

CABINET

**Tuesday 17 September 2019 at 7pm
Minutes**

PRESENT:

Councillors: Bell, Anand, Camadoo-Rothwell, Johnson, Mahfouz, Mason, Rai and Sabiers

ALSO PRESENT:

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

Item 11 - Borough Wide Public Spaces Protection Order (PSPO) (Councillor Young)

Item 12 - Ealing Town Hall Update (Councillor Young)

Item 13 - Budget Update 2019-20 (Councillor Young)

Item 15 - Gurnell Leisure Centre Update (Councillor Young)

Item 16 - Changes to Visitor Parking (Councillors Malcolm and Young)

Susan New (member of the public) addressed the Cabinet with regard to item 07 Scrutiny Review Panel 1 - 2018/19 Housing and Planning - Final Report

Councillors Morrissey, Raza, Young and Costigan addressed the meeting regarding items 7, 8, 9 and 10, in their capacity of chairs/ vice chair of the scrutiny panels.

Also In Attendance

Councillor Mahmood

1. Apologies for Absence

Councillor Gordon

2. Urgent Matters

There were none.

3. Matters to be Considered in Private

Items 11 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 16 July 2019 be agreed and signed as a true and correct record.

6. Appointments to Sub-Committees and Outside Bodies

There were none.

7. Scrutiny Review Panel 1 - 2018/19 Housing and Planning - Final Report

Resolved

That Cabinet:

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.

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 6 June 2019, which is attached as Appendix 1 to the report
- ii) accepts the officer recommendations in relation to the Panel recommendations in Section 16 of the final report with the following amendments: Recommendation 1 – Accept; Recommendation 7 – Reject; Recommendation 18 – Accept; Recommendation 20 – Accept.
- iii) directs service officers to produce/or finalise an action plan within an agreed timescale on those recommendations that are agreed by Cabinet; and
- iv) reports its decisions to OSC on 10 October 2019 or 7 November 2019, as appropriate.
- v) thanks the Panel and Anna-Marie Rattray, Scrutiny Officer, for their work on this report.

Reason for Decision and Options Considered

Scrutiny has a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny need to be taken forward in a timely manner and in accordance with the Council's Constitution if the Scrutiny function is to be effective. The Scrutiny and Executive Protocol identifies the timescale for Cabinet to respond to Scrutiny recommendations. This decision will mean that the response is made in a timely manner and that services can implement the accepted recommendations.

8. Scrutiny Review Panel 2 - 2018/2019: Knife Crime and Youth Engagement – Final Report Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 06 June 2019, which is attached as Appendix 1 to the report.
- ii) accepts the officer recommendations in relation to the Panel recommendations in section 8.0 of the final report;
- iii) directs service officers to produce/or finalise an action plan within an agreed timescale on those recommendations that are agreed by Cabinet; and
- iv) reports its decisions to OSC on 10 October 2019 or 7 November 2019, as appropriate.
- v) thanks the Panel and officers for their excellent work.

Reasons for Decisions and Options Considered

Scrutiny has a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny need to be taken forward in a timely manner and in accordance with the Council's Constitution if the Scrutiny function is to be effective. The Scrutiny and Executive Protocol identifies the timescale for Cabinet to respond to Scrutiny recommendations. This decision will mean that the response is made in a timely manner and that services can implement the accepted recommendations.

9. Scrutiny Review Panel 3 - 2018/2019: Air Quality – Final report Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 06 June 2019, which is attached as Appendix 1 of the report.
- ii) accepts the officer recommendations in relation to the Panel recommendations in section 8.0 of the final report

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- iii) directs service officers to produce/or finalise an action plan within an agreed timescale on those recommendations that are agreed by Cabinet; and
- iv) reports its decisions to OSC on 10 October 2019 or 7 November 2019, as appropriate.
- v) thanks Councillor Young (chair of the Panel), the Panel and officers for their work on this panel.

Reason for Decision and Options Considered

Scrutiny has a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny need to be taken forward in a timely manner and in accordance with the Council's Constitution if the Scrutiny function is to be effective. The Scrutiny and Executive Protocol identifies the timescale for Cabinet to respond to Scrutiny recommendations. This decision will mean that the response is made in a timely manner and that services can implement the accepted recommendations.

