



Notice of Decision Meeting:
Cabinet

Meeting Location: Virtual Meeting

Date and Time: Tuesday, 16 March 2021 at 19:00

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Chief Executive: Paul Najsarek

Members:	Portfolio
Councillor Bell	(Leader of the Council, Policy Overview, Regeneration and Transport) - Chair
Councillor Dhindsa	(Business & Community Services)
Councillor Camadoo-Rothwell	(Community Safety & Inclusion)
Councillor Johnson	(Schools & Children's Services and Deputy Leader)
Councillor Mahfouz	(Finance & Leisure)
Councillor Sabiers	(Housing, Planning & Transformation)
Councillor Rai	(Health & Adults' Services)
Councillor Anand	(Environment & Climate Action)
Councillor Gordon	(Chief Whip) (ex-officio member)

AGENDA

Open to Public and Press

VIRTUAL MEETING - LINK TO VIEW

This meeting will be a virtual meeting and therefore will not take place in a physical location following regulations made under Section 78 of the Coronavirus Act 2020.

This meeting can be viewed by following this link:

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Also Present

1 Apologies for Absence

2 Urgent Matters

Item 12 - Extension and Variation of S75 Framework Partnership Agreement

Reason for Urgency

Rule 15 of the Access to Information Procedure Rules (Forward Plan requirements not met)

The reason for urgency is due to the expiry of the current partnership agreement on 31 March 2021, and national requirements for a section 75 to be in place for both the COVID discharge arrangements this financial year, and for there to be a partnership agreement in place to comply with national BCF requirements in 2021/22. Contractual and financial risks can be mitigated by a key decision being in place for 2021/22.

3 Matters to be Considered in Private

Items 7, 8 and 11 contain information that is exempt from disclosure by virtue of Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

4 Declarations of Interest

5	Minutes	
	To approve as a correct record the minutes of the meeting held on 9 February 2021.	
	Cabinet Minutes - 9 February 2021	7 - 20
6	Appointments to Sub Committees and Outside Bodies	
7	Perceval House Redevelopment Decant Options and Affordable Housing	21 - 92
8	The Green Southall - Update	93 - 116
9	COVID-LSP Cycle Schemes Interim Assessment	117 - 180
10	Road and Footway Infrastructure Improvement Programme 2021-2022	181 - 194
11	Highways Term Contract Review and Extension	195 - 202
12	Extension and Variation of S75 Framework Partnership Agreement	203 - 214
13	Community Equipment Contract Call Off Extension	215 - 230
14	Date of Next Meeting	

The next meeting will be held on 20 April 2021.

MATTERS TO BE CONSIDERED IN PRIVATE

Exclusion of the Public and Press:

On agreement of the Committee, under Section 100(A) of the Local Government Act 1972, the public would be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act for the reasons stated on the agenda.

7 CONFIDENTIAL Appendix 1 - Legal Advice

- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;

7 CONFIDENTIAL Appendix 2 - PH - LSH Best Value Position statement

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

7 CONFIDENTIAL Appendix 3 - Full Decant Financial Forecast

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

8 CONFIDENTIAL Appendix 2 - Legal and Financial Issues

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;

11 CONFIDENTIAL Appendix 1 - Legal Notes

- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;

11 CONFIDENTIAL Appendix 2 - Commercial Strategy

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

11 CONFIDENTIAL Appendix 3 - Key Performance Indicators (HMS)

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

11 CONFIDENTIAL Appendix 4 - Key Performance Indicators (MCEW)

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Published: Monday, 08 March 2021

A handwritten signature in black ink, appearing to read "P. Najsarek". The signature is written in a cursive style with a large, looped initial "P".

