



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE CABINET Monday 15 September 2014 at 2.00 pm**

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

Also present: Councillors Colacicco, Collier, Filson, Hector and Warren

1. **Declarations of personal and prejudicial interests**

None made.

2. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 26 August 2014 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Deputations**

None.

5. **Brent Education Commission Review**

The Cabinet at its meeting on 16 June 2014 considered the Brent Education Commission Report and resolved that the Lead Member responsible for Children and Young People and the Strategic Director, Children and Young People, consider the recommendations in detail and bring back a report in September 2014 with an action plan based on those recommendations that were accepted and would be taken forward.

Councillor Moher (Lead Member, Children and Young People) referred to the importance of improving partnerships and engaging with schools to improve education. The council was trying to foster good relations with academies, to build trust with schools and to be seen as an authority that provided good services. She referred members to the recommendations in the action plan and welcomed any further comments.

The Strategic Director of Children and Young People advised that a recent meeting of the Brent Partnership Board had been very positive. Councillor Mashari (Lead Member, Employment and Skills) welcomed the proposals in the report and the Director confirmed that those scheduled for 2014 were in progress and those for 2015 were on-going. Additionally, collaborative work was taking place with school governors so they could be more effective in their role on governing bodies and schools new to the borough would be contacted about arrangements and expectations. Councillor Pavey (Deputy Leader) welcomed the opportunity for schools to bid for innovation and improvement funding, working with Brent Schools Partnership to help delivery. He also drew attention to the challenge of school places and the need for the council to work to attract quality providers and work with partners to promote new and support existing schools.

**RESOLVED:**

- (i) that the high level Brent Education Commission Action Plan – Ambitious for All be endorsed;
- (ii) that it be noted that the Scrutiny Committee forward plan requested a six month update on implementation of the Education Commission action plan at its meeting on Tuesday 10 February 2015.

**6. School Expansion Programme - approval to procure works contracts for Phase 3 Projects**

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report which sought approval to a new strategy for the procurement of works contracts for the next phase of the school expansion programme (Phase 3), which aimed to provide sufficient permanent school places to meet demand from September 2015. Councillor McLennan explained that the delivery of the school expansions to time and budget was becoming increasingly difficult, partly as a consequence of changes in the construction market which were making it more difficult to procure contractors to build the schools. The proposal was to bundle school expansion projects into packages so as to be more attractive to contractors.

Councillor Moher (Lead Member, Children and Young People) welcomed the proposals and the increased opportunity to provide school places, sentiments echoed by the other Cabinet members. The Strategic Director, Regeneration and Growth confirmed that the usual consultation arrangements for expansions with schools and stakeholders would still apply.

**RESOLVED:**

- (i) that approval be given to the strategy for the procurement of works as set out in paragraph 3.16 of the report to deliver the Phase 3 School Expansion Programme of projects;
- (ii) that approval be given to the invite of tenders on the basis of the pre-tender considerations set out in paragraph 3.17 of the joint report from the Strategic Directors of Children and Young People and Regeneration and Growth where this was considered by the Strategic Director of Regeneration and Growth, in consultation with the Lead Member for Regeneration and

Housing, the Director of Legal and Procurement and Chief Finance Officer, as the most appropriate procurement route in accordance with the strategy for the procurement of works to deliver the Phase 3 School Expansion Programme;

- (iii) that in respect of paragraph (ii) above, approval be given to the evaluation of tenders on the basis of the evaluation criteria set out in paragraph 3.17 of the report. Following evaluation, Cabinet approval will be sought to award high value contracts in accordance with Council Standing Orders;
- (iv) that it be noted that officers would review a medium term procurement solution for the development and delivery of capital projects (including establishment of a Brent contractors framework) and report back to Cabinet early in the New Year, as described in paragraph 3.15 of the report.

## **7. Domestic Violence Advocacy, Family Support and MARAC coordination services**

The report from the Strategic Director, Environment and Neighbourhoods requested authority to award a contract for the provision of domestic violence advocacy service and family support and also multi agency risk assessment conference (MARAC) coordination as required by Contract Standing Order No 88. The report summarised the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, recommended to whom the contract should be awarded.