10. Scrutiny Review Panel 4 - 2018/2019: Future Ealing – Final Report Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 11 July 2019, which is attached as Appendix 1 of the report.
- ii) accepts the officer recommendations in relation to the Panel recommendations in section 8.0 of the final report with the following amendment: Recommendation 9 – Accept in full.
- iii) directs service officers to produce/or finalise an action plan within an agreed timescale on those recommendations that are agreed by Cabinet; and
- iv) reports its decisions to OSC on 10 October 2019 or 7 November 2019, as appropriate.
- v) thanks the Panel and officers, in particular Harjeet Bains (Scrutiny Officer) and Democratic Services staff for their work on this report.

Reason for Decision and Options Considered

Scrutiny has a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny need to be taken forward in a timely manner and in accordance with the Council's Constitution if the Scrutiny function is to be effective. The Scrutiny and Executive Protocol identifies the timescale for Cabinet to respond to Scrutiny recommendations. This decision will mean that the response is made in a timely manner and that services can implement the accepted recommendations.

11. Borough Wide Public Spaces Protection Order (PSPO) Resolved

That Cabinet:

- i) approves the making of a PSPO, for a period of three years, in the final draft form attached at Appendix 1 of the report on the basis that (1) Members are satisfied that the activities identified in the evidence are having a detrimental effect on the quality of life of those in the locality (2) that the effect is persistent or continuing, and is such as to make the activities unreasonable and that effect justifies the restrictions proposed and (3) the prohibitions and requirements are reasonable to impose in order to prevent or reduce the detrimental effect from continuing, occurring or recurring.
- ii) thanks Councillor Camadoo and officers for their work on this project.

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Reason for Decision and Options Considered

This report considers the investigation, research and statutory consultation exercise conducted by the council's safer communities team in relation to the proposal to introduce a borough-wide Public Spaces Protection Order (PSPO) to address behaviours having a detrimental impact on residents and those visiting the borough.

Members considered whether it is appropriate to make a PSPO, having considered in full:

- The evidence base;
- Response to the consultation;
- The Equality Impact Analysis; and
- The statutory framework for the making of a PSPO. The evidence base is summarised in Section 3 of this report and detailed in the appendices, specifically at Appendix 2 of the report.

Section 5 of this report summarised the consultative process and outcome, which was detailed in full at Appendix 3 of the report

The impact of the proposed PSPO on equalities is outlined in Section 11 of this report and Ealing's Equality Impact Analysis is provided in full at Appendix 4 of the report.

The legislation and guidance in relation to PSPOs is detailed at Section 2 of this report.

The purpose of the proposed PSPO is to enhance public spaces across Ealing and improve quality of life for residents by reducing anti-social behaviour in those spaces by targeting behaviours evidenced to be having a detrimental impact on residents of and visitors to the borough. The proposed PSPO would introduce requirements and prohibitions focused on behaviours in defined public spaces.

As outlined in more detail in Section 2 of this report, PSPOs were introduced

- by the Anti-Social Behaviour, Crime and Policing Act (2014). They are a broad
- power that replaced a number of other types of order, such as Gating Orders and Designated Public Protection Orders (DPPOs).

The council and police use a wide range of measures to protect the public and tackle crime and anti-social behaviour. These go beyond criminal investigation and enforcement and include diversionary and intervention activity, as well as proactive civil enforcement such as injunctions, Community Protection Notices (CPNs) and Criminal Behaviour Orders (CBO). While these approaches are effective, there are some instances that make this type of targeted work challenging without additional powers.

Over recent years the Safer Ealing Partnership has developed an approach to tackling community concerns, with a focus on People, Premises and Places. In addition to police powers to tackle individuals for specific offences, tools such as injunctions and criminal behaviour orders have proven key in Ealing's approach to managing People involved in criminal and anti-social behaviour. Similarly, licensing enforcement, property regulation and powers in relation to closure orders have proven key in tackling Premises of concern across the borough. It is in relation to the Places aspect of Ealing's approach that PSPOs play their most important role; the borough-wide PSPO being recommended in this report has been developed following careful analysis of evidence

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from a wide variety of sources, combined with consideration of the effectiveness of conditions within more localised PSPOs previously introduced in Ealing.

