



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 21 July 2014 at 2.00 pm

PRESENT: Councillor Butt (Chair), Councillor Pavey (Vice-Chair) and Councillors Hirani, Mashari, McLennan, Moher and Perrin

Also present: Councillors S Choudhary, Collier, Farah, Filson, Harrison, Kabir, Long, Mahmood and Tatler

Apologies for absence were received from: Councillors Denselow

1. Declarations of personal and prejudicial interests

Councillors Hirani, McLennan, Pavey and Perrin declared personal interests as members of the Barham Park Trust Committee.

2. Minutes of the previous meeting

RESOLVED:

that the minutes of the previous meeting held on 16 June 2014 be approved as an accurate record of the meeting.

3. Matters arising

None.

4. Deputation - changes to recycling and green waste collections

With the consent of the Cabinet, Martin Redston addressed the meeting and expressed concern over the proposals to introduce a new 'opt in' chargeable green garden waste service. He felt the proposals were unfair and would involve cross subsidy to the advantage of regular users. The new arrangements would be problematic for residents who lived in flats and had limited space. Martin Redston questioned the ability of the equipment to cope with all types of twigs and the likelihood of it becoming clogged. Finally he felt that the proposals would result in an increase in dumping as people sought to avoid paying the charge.

Mr Redston suggested that consideration of the report should be deferred to allow time for further analysis and to seek expert opinion.

5. Changes to Recycling and Green Waste Collections

The report from the Strategic Director, Environment and Neighbourhoods presented a proposal to reduce the amount of waste generated by Brent residents and to deliver £378,000 financial savings. This would be done by increasing the frequency of the dry recycling service and by extending the coverage of the weekly separate food waste collection service. It was intended these improvements would be made possible by implementing a new 'opt in' chargeable garden waste collection service. These proposals would improve and extend the council's recycling offer and reduce the amount of waste generated overall. They would also abide by the national waste hierarchy, which recognised prevention of all waste and the recycling of food waste as having the best environmental impacts with regard to waste management.

In response to a deputation earlier in the evening objecting to the proposals, Sue Harper (Strategic Director, Environment and Neighbourhoods) accepted there would be a differential service in the Winter months and the charge was £40 for the year, an average of 80p per week. Cross subsidies could not be avoided and she felt this was the fairest system drawing comparisons with other boroughs. Sue Harper acknowledged the chances of increased fly tipping but felt the new waste management contract was prepared to deal with this.

Councillor Perrin (Lead Member, Environment and Neighbourhoods) spoke in favour of the proposals which, he felt would help reduce demand for grey bins. Residents of all street level properties would have access to the arrangements and would still be able to take garden waste to recycling facilities should they wish. Councillor Perrin drew attention to a supplementary report which corrected para 9.2 to indicate that the contractor Veolia would make up any difference fully to a guaranteed annual amount offered of £400,000 and would pass on to the council any income collected over and above £400,000.

Other members welcomed the proposals, weekly recycling and the opportunity to reduce landfill. They looked forward to a full, clear communication strategy. Councillor Mashari felt the report was comprehensive and questioned how it could link with West London Waste Authority or the compost site at Abbey Road.

Sue Harper agreed to look into the feasibility of using the waste to provide compost for allotments and advised that discussions were taking place with Ealing Council over West London Waste.

The Cabinet heard that Viv Stein had submitted a statement on behalf of Brent Friends of the Earth responding to the proposed changes to the strategy which was read out at the meeting and which raised concerns and made suggestions over emissions, charges and equality, communications, contamination and fly tipping, community composting and recycling.

In response, Sue Harper referred members to the acknowledgement in her report that CO₂ emissions would be slightly worse as vehicles to be used were less fuel efficient however performance indicators for emissions would be in place and efforts would be made to reduce emissions in other areas.

In response to a contribution from Councillor Choudhary, the Leader of the Council pointed out that the onus would be on Veolia to make good any shortfall and the council had a responsibility to reduce landfill. He assured that the arrangements would be kept under review.

RESOLVED:

- (i) that approval be given to increasing the frequency of the dry recycling service to a weekly service;
- (ii) that approval be given to the extension of the separate food waste collection service to all street level properties;
- (iii) that approval be given to the introduction of a chargeable garden waste collection service as the means of facilitating these improvements as set out and detailed in section 4 of the report;
- (iv) that the financial and non-financial benefits that would accrue from these changes be noted;
- (v) that approval be given to the amendment to the Public Realm Contract and the minor changes to the contract targets to allow these proposals to go ahead.