Paul Najsarek
Chief Executive, London Borough of Ealing

CABINET

Tuesday 9 February 2021 at 7pm Minutes

PRESENT:

Councillors: Bell, J Anand, Dhindsa, Gordon, Mahfouz, Rai and Sabiers

ALSO PRESENT:

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

Item 07 - Options for the Mattock Lane Public Spaces Protection Order PSPO
(Councillor Malcolm)

Item 08 - Budget Strategy and Medium-Term Financial Strategy (MTFS) 2021/22 to 2023/24
(Councillors Malcolm and Young)

Item 09 - Budget Update Report 2020/21 (Councillor Young)

Item 10 - Council Performance Report Quarter 2 2020/21 (Councillors Malcolm and Stafford)

Item 12 - Greener Ealing Business Plan 2021/22 (Councillor Stafford)

Item 13 - Implications of Brexit for Ealing (Councillor Stafford)

1. **Apologies for Absence**
Councillors Camadoo-Rothwell and Johnson
2. **Urgent Matters**
That Cabinet:
 - i) agrees to change the order of the agenda to take item 9 before item 8.
 - ii) agrees to defer item 11 to a future date.
3. **Declarations of Interest**
There were none.
4. **Matters to be Considered in Private**
Items 7, 14 and 16 contained confidential appendices but were not taken in private as it was not necessary to discuss the confidential information provided.
5. **Minutes**
Resolved:
That the minutes of the Cabinet meeting held on 19 January 2021 be agreed and signed as a true and correct record.
6. **Appointments to Sub Committees and Outside Bodies**
Resolved
There were none.
7. **Options for the Mattock Lane Public Spaces Protection Order PSPO**
Resolved
That Cabinet:
 - i) notes the evidence of the impact and effect of the Mattock Lane PSPO on the behaviours targeted as set out in this report.
 - ii) notes the outcome of the consultation undertaken between 23 November 2020 and 18th January 2021.

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.

- iii) having assessed the evidence, agrees it was proportionate and necessary to extend the existing PSPO.
- iv) authorises the Director of Community Development to extend the period for which existing PSPO has effect for a period of 3 years with effect from 11 April 2021 until 10 April 2024.
- v) thanks members across the political spectrum for supporting this PSPO.

Reason for Decision and Options Considered

As detailed in section 4 of the report the existing Public Spaces Protection Order PSPO has been complied with for the most part and has been successful in tackling the activities having a detrimental effect which it was introduced to address.

The PSPO was never intended to completely stop abortion related protest or prayer from occurring, whether these be Pro-Life or Pro-Choice; it simply sought to prevent the activities from occurring within the narrowly and clearly defined area of the PSPO: it has achieved that purpose. Members had been reminded that the order permits some activities within the designated area which is within the PSPO area.

There had been occasions during the period since the PSPO was made where groups of individuals who had been involved in protest / vigil in the immediate locality of the Marie Stopes Clinic had instead attended Ealing civic centre (Perceval House), where they had stood outside and displayed signs and images expressing a Pro-Life view and objecting to abortion.

The (almost) daily continued use of the designated area by the Pro-Life groups, the sporadic protests / vigils at Perceval House and the presence of groups involved in protest / prayer at the threshold of the PSPO area, all indicate a continued interest in the location by all of these groups who had previously been congregating at the entrance to the Clinic. Members agreed that it was reasonable to conclude from their continued presence at these sites that, were the order to expire, they would return to the area outside the Clinic and continue the activities previously engaged in at this location.

The main Pro-Choice group (Sister Supporter) which had also been protesting outside the Clinic prior to the introduction of the PSPO had chosen not to use the designated area to continue their activities although it had always been open to them to do so (as long as their activities complied with the provisions which applied to that space).

The April 2018 report detailed the various options that were considered by the Council before taking the decision to make a PSPO and appended an Options Assessment; these options were again set out via an appendix to this report. Officers had reviewed the previous options assessment and had born in mind the likely reluctance of victims to provide witness statements/appear in court and the fact that the people involved in the protests changed from day to day. It was noted that in the last three years no new powers had been created to deal with the issues. Officers remained of the view that the other options were not suitable to tackle the issues which had been identified and that the effectiveness of the PSPO indicated that it was an appropriate measure to deal with the activities which had been having a detrimental impact. Members were in agreement with that view.

The period for which a PSPO had effect could be extended for up to three years. Officers had given consideration to whether a shorter period of extension might be

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appropriate but recommended that the extension was for the full three-year period. It was believed that without a PSPO the activities which had a detrimental effect would recur. As to the length of the extension, although there had been some suggestion of national legislation being introduced to create “buffer zones” around all abortion facilities, there was no certainty as to if (or indeed when) this may happen. Officers had also taken into consideration that the other remedies considered by the original Options Assessment were not appropriate and would not be a good reason for the extension to be for a shorter period of time. Officers were satisfied that a three-year extension period was necessary. Members were in agreement with that view.

