



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET Monday 14 January 2019 at 4.00 pm

PRESENT: Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Agha, Farah, Hirani, Miller, M Patel, Krupa Sheth, Southwood and Tatler.

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Minutes of the Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting held on 10 December 2018 be approved as an accurate record of the meeting.

4. **Matters Arising (if any)**

There were no matters arising.

5. **Petitions (if any)**

There were no petitions.

6. **Reference of item considered by Scrutiny Committees (if any)**

None.

7. **Local Authority determination of arrangements for school admissions 2019**

Councillor Amer Agha, Cabinet Member for Schools, Employment and Skills, introduced the report asking Cabinet Members to agree the proposed admission arrangements and scheme of co-ordination for Brent community schools for 2020/21 in accordance with statutory requirements.

Councillor Agha stated that admission authorities are required to determine their admission arrangements by 28 February in the determination year.

RESOLVED that Cabinet agreed the proposed admission arrangements for Brent community schools and scheme of co-ordination for maintained schools in Brent for the 2020/2021 academic year as outlined in Appendix 2 to the report.

8. **Proposal to establish a charitable organisation for the London Borough of Culture 2020**

Councillor Krupesh Hirani, Cabinet Member for Public Health, Culture & Leisure, introduced the report outlining the plan to establish a Charitable Trust which will lead on fundraising to deliver the London Borough of Culture (LBOC) 2020 and its legacy through ensuring its key programmes are sustainable and embedded into the community.

Councillor Hirani outlined the report proposals:

- The Council sets up a Trust with broad objectives in line with the LBOC bid: to ensure the bid's legacy and to have meaningful representation from young people on the leadership of the programme through their presence on the board;
- The Trust will be set up with an initial five-year timeline to support the delivery of LBOC and to take a lead role in the delivery of the legacy;
- The Council will be the primary funder for the Trust for the period 2019/2020, setting out clear objectives in the business plan and holding it to account for delivery through a Service Level Agreement;
- The Councils relationship with Trust will end at the end of 2020
- For the legacy period, the Trust will raise funds which will allow it to become more independent and take a lead role in delivering the LBOC legacy post 2020.

Councillor Tom Miller, Cabinet Member for Community Safety, and Councillor Muhammed Butt, Leader of the Council, spoke in support of the report proposals highlighting the importance of securing the bid's legacy.

RESOLVED that:

- (i) Cabinet approved the establishment of a Charitable Trust and Company Limited by Guarantee to fundraise and deliver LBOC 2020 and the legacy programme;
- (ii) Cabinet delegated to the Strategic Director of Community Wellbeing in consultation with the Lead Member for Public Health, Culture and Leisure, the Chief Finance Officer and the Director of Legal and HR Services to take all practical steps to establish the company detailed in 2.1 above and register it as a charity to include approval of all relevant legal documentation and appointment of directors; and
- (iii) Cabinet delegated authority to the Strategic Director of Community Wellbeing in consultation with the Lead Member for Public Health, Culture and Leisure to enter into an agreement with the Trust detailed in 2.1 to govern its relationship with and funding of the Trust.

9. **Review of Estate Cleaning**

Councillor Muhammed Butt, Leader of the Council, welcomed Mr Vaughan West, Regional Political Officer & Organiser, GMB London Region, to the meeting. Mr West stated that on behalf of the GMB Trade Union, he welcomed the content of the report and the possible insourcing of the service utilising directly employed Council employees. He outlined some of the current working conditions and the nature of the work. He stated that by insourcing estate cleaning, residents would get a better service.

Councillor Ellie Southwood, Cabinet Member for Housing and Welfare Reform, thanked Mr West for his contribution. Councillor Southwood stated that she agreed with Mr West that the current contract does not deliver a quality service for our residents.

Councillor Tom Miller, Cabinet Member for Community Safety, welcomed the report and the potential to bring back this key service in house. This, above all, presents an opportunity to improve the service for residents and also improve working conditions for the estate cleaning staff.