6. Road closures for street parties and special events

Councillor Perrin (Lead Member, Environment and Neighbourhoods) introduced the report from the Strategic Director, Environment and Neighbourhoods which advised on the current charges for street parties and a recommendation to reduce costs for street parties and special events, following complaints that the Brent charge was excessive in comparison to other London boroughs.

Councillor Pavey (Deputy Leader) sought and received assurances that any guidance documents prepared for the public would be in keeping with Brent house style.

RESOLVED:

- (i) that approval be given to a reduction of charges for street parties and special events (for example, ad-hoc play street applications) organised by local residents on non-traffic sensitive streets from £1,325 to £200 per event plus VAT to cover the costs of producing the required statutory Traffic Order, drafting the site notice and checking traffic management plans;
- (ii) that approval be given to the reduction of charges for regular special events (e.g. street closures for annual religious events, or regular events hosted by local community groups) from £1,325 to £1,125 plus VAT;
- (iii) that the charges for special events hosted by commercial groups be maintained at the current rate of £1,325 plus VAT;
- (iv) that it be noted that street party organisers would continue to be required to arrange their own traffic management and meet these costs in full under the new application process.

7. Extension of Childcare at Treetops and Barham Park Children's Centres

The report from the Strategic Director, Children and Young People set out proposed changes to Brent's children's centres which aimed to increase the supply of childcare while maintaining the reach of children's centre provision. The changes set out in the paper represented an adjustment to the current offer rather than a major re-organisation. Councillor Moher (Lead Member for Children and Young People) in introducing the report assured Cabinet that the aim was to increase places and not decrease activity, at no additional costs to the council. The decision on the Barham Park Children's Centre was subject to the trustees agreement. It was noted that officers aimed to implement the proposals in order to enable children to begin to take up places at the new provision from September 2014.

Councillor Harrison raised questions on consultation over the proposals and how the arrangements would work with the existing scheme at St Raphael's. Councillor Collier questioned the need for changes to the provision at Treetops given the proximity to an existing health centre.

Sara Williams (Operational Director, Early Help and Education) advised that St Raphael's had space not currently used which would be brought into use to make the overall centre more viable. She acknowledged that the communication could have been more extensive. It was also put that the new arrangements for Treetops would encourage closer working with the medical centre and also provide opportunities to engage other disadvantaged groups in line with OFSTED recommendations.

RESOLVED:

- (i) that approval be given to the re-designation of the children's centre satellite delivery at Barham Park Children's Centre (currently 1.5 days per week) as Nursery Education Grant-funded childcare provision for two, three and four year olds open five days per week, managed by a private, voluntary or independent early years provider, with children's centre sessions being delivered in the evenings and at weekends and seeks permission for the proposed changes from the Barham Park Trust;
- (ii) that approval be given to the reorganisation of the Willesden Locality Children's Centres so that Treetops Children's Centre building becomes a satellite children's centre providing evening and weekend sessions, with new satellite provision being established part-time in Willesden Health Centre;
- (iii) that approval be given to the use by the current private provider of on-site nursery provision at Treetops Children's Centre of the space released during the working day to provide additional Nursery Education Grant-funded nursery for two, three and four year olds;
- (iv) that approval be given to the conversion of the large hall at St Raphael's Intergenerational Centre using two year old capital funding to provide Nursery Education Grant-funded childcare for two, three and four year olds, open five days per week, such childcare to be managed by a private, voluntary or independent early years provider.

8. **ASC Accommodation Based Care and Support Market Development Plan (MDP)**

Councillor Hirani (Lead Member, Adults, Health and Well-being) reminded the Cabinet that Brent's first Market Position Statement (MPS) was published in January 2014 as a first step in ensuring that the local authority was fulfilling its new duty under the Care Act 2014 to promote the diversity, quality and sustainability in the local care and support market. The Market Development Strategy (MDS) as now proposed, would set out the approach to be taken to developing the models of accommodation and how to engage with the market to develop new provision. The MDS therefore set out how to deliver on this commitment. Councillor Hirani added that the plan would also help meet London Living Wage obligations and drew attention to work done through the New Independent Living Accommodation (NAIL) project to intervene in the market and work with partners and also the engagement plan to improve relationships. The equalities impact assessment indicated the proposals would be beneficial to providers and service users.

The Strategic Director, Adults advised that he would be reporting back on the strategy annually.

RESOLVED:

- (i) that approval be given to the Market Development Strategy (MDS) for publication;
- (ii) that the Adult Social Care's new strategic approach to development of the local social care marketplace be endorsed.

