



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 21 September 2015 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 S Choudhary

1. Declarations of personal and prejudicial interests

Councillor Pavey declared a personal interest in the item relating to NNDR as the Chair of Barham Trust and also Councillors Denselow, Hirani, McLennan, Southwood as members of the Trust. Councillor Mashari declared an interest in the Welsh Harp Environmental Centre item as ward councillor.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 24 August 2015 be approved as an accurate record of the meeting subject to noting under Clause 8 Affordable Housing Supply Programme – Right to Buy Receipts 2015–2019: “Councillor Pavey had also commented that in looking for a partner for the extension of right to buy, there would be a significance difference between working with not for profit organisations such as registered social landlords, vs working with a private sector partner.”

3. Matters arising

None.

4. Authority to Procure and Award Nursing and Residential Reablement Beds

The report from the Strategic Director, Adults requested authority to procure nursing, short stay and reablement service contracts for the provision of residential and nursing care beds for 2015/16 and 2016/17 (for a 12 month period commencing November 2015) to support timely, safe discharge from hospital, and manage the risk of delayed transfer of care using the West London Alliance Accreditation, Purchasing and Contract Management List.

Councillor Hirani (Lead Member, Adults, Health and Well-being) welcomed the proposals and the opportunity for further integration. The proposals were in line with the findings of the Brent and Harrow Systems Resilience Group and efforts to reduce waiting times for patients needing specialised nursing home beds and also

increase control over purchase costs. The aim was to start in November in time for the Winter pressures.

RESOLVED:

- (i) that approval be given to an exemption pursuant to Contract Standing Order 84 (a) from the requirement to tender nursing, short stay and reablement service contracts for the provision of nursing, short stay and reablement beds for 2015/16 and 2016/17 (for a 12 month period commencing November 2015), and instead permits the procurement of contracts using a quote process under the West London Alliance Accreditation, Purchasing and Contract Management List;
- (ii) that authority be delegated to the Strategic Director, Adults in conjunction with the Chief Finance Officer and Chief Legal Officer to award any High Value Contracts procured under the West London Alliance Accreditation, Purchasing and Contract Management List.

5. **Deferred Payment Agreement Policy**

Councillor Hirani (Lead Member, Adults, Health and Well-being) introduced the report which set out the amendments to Brent's Deferred Payment Agreement Policy following the introduction of the Care Act 2014. Councillor Hirani explained that currently there were only five deferred payment agreements in place in Brent as of 2014/15 (which allowed a person to 'defer' or delay paying the costs of their care and support until a later more convenient date) however under the Care Act the scheme would be more widely available to people who met the eligibility criteria for the scheme from 1 April 2015. Councillor Hirani advised that the scheme would be cost neutral by way of the charging process to recover costs.

RESOLVED:

that approval be given the amendments to the Deferred Payment Agreement Policy, specifically the administration charge; interest rate and discretionary elements of the proposal.

6. **Approval to tender contracts for accommodation based social care support and rehabilitation services - high to medium mental health contracts**

In accordance with Contract Standing Orders 88 and 89, the report from the Strategic Director, Adults requested approval to procure two contract for Accommodation Plus provision to support people recovering from mental health problems. The current contracts were due to expire on 1 April 2016. Councillor Mashari (Lead Member, Employment and Skills) was assured that the contracts would be London Living Wage compliant.

RESOLVED:

- (i) that approval be given to the invite of tenders for two Accommodation Plus contracts to support people with mental health problems on the basis of the pre-tender considerations set out in paragraph 3.9 of the report from the Strategic Director, Adults;

- (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 3.9 of the report.

7. Authority to award a Care Provider Service Contract for a new Extra Care Housing Facility in Brent

In accordance with Contract Standing Order 88, the report from the Strategic Director, Adults sought authority to award a social care and support services contract for a new Extra Care Housing (ECH) facility in Brent. The care services would be provided to people aged 50+ with care and support needs. The report provided further details on the facility and 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.