8. Budget Strategy and Medium-Term Financial Strategy (MTFS) 2021/22 to 2023/24 Resolved

That Cabinet:

- i) approves net savings of £11.142m over the Medium-Term Financial Strategy (MTFS) period 2021/22 to 2024/25, submitted as part of the 2021/22 budget review process. This included £2.514m savings from the General Fund over the same period of which £7.000m was to be delivered from the General Fund in 2021/22 (section 5.2 and Appendix 2 of the report).
- ii) authorises the Executive Director or Director with responsibility for each proposal (including fees and charges) to:
 - a) carry out all steps required in relation to each proposal, including carrying out any appropriate consultation.
 - b) consider any consultation outcomes and any other detailed implications, c) complete and consider the implications of any equalities analysis assessment required.
 - d) following completion of ii)a), ii)b) and ii)c) above;
 - i. determines whether or not to proceed with or amend any proposal as appropriate prior to implementation.
 - ii. determines whether or not a further report needs to be considered by Cabinet or the relevant officer or portfolio holder before a final decision is taken on implementation.
 - iii. where a decision is taken not to proceed with any savings proposal, to bring forward alternative proposal(s) for consideration.
- iii) In relation to those savings proposals that are significantly cross cutting across more than one council service, authorises the Executive Director or Director with primary responsibility for the savings proposal in question to complete any required equalities analysis assessments and to consider the outcome of such equalities analysis assessments, and any other cross-cutting implications, following consultation with the Executive Directors or Directors of the other services significantly impacted by the proposals, prior to taking any decisions on whether to implement such savings proposals.
- iv) notes in relation to the authorisations given in ii) and iii) above that where appropriate any key decisions will be brought back to Cabinet.
- v) notes the latest Medium-Term Financial Strategy (MTFS) for 2021/22 to 2024/25 (Section 4 of the report).
- vi) approves £14.829m of service revenue growth for 2021/22 (paragraph 5.2.2 of the report) and authorises the Chief Finance Officer (Section 151), following consultation with the Strategic Leadership Team (SLT), to agree and allocate the service growth as part of the detailed service budget setting process.

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- vii) notes that the Council was in a position to agree a balanced budget for 2021/22 and that any remaining budget gap following the Council Tax decision by Full Council on 2 March 2021 would be closed using reserves.

Fees and Charges

- viii) approves the schedule of fees and charges for 2021/22 (paragraph 5.3 and revised Appendix 3 of the report) and authorises the relevant Executive Director or Director to complete (before implementation) equalities analysis assessment and consider outcomes of the assessment and determine and if appropriate put in place suitable mitigations measures.

Council Tax

- ix) agrees the officer recommendation of an increase of 3% for the Social Care Precept and an increase of 1.99% for Council Tax in 2021/22 (paragraph 5.7.1 of the report) for recommendation to Full Council on 2 March 2021.

Council Tax Reduction Scheme

- x) notes the continuation of the current Council Tax Reduction Scheme (paragraph 5.7.14, Appendix 4 of the report) for recommendation to Full Council on 2 March 2021.

Council Tax Exemption for Care Leavers

- xi) agrees the officer recommendation to provide Council Tax relief to care leavers, effective from 1 April 2021 (paragraph 5.7.21 of the report) for recommendation to Full Council on 2 March 2021.

Council Tax Empty Property Premium Charge

- xii) agrees the officers' recommendation to introduce an additional 300% premium on top of the standard council tax for properties which have been empty for more than 10 years with effect from 1 April 2021 (paragraph 5.7.7 of the report).

London Business Rates Pool

- xiii) notes the request to the Ministry of Housing, Communities and Local Government (MHCLG) for revocation of the pan-London pool designated under the provisional finance settlement from 1 April 2021 (paragraph 5.9.1 of the report).

Business Rates Discount

- xiv) approves that, pursuant to the Council's powers under Section 47 of the Local Government Finance Act 1988, for 2021/22, the Council will continue to offer a discount in National Non-Domestic Rates (NNDR) of two times the cost of accreditation to the first 100 businesses in Ealing which are, or which become accredited with the Living Wage Foundation and who meet the criteria as set out in the February 2016 Cabinet report: Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation and extend the offer to new applicants (paragraph 5.9.5 of the report).
- xv) authorises the Chief Finance Officer (Section 151) to make determinations in relation to applications for such NNDR discounts, in accordance with the council's adopted criteria.

