

Minutes of the meeting of the Cabinet

Date: Tuesday, 08 December 2020

Time: 19:00

Venue: This meeting will be a virtual meeting and therefore not take place in a physical location. Please see page 2 of the agenda for a link to the webcast of the meeting.

Attendees:

Councillor Jasbir Anand, Councillor Julian Bell, Councillor Kamaljit Dhindsa, Councillor Yoel Gordon, Councillor Yvonne Johnson, Councillor Bassam Mahfouz, Councillor Binda Rai, Councillor Mik Sabiers

Also Present

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

Item 12 - 2021-2024 Medium Term Financial Strategy (MTFS) - Budget Strategy Report (Councillors Malcolm and Stafford)

Item 14 - Covid Emergency Low Traffic Neighbourhoods (LTN) Interim Assessment

(Councillors Malcolm and Stafford)

Item 15 - Rental E-Scooter Trial (Councillors Malcolm and Stafford)

Councillors Costigan, Dhadwal, Driscoll, Woodroffe, and Blacker addressed the Cabinet with regard to the following items in their capacities as chairs/vice chair of these scrutiny panels:

Item 07 - Scrutiny Review Panel 1 (SRP1) - Education - Final Report

(Councillor Costigan – Chair)

Item 08 - Scrutiny Review Panel 2 (SRP2) - Active Citizenship - Final Report

(Councillor Dhadwal – Chair)

Item 09 - Scrutiny Review Panel 3 (SRP3) - Local Effects of National Issues (LEONI) - Final Report (Councillor Driscoll – Chair)

Item 10 - Scrutiny Review Panel 4 (SRP4) - Leisure - Final Report (Councillor Woodroffe -Vice Chair)

Item 11 - Coronavirus Scrutiny Recommendations

(Councillor Blacker – Chair of the Overview and Scrutiny Committee)

Councillors Ball and Driscoll addressed the Cabinet in their capacities as ward councillors on item 14 - Covid Emergency Low Traffic Neighbourhoods (LTN) Interim Assessment.

Councillor Blacker addressed the Cabinet in his capacity as Chair of the Overview and Scrutiny Committee on item 14 - Covid Emergency Low Traffic Neighbourhoods (LTN) Interim Assessment.

Also in Attendance

Councillor Mahmood was in attendance.

1 Apologies for Absence

Councillor Camadoo-Rothwell

2 Urgent Matters

That Cabinet received the tabled addendum to item 14 containing recommendations from the Overview and Scrutiny Committee.

The chair agreed for item 14 to be taken earlier in the agenda between items 6 and 7.

3 Matters to be Considered in Private

Item 16 contained confidential appendices but was not taken in private as it was not necessary to discuss the confidential information provided.

4 Declarations of Interest

Councillor Bell declared an interest in Item 14 by virtue of his membership on the Board of TfL. Councillor Bell had recused himself from all discussions at TfL relating to Low Traffic Neighbourhoods (LTNs) funding

Councillors Gordon, Mahfouz and Rai declared an interest in item 14, by virtue of living in or close to a Low Traffic Neighbourhood (LTN), and did not take part in this debate.

Councillor Driscoll declared a non-pecuniary interest in item 14 by virtue of living in a Low Traffic Neighbourhood (LTN) and addressed Cabinet on this item, in his capacity as a ward councillor.

5 Minutes

Resolved:

That the minutes of the Cabinet meeting held on 10 November 2020 be agreed and signed as a true and correct record.

6 Appointments to Sub Committees and Outside Bodies

Resolved

There were none.

7 Scrutiny Review Panel 1 (SRP1) - Education - Final Report

Resolved

That Cabinet:

- i) notes the final report of Scrutiny Review Panel 1 2019/20 – Education, which was attached as Appendix 1 to the report.
- ii) accepts the Scrutiny Panel's recommendations in Section 14 of the final report.
- iii) directs Council officers to produce/or finalise an action plan within an agreed timescale on those recommendations that are agreed by Cabinet.
- iv) thanks the Panel and everyone involved in this panel including education co-opted members, representatives from SACRE, and all those working in schools during the Covid pandemic
- v) thanks Anna-Marie Rattray, Scrutiny Officer for her work on this panel.

Reason for Decision and Options Considered

Scrutiny Panels had a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny Panels needed to be taken forward in a timely manner and in accordance with the Council's Constitution if the scrutiny function was to be effective. The Scrutiny and Executive Protocol identified the timescale for Cabinet to respond to Scrutiny Panel recommendations. This decision would mean that the response was made in a timely manner and that services could implement the accepted recommendations.

8 Scrutiny Review Panel 2 (SRP2) - Active Citizenship - Final Report

Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 8 October 2020, Appendix 1 of the report.
- ii) accepts the Panel's 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 reports its decisions to OSC on 7 January 2021 or 4 February 2021, as appropriate.
- iv) thanks Councillor Dhadwal and the Panel for their excellent work.
- v) thanks Harjeet Bains, Scrutiny Officer for her work on this panel.

Reason for Decision and Options Considered

Scrutiny Panels had a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny Panels needed to be taken forward in a timely manner and in accordance with the Council's Constitution if the scrutiny function was to be effective. The Scrutiny and Executive Protocol identified the timescale for Cabinet to respond to Scrutiny Panel recommendations. This decision would mean that the response was made in a timely manner and that services could implement the accepted recommendations.

