



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE CABINET Monday 24 April 2017 at 7.00 pm**

**PRESENT:** Councillors Butt (Chair), McLennan (Vice-Chair), Farah, Hirani, Miller, M Patel, Southwood and Tatler

**Also present:** Councillors Chohan, Harrison and Mahmood

There were no apologies for absence.

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

None.

2. **Minutes of the previous meeting**

**RESOLVED:**

that the minutes of the previous meeting held on 13 March 2017 be approved as an accurate record of the meeting.

3. **Matters arising**

There were no matters arising.

4. **Appointments to Committees**

**RESOLVED:**

Councillor M Patel be appointed as a Substitute Member to the Barham Park Trust Committee.

5. **Housing Management Options Review: outcome of formal consultation**

Councillor Muhammed Butt, Leader of the Council, informed the meeting that he had received and accepted three requests to speak from Councillor Pat Harrison, (Preston Ward), Ms Farida Adjerit and Mr Phil Bromberg.

Councillor Pat Harrison (Preston Ward) and Ms Farida Adjerit had asked to address the meeting on Housing Management Options Review: outcome of formal consultation and Mr Bromberg on Developing a strategic approach for community libraries in the community and voluntary sector.

Councillor Pat Harrison informed Cabinet Members that is currently appointed by the Council to the Brent Housing Partnership Board. She asked the Cabinet Member for Housing and Welfare Reform about the future governance arrangements for the Brent Housing Partnership Board.

Ms Farida Adjerit outlined her concerns as a current BHP tenant and also a member of the BHP Board. She asked the Cabinet Member for Housing and Welfare Reform to outline what, if any, savings would be achieved by an in-house service.

Mr Phil Bromberg, Chair, Preston Community Library, addressed the meeting on agenda item 6 *Developing a strategic approach for community libraries in the community and voluntary sector*. Mr Bromberg welcomed the report and welcomed the collaborate process that has led to the revised approach to community libraries.

Councillor Harbi Farah, Cabinet Member for Housing and Welfare Reform, introduced the report stating that the Cabinet, in November 2016, agreed that the preferred option for future housing management service provision to the Council's tenants and leaseholders would be an In-house service, subject to consultation.

He stated that this report sets out the outcomes from the formal consultation exercise undertaken.

The primary means of consultation, a survey, found that for every respondent who expressed support for the continuation of the service through Brent Housing Partnership Ltd (8.1% in total), 6 respondents supported the Cabinet's preferred option (49.1% in total). The majority of the other respondents did not express a view, did not mind or were undecided.

Councillors Miller, Tatler, McLennan and Southwood spoke in favour of an in house option. Councillor Southwood asked that the Council starts by looking at the volume and nature of complaints in each ward.

Councillor Farah outlined the proposals for a new Housing Scrutiny Committee which would, he hoped, be approved by Full Council in May 2017.

Cllr Muhammed Butt, Leader of the Council, thanked Members for their contribution and thanked the speakers for attending the meeting. He stated that the Cabinet would be responsible for an effective transition of the management of the housing stock. The in house option would also present opportunities for savings, notably around management costs. He stated that all ward Members would have responsibility for monitoring former BHP housing stock in their areas. He informed Cabinet that a new Operational Director of Housing had recently been appointed. He informed the meeting that the services would also be reliant of the many good staff that currently work for BHP.

## **RESOLVED:**

- 5.1. Cabinet agreed to cease the delegation of housing management functions and other delegated roles to Brent Housing Partnership Ltd and sought termination of the Management Agreement with Brent Housing Partnership Ltd.

- 5.2 Cabinet agreed to giving Brent Housing Partnership Ltd. notice of its intention to cease its delegation of housing management functions and other delegated roles and its consequent wish to terminate the Management Agreement.
- 5.3 Cabinet agreed to delegate to the Strategic Director Community Wellbeing the power to take all necessary and required steps to achieve the above recommendations in consultation with the Chief Legal Officer (on legal issues), Chief Finance Officer (on financial issues), Director of HR & Organisational Development (on HR issues) and the Cabinet Member for Housing (on strategic issues).