9. **Proposals for Clement Close**

On 15 July 2013 the then Executive approved that the former respite care centre at 1 Clement Close, together with adjacent lands, be considered for an 'internal' use such as general needs housing development under the housing revenue account (HRA) or adult social care (ASC) provision. It was agreed that if a transfer between portfolios was deemed necessary to facilitate this, then the District Valuer be appointed to ascertain the appropriate transfer price. The report before the Cabinet reviewed the options for a use that supported the delivery of the Borough Plan and brought forward proposals for the subject site to be used as adult social care provision for clients with learning disabilities. The report sought approval for an exemption to the tendering requirements of Contract Standing Orders and delegation of powers to officers to agree the terms and enter into a development agreement with Brent Housing Partnership (BHP) to develop the subject site.

Councillor McLennan (Lead Member for Regeneration and Housing) advised that the council was working closely with BHP to provide 10-14 homes. Members welcomed the report and the opportunity to provide for this client group.

RESOLVED:

- (i) that approval be given to the use of the former respite care centre at 1 Clement Close and adjacent lands, London, NW6 7AL (the "Clement Close Site") as adult social care provision for clients with learning disabilities;

- (ii) that approval be given to an exemption from the procurement requirements of Contract Standing Orders and the delegation of authority to the Operational Director of Property and Projects in consultation with the Director of Legal and Procurement to agree the terms and enter into a development agreement with Brent Housing Partnership to develop the Clement Close Site as detailed in the 'development delivery' section in the report;
- (iii) that approval be given the total scheme development costs within the range of £2,604,147 (10 homes) to £3,334,017 (14 homes);
- (iv) that approval be given to capital funding comprising of grant funding contributions from the Greater London Authority Mayor's Housing Covenant 2015-18 from £430,000 (10 homes) to £620,000 (14 homes), £510,000 from the Adults Social Care capital budget allocation of £1.8m and unsupported prudential borrowing of £1,664,147 (10 homes) to £2,204,017 (14 homes).

10. **Peel Road update on proposals**

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report which set out proposals for the redevelopment of 1-5 Peel Road, Wembley detailed in Appendices 1 and 2 of the report as independent living accommodation for clients with learning disabilities. The report sought approval for an exemption to the tendering requirements of Contract Standing Orders and delegation of powers to officers to agree the terms and enter into a development agreement with Brent Housing Partnership to develop the subject site.

Members welcomed the proposals for the site which had been empty for a number of years.

The Cabinet also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

- (a) Information relating to the financial or business affairs of any particular person (including the authority holding that information) and (b) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:

- (i) that approval be given to the use of 1-5 Peel Road, Wembley, HA9 7ZY (the "Peel Road Site") as independent living accommodation for clients with learning disabilities;
- (ii) that approval be given to an exemption from the procurement requirements of Contract Standing Orders and the delegation of authority to the Operational Director of Property and Projects in consultation with the Director of Legal and Procurement to agree the terms, and enter into a development agreement with Brent Housing Partnership to develop the Peel Road Site as detailed in paragraph 3.13 of the report;

- (iii) that approval be given to the total scheme development costs in the range £2,658,158 (10 homes) to £3,373,414 (14 homes);
- (iv) that approval be given to capital funding comprising of grant funding contributions from the Greater London Authority Mayor's Housing Covenant 2015-18 from £430,000 (10 homes) to £602,000 (14 homes); £510,000 from the Adults Social Care capital budget allocation of £1.8m and unsupported prudential borrowing of £1,718,158 (10 homes) to £2,261,414 (14 homes).

11. **Housing Strategy**

The report from the Strategic Director, Regeneration and Growth presented the draft Housing Strategy, covering the period 2014-19, for approval. Councillor McLennan referred to the consultation that had taken place on the strategy and the need to continue to work closely with partners in the private and social improvement sectors.

Councillor Mashari (Lead Member, Employment and Skills) referred to the need for an employment focus and alignment with the employment market to avoid benefits caps under the Welfare Reforms. Additionally, she felt that the Living Wage should be promoted in wards with persistent under employment and unemployment levels.

RESOLVED:

- (i) that approval be given to the Housing Strategy 2014-19 as appended to the report from Strategic Director Regeneration and Growth;
- (ii) that it be noted that the Evidence Base for the Strategy would be published online simultaneously and that the Action Plan setting out the detail of delivery would be completed following approval of the Strategy.

