



## LONDON BOROUGH OF BRENT

### MINUTES OF THE CABINET

Held as an online virtual meeting on Monday 7 December 2020 at 10.00 am

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

Also present (In remote attendance): Councillor Fleur Donnelly-Jackson (for agenda item 6.1)

1. **Apologies for Absence**

None.

2. **Declarations of Interest**

None.

3. **Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the previous meeting held on 9<sup>th</sup> November 2020 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any) & Request to Speak**

The Leader of the Council, Councillor Muhammed Butt welcomed Dr Pablo Sendra to the meeting who had requested to speak on behalf of the William Dunbar William Saville Tenant & Resident Association (WDWS) regarding the development of a Community Plan relating to the South Kilburn regeneration scheme proposals.

Dr Sendra thanked the Leader for the opportunity to speak. In his role as an architect and urban designer he advised Cabinet that he had been working with the residents from William Dunbar and William Saville Houses in South Kilburn in developing a community plan which incorporated the residents' vision for how their home and environment could be improved. An independent study had guided the development of a social impact assessment and a financial viability study had been carried out to ensure the viability of the proposal and determine the amount of social-rent homes that could be offered. The plan, which would achieve and exceed the key objectives of the Council's South Kilburn SPD 2017, included the refurbishment rather than demolition of 147 existing homes (allowing residents to avoid the social and health impact of relocating), and the provision of 47 new

homes through infill development, 14 of which would be social rent and 19 of which would be family sized. The plan also included proposals for the creation of an additional 366 sq. metres of new community facilities as well as improved green spaces and car parking. In summing up, Dr Sendra asked Cabinet to give consideration to his proposal which he felt to be an excellent opportunity to deliver a socially, economically and environmentally sustainable regeneration scheme.

Councillor Butt thanked Dr Sendra for taking the time to address the meeting and invited Councillor Tatler, as the Lead Member for Regeneration, Property and Planning, to respond.

Councillor Tatler took the opportunity to recognise and thank local residents for their engagement and commitment in driving forward the South Kilburn regeneration scheme. Whilst highlighting the need to ensure the Community Plan was considered within the context of the overall Masterplan for the South Kilburn area, Councillor Tatler advised that she would review the proposals in order to continue working and engaging with the Tenant and Resident Association, supported by the local ward councillors.

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

### **6.1 Recommendations from Resources & Public Realm Scrutiny Committee - Violence Against Women Task Group**

Prior to considering the report, the Leader of the Council, Councillor Butt welcomed Councillor Donnelly-Jackson to the meeting who had requested to address the meeting in her role as Chair of the Violence Against Women Scrutiny Task Group.

Councillor Donnelly Jackson thanked Cabinet for the opportunity to speak, and informed them that the Resources and Public Realm Scrutiny Committee had commissioned a Task Group to investigate the issue of Violence against Women and Girls in March 2020, with the subsequent report and recommendations agreed by the committee in October. The Task Group had made ten key recommendations as detailed for response within Appendix 1 of the report. Amongst the recommendations made, Councillor Donnelly-Jackson felt it was important to highlight the importance of the lived experience from victims and survivors being used to inform policy and service delivery and also to communication being available in accessible formats for disabled women to ensure they were able to access support. In addition, Councillor Donnelly-Jackson took the opportunity to highlight the comprehensive and inclusive approach towards the scrutiny review during the pandemic as well as the series of additional supporting actions identified by the Task Group, designed to support delivery of their main recommendations. In summing up Councillor Donnelly-Jackson thanked the members of the Task Group for their work as well as the community partners and officers who had given evidence and supported the development of the report. She commended the report to the Cabinet and expressed her hope that the recommendations would be adopted.

Councillor Butt thanked Councillor Donnelly-Jackson for addressing the meeting and then invited Councillor Knight, as Lead Member for Community Safety and Engagement, to introduce the report.

Councillor Knight thanked the Members of the Task Group for highlighting the need to tackle the important issue of violence against women and girls, which had also been identified as an important issue during the pandemic given the increasing levels of abuse and the associated risks for those victims. In commending the findings of the group, attention was drawn to the alignment with current safeguarding work, increased training and awareness of the issue, and the need to ensure the necessary levels of support were in place and accessible.