Until 2017 Ealing was subject to a borough-wide Designated Public Protection Order (DPPO), which focused on alcohol related anti-social behaviour and provided police and other authorised officers some additional powers to instruct people to stop drinking alcohol and to confiscate alcohol from people acting in an anti-social manner (this was often referred to less formally as a 'Controlled Drinking Zone'). The proposed borough-wide PSPO has been informed in part by the strong evidence base in relation to alcohol related anti-social behaviour and contains recommends prohibitions and requirements that in effect reintroduce a borough-wide controlled drinking zone.

The proposed PSPO additionally addresses a range of behaviours that are evidenced as having a persistent detrimental impact on residents and people visiting or working in the borough. The proposed order has been carefully drafted based on evidence collected from a range of sources (explained in greater detail in Section 3 of the report, Evidence base). The order has been drafted to improve the quality of life of people who live, work in, and visit the borough and to support other initiatives, such as the night time economy strategy, to improve community cohesion, public safety and residents' perception of safety.

There are five existing PSPOs in the borough (West Ealing, Southall Town Centre, Southall Parks, Valetta Road, Gating and Mattock Lane Safe Zone). Since 2016 Ealing has developed a process for scoping and introducing PSPOs in the borough with a focus on detailed evidence collection, consultation and review. The existing five PSPOs have played a key contribution to Ealing's community safety strategy, focused on responding to resident concerns and tackling crime and anti-social behaviour. Ealing's existing PSPOs have helped the Safer Ealing Partnership understand common factors around the types of behaviour our residents feel have a negative impact on their quality of life. They have proven an effective way to reduce crime and anti-social behaviour and increase public confidence. In West Ealing and Southall, analysis showed a reduction in reports of crime and anti-social behaviour following the introduction of the respective PSPOs (summary analysis referenced in Appendix 5 of the report). In the event the recommended borough-wide PSPO is introduced, the recommendation is that, after the planned review at six months, the existing PSPOs in West Ealing, Southall Town Centre and Southall Parks are rescinded in the event the evidence indicates the borough-wide PSPO should remain in its current form.

PSPOs have also proven valuable in engaging the community, generating discussion of what is and isn't acceptable behaviour in public spaces and promoting positive behaviour change. Alongside the existing powers and ongoing partnership work, a PSPO forms part of a broader strategy to increase awareness and address local concerns.

A consistent concern raised about existing PSPOs relates to the perceived 'displacement' of certain behaviours and there have been community calls for Ealing's existing PSPOs to be extended. These have come through ward panel and ward forum feedback, as well as from consultations undertaken in regard to previous localised PSPOs. The cause of widening some of the key PSPO areas has also been championed by some resident groups, such as from those in Hanwell, who have contacted the council to raise concerns that PSPOs in other town centres have displaced some issues, such as alcohol related ASB, to their town centre.

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In devising the proposed order, the safer communities team have carefully considered the findings from the analysis of reports received by council services and partners, local community feedback at events, police crime data, consultation with statutory and non-statutory partner agencies and further interdepartmental research. It is clear from communication with residents and businesses from historic communication, communication during the evidence gathering phase and the consultation phase that they have concerns about anti-social behaviour in public spaces not currently benefitting from a PSPO.

Based on the diverse range of evidence and intelligence sources, the safer communities team have identified specific, persistent and detrimental behaviours having a negative effect on the quality of life in public spaces across the borough. The team have additionally identified concerns in specific types of public space, such as town centres, housing estates and parks. Some of these behaviours have also been identified to be linked with criminal activity and a PSPO offers an additional tool to disrupt and tackle those offences. Some of the recommended conditions prohibit activities which can otherwise not be enforced against (for example, possession of legal highs is not currently a criminal offence, despite causing significant distress to residents and harm to local spaces). Other conditions in the Order provide a wider range of enforcement options to authorised officers for existing offences, allowing them to better operationally address concerns in a way that supports the borough commitment to make Ealing a safe and healthy place to live and work.

