ongoing for a number of years, regarding the provision of SEND transport as the service was not felt to be meeting the needs of children and young people or their families.

In highlighting the reliance of both her and many other families on the service, it was felt that the Council needed to take action in order to address the level of concern being raised, especially in relation to the impact of extended journey times, recognising the Council's duty of care and need to safeguard the wellbeing of the children currently impacted by the quality of service. Specific examples were provided about the type of issues being experienced and distress being caused as a result of the current standard of service and length of journey times, with concerns also raised about the lack of special educational needs provision in the borough and extended journey times for those having to travel outside of Brent to access suitable specialist educational provision, which meant they were often outside of the recommended travel time for primary and secondary school aged children. It was pointed out that these issues had been compounded by the increased number of children included on each route as well as other external factors such as traffic delays and roadworks.

In outlining concerns regarding the increase in journey times being experienced by many service users, Zaynab Alfadhi also highlighted the impact from an educational and family perspective not only in terms of time being lost at school and at home, but also as a result of the associated behavioural impact on the children and young people created by the anxiety and stress due to the lack of routine and stability. In concluding, members were therefore urged to review the current level of SEND transport service provision, in light of the concerns highlighted, in order to ensure that sufficient and better managed routes were provided with additional transport and less children on each route that would not only assist to reduce journey times but also better reflect the level of service required by vulnerable children and young people with SEND and their families in Brent.

In responding, Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure and Climate Action) thanked Zaynab Alfadhi for attending the meeting in order to highlight the issues raised and began by outlining how seriously the Council took its responsibility in safeguarding the wellbeing of children and young people with special educational needs and disabilities. In highlighting the process undertaken to plan each route, which involved the use of specialist software as well as local knowledge, Councillor Krupa Sheth outlined how these measures were designed to ensure sufficient capacity that not only met the needs of the children using the service but also the necessary obligations in relation to journey times within the constraints of the resources available.

In highlighting the range of external factors outside the direct influence of the service that also needed to be taken into account in terms of journey times, such as traffic congestion and delays in children being ready to board a vehicle on time, the number of pick-ups on any specific route was also recognised as a factor influencing total journey times with the planning and implementation of routes being monitored to ensure that, where identified as necessary, adjustments could be made taking account of the need to ensure the most efficient use of resources. Whilst often a difficult balance to achieve, Councillor Krupa Sheth ended by seeking to reassure the petitioners of the Council's commitment to continue monitoring provision of SEND school transport in order to ensure the delivery of a good quality service and journey times were kept to a minimum as a key priority for those relying on the service.

In commenting further, Councillor Grahl (as Cabinet Member for Children, Young People and Schools) also recognised the wider concerns raised regarding the provision of SEND places within Brent, highlighting the investment which had been provided as a result by the Council to provide over 400 new SEND school places in the borough. Whilst recognising that this would not necessarily improve the situation for all families who had supported the petition, Councillor Grahl felt that this would be an important measure to assist in extending the support available for children with SEND in accessing more local provision with both her and Councillor Krupa Sheth advising they would also be willing to meet with the petitioners separately in order to discuss any further concerns or support required.

In concluding consideration of the petition, Councillor Muhammed Butt (as Leader of the Council) advised that Cabinet had recognised the importance of the issues raised which would continue to be kept under review in order to identify any further

actions or improvements that could be made as part of the Council's commitment to the welfare of every child in Brent.

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. Affordable Housing Supply update 2023

Councillor Knight (as Cabinet Member for Housing, Homelessness and Renters Security) introduced a report providing an overview on progress against the Council's target in relation to the delivery of affordable homes in the borough and outlining specific decisions required for schemes being delivered through the New Council Homes Programme or other regeneration schemes.

In considering the report members, whilst commending the progress made to date in terms of delivery against the target for provision of new affordable homes across the borough by 2028, also recognised the significant nature of the financial and economic challenges identified in relation to ongoing delivery of the programme and associated impact on the viability of a number of schemes. As a result, whilst the delivery of the target remained on track, Cabinet was advised of the need to further prioritise which sites continued to be taken forward in order to not only address housing need but also benefit the wider community and the strategic priorities of the Council.

Members noted the updates provided in relation to the schemes being delivered by the Council, including the proposal to prioritise delivery of the Church End scheme given its impact as a catalyst for wider regeneration in that area, and measures introduced to manage delivery of schemes on site within the New Council Homes Programme designed to mitigate against delays (where identified) and the associated financial implications and risks to the Council. In terms of Phase 2 of the New Council House Programme, members welcomed the agreement obtained from the GLA to roll the Kilburn Square scheme into the new grant programme and whilst keen to support ongoing delivery noted that this would only be possible should the current viability gap be removed. In considering the wider updates provided, Cabinet also expressed support for the work being undertaken in an attempt to address the pressures and increase the supply of temporary accommodation in response to the high level of demand being created by the current increase in homeless households, including the further budget of £52.7m identified for an additional acquisition programme and the potential use of void properties as part of the South Kilburn regeneration programme, on which additional legal advice had been incorporated within a republished version of the Cabinet report.