**6. Developing a strategic approach for community libraries in the community and voluntary sector**

Councillor Tom Miller, Cabinet Member for Stronger Communities, introduced the report. He began by thanking Mr Bromberg for his contribution. He stated that the report details the work undertaken on developing a strategic approach to community libraries. In December 2016, Councillor Miller stated, the Council determined to formalise its ongoing operational relationship with the four independent community libraries in a Memorandum of Understanding (MoU). The MoU was developed in collaboration with the community library groups with the draft version being revised following feedback from the consultation process.

Councillor Miller stated that it was also determined that 'premises' issues be dealt with by a separate process since they are site- specific. Officers have progressed the MoU and the Preston community library premises (Preston Park Annexe) as distinct matters with the former led by the Culture Service and the latter by Property. Councillor Miller informed Members that the report also provides an update on the redevelopment of Preston Park.

**RESOLVED:**

- 6.1 The Cabinet agreed to formalise its operational ongoing relationship with the four independent community library groups in the Memorandum of Understanding, attached as Appendix 1 to the Cabinet report.

**7. Authority to market Butler's Green toilets under the Council's Community Asset Transfer (CAT) Policy**

Councillor Muhammed Butt, Leader of the Council, introduced the report stating that through the Council's Community Asset Transfer (CAT) policy, the former public toilets at Butler's Green, Sudbury, were the subject of an Expression of Interest (EOI) by Sudbury Neighbourhood Centre. This EOI has been evaluated and has passed the relevant tests as outlined in the CAT policy. The next step of the decision making process is for Cabinet to grant authority to market the asset as a CAT opportunity.

**RESOLVED:**

- 7.1 Cabinet approved the marketing of Butler's Green toilets as a CAT opportunity.
- 7.2 Cabinet noted the subsequent granting of the lease will be to the preferred CAT bidder, following marketing through a non-binding informal tender process. The final decision to let the asset on the agreed terms would be placed before Cabinet for approval.
- 7.3 Cabinet agreed that officers advertise in the local newspaper in accordance with Section 123 of the Local Government Act 1972 the land shown edged red on the Site Plan Appendix III and in the event of objections they be considered by the Chief Legal Officer unless in the opinion of the Chief Legal Officer significant objections are received in which case this should be reported back to the Cabinet for it to consider.

**8. Brent Faith Covenant**

Councillor Tom Miller, Cabinet Member for Stronger Communities, introduced the report stating that the All Party Parliamentary Group (APPG) on faith and society introduced a Faith Covenant.

He stated that the Brent Multi-Faith Forum has been working with the council to develop this covenant and the commitments from the council to faith groups, and from faith groups to the council, contained within it.

**RESOLVED:**

- 8.1 Cabinet agreed the Brent Faith Covenant attached at Appendix 1 to the Cabinet report.

**9. Contract for the provision of the Targeted Mental Health in Schools Service (TaMHS)**

Councillor Mili Patel, Cabinet Member for Children and young People, introduced the report stating that the TaMHS Service is a targeted mental health service providing support for children aged 5 to 16 and their families.

She informed Cabinet that the project is a collaborative partnership between Brent Council, Central and North West London NHS Foundation Trust (the current provider of CAMHS in Brent) and schools. She stated that this report seeks to award a contract to CNWL for a further 12 months without the need for a tender for TaMHS services on the grounds that, on the advice from Brent Clinical Commissioning Group (CCG), it would be in the best interests of future service provision to defer retendering to align with the timeline for, and integrate with, the retendering of the CCG's much larger CAMHS contract.

**RESOLVED:**

- 9.1 Cabinet approved an exemption pursuant to Contract Standing Order 84(a) of the requirement to tender a twelve month contract for Targeted Mental

Health in Schools services for good operational and financial reasons as detailed in Section 3 of the Cabinet report.

- 9.2 Cabinet approved the award of a twelve month contract for Targeted Mental Health in Schools services from 1st August 2017 to 31st July 2018 to Central and North West London NHS Foundation Trust.

**10. Community Asset Transfer at Sports Club at Gladstone Youth & Community Centre, Gladstone Park, 162 Anson Road, London NW2 6BH, the outcome of marketing and recommendation to proceed with a preferred applicant**

Councillor Muhammed Butt, Leader of the Council, introduced the report stating that on 8 February 2016, Brent's Cabinet approved the marketing of the Sports Club at Gladstone Youth & Community Centre, Gladstone Park, 162 Anson Road, London NW2 6BH as a Community Asset Transfer opportunity. He stated that this report details the outcome of marketing making a recommendation to grant a lease of the Sports Club to a preferred applicant.