Schools Budget

- xvi) notes the outcome of 2021/22 School Funding Formula changes as agreed in consultation with Schools Forum (Section 7 of the report) and authorises the Chief Finance Officer (Section 151) to consider and, following consultation with the portfolio holder for Finance and Leisure to take on behalf of the Council any actions necessary for the Council to fulfil requirements for Dedicated Schools Grant (DSG) budgets.

Housing Revenue Account (HRA)

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.

- xvii) notes the HRA revenue budget for 2021/22, as approved by Cabinet on 19 January 2021 (Section 8 of the report).

Capital Programme 2021/22 – 2025/26

- xviii) notes the new General Fund capital programme additions totalling £7.395m to be approved by Full Council on 2 March 2021 (Section 9 and Appendix 6 of the report).
- xix) notes the capital programme additions relating to the HRA (Section 9 of the report) that were considered as part of the HRA Business Plan by Cabinet in January 2021.

New Financial Management Code

- xx) notes the requirements of The Financial Management Code and steps being taken to ensure compliance in 2021/22 (paragraph 11.7 and Appendix 11 of the report).

xxi) **Endorses and approves the following recommendations to Full Council, on 2 March 2021, that Cabinet:**

- 1) Revenue Budget 2021/22 and Medium-Term Financial Strategy 2021/22 to 2024/25
 - a) approves the Revenue Budget for 2021/22 as summarised in Appendix 1 of the report.
 - b) notes the advice of the Chief Finance Officer (Section 151) on the levels of reserves and robustness of estimates in setting the budget as required by Section 25 of the Local Government Act 2003 (Section 11 of the report).
 - c) notes the financial risks and pressures set out in the report (Section 4 and Section 15 of the report).
 - d) approves the Parking Account 2021/22 (paragraph 5.11 and Appendix 5 of the report).
 - e) approves the draft Schools budget of £288.006m and agrees that any changes to the budget reasonably required as a result of the final 2021/22 DSG settlement are delegated for decision to the Executive Director of Children, Adults and Public Health following consultation with the Chief Finance Officer (Section 151) (Section 7 of the report).
 - f) approves for the Chief Finance Officer (Section 151) to agree appropriate actions to comply with the revised DSG guidance, including agreeing the appropriate Deficit Recovery plan for DSG (Section 7 of the report).
 - g) notes that the General Fund balance is scheduled to remain the same at £15.919m for 2021/22 and notes the forecast levels of earmarked reserves (Section 11 and Appendix 10 of the report).
- 2) Capital Programme 2021/22 – 2025/26
 - a) approves the new General Fund capital programme additions totalling £7.395mm (paragraph 9.3 and Appendix 6 of the report) and £0.610m of mainstream budget to be repurposed.
 - b) approves the revised Capital Programme of £1,120.420m (before additions), as set out in Section 9 and Appendix 7 of the report.
- 3) Capital Strategy, Treasury Management and Pension Fund