The Executive 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).

Councillor Denselow (Lead Member for Stronger Communities) in introducing the report, stressed the importance of needs in this area being met and referred to the appointment of a shadow minister for preventing violence against women and girls, Seema Malhotra, the first MP to hold this title. He referred to the high incidence of domestic violence, the problem of late reporting and the key issue that violent crime and studies have shown that 25% of young male offenders had experienced domestic violence at home. Councillor Denselow emphasised the council's commitment to the provision of a quality service and the paid tribute to the work of the advocacy service and MARAC coordination service that would now be carried out by Hestia Housing and Support.

Members welcomed the proposals and Councillor Mashari (Lead Member, Employment and Skills) referred to the need for services to be based around Customer Services where many presented. Councillor Hirani (Lead Member for Adults, Health and Well-being) referred to the decrease in crime which contrasted to the rise in domestic violence incidents. In response to a question on outreach work, Councillor Denselow added that much activity was taking place in other areas, including work to counteract female genital mutilation and the Cabinet

recognised that there was a cultural and sociological context to underreporting in general.

RESOLVED:

that the contract for the provision of a domestic violence advocacy service for women 16 years old and over, domestic violence family support and MARAC (Multi Agency Risk Assessment Conference) coordination service for all high risk victims be awarded to Hestia Housing and Support.

**8. Brent Local Implementation Plan (LIP) submission for 2015/16 - 2017/18**

Councillor Perrin (Lead Member for Environment) introduced the report which sought approval to submit the 2015/16 LIP to TfL and, following the approval of that body, to implement the schemes and initiatives within the submitted/approved LIP programme and funding. Local Implementation Plan funding was the primary source of funding for schemes and initiatives to improve transport infrastructure and travel behaviour in Brent allocated through Transport for London (TfL). Councillor Perrin outlined how the funding was proposed to be spent such as on cycle routes and collision reduction schemes.

Members welcomed the plan and in particular schemes relating to sustainable transport, air quality and school travel plans. Martin Francis (Brent Green Party) asked about progress of talks with TfL over bus route 206 which carried a high number of children travelling to the Ark Academy School in Wembley and expressed safety concerns particularly at the end of the school day. Councillor Butt (Chair, Leader of the Council) responded that discussions were continuing with a view to increasing capacity.

RESOLVED:

- (i) that the 2015/16 TfL provisional LIP allocation of £3,473,000 be noted;
- (ii) that approval be given to the proposed 2015/16 programme of LIP schemes, as set out in Appendix A of the report from the Strategic Director of Environment and Neighbourhoods, through application of the priority assessment tool described in the report and, subject to TfL approval in autumn 2014, the Head of Transportation be instructed to deliver the programme using the allocated budget and resources available;
- (iii) that the Head of Transportation be authorised to undertake any necessary statutory and non-statutory consultation and consider any objections or representations regarding the schemes set out in Appendix A of the report. If there were no objections or representations, or the Head of Transportation considers the objections or representations are groundless or insignificant, the Head of Transportation be authorised to deliver the schemes set out in Appendix A of the report. Otherwise, the Head of Transportation be authorised to refer objections or representations to the Highway Committee for further consideration;

- (iv) that it be noted that the scheme allocations were provisional and that schemes may be subject to change during development and following the consultation process;
- (v) that the Head of Transportation be authorised to vary scheme allocations where necessary (eg. pending the outcome of detailed design and consultation) within the overall LIP budget, in consultation with the Lead Member for Environment and Neighbourhoods and in accordance with financial regulations.

**9. Consultation on the proposed Mayoral Development Corporation for Old Oak and Park Royal**

Councillor McLennan (Lead Member for Regeneration and Housing) reminded members that Central Government had announced proposals for a new High Speed 2 and Crossrail interchange at Old Oak by 2026. Based around the opportunities presented by the new interchange and national and sub regional transport connections, the London Boroughs of Brent, Hammersmith and Fulham, and Ealing, as well as the Greater London Authority (GLA) and Transport for London (TfL), have produced a vision for regenerating the Old Oak area.