On the basis of this research an order has been drafted that encompasses a series of requirements and prohibitions that will apply in *all* public spaces across the borough, as well as additional conditions for three defined types of public space, namely:

Town centres (namely Acton, Ealing, Hanwell, Greenford, Southall and West Ealing)

- Parks and open spaces
- Council managed housing estates

The majority of residents, visitors and people who live and work in the borough enjoy our public spaces positively and considerably and the aim of the proposed PSPO is to address the unreasonable behaviours identified and ensure those public spaces remain accessible to all to enjoy in a safe manner. The PSPO has been designed to support the work of our partner agencies and other Council services to enhance the vibrancy of our public spaces and strengthen community cohesion.

12. Ealing Town Hall Update

Resolved

That Cabinet:

- i) notes the latest development with regard to Ealing Town Hall as set out in the report.
- ii) notes and agrees to the proposed disposal of Victoria Hall as part of the wider disposal to Mastcraft and the proposed internal 'land swap' of the Princes Hall and Queen's Hall to facilitate the redevelopment of Ealing Town Hall (as set out in paragraphs 2.8 of the report).
- iii) delegates authority to the Director of Regeneration and Planning to negotiate and agree amendments to the proposed Agreement for Lease with Mastcraft on the basis set out in section 2 of the report (including the proposed 'land swap' and Community Use covenant) and to enter into the Agreement for Lease following consultation with the Portfolio Holder for Regeneration and Director of Legal

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Services including any amendments which may be required following further liaison with the Charity Commission and subject to the Council as Trustee deciding to proceed with the Mastcraft Scheme.

- iv) delegates authority to the Director of Regeneration and Planning to settle the apportionment of the lease premium and rent paid by Mastcraft (as well as the fair and reasonable contribution to be made by the Trust towards the Council's costs) with officers acting on behalf of the Trust, in accordance with the advice received from respective independent Valuers (and any further valuation advice required).

Reason for Decision and Options Considered

Since Cabinet last considered a report on Ealing Town Hall in February 2019 there has been continuing correspondence with the Charity Commission (CC) relating to the applications for Charity Commission consent previously reported to Cabinet. Officers met representatives from the CC in July after raising concerns about the time it was taking for the Commission to reach any decision on the Victoria Hall Trust. The meeting was held in Ealing Town Hall which enabled officers to show the representatives around the Town Hall. Following the meeting the Charity Commission confirmed that they had found the meeting and tour to be very useful. In a letter dated 15th July the Charity Commission also set out in some detail what remaining information is required from the Trust and provided more information as to the basis of their decision making. It is now clear from that letter that further consultation may be required and that the Charity Commission may not be ready to make any final decision until later this year.

As Cabinet is aware Ealing Town Hall is listed as an asset of community value (ACV) and was originally listed in 2016. As reported in January 2019 a further notice of a 'relevant disposal' under the ACV legislation was given in 2018 which triggered the 6 month moratorium period which expired on 9th November 2018 and during which period Ealing Voice and CEPAC submitted proposals for the future of the Town Hall and which were considered by Cabinet on 19th February 2019 and by General Purposes Committee on 15 January 2019 respectively.

Under the ACV legislation there is a 'protected period' which expires 12 months after the end of the moratorium period during which the 'relevant disposal' must take place. The protected period expires on 9th November 2019 and for the reasons set out in the report there is a real risk that the Charity Commission will not have made its final decision on the Trust applications by that date.

As a result, if the Council has not made a 'relevant disposal to Mastcraft by 9th November a third notice of intended disposal will have to be given which would be very likely to trigger a third 6-month moratorium period. Officers have obtained legal advice and have been advised that the proposed Agreement for Lease (AfL) with Mastcraft would be a relevant disposal even if new conditions were to be included in the AfL to include a new provision making the grant of the lease conditional on the Trust securing any necessary consents for the redevelopment.

Whilst it has until now, been officers' preference to enter into the AfL with Mastcraft only after Charity Commission consent has been obtained, it is however now not considered to be advisable given the effect in terms of timing as a result of the ACV status of the building if consent is not obtained until after 9th November.

