

CABINET

**Tuesday 15 October 2019 at 7pm
Minutes**

PRESENT:

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

ALSO PRESENT:

In accordance with paragraph 2.6(a) of the Constitution, Councillors Malcolm, G Stafford and Young addressed the Cabinet with regard to the following items:

- Item 07 - Briefing on the Development of the Council's Climate Emergency and Sustainability Strategy (Councillor Malcolm)
- Item 09 - Introduction of Floating Car Club Service (Councillor Young)
- Item 10 - Proposed Letting of the Former Acton Library (Councillors Malcolm and G Stafford)
- Item 11 - LATCo Business Plan (Councillors Malcolm, G Stafford and Young)
- Item 12 - Budget Strategy and MTFs 2020-21 to 2022-23 (Councillor Young)
- Item 15 - Safer Communities Contract award (Councillor Malcolm)

1. Apologies for Absence

Councillors J Anand, Camadoo-Rothwell and Mason

2. Urgent Matters

There were none.

3. Matters to be Considered in Private

Items 10, 13, and 15 contained confidential appendices but were not taken in private as it was not necessary to discuss the confidential information provided.

4. Declarations of Interest

There were none.

5. Minutes

Resolved:

That the minutes of the Cabinet meeting held on 17 September 2019 be agreed and signed as a true and correct record.

6. Appointments to Sub-Committees and Outside Bodies

There were none.

7. Briefing on the Development of the Council's Climate Emergency and Sustainability Strategy

Resolved

That Cabinet:

- i) notes the initial work toward developing the Council's response to the Climate Emergency Declaration
- ii) supports the direction of travel for policy development, process and timescales to fully establish a Climate Emergency and Sustainability Strategy as outlined in this report

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- iii) notes that there would be further reports to Cabinet with detailed financial implications and funding arrangements
- iv) thanks officers for their hard work

Reason for Decision and Options Considered

The 2018 UN Intergovernmental Panel on Climate Change (IPCC) report stated that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius. In April 2019, Full Council declared a climate emergency and pledged to:

- Join other Councils in declaring a Climate Emergency;
- Call on the UK Government to provide the necessary powers and resources to make local action on climate change easier (as set out in 3 and 5 in the report);
- Aim to make Ealing carbon neutral by 2030, taking into account both production and consumption emissions;
- In light of 3. above, request Overview and Scrutiny Committee to urgently review and make recommendations on revisions to the Council's 2013-2018 Energy Strategy in light of the recent IPCC report and the latest Ealing data in order to achieve the revised target;
- Continue to work with partners across London to deliver widespread carbon reductions.

The climate emergency momentum had gained steadily since April and now over 90% of London boroughs had declared. Work had begun collaboratively across London to harmonise approaches to both gathering baseline data and dealing with the scale and depth of the issue. One of the first actions taken by London Councils on behalf of this consortium would be to call on the UK Government to provide powers and resources to address the crisis at pace.

The aim to make Ealing carbon neutral by 2030 had been considered in two parts – first, where the council had direct control over policies and resources and second, where the council was able to influence and advise. The task that lay ahead was grand, it reached the very core of how the council approached business and it supported the Future Ealing outcomes. The challenge was cross-cutting, affecting every aspect of council business. Success would require support within the organisation and externally from partners and suppliers. All financial expenditures and authority policies would need to complement and contribute to the delivery of the council's commitment to reduce carbon emissions.

In July 2019, officers presented an initial briefing to the Overview and Scrutiny Committee. The briefing aimed to ensure the cross-party committee understood the scale of the crisis and invited them to bring ideas to contribute to the solution. Over one hundred ideas were gathered to shape the policies, projects, partnerships and communications required to address the emergency. These ideas, alongside those offered by Ealing Transition (a local low carbon resident group) and the council's senior management team made up a long list that would be analysed as part of the forthcoming Climate Emergency and Sustainability Strategy development.

It was important to note that the Climate Emergency and Sustainability Strategy would form the council's response, but it would take a cross-borough, multi-agency approach including businesses, educational institutions, partnerships and community leadership to tackle the scale of the challenge.