Councillor McLennan stated that the Mayor of London was now consulting on proposals to establish a Mayoral Development Corporation (MDC) for Old Oak and Park Royal to take the lead on the planning and regeneration of the area. Councillor McLennan acknowledged that a significant number of local businesses and residents would be impacted however a number of meetings had taken place and the aim was to get the best for Brent residents such as employment opportunities, generating development and providing affordable housing.

Councillor Pavey (Deputy Leader, Lead Member for Resources) acknowledged that there were differing views on the approach the council should adopt to get the best deal whether to reject proposals or negotiate at the outset. Councillor Mashari (Lead Member for Employment and Skills) stressed the need for local businesses to have representation on the MDC and also suggested that employment should be included in the list of local benefits.

Non-cabinet members and members of the public also contributed to the debate. The view was put that the council should oppose the MDC at the outset and then only work with it once established. It was questioned whether the Leader of the Council was best placed to sit on the MDC given his existing time commitments and whether the MDC was the right organisation to take forward views. On transport, it was felt that an extra station on the London overground line would not be sufficient. The public would want to travel between Wembley Central and Willesden Junction. There was also a view that more social housing should be provided and the Strategic Director, Regeneration and Growth confirmed that the council would be arguing for a housing mix, affordable for Brent residents.

Councillor Butt (Chair, Leader of the Council) re-emphasised the aim of getting good outcomes for residents and the council was united with the other boroughs. To have Wembley Central Station as a HS2 destination was key. He also agreed on the need for more affordable housing and the reference to employment as a benefit.

The Chair thanked those present for their contributions.

RESOLVED:

- (i) that the council response to the consultation cover the issues set out in paragraphs 3.25 to 3.29 of the report from the Strategic Director of Regeneration and Growth be approved;
- (ii) that authority be delegated to the Strategic Director of Regeneration and Growth in consultation with the Leader of the Council to finalise the exact wording of the final response.

#### 10. **Housing Zones bid for Alperton and Wembley**

Councillor McLennan (Lead Member for Regeneration and Housing) in introducing the report from the Strategic Director of Regeneration and Growth advised that London boroughs have been invited by the Greater London Authority (GLA) to bid for a £400 million programme, jointly funded by the Mayor and national government, to create 20 Housing Zones across London, delivering 50,000 new homes and over 100,000 associated jobs over the next ten years. It was proposed submit bids to the GLA to establish separate Housing Zones in two of the borough's identified growth areas, in Alperton and in Wembley which would unlock and accelerate the delivery of new homes but also increase the number of homes and the yield of affordable housing on development sites in the growth area.

In answer to a question from Councillor Perrin (Lead Member for Environment) Andrew Donald (Strategic Director, Regeneration and Growth) confirmed that the plans could involved the relocation of some businesses and discussions with the GLA were ongoing. He also reminded the Cabinet of the Alperton Master Plan agreed in July 2011 which considered the infrastructure, social and welfare needs of new and existing communities in the Alperton area. The Chair reminded members of the discussion earlier in the afternoon relating to the proposed new High Speed 2 and Crossrail interchange to which Wembley and Alperton would be key. Andrew Donald acknowledged that given the existing transport links in some areas of Alperton, the housing bid would need to include bus diversion and improved provision.

RESOLVED:

- (i) that the proposal to submit a bid to the GLA for Alperton to become a Housing Zone be endorsed;
- (ii) that the proposal to submit a separate bid to the GLA for Wembley to become a Housing Zone be endorsed;
- (iii) that authority be delegated to the Strategic Director of Regeneration and Growth to approve the final Housing Zone bids due for submission on 30 September 2014;
- (iv) that, if either or both bids are successful, a further report be brought to Cabinet on the required funding agreements between the Council and the GLA, and any associated matters, requiring approval.

## 11. **South Kilburn Regeneration Programme**

The report from the Strategic Director of Regeneration and Growth related firstly to Peel Precinct, 97 to 112 Carlton House and 8 to 14 Neville Close (together defined as 'the Peel Site' and as shown edged red on plan at Appendix 1), which included 36 affordable homes which were currently occupied by secure tenants (the 'Peel Homes') which were due for demolition as a stand alone Phase of the South Kilburn regeneration programme. It also related to Phase 3 of the South Kilburn regeneration programme.