9 Scrutiny Review Panel 3 (SRP3) - Local Effects of National Issues (LEONI) - Final Report

Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 8 October 2020, which is attached as Appendix 1 of the report.
- ii) accepts the Panel's recommendations in Section 8.0 of the final report with the exception of recommendations numbered 5, 7, 11 and 12 – which were rejected for the reasons outlined in the appendix to the 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 reports its decisions to OSC on 7 January 2021 or 4 February 2021, as appropriate.
- iv) thanks Councillor Driscoll and the Panel for their work on this report.
- v) thanks democratic services officers, finance officers and all other officers involved for their input and hard work on this report.
- vi) thanks Ealing Advice Service, food banks and the DWP for all the support received.

Reason for Decision and Options Considered

Scrutiny Panels had a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny Panels needed to be taken forward in a timely manner and in accordance with the Council's Constitution if the scrutiny function was to be effective. The Scrutiny and Executive Protocol identified the timescale for Cabinet to respond to Scrutiny Panel recommendations. This decision would mean that the response was made in a timely manner and that services could implement the accepted recommendations.

10

Scrutiny Review Panel 4 (SRP4) - Leisure - Final Report

Resolved

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 8 October 2020, which was attached as Appendix 1 of the report.
- ii) accepts the Panel's recommendations in Section 8.0 of the final report with the exception of recommendation numbered 2 which was rejected for the reasons outlined in the appendix to the report.
- iii) directs service officers to produce/or finalise an action plan within an agreed timescale on those recommendations that were agreed by Cabinet and reports its decisions to OSC on 7 January 2021 or 4 February 2021, as appropriate.
- iv) thanks Chris Bunting, Assistant Director, Leisure for his work.
- v) thanks Councillor Woodroffe, vice chair, for stepping in to chair this panel.

Reason for Decision and Options Considered

Scrutiny Panels had a role in improving decision-making and service delivery through effective scrutiny. Recommendations from Scrutiny Panels needed to be taken forward in a timely manner and in accordance with the Council's Constitution if the scrutiny function was to be effective. The Scrutiny and Executive Protocol identified the timescale for Cabinet to respond to Scrutiny Panel recommendations. This decision would mean that the response was made in a timely manner and that services could implement the accepted recommendations.

11

Coronavirus Scrutiny Recommendations

Resolved

That Cabinet:

- i) agrees all 20 recommendations made by the Overview and Scrutiny Committee which were set out in appendix 1 of the report.
- ii) thanks scrutiny members for their work on all of the scrutiny panels and for the recommendations received by Cabinet.

iii) thanks scrutiny officers and all officers who have supported scrutiny.

Reason for Decision and Options Considered

The Overview and Scrutiny Committee decided early on in the Pandemic that it was important that there was some early scrutiny of the Council's response to the pandemic. The Committee recognised though, that as the Council was in a response phase of the pandemic any scrutiny needed to be light touch as it was important not to divert too much officer resource from responding to the pandemic. Therefore, it was agreed that the committee meetings would focus on oral evidence from key officers, with the minutes of these meetings forming the evidence base for any recommendations.

Cabinet could choose to accept all the recommendations. This was the preferred option as the recommendations had been reached after careful consideration of the evidence given by officers during the pandemic.

However, Cabinet could also choose to reject some, or all, of the recommendations if Cabinet did not feel they should be proceeded with.

A Scrutiny Panel had been set up to scrutinise the Council's ongoing response to and recovery from the pandemic which would cover some of the issues that were not able to be addressed in the initial scrutiny of the pandemic. It would also pick up some longer running issues. Due to the light touch nature of the scrutiny that was undertaken, if there were any recommendations that were unclear or Cabinet felt they need further development they could be referred to this Scrutiny Panel for further investigation. They could then form part of the final recommendations of this panel to Cabinet next year.

One of the panels did not make recommendations on the night of the meeting but asked members to send suggested recommendations around afterwards. Although OSC agreed to send these recommendations on to Cabinet, some of the recommendations lacked context or evidence as set out in the minutes. Where this was the case reasons for the recommendations were outlined in Appendix 1 to this report to assist Cabinet with deciding whether to accept the recommendations, reject the recommendations or to refer them to the COVID Scrutiny Panel.

Resolved

That Cabinet:

- i) notes the ongoing impact of COVID-19 and the funding shortfall of the response from Government has a significant impact on future years budget strategy.
- ii) notes the lack of clarity regarding the detail timing of Governments Comprehensive Spending Review beyond 2021/22 and the lack of any indication as to the value of financial settlement to Local Authorities makes budget planning, particularly in the current environment unnecessarily complex and challenging.
- iii) notes that officers will continue to prepare detailed plans and budget proposals in accordance with the Administration's priorities and financial strategy objectives (paragraph 4.2, 4.3 and 4.4 of the report), taking into account emerging expenditure and funding information (section 3.4 and 3.6 of the report) and the proposed approach to savings identification (paragraph 4.5 of the report).
- iv) notes the 2020 Spend Review announcements and notes that work is on-going to further refine funding assumptions following technical release (section 5 of the report).
- v) notes the 2021/22 budget gap of £27.730m, as approved by Cabinet in October 2020 and notes progress made to date (paragraph 3.8 and 5.8 of the report).
- vi) notes the forecast budget gap of £65.678m over the three-year Medium-Term Financial Strategy period and sets a requirement to also bring forward proposals to close the forecast gap in 2021/22 onwards (paragraph 3.8 of the report).
- vii) notes the update regarding the London Business Rates Pool for 1 April 2021 to 31 March 2022 (paragraph 5.7 of the report).
- viii) notes the capital investment process as set out in the report (section 6 of the report).
- ix) notes the outcome of 2021/22 School Funding Formula changes as agreed by Schools Forum (Section 7 of the report) and:
 - a) Approves Ealing Early Years Funding Formula Factors for 2021/22 (paragraph 7.4.3 of the report).
 - b) approves the proposed 2021/22 structure of Ealing's Funding Formula for schools as set out in Appendix 1 of the report.
 - c) agrees that, should it be necessary to adjust the funding formula for schools so that allocations are within the funding available which will be announced later in December, this would be done by adjusting the low prior attainment factors, as was the case in 2020/21, and by capping and/or scaling gains those schools that gain funding under the formula.
 - d) authorises Assistant Director Planning, Resources and Service Development to submit the proforma to the Education and Skills Funding Agency by 21 January 2021.
- x) notes Housing Revenue Account Budget Strategy will be brought back for review at January 2021 Cabinet meeting (section 8 of the report).
- xi) notes the updated budget preparation timetable as set out in the report (section 9 of the report).