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- a) approves the Treasury Management Strategy including the associated Prudential Indicators and Annual Investment Strategy (Section 10 and Appendix 9 of the report).
 - b) approves the Treasury Management Policy Statement (Appendix 9 of the report).
 - c) notes the Chief Finance Officer (Section 151) will implement the Treasury Management Strategy under existing officer delegated powers (Appendix 9 of the report).
 - d) approves the Minimum Revenue Provision (MRP) policy (Appendix 9 of the report).
 - e) notes that the Council manages the cash on behalf of the Pension Fund and West London Waste Authority in accordance with the Treasury Management Strategy (Appendix 9 of the report).
 - f) approves the Capital Strategy (Appendix 8 of the report).
 - g) approves the Flexible Capital Receipts policy (Appendix 8 of the report).
- 4) Council Tax and Business Rates
- a) agrees to recommend to full council the officer recommendation of an increase of 3% for the Social Care Precept and an increase of 1.99% for Council Tax in 2021/22 (paragraph 5.7.1 of the report).
 - b) notes the Greater London Authority (GLA) Band D precept of £363.66 for 2021/22 (paragraph 5.6.2 of the report).
 - c) notes that the Chief Finance Officer (Section 151) calculated under delegated authority on 31 January 2021 the amount of 117,138.0 as the Council Tax Base, being the number of properties in Bands A-H in the Borough, expressed as an equivalent number of Band D units for the year 2021/22; in accordance with regulation 3 of the Local Authorities Calculation of Council Tax Base Regulations 1992 as amended made under Section 335 and 344 of the Local Government Finance Act 1992 (paragraph 5.7 of the report).
 - d) notes the forecast Collection Fund position for 2020/21 (paragraph 5.8 of the report)
 - e) notes the Council's share of the business rates income forecast for 2021/22, as approved by the Chief Finance Officer (Section 151) (section 5.9 and Appendix 1 of the report).
 - f) approves charge of a 300% premium on top of the standard council tax for properties which have been empty for more than 10 years with effect from 1 April 2021 (paragraph 5.7.7 of the report).
 - g) approves the current Local Council Tax Reduction Scheme to continue for the financial year 2021/22 (paragraph 5.7.14, Appendix 4 of the report).
 - h) approves and support the payment of council tax by agreeing to fund the Council Tax payable by Ealing care leavers taking up accommodation within the Borough and which would be administered through a local council tax discretionary discount scheme under Section 13A(1)(c) of Local Government Finance Act 1992 (paragraph 5.7.21 of the report).
- xxii) notes the tabled addendum and the revised appendix 3 to the report.
- xxiii) congratulates officers who have worked hard to achieve this Budget Strategy.

Reason for Decision and Options Considered

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This was the final update report to Members on the 2021/22 Budget and Medium Term Financial Strategy (MTFS). It finalised the position since the last budget strategy report to Cabinet in December 2020 and it brought together a number of significant issues for Cabinet decision. The main purpose was to enable Cabinet to consider the budget proposals and make recommendations to Full Council for when it finalised the budget and set the council tax on 2 March 2021.

The Council had continued to invest in services that experienced significant and continued demand pressures, with prioritisation being given to the most vulnerable groups. Due to the complexity of the service provision, against the backdrop of a pandemic, continuing uncertainty of long-term government funding notwithstanding the indicative projected increase in funding as a result of the provisional finance settlement, these services continued to operate in a challenging resource environment where small demand change could lead to material budget variances.

The proposals in this report would contribute to the savings agreed in the budget strategy. Some of the savings proposals would have more detailed implications which would only emerge following consultation or analysis of equalities impacts. Where this was the case those detailed implications would be considered before a final decision was taken on whether or not to implement the proposal, including whether or not a proposal should be amended prior to implementation. Where proposals when considered in more detail resulted in a lower financial saving, it was the responsibility of the department to find alternative savings to the equivalent value to replace the reduced amount.

Any appropriate consultation in relation to proposals would be carried out as required, at a formative stage, and in accordance with the council's legal duties and responsibilities.

9. Budget Update Report 2020/21

Resolved

That Cabinet:

- i) notes the General Fund revenue budget non-COVID forecast outturn position of (£1.150m) underspend (0.46%) for 2020/21 (section 4 of the report), and a break-even position on Housing Revenue Account for 2020/21 (section 8 of the report).
- ii) notes financial pressures arising from COVID-19 in 2020/21 were currently causing an estimated in-year net budget pressure of £9.043mm (section 5 of the report).
- iii) notes the combined General Fund revenue overspend forecast position of £6.163m (section 4 of the report).
- iv) notes that there remained uncertainty re some elements of government funding to support the financial commitments made by the Council in relation to COVID-19, and that mitigations had been put in place Council wide to address the forecast overspend. As at period 9 these had taken effect and that efforts continued across the Council with the aim of ensuring the forecasted overspend was brought down as far as possible and further additional measures or the use of reserves may be needed to deliver a balanced budget.
- v) notes the progress on delivering the 2020/21 savings (section 6 of the report).
- vi) notes the in-year Dedicated Schools Grant (DSG) deficit forecast of £1.700m to be charged to the DSG account (section 7 of the report).
- vii) notes the 2020/21 capital programme forecast a break-even position (paragraph 9.3 of the report).
- viii) approves the re-profiling of 2020/21 capital programme net slippage of £17.384m (appendix 3 of the report) into future years.
- ix) thanks officers for their fantastic work both in response to Covid and through their

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usual work.

