



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 10 November 2014 at 2.00 pm

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

Also present: Councillors Filson, Long, Mahmood and Perrin

Apologies for absence were received from: Councillor Denselow

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 13 October 2014 be approved as an accurate record of the meeting.

3. Matters arising

None.

4. Authority to tender a contract for Independent Reviewing officer (IRO) Service for Looked After Children

Councillor Moher (Lead Member, Children and Young People) introduced the report which requested approval to invite tenders in respect of the contract for the Brent Independent Reviewing Officer team (IRO) for Looked After Children as required by Contract Standing Order 88 and 89. Aid Hour was currently contracted by Brent Council to source and provide local independent IROs to enable the Local Authority to fulfil its statutory duty in this area of work. A new contract was entered into with Aid Hour, following approval under exemption from tendering, set out in CSO86 (e) (i). This contract was awarded for the period 1 April 2012 to 31 March 2014, with the option to extend for a further year, which was duly utilized.

Councillor Moher emphasised the need for high quality providers to be attracted to tender so that a good service could be available to support young people in care.

RESOLVED:

- (i) that approval be given to the invite of tenders for Brent Independent Reviewing Service for Looked After Children on the basis of the pre-tender considerations set out in paragraph (vi) of the report from the Strategic Director of Children and Young People;
- (ii) that the tender be let for a term of two years with the option to extend for a further 12 months;
- (iii) that officers evaluate the tenders referred to in paragraph (i) above on the basis of the evaluation criteria set out in paragraph (vi) of the report.

5. Future Development of Children's Centres

The report from the Strategic Director Children and Young People set out proposals to consult with staff and service users on the development of a sustainable model for the borough's children's centre provision to be implemented from September 2015. The aim of this process would be to retain and current service levels, while improving outputs and outcomes for 0 to 5 year olds while delivering efficiency savings. Councillor Moher (Lead Member, Children and Young People) in introducing the report, paid tribute to the role of children centres in supporting many parents and carers. Proposals now before the Cabinet involved a new model of delivery while maintaining responsibility.

In discussion, members referred to the increased opportunity for public health involvement and increased partnership working with school nurses within the environment. With the consent of the Chair, former councillor Helga Gladbaum addressed the meeting and expressed concern at accounts of staff shortages at children centres, pressure of work and sickness absence. She reminded the Cabinet of the contribution children's centres made in increasing employment and urged the council to identify additional sources of funding in service areas engaged in similar work. Helga Gladbaum also referred the need for children's centres to reach out and offer services to those communities most in need of support, in particular newly arrived families, often hindered by language barriers.

Councillor Butt (Chair, Leader of the Council) paid tribute to the ability of children's centres to operate despite the severe financial restrictions on the council and the need to find a unique delivery model to allow support for children and parents to continue.

RESOLVED:

that officers commence a programme of consultation and engagement with service users, staff and other stakeholders, reporting back to Cabinet in January 2015 with proposals for a sustainable model of delivery for the children's centres.

6. Allocation Scheme Review

Councillor McLennan (Lead Member, Regeneration and Housing) introduced the report from the Strategic Director Regeneration and Growth which set out proposals for alterations to the council's housing Allocation Scheme intended to align the scheme more effectively with strategic objectives, make best use of available resources and correct anomalies in the existing Allocation Scheme. She reminded

the Cabinet that the scheme had been reviewed in February 2014 and that in the intervening period the need for further changes had been identified. Consultation had taken place with registered providers and households on the housing register which indicated broad support. Areas of contention were related to bedroom allocation as a result of which the strategy has been reviewed. Councillor McLennan acknowledge that evidence indicated that the changes would have an adverse effect on some ethnic communities but this would be kept under review.