Local authorities had a unique role to play in the climate change agenda including with a variety of powers and tools including setting policy, influencing new development and

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infrastructure, leading communities, managing public land and assets and commissioning a range of services for the public. Leading on the agenda was the council's greatest strength. Ecologist and Stroud Councillor, Simon Pickering, had identified a road map of nine key actions required by local authorities to become carbon neutral:

Complete shift to zero carbon electricity generation – produced both locally and nationally

Manage electricity demand and implement energy storage solutions

Significantly improve building energy performance through retrofit

Ensure all new builds reach their energy and carbon saving potential through planning authority and capital expenditure

Decarbonisation of heat for buildings, hot water and industry

Cut transport emissions drastically with a step change to walking, cycling and public transport – and transition all essential vehicles to electric

Dramatically reduce carbon emissions from food production and agriculture

Reduce waste produced and process waste with lowest carbon emissions possible – transport, processing, food waste, etc.

Increase carbon capture through tree planting, land management and keeping pace with technological advances

Drawing from local and global case studies and input from senior management, officers identified five critical channels for the council to focus its resources to address climate change in a swift and meaningful way:

- Energy
- Transport
- Food Systems
- Waste
- Green Spaces and Green Infrastructure

8. Preparations for Exiting the European Union Report Resolved

That Cabinet:

- i) notes the implications for the council and the borough of the issues highlighted in report.
- ii) notes and endorses the actions that the council is undertaking to prepare for a no-deal Brexit.
- iii) notes the Ministry of Housing, Communities & Local Government has committed £0.315m of funding in the form of a one-off grant for appropriate contingency planning for exiting the European Union (EU).
- iv) thanks officers for their work, in particular Kieran Read, Director of Strategy and Engagement.

Reasons for Decisions and Options Considered

At the time of writing this report there was still no clear indication on whether the UK would leave the EU with a deal or without a deal. Despite this the Government remained committed to leaving the EU on the 31 of October, with or without a deal. No deal Brexit carried a number of significant implications for the borough and Ealing Council had a responsibility to prepare for all eventualities, particularly those which posed negative

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implications for residents, communities and organisations. The council's ongoing work outlines how it would ensure the necessary plans and preparations were in place to mitigate any potential immediate and short-term impacts and provided support and assurance where possible. Given the significance of the issue, and the uncertainty and pace of developments the council could not afford to 'wait and see' the outcome of national developments and therefore no alternative approach has been considered at this stage.

9. Introduction of Floating Car Club Service

Resolved

That Cabinet:

- i) delegates authority to the Director, Regeneration and Planning, following consultation with the Portfolio Holders for Regeneration & Transport, Environment & Highways and the Director of Environment to:
 - Establish a floating car club permit scheme and including an accompanying non-exclusive operator legal agreement.
 - Make of a Traffic Management Order to facilitate the floating car club permit be established subject to consideration of the outcome of the statutory consultation.

Reason for Decision and Options Considered

Car clubs offered automated short-term car hire from periods of a few minutes to several hours upwards. Car clubs allowed people and businesses to have access to a vehicle without being tied to ownership. By offering lower or zero carbon, flexible use vehicles paid for at point of use, car clubs provided an alternative to car ownership and were part of the sustainable transport offer

In the traditional 'back to base' car club model, users book the car, drive it and then return it to the same dedicated location, either a marked on-street parking bay or parking in a private development. This provided access to vehicles 24 hours a day through a membership subscription and users are provided with a smartcard to open and lock the vehicle.

Vehicles, billing and customer support were provided by commercial operators who bought a business parking permit from the Council for £800 annually each vehicle on-street. Users opened an account with the operator and were billed on a time-charge basis.

Currently there were around 80 'back to base' car club vehicles available within LB Ealing and this model had been operating for over a decade. However, most of these vehicles were provided in Acton and Ealing, with provision in Greenford, Southall and Northolt lagging behind as operators report that 'back to base' model is harder to operate in areas where car ownership is relatively high.

This proposal to offer 'floating car club' vehicles that did not need to be returned to base but could use permitted parking bays anywhere in the borough would provide additional flexibility for users right across the Borough. This flexibility was both in terms of collection from home or workplace and destinations.