Members fully supported the recommendations and the proposed executive response, praising the timeliness of the work to tackle the issue in light of the increased national attention being given to safeguarding women and girls. Having noted the comments received and overall alignment of the recommendations made by the Task Group with the Council's approach towards contextual safeguarding work it was **RESOLVED** that Cabinet:

- (1) approve the Executive Response to the recommendations made by the Violence against Women and Girls Scrutiny Task Group, as detailed within Appendix 1 of the report.

## 7. **Draft Budget 2021/22**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which set out the Council's budget proposals for 2021/22, alongside a revised Medium Term Financial Strategy (MTFS), taking account of the current estimated financial impact of the Covid-19 pandemic on the Council. Whilst noting the significance of the financial challenges, the report outlined an approach designed to address the current estimated impact of the pandemic, the additional support that would be required for residents, as well as the scale of the loss of income to the Council. It was noted that the Government's Comprehensive Spending Review, which had been announced on 25<sup>th</sup> November, had not provided any further certainty over the medium term financial outlook due to the short term nature of the funding settlement provided and ongoing uncertainty over the outcome of other significant reforms to local government funding and Brexit.

In outlining the detail of the new proposals, Cabinet were informed that £5.1 million of new budget savings would be required for 21/22 and 22/23, as detailed within Appendices B and C of the report. This would be supported by a 4.99% council tax increase, up from the 3.99% proposed in February, of which a full 3% would be used to fund vital social care services. Consultation would also be undertaken on the level of rents to be charged within the Housing Revenue Account, with a 1.5% increase proposed. The report further noted the borrowing that would be required to fund the capital programme of works until 2026.

Taken together the new proposals and updated budget assumptions, subject to their agreement following consultation, would deliver a balanced budget and ensure that the Council would continue to operate in a financially sustainable and resilient way limiting as far as possible service reductions and the impact on front line services.

In concluding her introduction, Councillor McLennan once again highlighted how challenging and difficult the process had been and thanked the Cabinet Members

and officers for their support and efforts in developing the proposals and meeting the robust challenge which had been required in order to make such difficult financial decisions.

Whilst supporting the proposals contained in the report as deliverable and credible, Cabinet emphasised their disappointment at the uncertainty created as a result of the Governments short-term funding settlements, delays in funding reforms and failure to fulfil a commitment to refund local authorities in full for their Covid-19 related spending. Having recognised the efforts made to reduce the impact on front line services during such challenging times, the impact of the revised proposals were still of concern with members highlighting the effect they would have in a number of areas.

Having noted the current financial context in which the new proposals had been developed it was **RESOLVED** that Cabinet:

- (1) note the overall financial position, as set out within the report.
- (2) consult on the new budget proposals, as set out in Appendices B and C of the report.
- (3) consult on a Council Tax increase of 4.99% in 2021/22.
- (4) endorse the approach to the statutory process of consultation, scrutiny and equalities between December 2020 and February 2021, as set out in Section 6 of the report.
- (5) endorse the changes to the technical budget assumptions underpinning the budget, as set out in Section 4 of the report.
- (6) note the position with regard to the funding for Schools and the Dedicated Schools Grant, as set out in Section 7 of the report.
- (7) consult on a rent increase of 1.5% (CPI + 1%) for the 2021/22 Housing Revenue Account budget, as set out in Section 8 and Appendix D of the report.
- (8) note the position with regard to the Capital programme, as set out in Section 9 of the report.

## 8. **A Fairer Future Ending Poverty in Brent - Delivery Plans**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report, which outlined the action plan developed to progress implementation of the recommendations of the Poverty Commission, first agreed by Cabinet in September 2020. The actions had been subject to consideration by, Full Council, scrutiny and community stakeholders, with the Consultative Group set up to monitor progress on implementation having also conducted their first meeting.

Members heard that the delivery plan would be materially linked to the actions developed from the Climate Emergency Strategy and the Brent Black Community Action Plan. Cabinet also noted the intention to draw on lived experience along

with the knowledge, perspectives resources and experiences of the range of individuals and organisations already active in addressing poverty in order to fully embed the actions within the Council's overall objectives and priorities and as part of the Borough Plan.

In discussing the actions outlined, Cabinet were keen to highlight the focus on actions designed to tackle issues related to housing and the economy with the need to continue lobbying government for support in this area also identified as a key issue.