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It is now therefore recommended that Cabinet delegate authority to the Director of Regeneration and Planning to negotiate amendments to the draft Agreement for Lease to reflect the fact that the lease will only be granted if and when the necessary Charity Commission consents have been obtained and enter into the AfL on that basis before 9th November.

In their letter of 15th July the Charity Commission also raised some further questions about the future community use of the Town Hall noting that community use is not necessarily synonymous with the 'charitable public benefit use' about which they need to be satisfied to the extent that is relevant to the future management of the Trust element of the Town Hall.

In addition, the area currently consisting of the Princes Hall (which is part of the Town Hall held under the Trust) will not be available for community use or charitable public benefit use if the proposals agreed with Mastcraft proceed. It is therefore proposed that the Princes Hall be swapped with the Queen's Hall for the purposes of the Trust's land holding. This is on the basis that the Mastcraft proposals currently provide for the Queen's Hall to be sublet back to the Council which will then enable the Council to manage the operation of the Queens' Hall as trustee subject to Charity Commission consent being given. Both the Council as general owner of the Town Hall and the Council as Trustee of part of the Town Hall have obtained valuations which confirm that the proposed land swap is a like for like swap.

The application to the Charity Commission for the approval of the disposal of Trust property to Mastcraft has been made on the basis of the proposed land swap and on the basis that the future management and use of the Victoria Hall will be consistent with the objects of the Trust (as proposed to be amended and agreed by the CC) as there is a requirement for the Victoria Hall and some other future meeting rooms in the Hotel to be let out to the public in accordance with a Community Use Protocol to be attached to the proposed lease to Mastcraft.

The Council and Mastcraft halted active negotiations on the draft Agreement for Lease and associated documents when Counsel's advice on the status of the Trust was received in 2017. As a result the draft AfL and annexures do not currently reflect the fact that part of the Town Hall is held on Trust and the legal implications of that are not yet reflected in the documentation. Authority is therefore sought to negotiate further amendments to the draft Agreement for Lease and annexures agreed with Mastcraft to date to reflect the Trust status including Community Use Protocol.

13. Budget Update 2019-20 Resolved

That Cabinet:

- i) notes the General Fund revenue budget forecast outturn position of £6.046m net overspend (2.44%) for 2019/20 (section 4 of the report), and a break-even position on Housing Revenue Account for 2019/20 (section 6 of the report);
- ii) notes that mitigations are being developed with the aim of ensuring the overspend is brought back within budget and that such additional measures will be implemented in September 2019
- iii) notes the progress on delivering the 2019/20 savings (section 5 of the report)
- iv) notes the 2019/20 capital programme forecast (section 8 of the report).
- v) approves the re-profiling of 2019/20 capital programme net slippage of £123.018m (paragraph 8.3 of the report) into future years.

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Reason for Decision and Options Considered

To forecast the financial position for 2019/20 based on available information at end of 31 July 2019. The report outlines the council's forecasted position on revenue, capital, income and expenditure to the end of the period.

14. Council Performance Report Quarter 1 2019/20

Resolved

That Cabinet:

- i) notes the contents of the report.
- ii) notes the progress made against the Council Plan performance indicators during the first quarter of 2019/20 (April – June).

Reason for Decision and Options Considered

The purpose of this report is to provide Cabinet with a summary of the council's performance in the first quarter of 2019/20 against key indicators set out in the Council Plan for 2018-22.