Reason for Decision and Options Considered

To forecast the financial position for 2020/21 based on available information at end of 31 December 2020 for non COVID-19 and COVID-19 pressures. The report outlined the Council's forecasted position on revenue, capital, income and expenditure to the end of quarter 3.

10. Council Performance Report Quarter 2 2020/21 Resolved

That Cabinet:

- i) notes the contents of the report.
- ii) notes the progress made against the Council Plan performance indicators during Quarter 2 2020/21 (July – September 2020).
- iii) thanks officers for their work achieving the improvements in performance.

Reason for Decision and Options Considered

The purpose of this report was to provide Cabinet with a summary of the council's performance at the end of the second quarter of 2020/21, and a summary update to the performance indicators available as part of this year's performance set. The report also highlighted the indicators whose performance information would not be available this year due to the Covid-19 pandemic.

The original intent had been to present Q2 performance with the review of the Council Plan priorities and objectives for 2021-22. Due to the subsequent resurgence of Covid-19 and the urgent need to redeploy officer resource to support operational activity during the subsequent lockdowns, the development of the revised Council Plan had been delayed. The Council Plan review process also included the setting of the annual targets for each key performance indicator (KPI), which meant current performance had not been assessed against specific targets. The decision had been taken to instead publish the existing KPIs in a similar format to the Q1 performance data for 2020-21, to show performance against Q2 2019/20 and the direction of travel.

11. Recommendation of the Overview & Scrutiny Committee regarding Low Traffic Neighbourhoods Interim Assessment

This item was deferred to a future date to allow time for a more substantive response.

12. Greener Ealing Business Plan 2021/22 Resolved

That Cabinet:

- i) agrees the appended (to the report) Greener Ealing Business Plan for 2021-22 and authorises the Executive Director of Place to agree any changes subsequently required, in particular arising from the council budget approval process.
- ii) notes that £20.930m, inclusive of the agreed allocated growth of £1.294m for the annual contractual amount, gross of £1.137m rent proposed to be charged by the Council. Of the growth amount, £0.147m will be held back until the satisfactory conclusion of a commissioned mid-year review of efficiency and cost containment for the contract.
- iii) thanks officers and the Board for their commitment and thanks Councillor Sabiers, portfolio holder, for leading this project.

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Reason for Decision and Options Considered

Following a robust options appraisal, it was agreed in 2018 that a Local Authority Trading Company (or LATCo) would be established to deliver Environmental Services previously provided by AMEY. This was agreed over the options of bringing services in house or further competitive tendering.

The October 2019 report to Cabinet provided an update on the set up of the LATCo, Greener Ealing Ltd(GEL), seeking approval to a draft proposed company business plan along with associated company incorporation agreements between the Council and Greener Ealing. The final Business Plan for 2020/21 was approved by Cabinet in June 2020.

The Business Plan attached to the report, supported the short to medium term GEL objectives agreed with the Council after 9 months of bedding in from July 2020. GEL had been created with the necessary supporting infrastructure, legal and governance arrangements – together with a significant financial commitment from the Council. This had involved the transfer of staff from the existing provider and a series of extensive procurement processes over 18 months to providing the resources, to deliver Ealing's environmental services as first envisaged two years ago.

To ensure that the business was positioned to fully deliver on the objectives of the Council, GEL's operations had been supported by the procurement of a new fleet of 145 emission compliant vehicles to deliver waste/recycling, street cleansing and grounds maintenance services. Waste and recycling vehicles were fitted with new and improved ICT systems connecting operations to Council customer and information management systems.

GEL had a public service ethos, and this was reflected in the nature of support given to its staff. All staff were now paid at least the London Living Wage, maintaining differentials (therefore all staff had benefited from an uplift in salary). All staff had access to an improved pension scheme and a number of former Ealing employees had admitted body access to the Local Government Pension Scheme.

Although the use of temporary staff was commonplace in the services covered by GEL, the company aimed to reduce the reliance on agency workers, prioritising the provision of permanent local employment opportunities. GEL would provide training and development opportunities for staff, identifying opportunities for advancement for front line staff to Drivers and beyond to Supervisory and Managerial levels and to achieve improvement in areas where skills development had been neglected or left behind e.g. horticultural skills, vehicle fitters or HGV training – the company would grow its own. GEL was also developing a new apprenticeship programme.