**RESOLVED:**

- 10.1 Cabinet approved the proposal for a Community Asset Transfer of the Sports Club which involves entering into a lease for 7 years with the Kilburn Cosmos Rugby Football Club (KCRFC).
- 10.2 Cabinet delegated authority to the Strategic Director of Resources to finalise and agree the terms of a leasehold disposal to the preferred applicant, KCRFC in consultation with the Operational Director Environmental Services.

**11. Town Centres: Action and Investment Planning**

Councillor Shama Tatler, Cabinet Member for Member for Regeneration, Growth, Employment and Skills, introduced the report outlining the planned improvements and recommendations to begin the practical actions required to improve the town centre experience, whilst also highlighting the opportunities for longer term and more significant investment to transform town centres into successful places for our residents, businesses and visitors to the borough.

Councillors Hirani, McLenann and Miller spoke in support of the proposals.

**RESOLVED:**

- 11.1 Cabinet agreed to progress the detailed development and implementation of the draft action and investment plans for the nine town centres.
- 11.2 Cabinet agreed to prioritise nine town centres where council and external investment can be focussed to generate greater impact upon the council's priorities (see Action and Investment Plans, Appendix 1 to the Cabinet report), including Wembley High Road, Ealing Road, Harlesden, Willesden, Neasden, Church End, Kilburn High Road, Colindale/ The Hyde, and Burnt Oak.

11.3 Cabinet agreed to prioritise six of these for additional town centre management resource, responding to levels of need identified (such as street-scene and anti-social behaviour, identified in Appendix 1 to the Cabinet report), including Wembley High Road, Ealing Rd, Harlesden, Willesden, Neasden and Church End.

**12. Gloucester and Durham Development Site - South Kilburn (for Delivery Partner award of contract)**

Councillor Shama Tatler, Cabinet Member for Member for Regeneration, Growth, Employment and Skills, introduced the report asking Cabinet to delegate authority to the Strategic Director of Regeneration & Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award and enter into a Development and Sale Agreement with a Delivery Partner for the Gloucester House and Durham Court site.

**RESOLVED:**

12.1 Cabinet delegated authority to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills to award and enter into a Development and Sale Agreement with a Delivery Partner, in line with the redevelopment as set out in paragraph 3.5 of the Cabinet report, procured from the GLA London Development Panel for the Gloucester House and Durham Court site (shown edged red at Appendix 1 to the Cabinet report). The delivery partner provisionally selected, subject to the standard caveats around agreeing final contract terms, is Telford Homes Plc.

**13. Peel - Development Site South Kilburn - Update on site assembly and NHS Engagement and decision to move to procurement of a delivery partner**

Councillor Shama Tatler, Cabinet Member for Member for Regeneration, Growth, Employment and Skills, introduced the report providing Cabinet with an update on the South Kilburn Peel site development and seeks approval to move to the procurement of a delivery partner; to set rent levels at HCA Target Rent and to reaffirm the decision to authorise the use of Ground 10A of schedule 2 part 11 of the Housing Act 1985 and CPO Powers taken in 2012, 2013 and 2014.

**RESOLVED:**

13.1 Cabinet approved the procurement of a delivery partner for the Peel site through inviting tenders using a Competitive Procedure with Negotiation under the Public Contracts Regulations 2015 on the basis of the pre-tender considerations set out in paragraph 3.18 of the Cabinet report and evaluating the tenders on the basis of the evaluation criteria set out in that paragraph.

13.2 Cabinet approved the setting of rent levels for the affordable homes at the Peel site once complete, at a rent equivalent to the Homes and Communities Agency Target Rent levels.

**14. Brent Cycle Strategy Action Plan Update**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report. The aim of the report, she stated, was to inform on actions undertaken in 2016/17 and set out progress against the Cycle Strategy's targets and update the Cycle Strategy Action Plan and Targets for 2017/18.