Reason for Decision and Options Considered

The Council made significant investment in service areas as part of the 2020/21 budget process but continued to face significant budget pressures in future years and uncertainty, including the continuing uncertainty of the level of support from Central Government over the medium term and an increased demand for services alongside the potential impact of COVID-19 into future years.

This was an update report for Members consideration on the 2021/22 Budget and Medium-Term Financial Strategy (MTFS). It updated the MTFS assumptions for 2021/22 to 2023/24 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 in section 9 of the report.

The overarching objective was to set a priority-led budget over the medium term that was balanced and realistic; and supported by achievable savings plans. However, it must be recognised that significant budget gaps such as that set out in this report could severely curtail the ability of the Council to deliver comparable service levels and some service areas compared to the current state.

13 **Controlled Parking Zone (CPZ) Consultation Programme 2020-21**

Resolved

That Cabinet:

- i) agrees to the proposed CPZ Consultation Programme 2020/2021 as detailed in section 3.11 of the report.
- ii) notes the Parking Reserve Account has committed £0.280m capital investment in 2020/21 as per approved budget proposal FE1-2002. It is expected only £0.050m will be needed in 2020/21, for planning work, and the balance required for implementation in 2021/22.
- iii) delegates authority to Officers, to take the necessary steps to deliver and amend the 2020/2021 CPZ Consultation Programme, following consultation with the Portfolio Holder for Environment & Highways.
- iv) authorises the Director of Place Delivery, following consultation with the Portfolio Holder for Environment & Highways, to implement a CPZ in those areas subject to consideration of the outcome of the consultation and generally only if results show a majority of affected residents are in support of a CPZ.

Reason for decision and Options Considered

This report put forward a list of areas to be considered for the Council's CPZ Consultation Programme 2020/2021. Through this, the Council would be able to consult local residents and businesses as to whether they were supportive of introducing CPZ regulations

in their area and review the operation of existing zones that may require amendment.

14 Covid Emergency Low Traffic Neighbourhoods (LTN) Interim Assessment

Resolved

That Cabinet:

- i) notes the current position with regard to the LTNs introduced following the decisions made by Cabinet on 16 June 2020
- ii) notes the interim assessment monitoring of the impact of the LTNs undertaken since their implementation
- iii) notes and agrees in particular to changes to the LTN schemes, as outlined in paragraph 3.5 of the report, which included:
 - A programme of replacing bollards with camera enforcement.
 - Allowing an exemption for Blue Badge holders within their own LTN .
 - Allowing an exemption for Council authorised vehicles taking mobility impaired persons.
- iv) delegates authority to the Director of Place Delivery to implement the changes proposed, either by way of a modification to the existing orders or by means of new orders as appropriate, including any procedures required for authorising exempted vehicles, following consultation with the Portfolio Holder for Environment and Highways and the Portfolio Holder for Regeneration and Transport and the Director of Legal & Democratic Services.
- v) notes that any modification or creation of an Experimental Traffic Order (ETO) triggered a new 6-month objection and consultation period.
- vi) welcomes the time spent by the Overview and Scrutiny Committee in reviewing the Low Traffic Neighbourhood (LTN) Interim assessments and thanks the Committee for their considered recommendations as listed in the tabled addendum and in resolution vii) below.
- vii) responds to the 9 recommendations from the Overview and Scrutiny Committee as follows:

1) That the Local Development Plan Advisory Committee should include provision for allowing residents to construct cycle storage sheds in their front gardens as part of the Local Plan review.

Response from Cabinet:

Cabinet agrees to bring this recommendation to the attention of the Advisory Panel for their consideration and notes that there were legal implications which would need to be considered.

2) That Cabinet considers contingency planning to divert traffic

congestion when boundary roads are closed in emergencies.

Response from Cabinet
Agreed by Cabinet.

3) That benchmarking data is considered for traffic levels across the borough, including in areas without LTNs, when a final decision is taken whether to retain the LTNs currently in place.

Response from Cabinet
Agreed by Cabinet, where such data was available.

4) That residents be consulted more widely across the borough on transport issues to assist with identifying future schemes before funding is made available.

Response from Cabinet
Agreed by Cabinet that officers would engage more widely with residents on future transport issues.

5) That clarity on the specifics of blue badge holder exemptions for LTNs be provided to the Committee.

Response from Cabinet
Agreed by Cabinet. The exemption would be for blue badge holders, for their own LTN, for a registered vehicle. The Council would proactively contact blue badge holders to make them aware of the scheme which would be shared with OSC when developed.

6) Evidence of the benefits of the existing LTN schemes should be available before the Council introduces new schemes.

Response from Cabinet
Not agreed by Cabinet. The rationale behind the whole programme was that LTNs in general were beneficial. It would not be appropriate to deprive other areas of experimental traffic orders to test this in their circumstances. The current and any future experimental traffic orders would be assessed and formally reviewed as set out in part 2.5 of the report.