Councillor Hirani (Lead Member, Adults, Health and Well-being) advised that the unit would make a significant contribution towards achieving the objectives of NAIL (New Accommodation for Independent Living) in reducing reliance on residential care and commissioning far more cost effective, flexible accommodation. The Cabinet were assured that the contract would be London Living Wage compliant.

RESOLVED:

that approval be given to the award of a contract to Metropolitan Housing Trust, for the provision of care and support services at the new ECH facility in Brent for an initial period of two years with an option to extend the contract for a further two successive one year periods.

8. Authority to procure a Dynamic Purchasing System (DPS) For Accommodation Plus Services

In accordance with the Council's Contract Standing Orders 88 and 89, authority was sought to invite requests to participate for a dynamic purchasing system for accommodation plus services. The system would support the Council to proactively engage with the Care and Housing market to ensure that the council can commission accommodation plus services effectively and work more closely with local providers to develop accommodation plus provision in Brent to support the delivery of the New Accommodation Independent Living (NAIL) project.

Councillor Hirani (Lead Member, Adults, Health and Well-being) reminded the Cabinet that the NAIL project was set to deliver by March 2018 529 new units of accommodation plus for people who were assessed as having social care needs that could no longer be met in their own home. Cabinet noted that the NAIL DPS would be setup with five lots of commonly purchased services which encompassed the full range of delivery models required to deliver the Programme. Councillor Hirani drew attention to the delegated authority to award contract of less than £500,000 and assured that Cabinet would be updated annually.

Councillor McLennan (Lead Member, Housing and Development) expressed commitment for joint working on the housing side of the project. Councillor Mashari (Lead Member, Employment and Skills) sought clarification on the reference in the report to the impact on contracts of any London Living Wage (LLW) increase

during the lifetime of the DPS. The Chief Finance Officer responded that the LLW rate had risen faster than inflation and that a continuation of this trend would increase pressure on the council's budget.

RESOLVED:

- (i) that approval be given to the invite of requests to participate in a Dynamic Purchasing System for Accommodation Plus Services on the basis of the pre-tender considerations set out in paragraph 3.13 of the report from the Strategic Director, Adults;
- (ii) that approval be given to the evaluation of requests to participate referred to in (i) above on the basis of the selection criteria referred to in paragraph 3.13 of the report;
- (iii) that authority be delegated to the Strategic Director, Adults following establishment of the Dynamic Purchasing System for Accommodation Plus Services, to appoint new service providers onto the said Dynamic Purchasing System where they request to participate and meet the selection criteria referred to in paragraph 3.13 of the report;
- (iv) that approval be given to the invite of tenders under the Dynamic Purchasing System for Accommodation Plus Services on the basis of the pre-tender considerations set out in paragraph 3.13 of the report;
- (v) that officers evaluate invitations to tender referred to in (iv) on the basis of the selection criteria referred to in paragraph 3.13 of the report;
- (vi) that authority be delegated to the Strategic Director, Adults to award High Value Contracts procured through the Dynamic Purchasing System for Accommodation Plus Services if they have a contract value of less than £500,000.

9. Brent Development Management Policies Local Plan - Publication and Submission

The Cabinet considered the report from the Strategic Director, Regeneration and Growth which reminded them that a previous draft of the Development Management Policies Development Plan Document was agreed by Executive 24 March 2014 and issued for consultation. Following consideration of the consultation responses and other factors such as changes in Government policy was proposed that the Plan be amended and taken through its next steps in the adoption process. The report provided a summary of the consultation responses, explained the main changes that were being proposed to the draft Plan and recommended that it be published and made available for representations for six weeks. It is also recommended that following the representation period it be submitted for examination subject to Full Council approval.