**RESOLVED:**

- 14.1 Cabinet noted the actions and progress undertaken in connection with the Cycle Strategy Action Plan and Targets 2016/17.
- 14.2 Cabinet approved the updated Cycle Strategy Action Plan for 2017/18 and revised Targets.
- 14.3 Cabinet approved the intention to seek delegated approval from Cabinet to the Strategic Director Regeneration & Environment, in consultation with the Lead Member for Environment the final approval of content, including design, following any required changes to the updated Cycle Strategy Action Plan for 2017/18 agreed by Cabinet.

**15. Brent Walking Strategy 2017 - 2022**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report explaining the steps taken to develop the Brent Walking Strategy 2017 – 2022 which seeks to reflect the priorities and objectives of the Brent Borough Plan 2015 – 2019, the Long Term Transport Strategy and the Mayor's current and emerging Transport Strategy, and recommends its approval so it can be adopted as a policy in the borough.

**RESOLVED:**

- 15.1 Cabinet noted the steps taken to develop the Brent Walking Strategy 2017 – 2022.
- 15.2 Cabinet approved the Brent Walking Strategy 2017 – 2022 as set out in Appendix A to the Cabinet report, subject to 2.3 below.
- 15.3 Cabinet delegated authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, to approve final design of the Brent Walking Strategy 2017 – 2022.

**16. Enforcing Legislation Concerning Letting Agent's Redress Scheme**

Councillor Tom Miller, Cabinet Member for Stronger Communities, introduced the report stating that the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014, (the Order) came into force on 1 October 2014. Local Authorities are the 'enforcement authority' for this order and have a statutory duty to enforce it.

He stated that it is proposed that Cabinet delegate enforcement of the Order to both the Council's Trading Standards and Private Housing Services and agree the value of the monetary penalty to be levied.

**RESOLVED:**

- 16.1 Cabinet agreed to the introduction of a penalty charge of £5k, reduced to £2.5k if paid within 14 days for the non-compliance of the Redress Schemes for Letting Agents and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.
- 16.2 Officers working in the Trading Standards Service, were delegated responsibility for the Council's statutory duty of enforcing the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.
- 16.3 Officers working in Private Housing Services, were delegated responsibility for the Council's statutory duty of enforcing the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.
- 16.4 Cabinet delegated authority to the Trading Standards Senior Regulatory Service Manager and any manager above this position, to review the value of any penalty charge imposed subject to any representations made by recipient as prescribed by the Order.
- 16.5 Cabinet delegated authority to the Head of Service, Private Housing Services and any manager above this position, to review the value of any penalty charge imposed subject to any representations made by recipient as prescribed by the Order.
- 16.6 Cabinet agreed any monetary penalties received in connection with the Order be used by either of the two teams issuing the penalty charge to fund the costs of enforcing the Order.

**17. Highways Capital Scheme Programme 2017-18**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report informing Members that, during 2017/18, initially it is proposed to allocate £3.5m of Brent capital to maintain the highway network, plus £365k of footway works held over from 16/17, subject to approval of the Budget and Council Tax report to be submitted to Cabinet and Full Council in February 2017.

She stated that this report sets out recommendations for how Brent's £3.5m capital budget should be allocated during 2017/18.

**RESOLVED:**

- 17.1 Cabinet noted the proposed highways maintenance programme for 2017-18 as detailed in Appendix B to the Cabinet report.

17.2 Cabinet agreed that any changes to this and future highways capital programmes, are approved by the Strategic Director of Regeneration and Environment in consultation with the Cabinet Member for Environment.

**18. Authority to enter into a Joint Venture Vehicle to bring about the comprehensive development of the Cullen House & Falcon P.H. site in South Kilburn Regeneration Programme Area**

Councillor Shama Tatler, Cabinet Member for Member for Regeneration, Growth, Employment and Skills, introduced the report setting out the detail of a proposal to enter into Heads of Terms with the landowner/developer of the Falcon Public House, London & Newcastle Capital Limited, (LN), or a member of its group, in order to proceed with the establishment of a Joint Venture Vehicle to bring forward the comprehensive redevelopment of the Cullen House & Falcon P.H. development site.

**RESOLVED:**

18.1 Subject to 18.2 below, Cabinet approved the creation and for Brent Council to enter into a joint venture vehicle to bring forward the comprehensive redevelopment of Site 18 through the formation of a Joint Venture Vehicle (JV) as a Limited Liability Partnership (LLP) with London & Newcastle Capital Limited, or a member of its group as approved by the Council (LN) (as the landowner of the Falcon Public House).