Members took the opportunity to thank officers for their efforts in seeking to progress delivery of the target for new Affordable Housing, given the extent of the current economic, financial and wider political challenges faced recognising the importance of the work being undertaken to maximise the opportunities available given the ongoing housing crisis and significant increase in households currently presenting as homeless on a weekly basis. Whilst expressing disappointment that it had not been possible to progress the Moreland Gardens scheme, including the

provision of the Adult Education Centre, members recognised the pressures which had meant the scheme had no longer been assessed as viable to proceed. The quality of the new build schemes which it had been possible to deliver was, however, welcomed along with the support being provided to protect tenants (including introduction of the selective landlord licensing scheme in the private rented sector) and in seeking to support those households at risk of homelessness which it was felt contrasted with the approach and support being made available through central government and delay in progressing the Renters Reform Bill.

In recognising the extent of the challenges identified, Cabinet ended by once again highlighting their ongoing commitment to delivery of new and affordable housing across the borough with members supportive of the efforts being made to progress delivery of the programme in as prudent a way as possible, despite the significant financial pressures identified, with all involved thanked for their efforts in seeking to establish a viable way forward whilst also supporting those tenants and residents most at risk.

In supporting the approach outlined and having noted the exempt information contained in Appendix 1 of the report Cabinet **RESOLVED**:

- (1) To agree to award the Main works contract to Wates for the delivery of Church End including 99 homes and a new market square for the value set out in Recommendation 1 of Appendix 1 of the report (which contained exempt information).
- (2) To note the challenges set out regarding the delivery of Morland Gardens in paragraph 5.3 – 5.10 of the report and agree for officers to develop an alternative site strategy for future consideration by Cabinet.
- (3) To approve, that if necessary, the Council consult on ending the South Kilburn Promise (Landlord Offer) for new temporary accommodation households and the use of voids properties identified on the South Kilburn regeneration area for temporary accommodation, noting the legal considerations around consultation set out in Section 8 of the report.
- (4) To note the updated programme budget for the New Council Homes Programme of £495.5m and approve the use of usable Capital reserves to fund this.
- (5) To agree to wave the delegated authority limits to enable the Corporate Director of Resident Services in consultation with the Corporate Director of Finance and Resources to agree the terms of the lease and thereafter enter into and complete on a 5-year leasing arrangement with the developer for the new build scheme at Manor Park Road, Harlesden NW10 4JJ for use as emergency and settled temporary accommodation, as set out in Section 6 of the report and where necessary make any further amendments as and when required.
- (6) To approve an acquisitions budget of £52.7m to address the acute housing and temporary accommodation needs and challenges. This is in addition to any acquisitions already approved by Cabinet.

(7) To agree for a new delegation to the Corporate Director of Resident Services in consultation with the Corporate Director of Finance and Resources, to acquire 133 homes from the open market (including both freehold and leasehold acquisitions) such delegation to include negotiating and approving the terms of any freehold or leasehold acquisitions and thereafter entering into the relevant transactional documents to address the acute housing and temporary accommodation needs in line with approach set out in Section 11 and Appendix 1 (containing exempt information) of the report, which is in addition to those acquisitions already approved by Cabinet.

8. **Air Quality Action Plan Adoption**

Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure and Climate Action) introduced a report setting out for adoption Brent's Air Quality Action Plan 2023 – 27.

In considering the report, members began by recognising the significant problems created by air pollution and commitment to taking action to improve air quality and raise awareness of its impact, particularly on the most vulnerable residents. In order to focus these efforts, Cabinet was advised that the 2023-27 Air Quality Action Plan contained 37 measures designed (working in partnership with key stakeholders) to reduce levels of the main air pollutants. These measures included 16 priority actions developed, following an extensive community outreach and consultation process, under 5 main themes as detailed within the Action Plan included as Appendix A to the main report, with the core aims being to reduce pollution concentrations as quickly as possible (striving to meet World Health Organisation guidelines); to raise awareness of the health impacts of air pollution and address health inequalities; and to influence change leading by example and working with strategic partners.

Members were advised that the updated Air Quality Action Plan had been approved by the GLA and had also been subject to detailed consideration by the Health and Wellbeing Board (HWB) in October 2023, with the actions identified to improve air quality also supporting a range of key Council policies within the Borough Plan, Inclusive Growth Strategy, Joint Health and Wellbeing Strategy, Brent's Long Term Transport Strategy, Local Plan and Climate and Ecological Emergency Strategy.

