

CABINET

**Tuesday 19 March 2019 at 7pm
Minutes**

PRESENT:

Councillors: Bell, Anand, Gordon, Johnson, Mahfouz, Rai and Sabiers

ALSO PRESENT:

In accordance with paragraph 2.6(a) of the Constitution, Councillor Malcolm, addressed the Cabinet with regard to the following items:

Item 07 - Preparations for Exiting the European Union (Councillor Malcolm)
Item 10 - Council Performance Report Quarter 3 2018/19 (Councillor Malcolm)

1. Apologies for Absence

Councillors Camadoo and Mason.

2. Urgent Matters

There were none.

3. Matters to be Considered in Private

There were none.

4. Declarations of Interest

There were none.

5. Minutes

Resolved:

That the minutes of the Cabinet meeting held on 12 February 2019 be agreed and signed as a true and correct record.

6. Appointments to Sub-Committees and Outside Bodies

There were none.

7. Preparations for Exiting the European Union

Resolved

That Cabinet:

- i) notes the implications for the council and the borough of the issues highlighted in report.
- ii) notes the work being undertaken to prepare for a 'no deal' scenario for the UK exiting the EU on 29 March 2019 – in Action Plan at Appendix 1 of the report.
- iii) endorses the statement that, 'The Borough of Ealing has, and always will be, open, inclusive and welcoming to all'.
- iv) notes the objectives for delivering the council's community leadership role and supporting EU residents, staff and local businesses with information to help them manage the transition.

Reason for Decision and Options Considered

Currently the UK is due to exit the European Union on 29 March 2019. There is still no clear indication on whether the UK will leave with a deal or without a deal. In line with

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national and regional authorities the council has been considering the implications of Brexit and as the 29 March approaches it is appropriate to update Cabinet on that work.

8. Road and Footway Infrastructure Improvement Programme 2019/20 Resolved

That Cabinet:

- i) approves the allocation of existing £3.500m LBE approved capital budget, currently in the capital programme, for the 2019/20 Footway and Carriageway improvement programme, as outlined in Table 1 and Section 16 of the report and detailed in Appendices 1 and 2 of the report.
- ii) authorises the Director of Environment to carry out the infrastructure improvement works in accordance with the approved programme subject to consideration of responses to any statutory consultation required.
- iii) authorises the Director of Environment following consultation with the Portfolio holder for Environment and Highways, to amend the programme within available funding should any of the proposed projects not be possible to be implemented.
- iv) approves the addition of £0.556m 2018/19 external capital grant funding received from the Department for Transport (DfT) for infrastructure development, to the service 2018-19 Environment Pothole Funding Repair programme budget. This is in addition to funding approved as per the cabinet report of 12 December 2017, taking the total approval for 2018-19 to £4.056m, as shown in Table 1 of the report.
- v) approves the addition and allocation of total 2019/20 funding from TfL/GLA and S106 of £2.297m to the capital budget in 2019/20, for the development, design and Phase 1 delivery of the West Ealing Liveable Neighbourhood (WELN) programme, as shown in Table 2 of the report.
- vi) delegates authority to the Director of Environment to implement Phase 1 of the WELN programme (as outlined in paragraph 3.6 and Appendix 3 of the report) subject to TfL funding approvals and any statutory consultation required.
- vii) authorises the Director of Environment following consultation with the Portfolio holder for Environment and Highways, to amend the WELN programme within available funding should any of the proposed projects not be possible to be implemented.
- viii) approves the Transport Strategy LIP and other TfL grant funded 2019/20 projects and programmes (including the Local Transport Funding allocation) as summarised in section 3 and as shown in Appendix 4 of the report.
- ix) delegates authority to the Director, Regeneration and Planning to take the necessary steps to implement the schemes identified in the 2019/20 LIP programme and also those 2019/20 schemes funded through S106 monies of £3.622m (see Table 7 of the report) as set out in the S106 Cabinet report to the same meeting (19 March 2019), and the 2019/20 school expansion schemes as set out in Appendix 5 of the report, of £0.386m following consultation with the Executive Director of Place and the Portfolio Holder for Transport, subject to relevant detailed design and approvals and the outcome of any statutory consultation that may be required.
- x) notes the receipt of S106 funding of £0.621m (per Table 7 of the report) to be applied to highways/transport projects and authorises S106 funded 2019/20 additions of
 - £0.548m capital budget to the Highways S106 Works Capital Programme
 - £0.073m revenue expenditure to the Built Environment Programme, as shown in the S106 report on the agenda of the same Cabinet meeting (19 March 2019) as this report.
- xi) delegates authority to the Executive Director of Place, following consultation with the Portfolio Holder for Transport, to amend the S106 and Schools expansion programmes within available funding as necessary should the scope of any of the

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- proposed projects change during design development and consultation, or delivery be delayed and where the terms of any relevant s106 permit this.
- xii) approves the allocation of £0.967m LBE Transport Programme budget in 2019/20 comprising £0.050m from Council Capital Funding (High Streets) capital and £0.917m from Council Revenue Funding (Parking Income) as shown in Table 7 of the report. The parking income is for the use of sustainable transport such as cycling and walking.