Members further commended the proposals to develop a community led housing project for single homeless households and support towards the establishment of more sustainable food aid schemes, improving financial inclusion and reducing digital poverty. Support was also expressed for the emphasis on the role of job quality and support, the Council's role as a disability competent employer and the continuing progress towards Brent as a 'living wage place'.

Having noted the Council's commitment towards delivery of the actions identified it was **RESOLVED** that Cabinet:

- (1) note and approve the delivery plans attached as Appendices 1-4 of the report.
- (2) note the proposal that Cabinet would monitor the implementation of the delivery plans by receiving regular updates for each of the workstreams: housing, economy and jobs, financial inclusion and welfare and the overview recommendations.

## 9. **Corporate Performance – Q2 2020/21 Performance Report**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which outlined the Council's performance against key indicators for Q2 of 2020/21. Cabinet were informed that the performance outlined within the report reflected the fact that the reporting period covered the effects being made by services to recover from the pandemic, with many of the targets directly impacted as a result.

Members noted that a review of the current corporate performance metrics and indicators was due to be undertaken as part of the refresh of the Borough Plan in order to reflect the impact of the pandemic and also ensure that indicators were more closely aligned with other key strategies that had recently been adopted, including the Brent Black Community Action Plan, Climate Emergency Strategy and report from the Poverty Commission.

**RESOLVED** that Cabinet:

- (1) note the performance information contained in the report.
- (2) note the challenge process along with current and future strategic risks associated with the information provided and approve actions being undertaken on strategic risks, as appropriate.

10. **Neighbourhood Community Infrastructure levy (NCIL) +100 K Project Approval**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report seeking approval for the allocation of Neighbourhood Community Infrastructure Levy (NCIL) to four community programmes. Cabinet noted that applications submitted under the most recent bidding round had been focused on tackling inequality over the long term and the disproportionate impact of the pandemic. As a result four schemes had been shortlisted for consideration involving bids above £100,000 which required approval by Cabinet. In concluding her introduction, Councillor Tatler thanked the team involved in administering the NCIL scheme, which it was noted had allocated over £12million in funding to date for community infrastructure projects.

In supporting the bids identified, Cabinet noted their alignment with the wider priorities of the Council and NCIL regulations. Members further commended how the application round had drawn attention to and promoted the benefits and potential use of NCIL in the wider community.

**RESOLVED** that Cabinet:

(1) approve the following NCIL allocations:

- **£227,272.30 for** Ultra Education CIC - It Takes a Village – Black Caribbean Boys of Excellence project: Working across families, schools and communities addressing the root cause of the underachievement of Black Caribbean Boys
- **£197,561.95 for** Asian Women's Resource Centre(AWRC) - Revitalise Project: To refurbish the AWRC building in Harlesden so that it was inclusive, accessible, welcoming , safe and comfortable for women, girls and children to access a range of holistic support services offered under one roof.
- **£197,561.95 for** Mobs Ventures Ltd / Slenky Powering Change – Social, Mobile Engagement and Ethical AI Project: Developing and imbedding a digital programme aimed at engaging young people in new skills and employment that development has brought to the borough.
- **£146,698.63 for** EACH Counselling and Support, Strive Project: A mental health support programme for BME people to recover from the impact of Mental Health, Domestic Violence and Substance Misuse. Providing culturally sensitive Education Training Employment and counselling support.

(2) note, following on from (1) above, that the final stage in the process would involve the Grants Manager giving further scrutiny to ensure a deliverable measurable outcome analysis was completed, in conjunction with the organisation/Brent Council. This would form part of a signed funding agreement to be regularly monitored. If the outcomes were not in line with Brent Council priorities and not agreed, the funding offer may be withdrawn.

## 11. **Asset Management Strategy**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report seeking approval for the Housing Integrated Management Strategy 2020-2025. The strategy set out the core commitments and vision for responsive repairs, stock investment, reform and improvement along with performance following a period of consultation with residents. The strategy addressed the need to have a plan for housing improvements and repairs that was both viable and ambitious.

Cabinet noted the emphasis within the strategy on fire safety and in tackling the climate emergency and fuel poverty through energy efficient stock, closely aligning to the council's priorities. At the same time, however, it was recognised that these ambitions needed to be seen in the context of the challenging financial environment in relation to the impact of the pandemic on the Housing Revenue Account.