7) That baseline data is gathered for streets that new LTNs are proposed for to ensure that the Council are able to assess whether new LTNs have achieved their objectives.

Response from Cabinet
Agreed by Cabinet, where practical and appropriate given the limitations on comparable data as discussed in Appendix A of the report.

8) That substantial revisions of schemes, and removal of them

altogether, need to remain as options whenever LTN schemes are considered by Cabinet.

Response from Cabinet

Agreed by Cabinet as a factual statement.

9) That Officers provide members of the Committee with more information about the new active travel quango, so that the national picture on active travel could be understood.

Response from Cabinet

Active Travel England had published a strategy which officers would carefully review. Initial indications were that much of its approach was already reflected in this Council's own strategies. It was noted that transport in London was devolved so as a London Borough, the Mayor of London's Transport Strategy is the one the Council had statutory regard to.

viii) clarifies that it is Cabinet's intention to remove all of the highway bollards in the LTNs. Enforcement of the prohibition of vehicles moving through road closures would be by a combination of fixed and mobile automatic number plate recognition cameras.

ix) records the Conservative Group's opposition to this decision.

x) records the Liberal Democrat Group's opposition to this decision.

Reason for decision and Options Considered

Background

On 11 May 2020, The Right Honourable Grant Shapps, MP, Secretary of State for Transport announced a new national programme of Emergency Transport Measures to reallocate road space to cyclists and pedestrians in response to the COVID 19 (COVID) pandemic. It was supplemented by updated statutory guidance and associated regulation from the Department for Transport (DfT) on the Traffic Management Act 2004.

In his foreword to the details of the scheme, Mr Shapps, stated: "The government therefore expects local authorities to make significant changes to their road layouts to give more space to cyclists and pedestrians. Such changes will help embed altered behaviours and demonstrate the positive effects of active travel." The guidance advised councils to reallocate road space in order to cater for significantly increased numbers of cyclists and pedestrians. The proposals outlined from Government were designed to:

- Encourage people to continue cycling, recognising that with public transport capacity reduced, the roads in the largest cities, may not be able to cope without it.

- Enable social distancing to be in place, more space being made available for pedestrians, particularly in busier areas like town centres.
- Support fitness. Indications were that there was a significant link between COVID-19 recovery and fitness. Active travel could help us become more resilient.
- Embed what DfT had called a once in a generation opportunity to deliver a lasting transformative change in how we made short journeys in our towns and cities.
- Promote active travel, which was affordable, delivered significant health benefits, had been shown to improve wellbeing, mitigated congestion, improved air quality and had no carbon emissions at the point of use.

Following the announcement by Mr Shapps, The Mayor of London also launched the 'Streetspace' programme to administer the central Government funding within London. This programme was informed by data that showed that, before the pandemic, many car trips in London were for short distances. About a third of these could be walked in under 25 minutes, and two thirds could potentially be cycled in less than 20 minutes. During the earlier London lockdown, there were significant increases in walking and cycling as traffic volumes on roads fell. Such changes in travel behaviour were considered a positive given they could lead to increased physical activity levels and reduced environmental impacts – for example London's air pollution fell significantly during lockdown, in some areas by up to 50 per cent. The Mayor's programme therefore sought to secure change in behaviour by making amendments to the network to support more trips being made on foot and by bike. London Boroughs were encouraged to support this programme and funding was also secured from the Department of Transport to facilitate this. Transport for London (TfL) produced Interim Guidance to Boroughs on the London Streetspace Plan, which contained the application process. This was circulated to Boroughs on 15 May 2020. The document identified 3 key criteria on which schemes would be awarded funding:

- Deliverability (The guidance required local authorities to make these changes 'as swiftly as possible').
- Location and Borough (assessment of locations where social distancing was an issue, overcrowding was likely and would pose safety concerns, and where transport, economic and social datasets showed a need to intervene).
- Value (the guidance required the use of cheap temporary materials).

Ealing Streetspace Programme

To respond to these challenges and opportunities, and in line with new statutory guidance issued by the Government and the Mayor of

London, the Ealing Streetspace Programme was agreed by June 2020 Cabinet. This was a programme of active travel and social distancing measures in response to; and to aid both economic and social recovery from the Covid-19 pandemic. Ealing's Streetspace programme included:

- The introduction of 12 School Streets around schools where motor traffic was restricted at pick-up and drop-off times, during term-time. Effective in encouraging more walking and cycling, particularly where good facilities existed on routes to the school and where the parents, children and school were involved as part of the scheme development. To date ten had commenced with the remaining two schools starting shortly.
- Installing 6 'pop-up' Cycle Schemes with physical separation from volume traffic using light segregation features such as flexible plastic wands; or quickly converting traffic lanes into temporary cycle lanes (suspending parking bays where necessary); widening existing cycle lanes to enable cyclists to maintain distancing. Three had been installed with a further three to be installed shortly.
- Implementation of 10 Low Traffic Neighbourhoods (LTNs) with modal filters; closing roads to motor traffic to minimise cut through, by using planters or large barriers within residential areas creating neighbourhoods that were low-traffic or traffic free and a pleasant environment that encourages people to walk and cycle and improving safety. Nine had been implemented, with the remaining LTN delayed due to further discussion with TfL.

Note: Other funding grants were used to implement footway extensions and an additional cycle lane.