People registered with the provider as members, set up an account with them and were billed for the time they hired the vehicles for. The hire charges included vehicle running costs such as fuel, insurance, breakdown cover and maintenance.

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Floating car club operators would be required to purchase specific permits to be able park their car club vehicles in resident, dual use and Park by Phone parking bays in specified areas across the Borough. Designated locations which may be of concern could be excluded to prevent the vehicles from parking, for instance, short stay parking or close to stations where commuter or visitor parking is undesirable.

10. Proposed Letting of the Former Acton Library Resolved

That Cabinet:

- i) notes the outcome of the marketing exercise for the selection of a bidder for the grant of a lease as summarised in paragraph 2.11 in the report and in Confidential Appendices 1 and 4 of the report.
- ii) approves the selection of Acton Arts Project as the preferred bidder for the disposal of the former Acton Library building by way of a lease for 24 years as shown on the plan in Appendix 2 of the report.
- iii) authorises the Director of Regeneration and Planning following consultation with Director of Legal Services and Chief Finance Officer to agree the final terms and grant a lease of the former Library to the preferred bidder subject to full financial and non-financial due diligence in line with the draft Heads of Terms in Confidential Appendix 5 of the report.
- iv) authorises the Director of Regeneration and Planning to either market the property again under the same criteria or go back to the SEN school as the 'Best Consideration' bidder should the selected preferred bidder fail to complete.

Reason for Decision and Options Considered

In April 2013, before the opening of the new Acton library in the former Acton Town Hall in April 2014, Cabinet agreed to marketing of the former library building in anticipation of the relocation. In June 2014 Cabinet agreed the disposal of the building subject to final approval of the bidder.

5 bids were received, and these were assessed against the following criteria

- The impact of the proposed use on the future viability of the town centre
- The deliverability of the proposals – both in planning terms and in financial and operational aspects
- The impact upon a listed building and its future safeguarding
- The value of the offer

Curzon Corinthian were the successful bidders and the Council subsequently entered into an agreement for lease for 250 years with them in July 2015. However, Curzon Corinthian was unable to proceed on the original terms and subsequently terminated the agreement before a lease was granted.

The termination was reported to Cabinet on 14 November 2017 who authorised a new marketing exercise confirming that bidders were to be assessed against the same criteria as the 2014 marketing exercise.

The building had been occupied by Guardians since the library relocation who pay a small income to the Council. The Council was responsible for maintenance and FLAGE costs.

A new marketing exercise was undertaken earlier this year to let the former Acton library on a full repairing and insuring lease for up to 25 years. The building was

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marketed through HRH Retail, a niche retail & leisure agent. The building was advertised with extensive local and national coverage through targeted tenant marketing initiatives, contacting existing interested parties from the Council's records, online platforms such as Shop Property, PIP, EACH and their own website along with letting boards erected on the property. 5 group viewing days were held due to the considerable number of interested parties through July and August to enable potential bidders to view the building. Bids were invited on the basis of:

- Commercial Terms - length of lease, rent, rent free, rent reviews, break clauses etc. and any conditionality
- Proposed Tenant - full name and address of proposed tenant including Company Number (where applicable)
- Demise - whether the offer related to the whole building or the ground/upper floor in isolation
- Use - confirmation of the exact use or uses for the property including any supporting information. Potential uses were advertised as A1, A2, A3/A5, D1 or D2.
- Planning - what planning consent was required and what investigation works had been undertaken as to the likelihood of obtaining this for the proposed use
- Covenant Strength - accounts to be provided if an existing business or business case/viability information such as a business case if not
- Solicitors Details
- Timing - confirmation that a bidder could proceed to an exchange of an agreement for lease (AFL) within pre-agreed timeframes (even if subject to planning)

The marketing process commenced on the 6th June 2019 and the bid submission deadline was Friday 16th August 2019. Bidders were asked further clarification questions where required.

6 bids were received, and these had been assessed against the following criteria, consistent with the 2017 Cabinet approval.

