



## LONDON BOROUGH OF BRENT

### MINUTES OF THE CABINET Monday 23 May 2016 at 7.00 pm

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

Also present: Councillors Chohan and Kelcher

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

None.

#### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 11 April 2016 be approved as an accurate record of the meeting.

#### 3. **Matters arising**

None.

#### 4. **Authority to award contract for the supply of Street Lighting LED Lanterns**

Councillor Southwood, Cabinet Member for Environment, introduced the report explaining a recent issue associated with the proposed award of the Lot 1 contract to Bouygues E&S Infrastructure UK Limited (Bouygues) for the supply of LED (Light Emitting Diode) street lighting luminaires, as recommended to Cabinet in January 2016.

Councillor Southwood explained that during the mandatory standstill, sometimes referred to as the 'Alcatel' period, which allows bidders to informally challenge tender results or seek clarity in how decisions were reached, a formal request was received by officers for clarification from an unsuccessful bidder.

Councillor Southwood explained that the main query concerned the calculations used by Bouygues to formulate their price. Subsequent technical analysis, and dialogue with Bouygues, revealed that arithmetical errors had indeed been made which prejudiced the savings proposals cited in their bid. The clarification also revealed some ambiguities in the council's specification which had been interpreted by bidders in different ways.

Councillor Southwood stated that this report proposed a method for effectively managing the issue and associated risks, whilst minimising the delay in realising carbon and energy savings.

Conrad Hall, Chief Finance Officer, highlighted to members that due to the delay in commencing this project, it is unlikely to achieve additional savings in 2016/17.

He stated that, if the proposal in this report was agreed, the anticipated savings of £0.75m per annum would still be achieved from 2017/2018 year onwards.

RESOLVED:

- (i) that the decision made in the Cabinet meeting of the 20 January 2016 to award the contract for the supply of LED (Lot 1 Light Emitting Diode) street lighting luminaires to Bouygues E&S Infrastructure UK Limited be rescinded, noting that all other recommendations made in that report remain unaffected;
- (ii) that officers be authorised to revert to the invitation to submit a Best and Final Offer (BAFO) stage in the Lot 1 tendering process for the supply of LED (Light Emitting Diode) street lighting luminaires using a revised specification, as detailed in paragraphs 3.12 to 3.22; and
- (iii) that authority be delegated to the Strategic Director (Regeneration and Environment), in consultation with the Chief Legal Officer, Chief Finance Officer and the Lead Member for Environment, to sanction the award of a contract to the Most Economically Advantageous Tender, based upon the criteria set out in paragraphs 3.22 to 3.25 in the report.

## 5. **Highways Investment Programme 2016/17**

Councillor Southwood, Cabinet Member for Environment, introduced the report stating that Brent's highways infrastructure (including roads and pavements) was the asset most used by the public and the most visible.

In common with other Highway Authorities, Brent had an increasing maintenance requirement which cannot be met through a standstill budget. Currently estimated in Brent at £100m, more defects were appearing year on year.

She stated that public expectations were rising with more customer reports of highways defects every year asking for these to be repaired.

An increase in the level of investment to maintain the highway network was required to respond to public concerns, make it safer and fit-for-purpose, and to improve public satisfaction.

She reminded Cabinet that The Highways Capital Scheme Programme 2016-17, approved at the 14 March 2016 Cabinet, set out proposals to allocate £3.55m of Brent capital to maintain the highway network.

Councillor Southwood stated that it was also possible to improve the management of highway infrastructure and offer a better customer service experience to residents and businesses.

She stated that the council had made a start in implementing an asset management approach through establishing a Highway Asset Management Plan.

Councillor Southwood stated that being more efficient in how and where the investment was spent, required confidence in information and the ability to analyse it, including budget vs condition level modelling scenarios.

She stated that the Council was investigating a “Brent Asset Management Tool”, a computer tool which would allow funding allocations to be better targeted for the best effect, including indicative treatment types from the condition data that would optimize the life of roads and pavements.

Councillor Southwood reminded members that improvement in asset management processes could also help secure future grant allocations, should TfL follow the DfT in changing the basis for funding allocation, as anticipated. Over a five year period the DfT would increase the proportion of Incentive funding that was based on “performance” (as measured by the level of asset management maturity reached); whilst the proportion that was based on ‘need’ would lessen. TfL was considering reforming the allocation of maintenance funding for Principal Roads in London to be along the same lines as the DfT model.

With the permission of the Chair, Councillor Kelcher, Chair of the Resources and Public Realm Scrutiny Committee, spoke welcoming the report. He asked Councillor Southwood to look at the content of the generic automated response sent to members of the public when they report a fault.

RESOLVED:

- (i) that approval be given to the investment of £2m in 2016/17 of Brent capital funding as summarised in Section 6 of the report from the Strategic Director, Regeneration and Growth;
- (ii) that approval be given to the major footway upgrade programme element of £1.3m to be carried out with pavement slabs being replaced with tarmac (instead of a like-for-like replacement as has been the practice up until now, see section 3.2.1 of the Strategic Director’s report);
- (iii) that approved be given to the proposed additional highways investment programme for 2016-17 as detailed in Appendix B of the Strategic Director’s report;
- (iv) that the major footway upgrade programme of £1.510m approved in the Highways Capital Scheme Programme 2016-17, approved at the 14 March 2016 Cabinet, be carried out with the pavement slabs being replaced with tarmac as a default. Category 1 & 2 footways and conservation areas would be considered on a case by case basis, but would normally be replaced like for like. (Appendix E) (see section 3.2.12 of the report);
- (v) that the “Footway upgrades – short sections” pavement allocation of £0.150m approved in the Highways Capital Scheme Programme 2016-17, approved at the 14 March 2016 Cabinet, be carried out with:
  - a) in conservation areas or Category 1 & 2 footways, considered on a road by road basis but generally slabs (See section 3.2.12);

- b) where the length to be replaced is junction to junction, the pavement slabs being replaced with tarmac – even though it may only be only side of the street only;
- c) otherwise, for sections shorter than junction to junction, pavement surface to be replaced like for like.