Implementation of COVID Schemes

As confirmed in the June 2020 Cabinet report, COVID schemes were progressed on the basis of priorities agreed following consultation with portfolio holders as follows:

- Encourage active travel measures to enable residents to walk and cycle around the borough to assist social distancing, relieve public transport capacity and reduce the need for car journeys.
- Active travel was affordable, delivered significant health benefits and had been shown to improve well-being, mitigate congestion, improve air quality and could help individuals to become more resilient.
- The DfT and TfL both outlined this as an opportunity to deliver transformative change in how we made short journeys in our towns and cities.
- These schemes supported the Council's recovery programme, climate emergency action plan and air quality priorities.

The process for implementing a Streetspace scheme particularly referencing the low traffic neighbourhood scheme included:

1. LTN's schemes identified in the "long list" in the June Cabinet report were reviewed and refined by officers, cabinet members.
2. Officers reviewed proposals for compliance with statutory guidance, technical feasibility, potential impacts (including on those with protected characteristics under Equalities Act) and the cost.
3. Viable schemes discussed with Lead Members for Regeneration & Transport, and Environment & Highways and determination made as to whether or not to proceed to trial.
4. Engagement with ward councillors. The Streetspace programme was a borough wide initiative with the outlined details of all proposed LTN schemes contained within the Cabinet report. Ward councillors were informed of the LTN proposals and encouraging ongoing engagement.
5. Engagement with statutory consultees where required e.g. emergency services. See (3.2.1). Schools had also been engaged on specific measures to improve safety outside their premises through the use of 'school streets'.
6. Determination of progression to trial implementation (via a temporary or experimental traffic order). This was set out in the record of the Officer Decision published on the council's website on 23 October 2020.
7. Announcement of the implementation. Notification letters to residents and businesses within the vicinity of the proposed schemes were distributed 7 days prior to implementation. Through this process, interested parties were encouraged to provide feedback via the designated email addresses to add both email addresses. An online public engagement platform 'Commonplace' was procured and went live on 23 October 2020 to encourage feedback on the LTN's schemes.
8. Trial LTN scheme implemented.
9. Data collection to ascertain as far as practicable impact of the scheme. Monitoring and collation of feedback provided to the council via both consultation and emails. Feedback received through the mechanisms was then considered at the point at which the council determined whether or not to make the scheme, or any aspects of it, permanent (more information on this was in the report).
10. Emergency modifications if required. This decision would be made under Officer delegation following consultation with the relevant Lead Member.
11. Interim assessment. This allowed for any schemes to be reviewed in the light of feedback received and any available data collected. As set out in the report, this review was to be undertaken with the support of an independent consultant.
12. Statutory Formal review. This formal review would update the interim assessment for all Streetspace schemes and would also be collated supported by the independent consultant. At this point a

decision was made as to whether trial continued, was removed (entirely or in part) or made permanent. This decision would be taken by Cabinet and/or the relevant Lead Member and/or Director of Place Delivery officer delegation, dependant on the nature of the street scape scheme and representations received.

In total, 9 schemes had been implemented:

Scheme	Reasons for Implementation
LTN 48: Adrienne Ave	Prevent traffic using Adrienne Ave to go from northbound on Lady Margaret Road to westbound on Ruislip Road to avoid the roundabout.
LTN 34: Bowes Road	Prevent traffic using Bowes Road to leapfrog the eastbound queue on East Acton Lane heading towards Savoy Circus
LTN 8: Olive Road	Prevent traffic using Olive Road to 'turn right' from Pope's Lane to South Ealing Road, avoiding the signals
LTN 32: Junction Rd	Prevent numerous 'cut through' routes in a residential area
LTN 35: Mattock Lane	Prevent using Mattock Lane to avoid having to queue to turn left at the Bond Street signals onto Uxbridge Road.
LTN 21: W Ealing South	Prevent numerous 'cut through routes' in a residential area
LTN 25: Acton Central	Prevent numerous 'cut through routes' in a residential area
LTN 20: W Ealing North	Prevent traffic using Eccleston, Felix and Alexandria to avoid having to queue to turn left at the Lido signals into Drayton Green Road.
LTN 30: Loveday Road	Prevent numerous 'cut through routes' in a residential area

A map of the LTNs was shown in Appendix B of the report.

Consultation and Response

The schemes were introduced by means of Experimental Traffic Orders (ETOs), following Government guidelines and, given that the conditions for the funding were to install schemes quickly, using temporary materials. This meant that it was not possible (or a legal requirement) to carry out the same level of pre-engagement undertaken for permanent orders. However, the ETO process included a six-month statutory objection period from the time the ETO is published and during which the Council had launched an online public engagement platform 'Commonplace'.

There had also been around 3,250 emails with feedback and questions sent to the COVID transport inbox (a dedicated inbox set up for this purpose) and about 1,500 emails to the Traffic Notices inbox (the inbox for statutory responses to the ETO consultation).

Commonplace was an online engagement platform. It allowed people to make comments and share their views with others. It had been used by the Council previously and was being used by several other London boroughs for their LTN engagement. Currently the Council was utilising the “Community Heatmap” tool, which allowed users to virtually “drop a pin” onto a map to add their ideas and comments. The site had over 11,000 visitors, with about a quarter of those contributing to the site, leaving around 5000 comments and over 35,000 “likes” of other comments.

There had been strong support as well as strong opposition to the introduction of LTNs. Five out of the nine schemes were the subject of a legal challenge currently listed for hearing at the High Court in February 2021.

The Council was robustly defending the legal challenges. However, given the unusual circumstances of the installation of the LTNs and the level of public interest, it was felt important to monitor the scheme installation and their impacts to consider whether any changes were required to the design and/or operation of the LTNs at the approximate mid-point of the ETO six month period.