- The impact of the proposed use on the future viability of the town centre
- The deliverability of the proposals – both in planning terms and in financial and operational aspects
- The impact upon a listed building and its future safeguarding
- The value of the offer

The 6 bids comprised of the following uses:

- Cinema on the ground floor and charity for the arts on the first floor
- SEN school for Autistic Children, whole building
- Independent learning centre and sixth form, ground floor only, no proposed use for upper floor
- Cinema, food hall, creative workspace, live music and café bar, whole building
- Backpackers' hostel, whole building
- Education centre for children of Eastern European background, whole building

The preferred bidder proposed by officers was the Acton Arts Project.

The Acton Arts Project proposes to set up a cinema on the ground floor, run by Arthouse Crouch End and a workspace for ACAA (Association for Cultural Advancement through Visual Art) on the first floor, both of whom would pay a rent which would go towards the Council's rent and to operational costs. Works would be required

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before these 2 parties could occupy the building and it was planned that funds would be raised for these from a number of sources by all 3 parties above.

The 6 bids were assessed against the criteria as set out in detail in Confidential Appendix 1 and summarised in the report. The backpackers' hostel was deemed to be a use not in line with the advertised suitable planning uses of A1, A2, A3/A5, D1 or D2. The ground floor only use was deemed to be not best use of the building without any planned use of the upper floors. The bid that included uses of cinema, food hall, creative workspace, live music and café bar required a significant upfront investment by the Council which was not available. 2 further bids (the education centre and independent learning centre) reflected a value that was significantly below the best consideration value (40% or less of that value).

11. LATCo Business Plan

Resolved

That Cabinet:

- i) notes the draft Business Plan of Greener Ealing Ltd ("GE") attached at Appendix 1 of the report.
- ii) authorises the Director of Environment, following consultation with the Chief Finance Officer, to agree the GE Business Plan, incorporating any further changes considered appropriate.
- iii) approves the amendments to the current Articles of Association for GE attached at Appendix 2 of the report.
- iv) notes the list of matters reserved to the Council as Shareholder for decision (as set out in the Amended Articles) attached at Appendix 3 of the report.
- v) appoints Mr Gary Alderson, Director of Environment, as the Council Shareholder representative for GE.
- vi) approves the Governance structure and arrangements described in section 5 of this report.
- vii) notes that Mike Boulton, (an independent non-Council employee) would become a non-executive director of GE.
- viii) recommends to full council that Ms Alison Reynolds (Director of Customer Services) and Mr Tim Smith (Head of Commercial Hub) are appointed as council-nominated Non-Executive Directors of GE
- ix) agrees to indemnify Ms Alison Reynolds and Mr Tim Smith, being the council's nominated directors of GE, pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004, for any liabilities (within the parameters of that Order) arising by reason of their position as council-appointed directors.
- x) notes the current position with regard to the delivery of services by Enterprise Managed Services Ltd and the terms of the Exit Strategy attached as Appendix 4 of the report.
- xi) agrees the service specification standards as detailed in appendix 8 of the report for the delivery of services by GE to the Council.
- xii) authorises the Director of Environment, following consultation with the Director of Legal and Democratic Services, to negotiate and complete a services contract with GE for the delivery of waste, recycling, street cleaning and grounds maintenance and associated services on the terms set out in appendices 5, 6 and 7 of the report.
- xiii) authorises the Director of Environment, following consultation with the Director of Legal and Democratic Services, to negotiate and complete a contract with GE for the delivery of Support Services as detailed in appendices section 8 of the main body of this report, from the Council to GE.