12. **Brent RE:FIT Programme Report – authority to proceed to Call-Off Contract Phase 2**

Brent REFIT was a programme designed to deliver energy savings for existing corporate buildings and schools using the GLA REFIT Framework Agreement. Councillor McLennan (Lead Member, Regeneration and Housing) advised that the programme was an "Invest to Save" scheme with guaranteed returns over the agreed payback period which aimed to contribute to reducing energy consumption and its associated costs in addition to mitigating CO₂ emissions with the installation of Energy Conservation Measures (ECMs) in Brent Council buildings and schools. An investment of £941,980 would deliver guaranteed energy savings of 2,158MWh worth £110,376 per annum at current prices giving a simple payback of 8.5 years equating to 25.3% energy savings against baseline (CO₂ reduction against baseline equal to 26.1%). Vale Farm Sports Centre and nine schools would be involved.

Conrad Hall (Chief Finance Officer) advised that the returns would be assessed on a case by case basis and were seen to be reasonable. It was noted that should a school change status to an academy there was risk that responsibility to meet debt payments could be negated and the Chief Finance Officer assured Cabinet that terms would be as strong as possible.

The Cabinet also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:

- (i) that approval be given to award an Energy Performance Contract (EPC) under the Framework Agreement provided by the GLA RE:FIT programme to install energy conservation measures (ECMs) in selected Brent corporate public buildings and a number of Brent schools within the Schools Expansion Programme for the contract value of £941,980 to Imtech Technical Services Ltd (Imtech);
- (ii) that approval be given to fund the proposed Brent REFIT schemes from a combination of unsupported borrowing, corporate reserves and individual school balances to the value of £674,230 and from Salix Funding for the amount of £267,750;
- (iii) that approval be given to the appointment of the Building Research Establishment (BRE) to provide continued support and technical expertise through to completion of Call-Off Contract Phase 2 REFIT Programme (ECM Installation) at a cost of £35,152 (excl. VAT & expenses) from existing Property and Projects budgets.

13. Procurement and Management of Temporary Accommodation

The report sought authority pursuant to the council's Contract Standing Orders 88 and 89 to invite tenders for a contract for the procurement and management of temporary accommodation in support of the Council's Housing Association Leasing Scheme (HALS). The procurement exercise was designed to provide a sufficient supply of accommodation within London and predominantly within Brent. The proposed contract was anticipated to commence from 1 February 2015 for a period of three years, with an option to extend for up to a further two years.

RESOLVED:

- (i) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders for the HALS Procurement and Management of Temporary Accommodation as set out in paragraph 3.2 of the report from the Strategic Director Regeneration and Growth;
- (ii) that approval be given to invite expressions of interest, agree shortlists, invite tenders for HALS Procurement and Management of Temporary Accommodation and evaluate them in accordance with the evaluation criteria referred to in section (i) above.

14. Bio Fuel Supplies for Civic Centre CHP

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report which requested authority to award contracts as required by Contract Standing Order No 88. This report summarised the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

RESOLVED:

- (i) that it be noted that for the reasons detailed in paragraph 3.6 of the Director's report, it was proposed that the priced is fixed for 3 years with indexation of the annual price in subsequent years;
- (ii) that the contract for bio-fuel supplies for Brent Civic Centre CCHP plant be awarded to Fleetsolve Limited.

15. **Carlyon Road - disposal of property**

The report from the Strategic Director set out proposals for the disposal of the Council's land and premises at 1C Carlyon Road, Alperton, HA0 1HH. Appendix 1 of the report detailed a location plan, title plan (as per heads of terms) and site plan (as per heads of terms). The Cabinet welcomed the proposals which were in line with council policy of mixed use development including affordable housing.

The Cabinet also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Cabinet thanked officers involved for their work on the project.

RESOLVED:

- (i) that approval be given to the disposal of a long leasehold interest in the land and premises at 1C Carlyon Road, Alperton, HA0 1HH, as outlined on the attached plan (Appendix A) on a subject to planning basis to the first preferred bidder as identified in the exempt from publication appendix 4 for a capital receipt and 100% nominations rights in respect of affordable housing provision in favour of the Council upon the grant of planning consent, subject to financial checks;
- (ii) that in the event that the above offer does not proceed satisfactorily delegated authority be given to the Strategic Director of Regeneration and Growth in consultation with the Lead Member for Regeneration and Housing to take a decision to revert to the first reserve bid as set out in the exempt from publication appendix 4, subject to financial checks;
- (iii) that authority be granted to the Operational Director Property and Projects to agree the terms of the transaction in consultation with the Chief Finance Officer.