Members praised the extent of engagement with residents in developing the strategy and the provision of a clear way forward that also reflected the importance of ensuring a high quality housing stock as well financial pressures currently facing the Council.

**RESOLVED** that Cabinet:

- (1) note the consultation feedback summary attached in Appendix 2 of the report.
- (2) approve the Asset Management Strategy, as detailed within in Appendix 1 of the report.

## 12. **NAIL Programme Update & Funding**

The Lead Member for Adult Social Care, Councillor Farah, introduced the report seeking approval to a capital investment of £1.5 million for the refurbishment of five existing properties as part of the New Accommodation for Independent Living (NAIL) programme. Cabinet heard that the work would provide high quality accommodation for vulnerable people and support them to lead independent lives, as a viable alternative option to residential care.

**RESOLVED** that Cabinet:

- (1) approve the capital investment of £1.5m for the refurbishment of 5 existing properties for use as NAIL schemes, and to carry out additional work on existing NAIL properties.
- (2) delegate authority to refurbish 5 properties for the NAIL programme to the Strategic Director Community Wellbeing in consultation with the Lead Member for Adult Social Care.
- (3) approve the Strategic Director Community Wellbeing transferring land at 2 Cranhurst Road, Willesden London NW2 4LN valued at £963,000.00 (Nine Hundred Sixty Three Thousand Pounds) in 2018 from the Housing Revenue

Account to the General Fund (subject to consent from the Secretary of State under section 19 of the Housing Act 1985 being obtained).

- (4) approve the transfer of land at 8 Fairlight Avenue Harlesden NW10 8AN valued at £1,100,000 (One Million, One Hundred Thousand Pounds) in 2017 back from the General Fund to the Housing Revenue Account.

### 13. **Authority to enter into a contract with Capital Letters**

The Lead Member for Housing and Welfare Reform, Councillor Southwood, introduced the report which was seeking approval to enter into a contract with Capital Letters (London) Limited for the provision of accommodation for homeless households. Cabinet noted that the Council had been working with Capital Letters since October 2019, with the relationship being successful in increasing access to housing in Brent and ensuring residents had first choice of properties. The contract did not stand alone but formed part of a wider programme of measures to tackle the shortage of affordable social housing in the borough, including the Council's housing partnerships with i4b and First Wave Housing Ltd.

Members' attention was drawn to the performance of Capital Letters since Brent had joined, which had included a total of 374 properties being made available to Brent residents as well as the associated financial benefits arising from the subsidy arrangements. In addition, further assurance was provided in relation to the oversight and governance arrangements at both Lead Member and officer level, as detailed in section 4.17 of the report.

Cabinet supported the proposal to formalise the partnership, commending the positive impact on availability of social housing through boroughs working collaboratively and avoiding competing for the same properties.

**RESOLVED** that Cabinet:

- (1) approve the Council entering into a contract with Capital Letters (London) Limited for the procurement of private rented accommodation for the prevention and relief of homelessness at an average cost of £2,500 per property sourced by the company.

### 14. **National Non-Domestic Rates – Applications for Discretionary Rate Relief**

The Lead Member for Resources and the Deputy Leader of the Council, Councillor McLennan introduced the report, which detailed new applications received for discretionary National Non-Domestic Rate (NNDR) relief since Cabinet last considered applications in May 2020. Cabinet's attention was drawn to the criteria to be considered in dealing with applications for NNDR relief from charities and on-profit making organisations, as detailed in Appendix 1 of the report. In concluding her introduction Councillor McLennan thanked officers involved in the support of businesses throughout the pandemic with members recognising the valued service provided by both applicant organisations to the community within Brent

**RESOLVED** that Cabinet:



- (1) approve the applications for discretionary rate relief in respect of National Non-Domestic Rate liability as set out and detailed in Appendix 2 of the report.
- (2) approve the policy amendment removing the end date of 31 March 2020 and that the review commence in October 2021.

15. **Authority to award a contract for refurbishment works at Stonebridge Annexe**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which sought approval to award a contract for the refurbishment works at Stonebridge Annexe, subject to the satisfactory completion of the Judicial Review period..