Interim Assessment and Formal Review

As required by Government, the Council was proceeding at pace with these changes, by using Experimental Traffic Orders that see wider consultation happening in parallel with the trial.

Trial schemes may be modified or even removed altogether based on evidence and consultation. Schemes may also deliver on the objectives of the programme and contribute to the Council’s wider policies around addressing the climate emergency and air quality and so may be made permanent. We also recognise that these schemes generated strong and diverging opinion and views, and therefore, throughout the process, we are encouraging residents, business and other stakeholders to provide us with their feedback on the schemes.

The LTNs were continually being monitored and reviewed as per the requirements of the Experimental Traffic Order. Where immediate action had been identified, changes had already been undertaken, for example, replacing some bollards with enforcement cameras and adding additional planters to prevent vehicles from driving on footways.

As time progressed, more data would become available, therefore, the interim assessment would not be as in-depth as the final review. In addition, it was always recognised that LTN schemes take some time to “settle in”, particularly from a traffic point of view as drivers adapt their journeys. It was normal for some larger schemes to take months to settle before a long-term pattern was set. However, the full data set should be available for the six-month review to coincide with the decision on whether to make the scheme

permanent or not.

The interim assessment had used data gathered up to the end of November 2020, in order to provide a single report on all the LTNs for Cabinet. The interim assessment identified whether any changes were recommended in the design or operation of the LTNs due to any on-going and significant negative impact directly attributable to an LTN. These were set out in paragraph 3.5 of the report.

The final review would use data gathered up to the end of the first six-month ETO process. Each LTN would have its own report, which would be used to make the recommendation on whether to make the scheme permanent or not.

The evidence detailed in the table in the report has and would be taken into consideration when reviewing each individual scheme for both the interim assessment and the six-month review.

Therefore, this interim assessment did not contain all the data the Council was collating on the impacts of LTNs, therefore, the analysis was not complete.

15

Rental E-Scooter Trial

Resolved

That Cabinet:

- i) agrees to participate in the pan London e-scooter trial conditionally should a range of financial conditions be met that would enable selected rental e-scooter companies to operate in Ealing using designated parking spaces up to a maximum period of 12-months, with the option to extend by a further 6 months. The trial is being coordinated by Transport for London. Please refer to section 4 of the report for more details.
- ii) delegates authority to the Director of Place Delivery:
 - a) to make the necessary arrangements (including agreeing terms and conditions and entering into a service agreement and granting licenses to each selected operator) to introduce the pilot scheme, end the scheme or extend the pilot as appropriate in accordance with the contract and licence terms, and
 - b) approve the scheme on a permanent basis across the Borough depending upon the outcome of the pilot and final legal position with regard to the status and use of e-scooters following consultation with the Director of Legal & Democratic Services.
- iii) notes that the Director of Place Delivery will exercise their existing delegated powers to make any traffic orders as may be necessary to implement the scheme and including permitting parking of the e-scooters on the footway (on the basis outlined in the report) subject to the outcome of statutory consultation.
- iv) notes that the implementation cost of the pilot scheme was expected to be managed within existing staff resources, but that if the cost of the trial exceeded the minimum upfront cost provided by the operators Ealing should only participate if the total cost of setting up the trial was guaranteed from payments by operators.

Reason for decision and Options Considered

To support a green recovery in response to COVID-19, the Department for Transport (DfT) announced that rental e-scooter trials would be fast tracked to provide an additional mobility option to help reduce the pressure on public transport systems and minimise the spread of COVID-19.

Under previous legislation, e-scooters were illegal to use on the highway and only permitted in private developments. Given the need to react quickly, the DfT amended existing regulations to enable the use of rental e-scooters on the highway from July 4, 2020 in England. The rental e-scooters would be permitted to be ridden on carriageways, shared footways and cycle lanes and tracks, but were prohibited to be ridden on footways.

The scheme would involve free standing e-scooters available for hire, similar to dockless bikes. The e-scooters themselves featured an individual locking device which was unlocked through an app on the user's mobile phone (Android and IOS). At the end of the journey the e-scooter would be required to be left within a designated parking area, which may take the format of bays, ready for its next use.

London Councils, Transport for London (TfL) and all 33 boroughs had been working in collaboration, at the request of the DfT, to develop a pan-London proposal for the operator selection process in which up to three rental e-scooter operators would be appointed following an OJEU compliant procurement using the innovation partnerships procedure were leading on the procurement of the operators, whom would be operating in all participating boroughs which would ensure continuity across the capital, overcoming inconsistencies in provision and operator protocol that resulted during the emergence of dockless bikes in London. The invitation to tender was launched by TfL on 17 November with successful operators anticipated to be announced early 2021.

This trial was only applicable to rental e-scooters and was anticipated to run for 12-months, with the option to extend by a further 6 months. Privately owned e-scooters would remain illegal to use other than on private property.

16

Southall Gateway Redevelopment and Disposal of Land

Resolved

That Cabinet:

- i) notes the current position with regard to the proposed redevelopment of the Southall Gateway (Park Avenue) Site (known

as 'the Site) and proposed disposal to with PA Housing for the purpose of redevelopment for housing, primarily affordable housing.