Councillor McLennan (Lead Member, Housing and Development) advised that in accordance with central government guidance the amended draft Plan was shorter and consequently had a greater focus on Brent specific issues, rather than repeating general policy contained in other documents. She also advised that the

plan had had been delayed awaiting the publication of the London Plan so as to ensure consistency and drew attention to new policies now included in the Brent Plan. Andrew Donald (Strategic Director, Regeneration and Growth) reminded the Cabinet that the Plan had been submitted to and agreed by the Planning Committee.

Councillor Pavey (Deputy Leader) expressed support for retention of a policy seeking 10% of floorspace in new commercial schemes on strategic employment sites to be affordable workspace for small and medium sized enterprises needed to provide jobs. Councillor Denselow sought assurances over the inclusion of pub protection policies that sought to protect their sites from development. Andrew Donald advised that a specific pub protection policy has been added to the DMP in response to comments, discussions were on-going and further changes could be made. Regarding affordable workspace for SMEs efforts were being made to identify a management company and to consolidate them into a larger space.

Councillor Hirani expressed support for policies to limit shisha cafés, fast food shops and to promote cycling. Councillor Pavey expressed support for policies to support public house protection as an opportunity to preserve heritage and the community. He also referred to queries raised by developers over the policy of delivering 50% affordable housing from employment land released for other uses and he questioned the viability of the policy. Andy Donald referred members to the Core Strategy, assured that the council's position would be clear in any discussions and would not be restricted.

Regarding pub protection policy, the Cabinet heard from Sujata Aurora (local resident) that the Planning Committee in considering the Plan at its meeting on 23 July 2015 were advised that The Campaign for Real Ale (CAMRA) had suggested amendments to the policy to make it more robust and had been advised that the suggestions from CAMRA would be reported to this meeting. Councillor Butt (Chair, Leader of the Council) assured that the policy would be opened for discussion and CAMRA would be involved. The consultation process would allow for views to be captured.

RESOLVED:

- (i) that agreement be given to the proposed responses to individual representations, as set out in the schedules attached as Appendix 1 to the report from the Strategic Director, Regeneration and Growth;
- (ii) that the draft Brent Development Management Policies Development Plan Document in Appendix 3 be agreed for publication for 6 weeks, and recommend that Full Council agree that the draft Plan be submitted to the Planning Inspectorate for Examination;
- (iii) that the Strategic Director, Regeneration and Growth be authorised to make further editorial changes to the document prior to it being issued for publication.

10. Parking Annual report 2014/2015

Councillor Southwood (Lead Member, Environment) introduced the Annual Parking report which explained the aims and objectives of the Council's Parking service and the key achievements of the last financial year. The report included a statistical analysis setting out information on the number of parking and traffic related Penalty Charge Notices (PCNs) issued for the period 2014/2015, the income and expenditure recorded in the Parking Account, and how the surplus on the account has been spent or allocated.

RESOLVED:

that approval be given for publication the Parking Service's Annual Report 2014/15, as set out in the Appendix to the report from the Chief Operating Officer.

11. **Brent Local Implementation Plan (LIP) Submission for 2016/17 - 2018/19**

The report from the Chief Operating Officer sought approval to submit the 2016/17 Local Implementation Plan to Transport for London and following the approval of that body, to implement the schemes and initiatives within the submitted/approved LIP programme and funding. LIP set out how London boroughs would deliver better transport in their area, in the context of local and regional transport priorities and the overarching Mayor's Transport Strategy and Councillor Southwood in introducing the report emphasised the need for focus to be in the correct places and made reference to the recommendation for the Wembley Transport Corridor to be the highest priority scheme for submission under the Major Schemes programme.

Members welcomed the report in particular the casualty prevention work and school travel plans. Councillor Pavey drew attention to the busy Forty Lane junction in Wembley, even more congested since the new school had opened and the number of accidents within the three year period up to April 2012 and questioned when improvement work would start. Councillor Southwood responded that both short term and long means of improvement would be considered and assured that school safety remained a priority.