Councillor Pavey (Deputy Leader) referred to the overall shortage of housing and the proposal to allow couples with one child to bid for one bedroomed properties which he felt would encourage many to change their living areas into second bedrooms. Councillor McLennan responded that residents would welcome the opportunity to stay in the borough and more properties were coming on stream. In response to a request from Councillor Mashari (Lead Member, Employment and Skills) Councillor McLennan summarised the employment incentives referring to the opportunity to be discharged from welfare reform.

RESOLVED:

- (i) that the responses provided in the consultation process as summarised in Sections 4 and 5 of the report from the Strategic Director of Regeneration and Growth report (and as set out in more detail in Appendix 3 and in the Equality Impact Assessment in Appendix 1 to the report);
- (ii) that the content of the Equality Impact Assessment as set out in Appendix 1 to the report be noted;
- (iii) that approval be given to the proposed changes to the Council's Allocation Scheme as set out in paragraphs 5.1 to 5.8 of the report and summarised as follows:
 - (a) In specified circumstances, the Allocation Scheme will allow bids to be placed automatically through Locata where a household fails to bid.
 - (b) Band C priority should be restored for homeless households accepting a Qualifying Offer.
 - (c) The Allocation Scheme should allow direct offers to be made at the council's discretion rather than limited to exceptional circumstances.
 - (d) Adult children should not be allocated a separate bedroom if they are able to share with a same-sex sibling of any age.
 - (e) Parents who have only one child residing with them will be able to bid for one-bedroom properties where they choose to do so.
 - (f) Where the applicant is an under-occupier, adult children may be included as part of the household if the move is to a smaller home.

- (g) Households who were not employed at the time of application should be able to request the award of additional waiting time once they enter employment through submission of a change of circumstances form.
 - (h) Residence criteria should apply to homeless households as they do to other applicants.
 - (i) Overcrowding cases should move from Band B to Band C for all tenures.
 - (j) The omission of the Voluntary Sector Quota from the current Allocation Scheme should be corrected.
- (iv) that it be noted that a report on the impact of the changes based on the first six months following implementation would be presented to the Policy Coordination Group in July 2015.

7. Housing Private Finance Initiative project agreement revisions

As a result of a number of external factors the council's Housing Private Finance Initiative (PFI) project currently faced considerable financial challenges and a projected deficit which fell on the Local Authority. The report from the Strategic Director Regeneration and Growth proposed a number of contractual revisions to provide the council with flexibility in order to improve the financial performance of the project and substantially reduce the prospective deficit. These have been arrived at following a period of negotiation with the Council's PFI contract partner, Brent Co-Efficient (BCE) and following consultation with the Homes and Communities Agency (HCA) the Department for Communities and Local Government (DCLG). Councillor McLennan (Lead Member, Regeneration and Housing) in introducing the report, reminded the Cabinet that the PFI agreement was due to end in 2028 and, on current estimation, there would be a £17.1m deficit mainly due to welfare reforms introduced by central Government which led to rental income to fund required payments not having risen as assumed. The proposed changes introduced flexibility over the way in which the 364 units intended for use as temporary accommodation were used and the rents charged, with the effect of reducing the deficit to an estimated £1m by the end of the contract.

The Chief Finance Officer contributed that project was susceptible to legislative changes and would be kept under review. The Borough Solicitor added that this was seen to be the best way of the council meeting its fiduciary duties.

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 in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:

- (i) that the proposed revisions to the Project Agreement (and related documents) as set out in paragraphs 4.1 to 4.15 of the report from the Strategic Director Regeneration be noted and authority to agree of the final terms of revision to the Project Agreement (and related documents) contract be delegated to the Strategic Director for Regeneration and Growth in consultation with the Chief Finance Officer and the Borough Solicitor;
- (ii) that authority be delegated to the Strategic Director for Regeneration and Growth, in consultation with the Chief Finance Officer and the Borough Solicitor, to agree the variation to the PFI Project Agreement and all other related documents, in order to enable the contract revisions to be properly documented;
- (iii) that the Borough Solicitor, or an authorised delegate acting on her behalf, be authorised to execute all of the legal agreements, contracts and other documents on behalf of the council and such other legal agreements and documentation which may be necessary to give full effect to the variation to the PFI Project Agreement, subject to her receiving confirmation of continuing credit approval from the Department for Communities and Local Government, through the Homes and Communities Agency (HCA) or, executing such contracts and other documentation with a pre-condition that they shall only come into full effect upon the issuing of such PFI credit approval by the HCA/DCLG;
- (iv) that the Chief Finance Officer can issue, on behalf of the council, such certificate or certificates under the Local Government (Contracts) Act 1997 to:
 - a. Brent Co-Efficient in respect of the Deed of Amendment (or such other document) to give effect to the variations to the PFI Project Agreement;
 - b. Brent Co-Efficient's funders in respect of any the Direct Agreement Amendment Deed (or such other document) to give effect to the variations to the Direct Agreement entered into between the council, such the funders and Brent Co-Efficient; and
 - c. Hyde Housing Association and the Brent Co-Efficient's funders in respect of a the Residual Value Amendment Deed (or such other document) to give effect to the revised Residual Value Deed to be entered into between the council, Hyde Housing Association and the funders.
- (v) that the Chief Finance Officer be fully indemnified by the council in the event of any claim against him arising from the provision of any Certificate he may issue in accordance with recommendations/decisions in (iv) above.

8. **Review of Revenues Collection post 2016**

Councillor Mashari (Lead Member, Employment and Skills) introduced the report which considered the options available to the council for the future provision of the Revenues and IT service beyond April 2016. The existing contract for the

administration and collection of Council Tax and Non Domestic Rates (NNDR) along with the provision of IT for Revenues and Benefits was awarded to Capita for a 5 year period commencing in May 2011, with an option to extend for the further 3 years from 1 May 2016 to 30 April 2019. Councillor Mashari advised that the recommended option was to extend the existing contract for three years; the terms of the contract have been re-negotiated in order to achieve cumulative savings and improved collection targets. She referred to planned changes to Universal Credit the impact of which would be clearer at the point of retender in 2017. Councillor Moher drew attention to the anticipated cumulative savings of £1.901,593 between 2015/16 to 2018/19 and whether more were anticipated. The Strategic Director, Regeneration and Growth confirmed that discussion would continue to achieve more and regular meetings were scheduled.

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 the options for the future provision of Revenue and IT services as outlined in paragraphs 3.2 to 3.6 of the report from the Strategic Director of Regeneration and Growth be noted;
- (ii) that approval be given to officers' recommended option to exercise the contractual provision to extend the existing Revenues and IT contract with Capita for three years from 1 May 2016 to 30 April 2019.

9. Authority to award Employment Services Provider Framework

Councillor Mashari (Lead Member, Employment and Skills) introduced the report from the Strategic Director, Regeneration and Growth which sought authority to appoint providers onto the Brent Employment Services Framework, as required by Contract Standing Order 88. The report summarised the process undertaken in tendering the Framework and, following the completion of the evaluation of the tenders, recommended to whom the Framework should be awarded.

Councillor Mashari drew attention to evaluation criteria on which submissions were assessed and referred to upcoming call offs which included the re-commissioning of a Job Brokerage service and European Social Fund specifications due to be launched in January 2015.

RESOLVED:

that approval be given to approve the appointment of the twelve providers listed in Para. 3.15 of the report from the Strategic Director of Regeneration and Growth to the Brent Employment Services (multi-provider) Framework for an initial period of two years with an option to extend up to a further two years.

10. Disposal of basement space at 48d Mapesbury Road, London NW2 4JE

The report from the Strategic Director Regeneration and Growth sought approval to proceed with the disposal of the council owned basement space within the Housing Revenue Account (HRA) at flat 48d Mapesbury Road, London NW2 7JE for a capital receipt.