- ii) agrees to dispose of the Site as set out in section 2 below paragraphs 2.10- 2.18 and shown on the plan in Figure 1.
- iii) agrees to delegate to the Executive Director, Place, in consultation with the Director of Democratic Services the authority to negotiate the detailed terms of, and the authority to agree that the Council enters into, a Development Agreement with PA Housing (and any necessary ancillary agreements) on the basis set out in paragraphs 2.19-2.20 below and Appendix 2, subject to formal GLA approval and 'best consideration' sign off.
- iv) delegates formal sign off for the Development Agreement with PA Housing (and any necessary ancillary agreements including the necessary funding agreements with the GLA) to the Executive Director, Place, once formal approvals have been completed.
- v) authorises the Council to agree and enter into any agreements required by Network Rail to dispose of parcels of land as may be required to facilitate the development.
- vi) agrees in principle that the Southall Gateway (Park Avenue) Site be appropriated for planning purposes.
- vii) delegates authority to the Executive Director of Place to agree the appropriation at the appropriate time following consultation with the Director of Legal and Democratic Services.

Reason for decision and Options Considered

Background

In 2014, the adopted Southall Opportunity Area Planning Framework identified for development a site SOU4 from the sites Development Plan Document (DPD) (adopted December 2013) known as 'Southall Gateway'. Prior to this the Council had carried out detailed discussions with the local Gurdwara (the Gurdwara Sri Singh Sabha) about a comprehensive scheme to redevelop the land next to the station and re-provide a new religious and community facility in land to the east of the former and proposed new pedestrian footbridge. To support this scheme, Supplementary Planning Document (SPD) for the site was adopted in 2015.

Having secured loan funding from the GLA via the London Economic Action Partnership (the London LEP) (LEAP) scheme 'growing places' and the 'Housing Zone' funding, the Council set out to acquire sites then in third party ownership including Network Rail. The first acquisition of the 'Thames Materials' site was in 2016 followed by the Network Rail 'Silverline' site in 2018. Despite the best efforts of both parties to work together on a collaborative scheme it did not prove possible to agree with the Gurdwara a suitable scheme that was financially viable for the site. The Gurdwara community became concerned that a new Gurdwara would be better suited to the west of the footbridge, rather than to the east as originally proposed. Therefore in 2018 officers reported

to members that the site would be split into two halves, with the west side controlled by the Gurdwara for re-provision of the religious / cultural / community facility and some additional commercial and housing provision, and the east site controlled by the Council to be disposed of for housing, with a large proportion of affordable housing (then assumed to be 50%) for affordable provision to meet local needs.

Officers had proposed to dispose of the Ealing Council owned Site via the London Development Panel once the other neighbours PA Housing, owners of the Milan Road housing estate) had been consulted about this.

Progress since December 2018

Since that last Cabinet report officers consulted the adjacent landowners, PA Housing. There had previously been a couple of discussions in the past however, at no stage had PA Housing (previously ASRA Housing) expressed any interest in redevelopment. However, in early 2019, PA Housing (PAH) told the Council it now wished to review the site as part of its development programme and would be interested in working with the Council to maximise their site's potential. PAH was aware that there was due to be considerable development to the east of its site, at the TfL / Grainger site on which a planning application was approved in September 2020. As a result, residents may have to put up with a lot of disruption and may wish to relocate away from the immediate area. That would not be possible for PAH to arrange unless as part of a redevelopment scheme (which would also give residents the option to return to a new home on site if that is what they preferred). PAH were also concerned that the residual site may look somewhat incongruous in the context of new development to the South, East and West of it.

At the same time, Ealing Council's own Housing team (on behalf of Broadway Living RP) was seeking to increase productivity of its own and had been successful in securing new GLA funding for affordable housing. As a result, the team working on the Council Housing Delivery Programme was actively looking for new sites.

An initial feasibility study in March 2019 concluded that either site developed in isolation would be sub-optimal and that if both sites came forward together there would be a net uplift of c. 200 new homes. Following this, PAH and LBE Housing agreed to enter into a 'collaboration agreement' to carry out a more detailed feasibility project aimed at resolving how to fund and deliver a scheme together on the two sites. As part of this collaboration work the two parties have: - Commissioned an outline scheme and taken pre application advice from Ealing Council Planning Services and Network Rail - Commissioned cost consultants to advise on the scheme build costs - Carried out financial appraisals of the

investment required to deliver the schemes - Taken wider market advice (both before and during the Covid 19 pandemic crisis) on prevailing sales opportunities and property values - Considered a delivery structure to take the project forward to the next stage

The team proposed a new scheme for the site which would be comprised largely of affordable housing. Council officers along with officers from PAH have been in discussion with GLA officers during the summer regarding options for social housing investment in the site. This has resulted in October 2020 in the GLA inviting bids to be made for funding in the current programme. As a result of this decision, there was thought to be a viable and 4 deliverable scheme. However, due to Broadway Living (BL) having a large programme recently agreed by Cabinet for delivery in the same period, BL has now withdrawn from bidding for the opportunity so as to allow PAH to deliver the site itself, which would be achievable within the constraints of the current GLA programme.

The GLA is clear that the scheme cannot be delayed beyond the current programme window and funding for it is contingent upon delivery within that period. Overall, officers considered that certainty of delivering outputs soon was desirable partly to benefit those families now waiting for a new affordable home and partly to meet the Council's existing contractual obligations to the GLA in respect of the land purchase delivering outputs. Therefore, officers were now recommending that the scheme be delivered by PAH acting alone rather than by PAH and Broadway Living acting together. The proposed new housing scheme

The feasibility stage of the work had now concluded and officers had assessed that there was a scheme which could be delivered which would optimise the development potential of the two sites together.

Overall the scheme proposed at present was expected to deliver 531 residential units. This model scheme was subject to planning and the design assumptions set out in the report, were indicative. In addition to the homes, the combined site would bring forward commercial spaces and public realm benefits. The combined scheme had been reviewed by the Planning Services at LBE and had received significant feedback and guidance accordingly.