RESOLVED:

- (i) that the 2016/17 total TfL provisional LIP allocation of £3,545,000 be noted;
- (ii) that approval be given to the proposed 2016/17 programme of LIP Corridors, Neighbourhoods and Supporting Measures schemes, as set out in Appendix A of the report from the Chief Operating Officer, through application of the prioritisation matrix, as described in the report and, subject to TfL approval in autumn 2015, the Head of Transportation be instructed to deliver the programme using the allocated budget and resources available;
- (iii) that approval be given to the Wembley Transport Corridor as the highest priority scheme for submission under the Major Schemes programme, as set out in the Major Schemes Prioritisation Matrix, enclosed in Appendix B, and as described in the report. Cabinet also instructs the Head of Transportation to apply for funding, in collaboration with funding partners and neighbouring boroughs, where required, to programme and deliver the highest priority schemes listed in the Major Schemes Prioritisation Matrix, using the allocated budget and resources available;

- (iv) 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 this report. If there are no objections or representations, or the Head of Transportation considers the objections or representations are groundless or insignificant, the Head of Transportation is authorised to deliver the schemes set out in Appendix A of this report. Otherwise, the Head of Transportation is authorised to refer objections or representations to the Highway Committee for further consideration;
- (v) that it be noted that the scheme allocations are provisional and that schemes may be subject to change during development and following the consultation process;
- (vi) that the Head of Transportation be authorised to vire scheme allocations where necessary (e.g. pending the outcome of detailed design and consultation) within the overall LIP budget, in consultation with the Lead Member for Environment and in accordance with financial regulations.

12. Welsh Harp Environmental Educational Centre - Community Asset Transfer, marketing, new lease and associated licence

Councillor McLennan (Lead Member, Housing and Regeneration) reminded the Cabinet that in December 2012 following the budget report it was decided to withdraw council funding from the Welsh Harp Environmental Educational Centre (WHEEC). Subsequently, the WHEEC has been identified as potentially suitable for Community Asset Transfer (CAT) in accordance with the provisions agreed as part of the new Strategic Property Plan 2015-19 which would provide an opportunity to secure continuity of an existing valuable service from the centre in some form. Councillor McLennan advised that following a marketing exercise, two applicants had come forward separately to continue the work of the centre, The Carey's Foundation and the charity Thames 21, and consideration was now being given to whether they could work together to provide an enhanced service.

Members welcomed the proposal and the opportunity for young people to be able to continue to use the centre which was a valuable nature resource. Councillor Mashari hoped to be able to receive more information on the viability of the partnership arrangement and the agreement reached. Councillor Pavey expressed that to the children of Chalkhill Primary who had written letters in support of the centre.

RESOLVED:

- (i) that approval be given to the proposed Community Asset Transfer of the Welsh Harp Environmental Education Centre;
- (ii) that authority be delegated to the Operational Director Property and Projects to finalise and agree the terms of a leasehold and associated licence disposal to the preferred applicant, Thames 21 in consultation with the Chief

Operating Officer, the Strategic Director of Children and Young People and the Chief Finance Officer;

- (iii) that efforts to try to get the two bidders to work together to deliver an improved service at the Welsh Harp Environmental Education Centre be endorsed.

13. National Non Domestic Rates – Applications for Discretionary Rate Relief

The Cabinet considered the report from the Chief Operating Officer which detailed new applications for discretionary rate relief to charities or non-profit making bodies on the grounds of hardship received since the Cabinet last considered such applications on 23 February 2015.

RESOLVED:

that the applications for discretionary rate relief detailed in Appendices 2 and 3 to the report be approved.

14. Reference of item considered by Scrutiny Committee (if any)

None.

15. Any other urgent business

None.

16. Carolyn Downs

The Cabinet welcomed the new Chief Executive Carolyn Downs to her first meeting of the Cabinet.

The meeting ended at 7.50 pm

M BUTT
Chair