**6. School site, 399 Edgware Road, NW9 0JJ & 434 Church Lane, NW9 9BD**

Councillor Butt, Leader of the Council, introduced the report asking Cabinet to approve the grant of a 125 year lease to the Floreat Education Academies Trust (FEAT) to enable the construction of a two form entry primary school on a site that forms part of the Oriental City redevelopment site.

Councillor Butt stated that granting an interim three year lease to FEAT for the period of construction at 434 Church Lane, Kingsbury, NW9 9BD, on completion of construction, FEAT would move out of Church Lane to the new school at the Oriental City development.

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 the grant of a 125 year lease, to Floreat Education Academies Trust, on the terms described in the report from and the head of terms in confidential appendix 1, for the proposed two form entry primary and nursery school, at the Oriental City redevelopment at 399 Edgware Road, NW9 0JJ, “the subject site”, Appendix 2 of the report from the Strategic Director of Resources;
- (ii) that approval be given to the grant of a three year lease to the Floreat Education Academies Trust, on the terms described in the report from the Strategic Director and the heads of terms in confidential Appendix 3, for 434 Church Lane, Kingsbury, NW9 9BD, Appendix 4;
- (iii) that authority be delegated to the Strategic Director, Resources, in consultation with Strategic Director, Children and Young People, to finalise negotiations and enter the leases.

**7. Clock Cottage Investment & Redevelopment Proposals**

Councillor Butt, Leader of the Council, reminded members that the council’s Strategic Property Plan 2015-19 set out a presumption for Brent to retain its limited property assets, utilising them to support regeneration, generating revenue savings, and capital investment for new income generation.

Councillor Butt stated that the report proposed that capital investment be approved to enable Brent Council to redevelop Clock Cottage, Kenton Road, London, HA3 0YG (the subject site) delivering 17 homes of “New Accommodation Independent Living” (NAIL) to

house at least 19 people with care and support needs. The anticipated 19 residents would pay affordable rents with specialist support packages provided by Adult Social Care.

RESOLVED:

- (i) that approval be given to capital investment of £4.123m, to bring forward the proposed 17 New Accommodation Independent Living (NAIL) homes at Clock Cottage;
- (ii) that authority be delegated to the Strategic Director for Resources in consultation with the Chief Legal Officer and the Chief Finance Officer to oversee the Clock Cottage redevelopment scheme progression through further viability testing, local consultation, and planning consent;
- (iii) that authority be delegated to the Strategic Director for Resources in consultation with the Chief Legal Officer and the Chief Finance Officer in respect to a works contract for the Clock Cottage redevelopment to agree pretender considerations, invite tenders and thereafter award the contract.

#### **8. Extension of a Contract in respect of Software Licence Maintenance and Support**

Councillor McLennan, Deputy Leader of the Council, stated that report sought authority to extend the contract for software update licences and support for the council's Financial and HR/Payroll systems.

She stated that Cabinet had previously approved the extension of the contract for software update licences and support for financial and HR/Payroll systems to Oracle Corporation UK Limited for a period from 1 June 2016 to 16 May 2018.

Councillor McLennan stated that the cost of the two year extension was £517k. The proposal ensured that the council continued to benefit from the 90% discount on which the contract from 2012 was based. She stated that it also included a discount for entering into a two year commitment.

RESOLVED:

that approval be given to the extension of the contract for software update licences and support for financial and HR/Payroll systems to Oracle Corporation UK Limited for a period from 1 June 2016 to 16 May 2018.

#### **9. Nominations to outside bodies and Cabinet Committees**

RESOLVED:

- (i) that the appointment of members by the Leader to the Highways Committee, Joint Lewisham ICT Committee and West London Economic Prosperity Board as set out below be noted;
- (ii) that the appointment of members to the Barham Park Trust Committee, London Housing Consortium - Building Components and Solutions and South Kilburn Trust be agreed as shown below:

	<b>Cabinet Committees</b>	<b>2016/17 representation</b>
(i)	Barham Park Trust Committee (5 Cabinet members)	Farah Hirani Pavey McLennan (C) Southwood  Substitutes: Butt, Mashari, W Mitchell Murray
(ii)	Highways Committee (5 Cabinet members)	Farah Hirani Mashari (VC) W Mitchell Murray Southwood (C)  Substitutes: Butt, McLennan, Pavey
(iii)	Joint Lewisham ICT Committee (2 Cabinet members)	Butt and McLennan
(iv)	West London Economic Prosperity Board (1 Cabinet member)	Butt
	<b>Outside bodies</b>	
(i)	London Housing Consortium - Building Components and Solutions	Farah
(ii)	South Kilburn Trust	Duffy

#### 10. **Reference of item considered by Scrutiny Committee**

Councillor Kelcher, Chair of the Resources and Public Realm Scrutiny Committee, agreed to submit questions relating to a previous Cabinet decision by email.

#### 11. **Any other urgent business**

None.

The meeting ended at 7.24 pm

M BUTT  
Chair