Reasons for Decisions and Options Considered

To allow the Council's 2019/20 Infrastructure Renewal Programme to commence and to ensure the effective management of the Council's capital budget

To allow the development, detailed design and delivery of Phase 1 of the WELN Programme to commence

The Ealing Local Implementation Plan (LIP) 2019-22 sets out the transport strategy for Ealing Council and provides the rationale for the Council spending decisions. The Council's transport priorities are to encourage sustainable travel for social (including health), environmental (including air quality) and economic (regeneration) reasons and the LIP reflects this policy direction.

The LIP covers several of the statutory duties that the Council is required to fulfil, including road safety and road network management (covering asset liability), plus areas such as planning, public health, equality, crime and disorder.

The LIP is required to be consistent with the Mayor's Transport Strategy together with other emerging strategic transport initiatives across London and will implement these at the local level. Ealing is also the lead borough in the West Trans Sub-Regional Partnership of six boroughs.

9. Approval of Expenditure of New and Repurposed Section 106 Funding Received by Ealing since February 2018

Resolved

That Cabinet:

- i) approves the proposals for expenditure of £3.504m of new S106 funds received since February 2018 as set out in Appendix 1 of the report.
- ii) approves the proposals for expenditure of £0.048m of re-purposable S106 funds identified since February 2018 as set out in Appendix 2 of the report.
- iii) notes that where expenditure against the proposals in i) and ii) above is identified as Capital spend, that spend be included in the Capital Programme;
- iv) notes the details of ongoing expenditure of £11.688m of previously committed S106 funds as set out in Appendix 3 of the report, and that £0.043m of interest accrued from the Council's holding account has been applied to those interest bearing agreements included in this schedule.

Reason for Decision and Options Considered

The Council has received £3.504m of new S106 money since February 2018, the date of the last S106 Cabinet report. Research has also taken place with all relevant departments across the Council to ascertain whether previously committed funds are still required for the projects they were previously committed to, or are available to be repurposed where the terms of the specific S106 agreements allow this. These repurposable funds amount to £0.048m. In some cases the projects have taken place

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but were financed by funds other than S106; in others, circumstances have precluded the projects from going ahead.

In total there is around £3.552m of new and repurposable S106 funding and the proposed uses of the funds are set out in Appendices 1 and 2 of the report.

Included in these proposals is S106 money received from the following large schemes in the past year:

	£m
A87 Oaks Shopping Centre, Acton	1.088
A107 100 Bollo Lane, Acton	0.618
E133 BHS site 104 - 110 the Broadway W13	0.574
PR72 First Central, Park Royal	0.437
<u>E91B Dickens Yard - Affordable Housing - 4th DoV</u>	<u>0.300</u>
Total	3.017

The proposals set out in Appendix 1 of the report were drawn up in discussion with officers. These were circulated to members and comments have been received and addressed as appropriate.

The proposals set out in Appendices 2 and 3 of the report were drawn up in discussion with officers and members. The report and appendices were circulated to Members on 20th December 2018.

Appendix 3 of the report details previously committed S106 funds where projects are in progress.

10. Council Performance Report Quarter 3 2018/19

Resolved

That Cabinet:

- i) notes the contents of the report.
- ii) notes the progress made against the Corporate Plan performance indicators during the third quarter of 2018/19 (October – December).

Reasons for Decisions and Options Considered

The purpose of this report is to provide a summary of the Council's performance in the third quarter of 2018/19 against key indicators set out in the Corporate Plan for 2018-22.

11. Authority to Tender the School Meal Service

Resolved

That Cabinet:

- i) authorises the Executive Director for Children, Adults and Public Health, following consultation with the Portfolio Holder, to invite and evaluate tenders for the contract for the provision of the school meal service either for Ealing Council alone or as a joint procurement with one or more other London Boroughs.
- ii) notes that authority will be sought from Cabinet to award the new contract in early 2020, with the new contract commencing from 1st August 2020.
- iii) agrees to the Council providing contract management services for the duration of the new contract, provided that the Council's own management costs are reimbursed by the Ealing School Catering Consortium (ESCC).

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Reasons for Decisions and Options Considered

The existing contract, currently in place with Harrison Catering Services Limited, is due to expire on 31st July 2020.

The management committee of the ESCC, on behalf of its members, has requested the Council to:

- undertake the work of tendering and evaluation of tenders and the subsequent award of the contract, as it cannot enter contracts in its own right;
- provide contract management services for the duration of the new contract.

The ESCC is prepared to reimburse the Council the cost of undertaking this work.

12) Date of Next meeting

Resolved

That Cabinet notes that the next meeting of Cabinet will be held on 23 April 2019 at 7pm

Councillor Julian Bell, Chair

Date

The meeting concluded at 7:17pm having completed its business.