16. Treasury Management 2013/14 Annual Report

The report from the Chief Finance Officer provided an update on Treasury Management activity and confirmed that the council had complied with its Prudential Indicators for 2013/14.

In response to questions on the position of investments outstanding from Icelandic Banks, the Chief Finance Officer reminded Cabinet that the majority had been recovered and the balance was earning interest until released.

RESOLVED:

that the 2013/14 Treasury Management outturn report, which had been presented to the Audit Committee and would also be submitted to Full Council be noted.

17. Review of 2013/14 Financial Performance

Councillor Pavey (Deputy Leader of the Council) introduced the report from the Chief Finance Officer which set out the year end financial position for 2013/14 and the unaudited statement of accounts. The draft statement of accounts had previously been considered by the Audit Committee on 26 June and a report on the work of KPMG the council's auditors would be submitted to the Audit Committee in September. Councillor Pavey was pleased to report that the council had no debt outstanding and was able to add £3M to reserves.

Conrad Hall (Chief Finance Officer) summarised the position on outturn, the accounts, future assets and liabilities, the pension fund and Council Tax collection. On reserves, he clarified that £12M was unallocated with the remainder committed but not spent. He agreed to provide members with a detailed note on reserves and balances.

Councillor Mashari suggested that funds be ring fenced to meet the costs of future welfare reforms and pointed to other costs that may have serious financial implications in the future including adult social care, landfill charges and parking. Councillor Collier raised questions on the balance sheet and the increase by £306m over the year to £435m as at 31 March 2014. Conrad Hall summarised the key contributions to this and agreed to provide a detailed written response. Questions were also raised on the level of debt write offs to which Conrad Hall responded that recovery action had been taken early and it was considered that the debt was not recoverable. Council Tax collection was currently just on target and the pension fund performance improving which would have a positive impact on the employer contributions.

RESOLVED:

that the year end financial performance and the unaudited statement of accounts be noted.

18. Financial report - May 2014

The report from the Chief Finance Officer highlighted the overall financial position of the Council as at May 2014 covering budget monitoring summary, Council Tax and

NNDR collection rates, debt analysis, capital programme summary and financial control. Councillor Pavey (Deputy Leader of the Council) was pleased to report that the capital programme was not forecasting an overspend and improvements had been made in debt collection.

RESOLVED:

that the financial report for May 2014 be noted.

19. Revenues, Benefits and Housing Software acquisition

Councillor Pavey (Deputy Leader of the Council) introduced the report from the Chief Finance Officer which concerned the procurement of Housing and Revenue and Benefits Software to replace existing software provided to the council by Northgate Information Solutions. The report requested approval to invite tenders in respect of software to enable the council to administer and manage its Housing service and our Revenue and Benefits services as required by Contract Standing Orders 88 and 89. The new contract would start in March 2016.

RESOLVED:

- (i) that approval be given to the invitation of tenders for software for the administration and management of the Council's Housing and Revenues and Benefits Services on the basis of the pre-tender considerations set out in paragraph 3.6 of the report from the Chief Finance Officer;
- (ii) that approval be given to the evaluation of the tenders referred to in (i) above on the basis of the evaluation criteria set out in paragraph 3.6 of the report from the Chief Finance Officer.

20. Performance and Finance Review Quarter 4

The report from the Assistant Chief Executive provided members with a corporate overview of performance information, to support informed decision-making, and to manage performance effectively. Benchmarking information was also provided where available from the London Councils' benchmarking club (LAPS). Where available, performance information covering the period April and May 2014 had also been included, to provide members with further performance trend data. Commentary was also provided to explain the performance of those measures which are rated as high risk. Ben Spinks (Assistant Chief Executive) drew members' attention to the commentary on remedial actions. It was noted that this was the last time that the performance information would be presented in this format. A revised format would be introduced for 2014/15 Quarter 1, including a refreshed suite of performance measures.

The Cabinet noted the statistics on looked after children and the number of moves in a year, however Councillor Moher (Lead Member, Children and Young People) cautioned against taking the statistics at face value. Concern was also expressed at the number of secondary schools judged as inadequate by Ofsted and Sara Williams responded that the council was working with schools to improve performance.

RESOLVED:

- (i) that the performance information contained in the report be noted and remedial actions taken as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and remedial actions taken as appropriate.

21. **Reference of item considered by Scrutiny Committee**

None.

22. **Any other urgent business**

None.

The meeting ended at 4.05 pm

M BUTT
Chair