15. Gurnell Leisure Centre Update

Resolved

That Cabinet:

- i) notes the current position with regard to the Gurnell scheme as outlined in this report including in Confidential Appendix 1 of the report.
- ii) agrees in principle to proceed in partnership with Be:Here Ealing Ltd to vary the existing Agreement for Lease to reflect that the Council and Developer will each directly procure a building contractor to deliver their respective parts of the scheme as further outlined in paras 3.6 and 3.7 of this report
- iii) notes that in agreeing in principle to the Council taking on direct delivery responsibility for part of the scheme there is an associated risk of an additional capital requirement over and above that currently budgeted for. This could be up a multi-million pound amount for which no budget provision currently exists. The final growth amount will need to be factored into the Council Budget process with further savings over the current MTFS budget gap needing to be found to support the cost of the growth. Further detail on these costs and associated risks are presented in Confidential Appendix 1 of the report
- iv) notes and agrees that the project should, in the meantime, progress to the planning phase and in particular that the Developer should shortly submit a planning application for the entire Gurnell scheme;
- v) delegates authority to the Executive Director of Place, following consultation with the Chief Finance Officer and the Director of Legal and Democratic Services to negotiate the terms of a further Deed of Variation to the existing Agreement for Lease with Be:Here Ealing Ltd necessary to reflect the revised scheme proposals subject to approval of the final terms by Cabinet and to agree and enter into a Deed of Variation in the meantime to reflect the submission of a planning application and to amend the Planning Longstop date as required.;
- vi) notes and supports the intention for circa 200 residential units (which are proposed to be built in Blocks A and B) to be sold to Broadway Living Ltd or such other wholly owned company as the Council may establish (the Proposed RP) subject to the finalisation of the purchase contract, due diligence and a business case assessment which demonstrates that Broadway Living Limited or any

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subsidiary will sufficiently cover the debt repayment and interest costs for the loan facility;

- vii) notes that, subject to successful conclusion of the next stage of the project a further report will be brought to Cabinet which will seek authorisation to approve a final budget, appoint a contractor, proceed to construction of the new scheme, approve the final terms of a variation to the Agreement for Lease and a final decision on the proposed onward sale of units to Broadway Living or a subsidiary.

Reason for Decision and Options Considered

Gurnell Leisure Centre, built upon a former landfill site, forms a core part of the Council's leisure provision. The redeveloped site would be a major contributor towards achieving a surplus generating leisure provision, largely based upon the largest learn to swim programme in London. The facility includes the borough's only 50m pool and is one of only a small number in London, which has been the home of Ealing Swimming Club, the largest swimming club in the country with over 1,650 members.

The proposed redevelopment of the Gurnell Leisure Centre features in both the Corporate Plan and also is integral to the Council's adopted Sports Facility Strategy 2012-2021, with regards to a 50m and learner pool provision, to meet current and future demand. There is also a current manifesto commitment to redevelop the leisure centre and numerous reports on the project have been approved by Cabinet to date.

In 2015, a comprehensive assessment of potential external grant funding opportunities was explored however it was noted that there were no current opportunities to fund such projects via Sports England or wider grant funding programmes. It was therefore agreed that the Council should seek to fund a new leisure centre scheme via enabling residential development.

Cabinet took the decision in March 2015 for the Council to engage Willmott Dixon, via the SCAPE framework, to consider the feasibility of the long-term replacement of Gurnell Leisure Centre. When the Gurnell project was conceived, Willmott Dixon Group presented a proposed project structure to the Council that had successfully been used elsewhere in London, that would enable the Council to contract with the WD Group for the delivery of a new leisure centre via a Development Agreement, cross-funded by private housing.

Subsequent reports were taken to Cabinet updating on the design and legal aspects of the scheme respectively. In November 2015 Cabinet agreed that the Developer would construct the leisure centre to shell and core in exchange for a 250-year lease on the site. Cabinet also delegated authority to officers for the Council to enter into a Development Agreement (Agreement for Lease) with Be:Here Ealing Ltd and this was entered into in December 2016.

In May 2016, Cabinet approved an allocation of £12.5m towards the project, to be funded from mainstream borrowing, to support the fitout of the leisure centre following an increase in projected costs.

Subsequent design iterations have been produced based upon a brief of providing a state-of-the-art leisure centre, including a 50m pool, a leisure/fun pool, soft play, gym and studios, to be funded by enabling market residential development utilising the existing surface level car park as building footprint. The proposed wider benefits of the

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project include a new skatepark, an improved BMX track, landscaping and a new children's playground.

Regular ongoing consultation has been held with both GLA officers and also the LPA, including as part of a formal pre-application process. It is now considered that the current scheme design is sufficiently optimised that it can proceed to submission of a formal planning application for consideration.