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- xiv) authorises the Director of Environment, following consultation with the Director of Legal and Democratic Services, to grant leases/licences to GE for the remises/sites listed in Appendix 6 of the report.
- xv) notes that GE will draw up a set of new terms and conditions for employees and establish the appropriate pension arrangements.
- xvi) authorises the Chief Finance Officer, following consultation with Director of Environment, to award any working capital requirement, at commercial terms, should GE require, up to a value of £2.5m.
- xvii) authorises the Director of Environment, following consultation with Chief Finance Officer and Director of Legal and Democratic Services, to negotiate and complete appropriate arrangements with GE for the use of any required vehicles, plants and machinery.
- xviii) authorises the Director of Environment, following consultation with the Director of Legal and Democratic Services, to negotiate and complete the novation of relevant contracts to GE where contracts have been procured by the Council on behalf of GE.
- xix) authorises the Director of Environment, following consultation with the Director of Legal and Democratic Services, to negotiate and complete variations to existing Council contracts where the Council is providing the contracted services to GE.
- xx) authorises the Director of Environment, following consultation with the Chief Finance Officer and the Director of Legal and Democratic Services, to negotiate and agree with Enterprise Managed Services Ltd, terms for the settlement of any outstanding points of disagreement arising out of the current or extended contract.
- xxi) authorises the Chief Finance Officer to make the necessary adjustments to the medium-term financial strategy to include revenue provision in line with GE contract costs and if appropriate contingency summarised in paragraph 11 of the report.

Reason for Decision and Options Considered

In April 2019 Cabinet received a report on the progress made towards setting up a Council owned company to deliver the Council's waste, recycling, street cleaning, grounds maintenance and associated services and sought authority to proceed with the procurement of a number of contracts. This report provides an update on the procurement activity that has taken place and also seeks input on the company business plan and associated constitutional, governance, contractual, financial and staffing arrangements.

12. Budget Strategy and MTFS 2020-21 to 2022-23

Resolved

That Cabinet:

- i) notes that officers would continue to prepare detailed plans and budget proposals in accordance with the Administration's priorities and financial strategy objectives (paragraph 3.1 to 3.3 of the report), taking into account emerging expenditure and funding information (section 4, 5 and 6 of the report) and the proposed approach to savings identification (paragraph 3.4 and 3.5 of the report).
- ii) notes the indicative impact of 2019 Spend Review in absence of any technical release and notes that work is on-going to further refine funding assumptions (section 6 of the report).
- iii) notes the intention per the 2019 Spend Review to cessate the London Business Rates Pool Pilot, effective from 2020/21 (paragraph 6.5 of the report).
- iv) notes the original budget gap for 2020/21 of £19.275m and notes progress made to date (paragraph 4.3 and 6.17 of the report).
- v) notes the updated forecast budget gap of £40.819m over the three-year Medium-

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Term Financial Strategy period and sets a requirement to also bring forward proposals to close the forecast gap in 2021/22 onwards (paragraph 6.18 and 6.19 of the report).

- vi) notes the capital investment process as set out in the report (Section 7 of the report).
- vii) notes HRA Budget Strategy will be brought back for review at December 2019 Cabinet meeting (Section 8 of the report).
- viii) notes the updated budget preparation timetable as set out in the report (Section 9 of the report).

Reason for Decision and Options Considered

This was an update report for Members consideration on the 2020/21 Budget and Medium-Term Financial Strategy (MTFS). It updated the MTFS assumptions for 2020/21 to 2022/23 and endorsed officers to continue to prepare detailed budget proposals for Member consideration as part of the annual budget-setting cycle in line with the timetable at paragraph 9.1 of the report.

The overarching objective was to set an outcome-led budget in line with Future Ealing outcome principles over the medium term that is balanced and sustainable; supported by robust savings plans.

The Council continued to invest in services that experience significant and continued demand pressures, with prioritisation being given to the most significant vulnerable group whilst continuing to face further pressures due to significant complexity of service provision, against the backdrop of continuing declined funding; notwithstanding the indicative projected increase in funding as a result of the 2019 Spending Review.

13. Acquisition of Cattle Market Adjacent to Southall Market Car Park and Redevelopment of the Combined Site to Deliver circa 125 Affordable Homes Resolved

That Cabinet:

- i) notes the change of strategy for the Southall Car Park from that outlined in the Cabinet report of 13th December 2016 in paras 2.6 to 2.8 of the report.
- ii) notes and agrees the proposal to the principle of the redevelopment of the Southall Market Car Park together with the acquisition of the remainder of the adjacent Cattle Market site as proposed in paras 3.3 to 3.6 in the report as shown on the plan in Appendix 1 of the report which would result in a construction of circa 125 homes (or as amended by planning), and re-provision of the public car park circa of 80 spaces.
- iii) notes that the funding commitment required to undertake the transaction will come from the GLA Grant funding of £12.5m and the rest to be financed HRA capital programme or via loan agreement to the RP or BL (from existing BL loan facility).
- iv) delegates authority to the Chief Finance Officer to apply the most appropriate funding source as indicated within Recommendation 1.3 of the report.
- v) delegates authority to the Executive Director of Place, subject to Recommendation 1.3 and 1.4 in the report, and following consultation with the Portfolio Holder for Finance and Resources, Portfolio Holder for Housing and the Director of Legal and Democratic Services to negotiate and enter the legal agreement/s necessary to progress the redevelopment as proposed.
- vi) agrees in principle for the Southall Market Car Park to be appropriated for planning purposes and the adjacent site to be acquired for planning purposes.

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- vii) authorises the Director of Regeneration and Planning to undertake the appropriation process as and when necessary.
- viii) delegates authority to Executive Director of Place, following consultation with Chief Finance Officer and Director of Legal and Democratic Services to transfer the residential units at the most appropriate time to Broadway Living (BL) or its RP subsidiary (BLRP) subject to further consideration of financial and development feasibility and discussion and negotiation with BLRP.
- ix) notes and agrees that if the Scheme does not progress by way of a transfer to BL or BLRP then the Scheme will be delivered within the HRA and that the HRA Capital Programme will be adjusted to reflect the requirement to support the delivery of the Scheme.
- x) delegates authority to Chief Finance Officer following consultation with Executive Director of Place and Director of Legal and Democratic Services to enter into the Funding Facility Agreement with BL or BLRP as appropriate.

Reason for Decision and Options Considered

The Council purchased part of the Cattle Market site in 2013 and created an 80 space pay and display, surface level public car park.

The car park was located between the car park behind Red Lion Public House and the remainder of the old Cattle Market site to the rear of the Lidl supermarket on Southall High Street at the eastern end of Southall Town Centre.

The vehicular access to the car park was jointly shared with the adjacent Cattle Market currently operating as a local market for three days a week.

The car park was 0.179 hectares and consisted of 78 regular bays, 2 disabled bays and electric car charging points. The car park received 25,000 visits per annum.

The Council was approached for the purchase of our car park by the developer of the Red Lion site in early 2016, and Cabinet approved the disposal of the car park in December 2016. However, this scheme did not proceed when the proposed supermarket operator dropped out.

In July 2018, as part of the Future Ealing project, Cabinet approved a more commercial and strategic approach in the use of Council assets in achieving its objectives of delivering genuinely affordable housing.

In October 2018, the Council secured circa £98.8 million grant funding from the Greater London Authority under the 'Building Council Homes for Londoners' programme to deliver 1138 affordable homes.

As part of the above, Council had been reviewing its corporate portfolio to identify suitable sites for housing development and Southall market car park had been identified as one. The approved strategy meant that the site was to be developed in conjunction with the adjacent sites instead of development of the site in isolation.

Options Considered

In March 2019, in the interest of realising the best value and higher affordable housing numbers for the site, the Council invited affordable housing proposals from parties holding beneficial interest in the adjoining sites, who had previously expressed an interest.

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The owners of the Red Lion car park declined to submit an offer. However, Mackenzie Homes, who held an option to purchase the Cattle Market site, submitted an offer to deliver 100% affordable housing.

Mackenzie Homes' offer required the Council to enter into a fixed sum contract for the transfer of Mackenzie Homes' option site and for the construction of the homes.

The design proposals by Mackenzie Homes included the re-provision of the existing car park and ancillary accommodation on the ground level, with residential accommodation over nine floors above.

The residential accommodation was made up of two staggered blocks served by two cores producing circa 125 homes which will be predominantly for London Affordable Rent with a small number of shared ownership should this be required for making the scheme financially viable.

The proposals also included the creation of a new public space behind the High Street buildings, new public realm and play spaces and improved the existing pedestrian access to the north west corner of the site.

One of the previous proposals with the supermarket operator, which has fallen through, included for a public toilet, however, this was no longer being proposed.

To proceed with the current proposals, the Council had reviewed other options for the site, and they are summarised below:

Do Nothing. This would result in sub-optimal use of the site as a car park and did not provide any genuinely affordable homes to cater to our residents' need.