18.2 Cabinet delegated authority to the Strategic Director of Regeneration and Environment in consultation with the Lead Member Regeneration, Growth, Employment and Skills, to agree terms for creation and entry into a joint venture based on the draft Heads of Terms at (Appendix 2).

18.3 Cabinet noted the intention to engage Londonewcastle as Development Manager to the JV on terms to be agreed and as approved by the Board of the JV when established

18.4 Cabinet reconfirmed that the development of Site 18 was a key component of the overall South Kilburn Regeneration Masterplan which sought to bring forward a comprehensive redevelopment of South Kilburn providing new homes and significant social and economic benefits to the area through the regeneration process.

18.5 Cabinet confirmed that the primary purpose of the Council's participation in the JV was the pursuit of socio-economic objectives which were more particularly described in paragraph 3.7 of the report and were in, overall terms, non-commercial.

**19. Tricycle Theatre Renovation Project**

Councillor Muhammed Butt, Leader of the Council, stated that the Tricycle Theatre has recently embarked on a major renovation project due for completion in February 2018.

He stated that, once completed, the work will significantly increase capacity and allow the theatre to extend the range of activities that they run. In recognition of the Tricycle Theatre's economic, social and cultural benefits to Brent this report recommends that Brent Council support the theatre with a grant of up to £1m to enable its ongoing capital renovation project to be completed in its entirety.

**RESOLVED:**

- 19.1 Cabinet approved a grant to the Tricycle Theatre of up to £1m representing the difference between the existing and potential HLF funding sources secured for the renovation of the theatre and the amount required to complete the renovation.
- 19.2 Cabinet approved the grant detailed in 19.1 above on the basis that it was a one off grant that replaces any ongoing grant due to be awarded to the Tricycle Theatre by Brent Council from 1 April 2018.
- 19.3 Cabinet approved the appointment of the Tricycle Theatre on to the Local List as a cultural heritage asset thus enabling the theatre to progress with its application for funding from the Heritage Lottery Fund.

**20. Arboricultural Services and Authority to Tender**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report which sets out the background and the options considered for the procurement of Arboricultural Services on the Council's highways, parks and Brent Housing Partnership managed estates.

She stated that the report also seeks approval to invite tenders for the Arboricultural Services contract, as required by Contract Standing Orders 88 and 89.

**RESOLVED:**

- 20.1 Cabinet approved the invitation of tenders for Arboriculture Services on the basis of the pre-tender considerations set out in paragraph 5.3 of the Cabinet report
- 20.2 Cabinet gave approval for the evaluation of the tenders referred to in 20.1 above, on the basis of the criteria set out in paragraph 5.3 (iv) of the Cabinet report; with a further report to Cabinet following the tender exercise which would make recommendations on the award of the Contract.

**21. Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols - 6-month Review and Next Steps**

Councillor Ellie Southwood, Cabinet Member for Environment, introduced the report presenting a review of the uniformed street patrol pilot contract with Kingdom Security Ltd, and proposes- on the basis of the very clear information provided by the pilot – that this activity should be sustained into the future. It sets out options for longer-term deployment for consideration.

Councillors Farah and Hirani spoke in support of the proposals.

**RESOLVED:**

- 21.1 Cabinet noted the clear and helpful findings of the pilot exercise.
- 21.2 Cabinet considered the options for the longer term deployment of this service.
- 21.3 Cabinet authorised the Strategic Director of Regeneration and Environment, in consultation with the Lead Member for Environment, to develop and implement an in-house operating model for the provision of uniformed street patrols.
- 21.4 Cabinet agreed to continue with the suspension of the offer of a reduced payment for early settlement of litter-related FPNs beyond the period of the pilot.

**22. Reference of item considered by Scrutiny Committees**

Councillor Mili Patel, Cabinet Member for Children and young People, introduced the recommendations from Community and Wellbeing Scrutiny Committee.

**RESOLVED:**

- 22.1 Cabinet noted the recommendation as set out in Appendix A to the Cabinet report.

**23. Exclusion of Press and Public**

**24. Any other urgent business**

There was not any other urgent business.

The meeting ended at 8.22 pm.

M BUTT  
Chair