Following recent financial modelling the entire premise of this project had been reconfigured to adapt to market conditions. Previously this was a market facing scheme with 50% of the units proposed for outright sale etc. However, due to adverse market conditions arising from both the Covid 19 pandemic and the forthcoming Brexit situation it was now proposed that the scheme should now be an affordable housing led project with a much-reduced outright sale element. The scheme must start in full by

March 2023 to qualify for GLA grant as agreed. Completions were expected to be delivered in full by 2027. The overall design was far from a finished presentation.

The designed scheme would be procured to meet the highest environmental standard (subject to overall viability) and the architects Gort Scott would be designing the scheme to attain Passiv Haus standard. The scheme had been reviewed by Network Rail and they were supportive of the project in principle subject to both build methodology and relationship to the railway being agreed. The scheme was dependent on obtaining vacant possession. There were a number of industrial tenants on short term tenancies in the Thames Materials part of the site. The 'Silverline' site had now been cleared to allow for it to be used as a work site for the new foot and cycle bridge at Merrick Road. The pedestrian bridge was programmed to be installed in Dec 2020 and expected to be practically complete by July 2021. The bridge could only be installed on Christmas Day without incurring business interruption surcharges by Network Rail.

It was proposed to deal with the land disposal by way of a Development Agreement (DA) with PAH whereby PAH would build out the scheme under license, following completion of the scheme to 'golden brick' stage, the Council would transfer the relevant parcels of land to PAH on a freehold / long leasehold basis [subject to detailed agreement through legal workshop]. For the purposes of the (DA) the transfer fee was set out in Confidential Appendix 1 however there would be a viability appraisal prior to transfer and if the market position had improved significantly or there had been any changes to the planning consent to allow for a different mix including more market or affordable housing then the position could be checked at that time. The 'Heads of Terms' for this agreement were attached as Appendix 2 to the report.

Authority to negotiate the detailed terms of, and the authority to agree that the Council enters into, the Development Agreement (DA) should be delegated to the Executive Director, Place. The DA cannot be signed until all the preconditions had been met which include: - text of legal agreements being finalised by LBE and PAH legal teams - GLA grant approval for PA (social Housing Grant) and LBE (conversion of Housing Zone recyclable grant to deliver social housing units) - Section 123 'best consideration' sign off received from external surveyor.

17

Redevelopment of Northolt High School

Resolved

That Cabinet:

- i) notes the update provided in this report relating to the proposed redevelopment of Northolt High School including the

proposed funding strategy for the project.

ii) notes the revised proposed additional allocation of £17.200m into the rebuild of Northolt High School to be funded from a capital receipt generated through the sale of a parcel of land owned by the school to be added to the £9.000m contribution from within the existing capital programme bringing the funding secured for the scheme to £26.200m.

iii) authorises the initial consultation to commence for the opening of an ARP at Northolt High School as part of the redevelopment plans for the school. Notes that further reports will be presented to Cabinet to decide whether to progress with this, funded from the existing schools SEN Expansion capital programme.

iv) authorises the Assistant Director Planning, Resources and Service Development:

a. to invite and evaluate tenders for the pre-construction services agreement to develop proposals for redevelopment works at Northolt High School at an estimated value of £1.4m, intended to fully or substantially rebuild the school from the available budget of £26.200m, and which is expected to be for a period of 12-18 months;

b. to invite and evaluate tenders for any enabling and temporary accommodation works required for the redevelopment works at Northolt High School at an estimated value of £2.100m;

c. to submit any planning applications required to progress with the redevelopment of the school.

v) notes that building contracts will not be entered into until further Cabinet approval has been obtained.

Reason for decision and Options Considered

Proposals for the redevelopment of Northolt High School were last presented to Cabinet on 17 October 2017, when capital approvals were given to progress with procurement for the project.

Considerable work took place involving the school and Council, including the invitation of contractors to a mini competition to commence the pre-construction stage of the project.

However, the associated sale of a parcel of land by the school at a nearby site has taken significantly longer than was initially anticipated. The planning application submitted by the developer for the parcel of land being sold by the school was refused in 2018. As release of the capital receipt was reliant on planning approval being granted, the refusal caused a delay to the project while the developer decided how to proceed. The procurement process that had commenced could therefore not be completed. A further planning application was subsequently submitted by the developer in November 2019, and this was approved in October 2020.

The sale of the land should now follow along with the associated capital receipt. The capital receipt from the land sale has reduced to

£17.200m from the £20.000m which was originally anticipated. The Council's agreed contribution towards the rebuild of the Vincent Block at Northolt High School from mainstream borrowing is £9.000m. The school was investigating the possibility of generating additional funds to enable a full rebuild of the school rather than the substantial rebuild enabled by the current available funds. As reported to Cabinet in October 2017, the possibility of an Additionally Resourced Provision (ARP) at the school had been discussed to help meet demand for places for students with additional needs but who did not need a place at a special school. It was now proposed to consult with school staff, students, parents and the wider community on the inclusion of an ARP as part of the redevelopment. 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 fulfilment of every child's educational potential. The Council must also promote choice and diversity. The Council had seen a significant increase in the number of pupils eligible for a place in specialist provision and additional ARP places were part of the funded capital programme to meet this need.

The legal framework within which Cabinet must consider the proposals was set out in section 5 of the report. The relevant background report, Redevelopment of Northolt High School, which was presented to Cabinet on the 17th of October 2017.

18 Date of Next Meeting

Resolved

That Cabinet notes that the next meeting of Cabinet would be held on 19 January 2021 at 7pm.

Councillor Julian Bell, Chair

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.