In recognising the action being taken to reduce air pollution and improve air quality as critical to addressing wider inequalities and improving the health and wellbeing for communities across Brent, members thanked officers for the work undertaken to develop the Action Plan and welcomed the engagement with health partners through the HWB in reinforcing their key role in supporting delivery of the key measures, on which it was noted implementation which would continue to be monitored. Whilst highlighting the need for significant Government investment to support the action required it was felt the approach adopted by the Council within the Action Plan demonstrated the positive impact that could be made locally in seeking to improve air quality and raise awareness of the associated health impacts with reference made to various initiatives such as the introduction of Green Neighbourhoods, programme of School Streets schemes and ongoing work to discourage engine idling around schools, delivery of electric vehicle charging infrastructure and work to lobby for and encourage a wider programme of active travel including walking and cycling routes with partners such as TfL. Members

also recognised the coordinated nature of the wider strategic approach being developed which included, as an example, use of relevant planning policies and Brent's Sustainable Environment and Development Supplementary Planning Document.

Members also commended the extent of community engagement and consultation undertaken in seeking to inform development of the updated Action Plan (as detailed in section 4 of the report) which it was noted had been designed to ensure the core aims and actions clearly reflected resident priorities.

Having recognised the importance in seeking to improve air quality and reduce pollution across the borough as a means of addressing the associated health and wellbeing and wider environmental impacts and supporting the extension of Brent's Air Quality Management Area to cover the entire borough, Cabinet **RESOLVED**:

- (1) To note and endorse for adoption the Air Quality Action Plan (2023-2027) and actions.
- (2) To agree the Action Plan can be published as final (as detailed within Appendix A of the report).
- (3) To approve the Air Quality Management Area Order (as detailed within Appendix E of the report).

9. **Corporate Performance Q1 and Q2 2023/24 Performance Report**

Councillor Muhammed Butt (as Leader of the Council) introduced a report, which provided Cabinet with an overview of corporate performance in the first and second quarter of 2023-24.

In presenting the report, the Leader advised that the performance monitoring update represented the first detailed assessment against the full suite of Key Performance Indicators developed to monitor delivery of the desired outcomes and corporate priorities within the new Borough Plan 2023-2027.

In noting the performance monitoring updates and commentary provided within the report, members also recognised the actions being undertaken to address current performance in relation to those targets rated as "red", particularly in relation to the corporate priority "Prosperity and Stability in Brent". Members were also keen to recognise the efforts being made to ensure the continued delivery of services and work being undertaken jointly by Cabinet Members with their relevant Corporate Directors, in seeking to manage and mitigate against the financial challenges and strategic risks identified as part of the overall wider approach towards supporting local residents and in support of the priorities within the Borough Plan.

As a result, Cabinet **RESOLVED** to:

- (1) To note the Borough Plan 2023/24 performance reporting for Q1-Q2 as set out in section 3.2 and Appendix A of the report.
- (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.

10. **Uncollectable Debt Write-off**

Councillor Donnelly-Jackson (as Cabinet member for Customers, Communities & Culture) introduced a report which, in accordance with Financial Regulations, provided details on those debts above £20,000 relating to Council Tax, sundry debts, Adult Social Care client contributions and Housing Benefit overpayments which had been written-off as unrecoverable covering the period 1 April 2023 – 30 September 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 listed within Appendix 1 of the report (totalling £1,266,816.53).

11. **Authority to Award Contracts for the Purchase of Gas and Electricity (October 2024 to September 2028)**

Councillor Tatler (as Deputy Leader and Cabinet Member for Finance, Resources and Reform) introduced a report seeking approval to award a four-year contract for the supply of gas and electricity to the Council via the LASER Energy Framework to cover the period 1 October 2024 – 30 September 2028.

In considering the report, Cabinet was advised that the recommendation to continue use of the LASER Energy Framework for the supply of energy to Council corporate buildings, street lighting, communal housing areas and a number of Brent Schools had followed an independent review of the Council's energy procurement strategy and ability of LASER as an energy buying organisation to secure value for money. In noting that the review had identified the procurement strategy as remaining fit for purpose and achieving prices significantly better than market average as well as offering a range of additional services of value to the Council, members were also keen to recognise the way in which the strategy had been designed to mitigate against the risk of further energy price rises in the short-medium term in order to secure consistency and achieve significant cost avoidance.

In supporting the recommended approach outlined in terms of the procurement strategy and award of contracts, members welcomed the benefits identified in relation to the cost effective nature of the energy being provided for many Council facilities, including schools, as well as the continuation of the Council's active engagement in the work stream to increase the procurement of renewable sources of energy.