Councillor Shama Tatler, Cabinet Member for Regeneration, Highways & Planning, welcomed the report and supported option 1. Cabinet noted the other options available.

Councillor Muhammed Butt, Leader of the Council, thanked Mr West for his contribution and for relaying the views of GMB Members. He thanked Cabinet Members for their contributions and welcomed the possibility that the Council would directly manage the service.

RESOLVED that:

- (i) Cabinet agreed Option 1 as the preferred service delivery option, as set out in section 7 of the report.
- (ii) Cabinet delegated authority to the Strategic Director of Community Well-being in consultation with the Lead Member for Housing and Welfare Reform to take all necessary steps to insource the Estate Cleaning Service.

10. Regulatory Enforcement Policy and Service Standards as Required by the Regulators' Code

Councillor Tom Miller, Cabinet Member for Community Safety, introduced the report stating that, under Section 22 of the Legislative and Regulatory Reform Act 2006, local authorities must have regard to the Regulators' Code when exercising regulatory functions.

Councillor Miller stated that this report seeks approval of an updated Enforcement Policy (the policy) and a set of Service Standards (the standards) as required by the Regulators' Code.

Councillor Miller stated that the policy and the standards follow the formation of the Council's Regulatory Hub in March 2018 which brought a core cluster of Environmental Services regulatory teams together as one. The policy updates the

sanctions available to the Council when taking enforcement action, supports the functions of the Enforcement Practitioners Group and provides some uniformity and consistency between our regulatory teams as our area based working model establishes.

In response to a question, Simon Legg, Senior Regulatory Service Manager, stated that the policy and the standards will not apply to the Council's Private Housing Service who whilst statutorily, must have regard to the Code, have an existing service specific enforcement policy which they will continue to adhere to.

RESOLVED that:

- (i) Cabinet agreed the contents of the Enforcement Policy as outlined in Appendix 1 to the report;
- (ii) Cabinet agreed the contents of the Service Standards as outlined in Appendix 2 to the report; and
- (iii) Cabinet agreed the delegation of authority to the Strategic Director of Regeneration and Environment after consultation with the relevant Cabinet member, to update the Enforcement Policy and the Service Standards as required in accordance with the Regulators Code.

11. **Sustainability, Growth and Proposed Changes to Parking**

Councillor Krupa Sheth, Cabinet Member for Environment, introduced the report summarising the outcome of informal consultation on the proposed changes to resident parking permits, including pricing changes, and to the charge for Essential User Permits issued to external organisations. Councillor Sheth reminded colleagues that Cabinet had agreed to proceed to informal consultation on these changes on 12 March 2018, and completion of the subsequent consultation exercise.

Councillor Krupa Sheth informed Cabinet that the report also considers the issue of a proposed diesel surcharge in depth, reviewing the evidence on the environmental and health impacts of pollutants emitted by diesel vehicles. The potential is assessed for a surcharge scheme to be introduced, to persuade vehicle owners in Controlled Parking Zones to consider a switch to less-polluting vehicles; informed by the Council's agreed Air Quality Action Plan.

The report sets these decisions in the context of wider strategic objectives in relation to sustainable transport, air quality, health and growth in the borough.

Councillors Miller, McLennan and Butt spoke in support of the proposals. Councillor Muhammed Butt, Leader of the Council reminded Cabinet of the pan London initiatives by the Mayor of London.