Development of the car park site alone. The car park could provide up to 76 homes whilst retaining a reduced amount of public car park on the ground floor. However, this proposal did not realise the full potential of the site, would result in loss of car parking spaces and income for the longer term. The proposals also delivered significantly reduced number of affordable homes due to poor viability and requiring cross subsidy with high number of private sale or shared ownership tenures.

Joint development across three sites. The Council had considered combining all three sites to realise the full potential of the sites however, this did not come to fruition as the owner of the third site was not willing.

Considering the above options, the current proposal with the Mackenzie Homes site achieved the best outcome for the Council.

14. Home Office Prevent Peer Review Findings and Recommendations Resolved

That Cabinet:

- i) notes the positive outcomes of the report.
- ii) endorses the observations within Appendix 1 of the report which will form a reply to the Home Office.
- iii) thanks all Prevent officers for their contribution.

Reason for Decision and Options Considered

The Prevent Duty came into force in July 2015 and requires specified authorities, including local authorities and schools, to have 'due regard to the need to prevent people from being drawn into terrorism'. It is recognised that Peer Reviews can

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present a valuable body of learning in order to raise standards and indicate the degree of compliance in Council services.

The Ealing Council Prevent Team and their partners committed a considerable amount of effort in order to expose the reviewers to the breadth of good practice being employed and this has been reflected in a very positive report.

Setting out a measured response to the Home Office underlines our continued commitment to improvement but properly sets expectations concerning recommendations that we may feel are already in place or are impractical.

**15. Safer Communities Authority to go out to Tender
Resolved**

That Cabinet

- i) authorises the Director of Safer Communities and Housing to invite and evaluate framework tenders to patrolling services to tackle ASB and Noise Nuisance in Ealing for an initial period of 4 years.
- ii) authorises the Director of Safer Communities and Housing to assess the tenders and award the framework tender for patrolling services to tackle ASB and Noise Nuisance in Ealing as a key officer decision following consultation with the lead member for Safer Communities and Inclusion.
- iii) corrects the error to the title of this item as follows – replace the title – “contract award” with “authority to go out to tender”

Reason for Decision and Options Considered

Ealing had responsibilities under the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 and statutory duties under the Environmental Protection Act 1990 to patrol the local area with the Borough and use its powers to intervene to prevent or address nuisance- generating behaviour and ASB.

Currently this service was provided by various services including:

- Housing Estate ASB Patrols provided by Parkguard Ltd.
- Parks and Council managed Car Parks based ASB Patrols provided by Parkguard Ltd
- Parks Gate Locking Service provided by Parkguard Ltd
- Noise Nuisance patrols provide by an inhouse Noise service.

The current service provided by Parkguard Ltd however was no longer under contract and there is currently no framework agreement in place that Ealing can use to access and commission services for these types of patrols.

The patrolling services as they currently stand represent an important and valued service which provided:

- Reassurance to residents across the borough with high visibility patrolling in parks and housing estates
- Challenging inappropriate and anti-social behaviour as it happened both during office hours and out of hours at night and on weekends when it was most prevalent.
- Gathering evidence of serious ASB and the identities of perpetrators that was then used to both support Police patrolling and action and enable Council led civil legal proceedings to disrupt and restrict further incidents.
- Provided weapon sweeps in public spaces and Council owned land to help reduce the risk of violent crime.

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- Provided a key mechanism in identifying key locations and individuals involved in targeting vulnerable people, including young people, at risk of sexual, criminal or financial exploitation.
- was a key aspects to the Council's push to manage drug related ASB and violence.
- Provided a gate locking service at key locations across the borough.

The framework tender would seek to re provision all of the above and create an additional patrol which will form the new response to out of hours complaints of noise and low level ASB on a reactive basis.

As part of on-going savings expectations and requirements across Safer Communities a FE proposal was developed that looked to reduce overall costs by commissioning out the noise service to an external patrolling service in much the same manner Parks and Housing Estates are provided. This change would lead to an approximate £100k savings per annum on the current service provision model. The new service would commission an additional patrol to provide:

- Out of hours responsive noise patrols to visits and evidence gathering and challenge behaviour
- Out of hours Responsive ASB visits to gather evidence and challenge behaviours
- Out of hours observation of commercial premises activity that give rise to disturbance.