Councillor McLennan (Lead Member, Regeneration and Housing) in introducing the report was particularly pleased that the Peel development included a long awaited health centre and also affordable housing and residential development that was fit for the 21<sup>st</sup> Century. She reminded the Cabinet that approval had already been given to compulsorily purchase properties currently occupied by secure tenants if necessary. Tenants would be made a suitable offer of a new replacement home and have a 'right to return' to the area.

Councillor Mashari (Lead Member, Employment and Skills) raised questions on the input from South Kilburn Trust and from retail and business interests. Councillor McLennan confirmed that the council was in regular contact with the South Kilburn Trust which it hoped would be formalised and the Strategic Director, Regeneration and Growth referred to the existing small businesses in the area and the larger ones that would be encouraged. Consultation would continue.

The Executive 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 the invite of tenders for a full design team for the comprehensive redevelopment of Peel Precinct, 97 to 112 Carlton House and 8 to 14 Neville Close (together defined as 'the Peel Site') on the basis of the pre-tender considerations set out in paragraph 3.8 of the report from the Strategic Director Regeneration and Growth;
- (ii) that approval be given to the evaluation of the tenders referred to in paragraph (i) above on the basis of the evaluation criteria set out in paragraph 3.8 of the report;
- (iii) that, having noted and considered the responses to the consultation as set out in Appendix 2 in connection with seeking approval of the Secretary of State for use in seeking possession of the 36 affordable homes which are currently occupied by secure tenants (the 'Peel Homes') under Ground 10A of Schedule 2 to the Housing Act 1985, authority be delegated to the Strategic Director of Regeneration and Growth to seek the Secretary of State's consent pursuant to Part V of Schedule 2 to the Housing Act 1985 to

the disposal and development of the Peel Site for the purpose of Ground 10A of Schedule 2 to be used to obtain possession of the Peel Homes;

- (iv) that, having noted and considered the responses to the consultation as set out in Appendix 2 in connection with the intention to make a Compulsory Purchase Order (CPO) on the Peel Homes and in connection with the draft Allocation Policy for the Peel Homes, approval be given to the adoption of the Allocation Policy which will apply to the Peel Homes and which includes the proposal to make a CPO on the Peel Homes as well as seeking possession of the Peel Homes, subject to the Secretary of State's consent, under Ground 10A of Schedule 2 to the Housing Act 1985. This Allocation Policy sets out the basis on which replacement homes will be allocated to secure tenants in the Peel Homes and the legal means to be adopted for seeking possession of the Peel Homes through the use of Ground 10A of the Housing Act 1985 (if approval is given by the Secretary of State) and compulsory purchase powers under section 226(1)(a) of the Town and Country Planning Act 1990.

### *Phase 3*

- (v) that the Strategic Director of Regeneration and Growth be authorised to commence statutory consultation with secure tenants residing in blocks Hereford House and Exeter Court (being part of 'Phase 3') on three proposals (i) statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act 1985 (ii) consultation on the Council's proposal to make a CPO on properties in Hereford House and Exeter Court that are currently occupied by secure tenants (iii) consultation in connection with the draft allocation policy for allocating homes to secure tenants living within Hereford House and Exeter Court. Officers to report back to the Cabinet on the outcome of the statutory consultation and may, depending on the outcome of the consultation seek Cabinet approval to (i) authorise the Director of Regeneration and Growth to seek the Secretary of State's consent to the disposal and development of the Peel Site for the purpose of Ground 10A of the Housing Act 1985, (ii) authorise the final Allocation Policy for Hereford House and Exeter Court, and (iii) proceed with securing vacant possession of properties within Hereford House and Exeter Court occupied by secure tenants through negotiation and private treaty and then, if necessary, via possession proceedings based on Ground 10A and CPO.