RESOLVED that:

- (i) Cabinet agreed to:

- a) Proceed to formal statutory consultation, publication and notification on the amendment of the relevant Traffic Management Orders to introduce a £50 p.a. levy on the price of a resident's parking permit for all diesel vehicles from 1st April 2019;
 - b) Proceed to formal statutory consultation, publication and notification on the amendment of the relevant Traffic Management Orders to introduce a three year Event Day Permit for the Wembley Event Day Parking Scheme, with an associated £15 administrative charge from 1st April 2019;
 - c) Proceed to formal statutory consultation, publication and notification on the amendment of the relevant Traffic Management Orders to increase the surcharge for second and third residents' parking permits in CPZs: from £40 to £50 for second permits; and from £80 to £100 for third permits; and
 - d) To note that the decision whether to implement the amendment of relevant Traffic Management Orders, in relation to the matters set out in paragraph 2.1 (a), (b) and (c) above, will be made by the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment, after consideration of the outcome of the formal consultation pursuant to the Cabinet decision to delegate such authority on 12 March 2018.
- (ii) Cabinet agreed, if the proposed diesel surcharge of £50 p.a. was implemented as set out in recommendation 2.1 (a), to then increase the surcharge to £75 p.a. on 1st April 2020 and £100 p.a. on 1st April 2021;
 - (iii) Cabinet agreed for the Council to offer all Wembley Event Day resident parking permit holders the opportunity to surrender their current paper permit in return for a three year virtual permit at nil cost, during the period up to and including 31st July 2019.
 - (iv) Cabinet agreed to:
 - (a) Increase the price charged to external organisations for essential user permits: from £150 p.a. to the cost of a schools permit (£330 p.a. currently) for the NHS, care organisations and charities; and from £150 p.a. to the cost of a business permit for all other external organisations (£440 p.a. currently);
 - (b) Phase in the proposed charge increases over two years, with interim prices in 2019/20 of: £250 for the NHS, care organisations and charities; and £300 for all other external organisations;
 - (c) Implement the new prices, as set out in 2.4 (a) above, from 1st April 2020; to the 2020/21 cost of a schools permit for the NHS, care organisations and charities; and to the 2020/21 cost of a business permit for all other external organisations; and

- (v) Cabinet noted that officers were developing a strategy to meet our wider objectives to promote sustainable travel, reduce car travel and pollution, and improve the management of traffic and parking in the Borough.

12. **Brent Neighbourhood Community Infrastructure Levy – Review**

Councillor Shama Tatler, Cabinet Member for Regeneration, Highways & Planning, introduced the report providing an overview of Brent's Neighbourhood Community Infrastructure Levy (NCIL) programme. The report, she stated, makes recommendations for improvements following a review that took place in spring 2018.

Councillor Mili Patel, Cabinet Member for Children's Safeguarding, Early Help and Social Care, spoke in support of the report recommendations.

Councillor Muhammed Butt, Leader of the Council, stated that it was important to now develop the action plan to enhance capacity building and support for those who wish to make an NCIL application.

RESOLVED that:

- (i) Cabinet agreed the following significant amendments to the NCIL programme:
 - a) Panel membership be increased from two to four (see 5.10-5.11);
 - b) The distribution of NCIL funds be changed as per Option 4 and will be reviewed annually (5.12-5.19);
- (ii) Cabinet agreed the following minor amendments to the NCIL programme:
 - a) To adopt the same four priorities across all five CIL Neighbourhoods until 2020, rather than have different priorities for each Neighbourhood;
 - b) To rename 'Parks and Open Space' to 'Parks and Green Spaces';
 - c) To retain the existing shortlisting criteria, but with minor wording changes to provide greater clarity and remove duplication;
 - d) NCIL funds would continue to be allocated to shortlisted projects at two points in the years, but in exceptional circumstances the NCIL Panel may consider bids outside these times;
 - e) Delegated authority be given to the relevant Strategic Director responsible for the NCIL programme (currently the Strategic Director, Regeneration and Environment) in consultation with the Cabinet Member for Regeneration, Highways and Planning, to approve spend for individual Neighbourhood CIL projects up to the value of £100k. (Projects above £100k will continue to be agreed by Cabinet);
- (iii) Cabinet agreed there would be no change to the following elements of the NCIL programme:

- a) Brent 'CIL Neighbourhood' areas match the 'Brent Connects' areas;
 - b) NCIL bids be accepted from community organisations and stakeholders (residents, local businesses etc.) and Council officers;
 - c) There would be no limit, other than the amount available in the respective NCIL pot, to the value of funds requested. (Projects over £100k in value would still require Cabinet approval following Panel shortlisting);
 - d) There would be no limit to the number of bids that may be submitted by a group or individual (although the same project cannot be funded more than once); and
- (iv) Cabinet agreed an action plan to be developed to enhance capacity building and support for those who wish to make an NCIL application.