It was anticipated that the service would continue to be accessed by residents via the out of hours 5000 telephone number until we were able to move to an exclusion online form to report instances of nuisance or ASB, the primary purpose of this logging would be to create an online log as opposed to requesting a visit, however the patrol would monitor the incident logs and respond and visit on a risk and priority basis.

As outlined above it was proposed that a service restructure take place in Autumn 2019 which would see the noise patrolling aspects commissioned out as part of the wider retendering of the patrolling services already in place. It was proposed changing the scope of the current Noise Service so that low level complaints are triaged and where possible referred to mediation/ locally negotiated approach.

16. Update on the School Expansion Programme, Determination of Statutory Proposals for Havelock Primary School ARP and Children's Services Capital Approvals

Resolved

That Cabinet:

- i notes sections 3.1 and 3.2 of the report which set out the updated projections in relation to demand for primary and secondary school provision across the borough and the proposed strategy to meet demand.
- ii. notes the progress made with regards to securing additional provision for pupils with Special Educational Needs.
- iii. approves the proposals for opening a 24 place Additionally Resourced Provision (ARP) at Havelock Primary School. The increase would be phased starting with extra places in 2020.
- iv. authorises the allocation of £1.500m for the works associated with providing an ARP at Havelock Primary School, from the existing approved Schools SEN Expansion Programme.
- v. authorises the Executive Director for Children, Adults and Public Health to invite

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- and evaluate tenders for the main works contracts, and any enabling works contracts, required for the provision of the ARP at Havelock Primary School.
- vi. approves the inclusion of £432,433.00 Grant funding for Three Bridges Primary School Nursery into the capital programme in 2019/20 from new DfE School Nurseries Capital Fund Grant.
 - vii. authorises the Executive Director for Children, Adults and Public Health to invite and evaluate tenders for the works contracts required for the Three Bridges Primary School Nursery to be funded from the £0.432m funding for Three Bridges Primary School Nursery included into the capital programme in recommendation vi.
 - viii. authorises the Executive Director for Children, Adults and Public Health to develop plans and invite and evaluate tenders for the works contracts required for the Villiers High School Places project from the existing approved capital programme for Secondary Schools Expansions based on two Free Schools obtaining a site.
 - ix. approves the inclusion of £379,155.58 Grant funding for High Priority Condition Works into the capital programme in 2019/20 from new Schools Condition Allocation Grant.
 - x. approves the proposal not to take a lease and procure a new primary school on the Greenford Green development at the former GlaxoSmithKline and Sunblest site in Greenford and authorises the Executive Director Children, Adults and Public Health to give written notice of this to the land owner.

Reason for Decision and Options Considered

The Council had a statutory duty to secure sufficient school places and to promote high educational standards, ensure fair access to educational opportunity and promote the fulfillment of every child's educational potential. The Council must also promote choice and diversity.

The legal framework within which Cabinet must consider the proposals was set out in section 5 of the report.

The relevant background report on projected future demand, Update on the School Expansion Programme, SEN Statutory Proposals and BSF PFI Refinancing October 2018, which was presented to Cabinet on the 16th of October 2018, could be accessed via the following link:

<https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/4985/Committee/3/Default.aspx>

The relevant background information on the statutory proposals for Havelock Primary School ARP was reported to Cabinet on 14th May 2019, and could be accessed via the following link:

<https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6180/Committee/3/Default.aspx>

Under the Council's Constitution, Cabinet approval was required to proceed with schemes over £1.000m in value, Portfolio Holder approval was required in order to proceed with schemes between £0.500m and £1.000m, and the schemes up to £0.500m per annum fall within Director delegated powers.

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of this Committee.

17. Date of Next meeting

Resolved

That Cabinet notes that the next meeting of Cabinet would be held on 12 November 2019 at 7pm

Councillor Julian Bell, Chair

Date

The meeting concluded at 7:55pm having completed its business.

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of this Committee.