Within the current scope of services, GEL aimed to deliver investment in better waste collection infrastructure, safer and more efficient waste collection rounds, clean streets and green spaces at the same time as controlling costs and emissions to achieve improved operating efficiency and reduced environmental impact. Greener Ealing and its senior management team would hold itself transparent and accountable to the Council with performance measured against robust key performance indicators. These were governed by monthly Board meetings and quarterly Shareholder Committee meetings in addition to fit for purpose contract monitoring arrangements. Contract KPIs had been agreed, after 6 months of data analysis to validate meaningful stretched target for

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performance across relevant services. Future reports would focus on contract performance, but it was worth highlighting here that after a relatively smooth transition from AMEY, services had been delivered to a consistently higher standard. Whilst there was room for improvement, the commitment and responsiveness of Greener Ealing was meeting the expectations of the council. A detailed performance appraisal and report would be presented after the first full year of operations.

The business plan for 2020/21 presented to Cabinet in June 2020 included a number of objectives for the first 9 months of the contract. Some key objectives were summarised below.

- Pay the London Living Wage from day one.
- Reduce the reliance on Agency Staff.
- Develop a training and development programme open to all staff – identifying opportunities for advancement for front line staff to Drivers and beyond to Supervisory and Managerial levels.
- Improve in areas where skills development has been neglected or left behind e.g. horticultural skills, HGV training and on important topics such as Health and Safety in order to provide the safest possible working environment.
- Develop a new apprenticeship programme.
- Provide an enhanced pension scheme with an increased employer contribution
- Provide the best vehicles and plant, including a new fleet of 145 vehicles, to enable staff to do their jobs.
- Work closely in collaboration with the trade unions.
- It is envisaged that the focus will be on permanent, local jobs for local people.

All of these objectives had been either met or formed part of ongoing improvement plans. Taking all of the above into account, the Business Plan attached to the report set out the next steps for the company for 2021-22 and provided an overview of the financial situation for the business.

13. Implications of Brexit for Ealing Resolved

That Cabinet: notes the implications for the council and the borough of the issues highlighted in report.

Reason for Decision and Options Considered

The UK ceased to be a member of the EU from 1 February 2020 and was no longer part of the bloc's institutions. However, the standstill post-Brexit transition period kept most arrangements from the UK's EU membership in place until it expired at the end of 2020. Negotiations between the UK Government and EU on a future trade relationship continued until late in December 2020 leading to the agreement of a trade deal. The headline measures of the deal included:

- No tariffs or quotas on EU/UK trade in goods.
- A new agreement on fisheries, with the UK's departure from the Common Fisheries Policy.
- State-aid and procurement to become UK domestic policies.

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- An agreement to join some future EU funding programmes (for e.g. the Horizon research programme) and to leave others (e.g. the Erasmus education scheme).

The deal did not confirm arrangements for services. The rights of EU nationals living in the UK were clarified at an earlier stage and were not amended as a result of the trade deal.

It was too early to fully assess the impact of the new trade relationship on the Council, residents and businesses and bringing a report at a later stage was considered. However, in view of the significance of the change for residents and businesses this early report had been produced.

14. Broadway Living Ltd Business Plan

Resolved

That Cabinet:

- i) notes and approves the draft BL Ltd Business Plan which was endorsed by the BL Board on 8 February 2021 (at Appendix A and Confidential Appendix B of the report) and summarised in section 3.5 of the report.
- ii) notes that the Council would receive regular reports on the delivery of Broadway Living Ltd.'s Business Plan at relevant times.
- iii) notes that the Chief Finance Officer as approved via the Councils Treasury Management Strategy has delegated authority to provide BL Ltd with working capital loan funding to enable BL Ltd to implement its approved Business Plan.
- iv) notes and agrees in principle that, subject to the outcome of a staff consultation which started on 25 January 2021 there should be a transfer of Council staff to BL Ltd as set out in paragraph 11 of the report to enable it to deliver services to the Council and BLRP.
- v) thanks officers for their hard work in getting to this point.