13. **Quarter 3 Financial Forecast 2018-19**

Councillor Margaret McLennan, Deputy Leader of the Council and Lead Member for Resources, introduced the report setting out the current forecasts of income and expenditure against the revenue budget for 2018/19 and other key financial data.

Councillor McLennan stated that the Council is expecting to underspend against the main general fund revenue budget by £1.4m. She outlined, however, that there are significant issues in individual departments.

She stated that there is a forecast overspend of £1.8m in Children & Young People, which has worsened from the position forecast at the end of the second quarter, despite the management action intended to address the overspend.

Offsetting this is a planned underspend of £3.2m in Regeneration and Environment, achieved through a combination of income generation and cost control measures.

RESOLVED that Cabinet noted the overall financial position and the actions being taken to manage the issues arising.

14. **Capital Budget Setting and Capital Pipeline Proposals 2019/20 – 2021/22**

Councillor Margaret McLennan, Deputy Leader of the Council and Lead Member for Resources, introduced the report outlining the Council's updated approach to prioritising future capital investment, ensuring it is in line with our aspirations and reflective of the priorities and circumstances within Brent.

Councillor McLennan stated that the report explains the framework within which the Council's long-term capital investment plans have been prioritised and brought forward for consideration as part of the financial planning and budget setting process.

Councillor Krupesh Hirani, Cabinet Member for Public Health, Culture & Leisure, welcomed report and the exciting projects in Monks Park, Neasden and Stonebridge

RESOLVED that:

- (i) Cabinet approved the introduction of the permanent capital pipeline as set out in Appendix 1 to the report;
- (ii) Cabinet agreed that the schemes listed in Appendix 1 (Column A) were promoted from the pipeline to the main programme;
- (iii) Cabinet noted that in future, the remaining pipeline schemes would be individually moved to the main programme (and hence formally committed) when it was strategically and economically advantageous to do so but always subject to the submission of detailed business cases and Cabinet approval where applicable; and
- (iv) Cabinet agreed that in light of recommendation 2.2 above, the revised 3 year capital budget (Appendix 3) is adopted and presented to Council for approval as part of the Budget & Council Tax Report in February 2019.

15. 2018/19 Mid-Year Treasury Report

Councillor Margaret McLennan, Deputy Leader of the Council and Lead Member for Resources, introduced the report updating Members on recent treasury activity.

Councillor Muhammed Butt, Leader of the Council, stated that the Report, has already been reviewed by the Audit and Standards Advisory Committee and is to be forwarded to the Council in February 2019.

RESOLVED that Cabinet noted the 2018/19 mid-year Treasury report, which had already been reviewed by the Audit and Standards Advisory Committee, and would be forwarded to the Council.

16. NNDR Applications for Discretionary Rate Relief

Councillor Margaret McLennan, Deputy Leader of the Council and Lead Member for Resources, introduced the report to Cabinet Members stating that the Council has the discretion to award rate relief to charities or non-profit making bodies.

Councillor McLennan stated that the Council also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. Cabinet noted that the award of discretionary rate relief is based on policy and criteria agreed by Cabinet on 15 November 2016. Councillor McLennan reminded Members that all new applications for relief have to be approved by the Cabinet.

RESOLVED that Cabinet approved the applications for discretionary rate relief detailed in Appendix 2 to the report.

17. Exclusion of Press and Public

None.

18. **Any other urgent business**

None.

The meeting ended at 4.47 pm

COUNCILLOR MUHAMMED BUTT
Chair