## **12. Developing the Brent Borough Plan 2015-2019**

The Chair (Leader of the Council, Councillor Butt) introduced the report from the Chief Executive which set out proposals for the development of the Brent Borough Plan for the period 2015–2019 following the local elections in May 2014. It covered the key challenges for developing a strategic, partnership agenda for the borough and outlined a programme for engaging with residents and key partners to create an ambitious programme of change, during a period of continued financial constraint. The Chair drew members' attention to the consultation arrangements which included a 'Call for Evidence', focus groups, surveys and coverage on social media. Wards had a number of active groups and it was hoped to raise awareness



across the borough. Partners for Brent had considered the need for a clearer focus on young people.

In discussion with non-Cabinet members and members of the public, the value of engaging with community and residents associations was emphasised and accepted by members of the public present. The plan was an important tool to help change the way the council operated and it was agreed that lessons should be learned from good practice in other local authorities. Councillor Butt assured that the council would be using a variety of customer insight techniques to be able to effectively target areas and ensure that all communities had the opportunity to contribute to the debate and that the council would listen. He drew attention the consultation timetable which would start in September and run into November 2014.

RESOLVED:

- (i) that the proposed arrangements for consulting on and developing the next Brent Borough Plan 2015 – 2019 be endorsed;
- (ii) that approval be given the timetable of actions set out at 3.15 of the Chief Executive's report.

### 13. **Update on Public Health Contracts**

Councillor Hirani (Lead Member for Adults, Health and Well-being) in introducing the report on public health contracts referred back to the Health and Social Care Act 2012 which conferred on local authorities the function of improving public health. The report from the Assistant Chief Executive provided an update to the Cabinet report of 13 January 2014 on future arrangements for public health contracts that the council inherited from the NHS. It provided an update on the proposed procurement process for contracts for 2015/16 onwards and requests approval to invite tenders in respect of such contracts as required by Contract Standing Orders 88 and 89 under council procedures. The Cabinet heard that the current contracts being re-procured had a combined value of £7.77 million. Public health contracts in 2015/16 would be a call upon the ring fenced public health grant.

In response to a question on school nurses and what could be hoped for in issues around family planning and FGM (female genital mutilation), Councillor Hirani acknowledged that there was only one bidder but advised that the relationship with schools was a main theme and he hoped for a proactive approach in referrals to nurses and for more to be done with the data that had been collected. Melanie Smith (Director of Public Health) responded to question on cross borough charging and stated that the council hoped to do collaborative negotiation with other boroughs. The Cabinet noted that while contractors may prefer three year contracts, the terms offered had been two years with the possibility of extension, should funding be available. The Cabinet also noted that contracts were demand led and would be reconsidered in the future.

RESOLVED:

- (i) that the progress made in developing options for the future commissioning and procurement of public health services be noted;

- (ii) that approval be given to the invite of tenders for the public health contracts detailed in Annexes 1–11 of the report from the Assistant Chief Executive on the basis of the pre - tender considerations set out in respect of each contract in Annexes 1-11 of the report;
- (iii) that approval be given to the evaluation of the tenders referred to in paragraph (ii) above on the basis of the evaluation criteria set out in respect of each contract in Annexes 1–11 of the report;
- (iv) that approval be given to an exemption from the usual tendering requirements of Contract Standing Orders in accordance with Contract Standing Order 84(a) to permit the negotiation of 2015/16 Genito-Urinary Medicine contracts as detailed in paragraph 4.9 and to permit the procurement on behalf of Brent Council of the Pan London HIV Prevention Programme by the London Borough of Lambeth and the consequent use of its own Contract Standing Orders as detailed in paragraph 4.7 of the report;
- (v) that authority be delegated to the Director of Public Health, in consultation with the Director of Legal and Procurement and Chief Finance Officer, to participate in negotiation of 2015/16 Genito-Urinary Medicine contracts as set out in paragraph 4.9 of the report.

**14. Performance report - Quarter 1**

The Chair (Leader of the Council, Councillor Butt) introduced the report which provided members with a corporate overview of performance information linked to the current priorities for Brent, to support informed decision-making, and to manage performance effectively.

RESOLVED:

- (i) that the performance information contained in the report from the Assistant Chief Executive be noted and remedial actions agreed as necessary;
- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to remedial actions as appropriate.

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

None.

**16. Any other urgent business**

None.

The meeting ended at 3.45 pm

M BUTT  
Chair