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:

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RESOLVED:

- (i) that approval be given to the leasehold disposal of the Council's basement space directly lying beneath 48d Mapesbury Road to the leaseholder of the same address, for a capital receipt;
- (ii) that authority be delegated to the Operational Director of Property and Projects to agree the terms of the disposal and grant a new lease for the sale of the basement space.

11. Annual report of the Director of Public Health for Brent 2014

The report from the Director of Public Health considered the health of the people in Brent. It outlined the major causes of mortality and morbidity as well as describing health related behaviours in Brent. It contained a number of examples of how the council and local people were responding to the health challenges in the borough. Councillor Hirani (Lead Member, Adults, Health and Well-being) advised that the report would be submitted to the Health and Well-being Board for reflection on the findings. He drew attention to key concerns in the report including sexually transmitted infections, life expectancy variation within the borough and the need to address conditions such as obesity, diabetes and the causes of premature deaths. Councillor Hirani was pleased to report a significant reduction in rates of teenage pregnancy in Brent.

Members in discussion raised questions on the finding that oral health in Brent was relatively very poor and the risk of child deaths increasing with co-sleeping and bed sharing. On sickle cell in the borough, the Director of Public Health advised that the council was reliant on the NHS and there would be greater focus on this in the near future. Members heard that the poor oral health was in the main attributed to low levels of registrations with dentists, misunderstanding on the use of baby bottles and poverty with dental care featuring low on the list of priorities. The cabinet also heard that life expectancy was improving for deprived communities however people were living longer with conditions and were pleased to note that a dedicated dementia workshop was due to take at the Health and Well-being Board.

RESOLVED:

that the Annual Report of the Director of Public Health for Brent 2014 which would be presented to the Health and Wellbeing Board for consideration be noted. The Health and Wellbeing Board will review its work programme and priorities in the light of the report.

12. Award of Contracts for Gas and Electricity

Councillor Pavey (Deputy Leader) introduced the report which requested authority to award contracts as required by Contract Standing Order No 88. The report summarised the process undertaken in procuring these contracts and recommended to whom the contracts should be awarded. Councillor Pavey referred to rising energy prices and efforts made to manage risk and control costs. The proposals would allow for consistent supply and value for money.

With the consent of the Cabinet, Councillor Perrin raised the question of reducing energy costs through changes to street lighting provision. The Chief Finance Officer responded that the framework would allow for best price at the appropriate time. He also advised, in response to a question from Councillor Filson, that schools would be recommended to take advantage of the cheaper option of purchasing energy through the council's framework and the cabinet agreed that school governors should be alerted to this opportunity through their newsletter and the Schools Forum.

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:

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RESOLVED:

- (i) that the contract for the Supply of Electricity be awarded to Npower Limited and Kent County Council for four years from 1 October 2016 via a call-off from the LASER framework;
- (ii) that the contract for the Supply of Gas be awarded to Total Gas and Power Limited and Kent County Council for four years from 1 October 2016 via a call-off from the LASER framework.

13. 2014/15 Mid-Year Treasury Report

Councillor Pavey (Deputy Leader) introduced report from the Chief Finance Officer which provided an update on treasury activity during the 2014/15 financial year. The Chief Finance Officer advised that the situation regarding the return of funds outstanding from Icelandic Banks continued to be monitored. Referring to high levels of interest on loans, the Chief Finance Officer reminded the Cabinet that these were taken out 20-30 years ago when interest rates were higher. Detailed consideration was being given to means of exit however the redemptive premium was prohibitive. The situation may change should interest rates rise.

RESOLVED:

that the 2014/15 mid-year Treasury report, which has been presented to the Audit Committee and will also be submitted to Full Council be noted.

14. **Any other business**

The Cabinet expressed support for the London Living Wage week (2-8 November) and for the forthcoming Small Business Saturday on 6 December 2014.

The meeting ended at 3.05 pm

M BUTT
Chair