16. Changes to Visitor Parking Resolved

That Cabinet:

- i) notes the proposals to change the way in which short stay, non-residential parking sessions are provided within the borough as set out in paragraphs 3.16 to 3.19 of the report
- ii) approves the decommissioning of a first tranche of 20 machines in October 2019 with the second tranche of 37 following in December 2019, at a total cost of £0.032m to be covered from the Parking Services reserve account.
- iii) delegates authority to the Executive Director for Place, to review officers' assessment of the public response to the above changes and the financial impact of the changes; then decide whether or not to remove further Pay & Display (P&D) machines in 2020, with this third tranche that could total a further 100 machines being decommissioned between June 2020 and August 2020, if no reason to retain these machines is identified during analysis of the initial P&D machine removals, with the total cost of their removal estimated as £0.079m, to be funded by the Parking Services reserve account, and the cumulative further savings against general fund budget associated with removing the 57 machines in 2019/20 per 1.2 and the 100 in 2020 per 1.3 estimated at £0.164m in Parking revenue, and £0.063m in capital, by end 2021/2022, to be contributed to the MTFS.
- iv) agrees that those P&D machines that remain for the time being, be well maintained, even if beyond the age at which they are normally replaced.
- v) delegates authority to the Executive Director for Place to introduce a new tariff for short stay visitors that links the price of the parking session with vehicle emissions as set out in paragraph 3.19 below, at a cost of £0.012m to be covered from the Parking Services reserve account, with it estimated these changes will generate additional Parking income of £0.106m per annum based on a full year, and £0.221m cumulatively to end 2021/22, to be contributed to the MTFS.
- vi) delegates authority to the Executive Director for Place to introduce charges for motorbikes, as set out in paragraphs 3.23 – 3.26 of the report.
- vii) notes the amendment to the report as follows – section 3.12 remove the reference to Kensington and Chelsea.

Reason for Decision and Options Considered

In 2018 Parking Services awarded a contract for visitor parking services to a new provider - PayByPhone. The contract began on the 1st April 2019. The contract delivered savings that widened the gap between the cost of a typical cashless parking transaction and a typical pay and display transaction. The proposed removal of a cash option has the potential to offer a further saving for the Council and reduce the environmental footprint of the organisation by negating the need for maintenance visits and cash collection.

The Service has also contributed to a wider Transport Strategy by publishing the 2018 Parking Plan. In this document the Service expressed an aspiration to charge visitors

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based on the vehicular emissions of their vehicles, in order to incentivise use of more sustainable vehicles and meet the objective of improving air quality. Changes to parking tariffs such that they will be varied based on vehicular emissions will help to achieve this end.

In April 2019 the Council declared a Climate Change Emergency. This strengthened the mandate to introduce measures that will help reduce harmful emissions.

Ealing has a fleet of 196 P&D machines. Of these 159 are located on street. The remaining 37 are in off street car parks. Many of these machines are coming to the end of their working lives. About half are 15 or more years old, with some installed as far back as 1994. The life expectancy of a machine is typically 15-20 years, (though some last longer when well maintained and if the manufacturer continues to produce spare parts for the model).

P&D machines provide a cash payment option in 70 of the 340 locations where non-residential visitor parking is permitted. It should be noted there is a variety of different types of locations in which machines can be found – from very busy shopping parades, to car parks, to residential streets where there is low demand for non-residential visitor visits. Most locations where the only payment methods are cashless are shared use bays and stop and shop bays, where demand is typically low.

Approximately 1m transactions were made through P&D machines in 2018/19, generating a gross income of £1.450m. These figures are down by over 10% on the previous year.

The proportion of customers using P&D machines rather than mobile phone parking is steadily decreasing across the borough; and continues to diminish even in areas where both payment channels exist side by side. For more information see Appendix 1 of the report.

17. Date of Next meeting

Resolved

That Cabinet:

notes that the next meeting of Cabinet will be held on 15 October 2019 at 7pm

Councillor Julian Bell, Chair

Date

The meeting concluded at 8:25pm having completed its business.

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