In considering the recommendations Cabinet noted the information provided in the exempt appendix accompanying the report along with the importance of the overall redevelopment proposals relating to Morland Gardens

**RESOLVED** that Cabinet:

- (1) approve the award of a contract for the refurbishment works at Stonebridge Annexe to Engie Regeneration UK & Ireland for £1,197,038.48, subject to the satisfactory completion of the Judicial Review of the planning permission decision process in respect of the Morland Gardens re-development.
- (2) note the update on the Morland Gardens redevelopment as detailed within paragraphs 3.12 – 3.14 of the report.

16. **Brent Annual Infrastructure Funding Statement**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which set out the annual Infrastructure Funding Statement, the Council was required to publish under the Community Infrastructure Levy (CIL) Regulations introduced in 2019. The statement outlined the performance on Brent's CIL and Section 106 planning obligations in relation to the previous financial year as well as an indication of future spending priorities on infrastructure in line with the Draft Local Plan and associated Infrastructure Delivery Plan. It was noted that Cabinet had recently approved a governance structure for the allocation of CIL which ensured the process was transparent, fair and reflected the Council's priorities.

In supporting the proposals, Cabinet were keen to highlight the positive outcomes of regeneration including the wider benefit to local communities.

Cabinet also noted the amendment that had been made to Table 8, Appendix 2 since the initial publication of the report.

**RESOLVED** that Cabinet:

- (1) note the content of the report and Appendix 1 - Brent Infrastructure Funding Statement 2019/20.

- (2) approve the Infrastructure Funding Statement set out in Appendix 1 of the report for publication on the Council's website by 31 December 2020.

## 17. **Commercial Property Rent**

The Lead Member for Regeneration, Property and Planning, Councillor Tatler introduced the report which sought approval to formalise the application process for commercial property rent deferrals. Cabinet noted that the impact of the coronavirus pandemic had highlighted the need to formalise the process, whilst still dealing with applications on a case by case basis and in a consistent and transparent way, helping the Council to act as a responsible landlord in supporting its commercial tenants.

In considering the recommendations of the report Cabinet noted the information presented in the exempt appendices

**RESOLVED** that Cabinet:

- (1) formalise the application process for full or partial rent deferrals or rent negotiation through an online form. The online form would ensure that tenants provide the necessary evidence to support their application and allow the Council to verify the claim and assess the liquidity and solvency of the business i.e. identify those tenants who were experiencing cash flow issues now but who would likely be in a better position to meet their rental costs in the future. The government was clear that where businesses could pay their rent, they should do so.
- (2) authorise a Panel consisting of officers from Property, Finance and Debt Collection departments to review each case and make recommendations to the Finance Director and the Strategic Director of Regeneration and Environment in accordance with the broad criteria below:
  - Temporary illiquidity of the tenant is a direct consequence of the pandemic;
  - The business is considered to be a micro business or SME;
  - The premises has been closed due to the pandemic, it cannot trade or has suffered a significant reduction in trade;
  - Evidence of illiquidity in the form of cash flow statement, statement of means or financial accounts;
  - Where the tenant is letting multiple premises from various landlords, the Council acts consistently with those other landlords;
  - There is a good prospect of the tenant's business recovering.
- (3) delegate authority to the Finance Director, in consultation with the Strategic Director of Regeneration and Environment, to make full or partial rent deferral and rent negotiation decisions (in exceptional cases this may include lease re-gearing) on commercial tenancies to effect the most appropriate commercial property solution on a case-by-case basis.
- (4) Where businesses have arrears and do not engage in the process for applications for rent deferrals, or do not conform to the agreement made as part of that process, that the Council use the full legal powers to recover rent

now and in the future. This would include:

- i. Use of commercial rent arrears recovery, where allowed by statute (for example, where Brent is owed 276 days or more of unpaid rent);
- ii. Adding interest where tenants have not agreed rent deferrals with the Council (this is generally a standard lease provision);
- iii. Threat of forfeiture of the lease once the moratorium on forfeiture of commercial leases for non-payment of rent is lifted.

- (5) agree that the above measures provide an incentive for tenants to either pay their rent or formally agree an arrangement with the Council.

**18. Exclusion of Press and Public**

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

**19. Any other urgent business**

None.

The meeting ended at 11.08 am

COUNCILLOR MUHAMMED BUTT  
Chair