Having reviewed the exempt information contained within Appendices B and C of the report Cabinet therefore **RESOLVED**:

- (1) To approve entry into an Access Agreement with Kent County Council trading as LASER Energy to enable participation and purchase of gas and electricity from their frameworks referenced in section 1.1 and 1.2 of the report.
- (2) To approve the award of call-off contracts for the period of four (4) years via the two previously mentioned frameworks to Total Energies and Npower for the supply of gas and electricity to the Council, including corporate buildings, streetlights, housing estates' communal areas and gas to a heat network, and Borough schools who contract for energy through the Council.
- (3) To approve the utilisation of a Purchase In Advance (PIA) energy buying strategy to be undertaken by LASER Energy on behalf of the Council and other contracting authorities who purchase energy through the frameworks.
- (4) To approve the utilisation where applicable of a 'Fully Managed service (FM)' from LASER Energy as opposed to a 'Procurement Only Service Option (POSO)'.
- (5) To note that, as a key part of the Council's commitment to net zero by 2030, the key objective to procure green energy had been addressed in section 8 of the report, via a 'Green Tariff' (REGOs), the 'Green Basket' energy option, and/or a Power Purchase Agreement (PPA), all of which were available via the LASER contract. All three options would be assessed based on the provision of 'additionality' i.e. additional renewal power generation and a viable business case.
- (6) To note Brent's ongoing engagement with the "Renewable Power 4 London Action Plan" work stream, which aimed to procure public sector energy for London Public Sector Bodies that was 100% renewable, through collaboration, with the ultimate aim of having a Power Purchase Agreement in place that Boroughs could procure renewable energy from, with the expectation that this option may become available during this next contracting period.

12. **Appointment of i4B Holdings Ltd and First Wave Housing Ltd Chair**

Councillor Tatler (as Deputy Leader and Cabinet Member for Finance, Resources and Reform) introduced a report seeking approval to the appointment of Andrew Hudson as new Chair on the board of the Council's two wholly owned housing companies, i4b Holdings Ltd and First Wave Housing Ltd following the decision of the current Chair (Martin Smith) to step down on 31 December 2023.

In considering the report, Cabinet firstly took the opportunity to thank Martin Smith for his extensive and important work in leading Brent's housing companies over the previous seven years. Members then welcomed Andrew Hudson to the meeting, with it noted that his recommended appointment followed a comprehensive and competitive recruitment process.

In recognising the extensive experience that Andrew Hudson would be able to continue to offer, Cabinet **RESOLVED:**

- (1) To approve the appointment of Andrew Hudson to the position of Chair for i4B Holdings Ltd and First Wave Housing Ltd for a term of three years.
- (2) To formally thank Martin Smith for the contribution made as Chair of both i4B Holdings Ltd and First Wave Housing Ltd during his tenure, noting his intention to stand down as of 31 December 2023.

13. **Brent Infrastructure Funding Statement 2022/23**

Councillor Tatler (as Cabinet Member for Regeneration, Planning and Growth) introduced the report, which detailed the Council's fourth Infrastructure Funding Statement (IFS) prepared in accordance with the requirements within the Community Infrastructure Levy (CIL) (Amendment) Regulations 2019.

In considering the report, Cabinet noted the outline provided relating to the purpose of CIL as a funding mechanism to assist in the delivery of infrastructure to support development of the area and annual requirement within the IFS to detail how Brent's CIL funding had been spent in line with the regulations. In addition, the IFS was designed to set out future spending priorities on infrastructure in line with the commitments included within the Borough Plan and other key strategic plans such as the Local Plan.

Whilst recognising the impact of the current financial and economic climate on the programme of development across the borough, members noted the continued strong performance of the Council in terms of the collection of CIL and s.106 receipts, as detailed within section 3 of the report. Whilst thanking officers for their efforts in relation to performance on the collection of receipts during such a challenging period, members also recognised the impact which the current financial and economic conditions may have on the generation of receipts over future years.

In noting the wide ranging and diverse nature of both local and regional infrastructure projects being supported through the CIL process, members were also keen to commend performance in relation to the use, allocation and impact of community projects being supported through the Neighbourhood CIL programme designed to support continued growth and benefit all communities across the borough.

Having noted the performance outlined in relation to CIL and associated benefits being achieved through its use to support the wider growth and regeneration programme across the borough Cabinet **RESOLVED** to note and approve publication online of the Brent Infrastructure Funding Statement 2022/23, as set out in Appendix A of the report.

14. **Exclusion of Press and Public**

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

15. **Any other urgent business**

There were no items of urgent business so as the final Cabinet meeting before Christmas Councillor Muhammed Butt (as Leader of the Council) took the

opportunity to thank all members for their support over the year and to wish everyone all the best for the festive season.

The meeting ended at 10.43 am

COUNCILLOR MUHAMMED BUTT
Chair