Reason for decision and Options Considered

The Council approved setting up of a wholly owned subsidiary in October 2013 and incorporated a company, Broadway Living Ltd, in March 2014 in order to progress the delivery of council housing and affordable housing in particular. This approval was considered in the light of a business case and options appraisal that were put together within the constraints of the then funding environment to tackle homelessness and housing pressures caused by the lack of good quality affordable rented homes to meet the needs of Ealing's residents.

The Council delegated authority to the Executive Director of Place in October 2018 to set up and register a new housing company Broadway Living Registered Provider (BLRP) to complement and supplement delivery of homes through its housing company Broadway Living (BL Ltd).

In November 2020 the Cabinet approved proposals that the Council (as shareholder, landowner and funder) would commission BL Ltd and BLRP to deliver a programme of housing as set out in the approved BLRP Business Plan which would include the transfer of Council owned land to BLRP at "best consideration" and Council funding alongside GLA grant needed for the development of new homes.

It was also noted at the November Cabinet report that a further report would be brought to a later Cabinet for approval of the Broadway Living Ltd Operational Business Plan and associated proposed staff transfers.

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.

The Business Plan in appendix A of the report (and its confidential appendix B of the report) set out the objectives, activities, services to be provided to the Council and BLRP, staffing and resourcing, funding, governance and the commissioning of Broadway Living Limited (BL Ltd). The plan also forecasted its financial performance to 2025 and provided an insight into work beyond that date.

15. School Admission Arrangements for 2022-23

Resolved

That Cabinet:

- i) approves the admissions arrangements 2022/23 for Ealing community schools (Appendix 1 of the report).
- ii) approves the published admission numbers for all Ealing community schools including a reduction of 30 places each at Grange Primary School, Horsenden Primary School, Berrymede Infant School and Berrymede Junior School. (Appendix 1 of the report).
- iii) approves Ealing's scheme for co-ordination of admissions to Year 7 and Reception/Junior in 2022/23 as part of Pan London co-ordination (Appendix 2 of the report).

Reason for decision and Options Considered

All admission authorities must determine their admission arrangements by 28 February every year, even if they had not changed from previous years and consultation had not been required. These were set out in paragraph 1.46 of the School Admissions Code.

16. LBE commissioned Tier 2 Child and Adolescent Mental Health Service (CAMHS)

Resolved

That Cabinet:

- i) authorises the Executive Director Children, Adults & Public Health to make a direct contract award for Tier 2 CAMHS with a total value of £1.895m for one year from 1st April 2021 to 31 March 2022 to West London NHS Trust, to be funded from the existing £1.695m Children's Services revenue budgets and £0.200m from the Clinical Commissioning Group.
- ii) authorises the Executive Director Children, Adults & Public Health to invite and evaluate tenders for a contract for the provision of Tier 2 CAMHS, and if an acceptable tender is received, delegates authority to the Executive Director Children, Adults and Public Health to award a contract to coincide with the end of the 1-year Direct Award contract in March 2022.

Reason for decision and Options Considered

The Council funds and commissions Tier 2 mental health services for children and young people (CAMHS). Tier 3 CAMHS was commissioned by the Clinical Commissioning Group (CCG). At present these services were separately specified and commissioned, although both were provided by West London NHS Trust. The Council contracted with West London NHS Trust would end in March 2021 and a decision was required to secure the immediate future of these services. This would allow time to co-design a new local specification and go out to tender for the entire Tier 2 service, which would include the new Mental Health Support Teams in November 2021, which commenced working in schools in January and November 2020, respectively.

This would not only ensure value for money but would also address a range of identified issues including:

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- The need for co-production with the initial design of the service which fostered new ways of working
- The changing needs and issues highlighted in the CAMHS IST Review, SEND JSNA and SEND Inspection Report and national guidance on mental health for children and young people
- Providing further clarity within the service specification and defining pathways of care between and across services including Ealing Tier 3 services provided by West London NHS Trust, voluntary sector and schools.
- The variable data quality and potential outputs of the service.
- The monitoring of staffing costs and outdated performance indicators.

This preferred option was in keeping with the aims of the gold programme: *'Safe and achieving outcome review'* and recognised the growing demand for emotional, mental health and wellbeing services in the context of the current crisis.

It also allowed Ealing Community Partnership (ECP) to competitively tender for the redesigned service which was considered by commissioners under Option 2.

Options considered by Commissioners:

1. Extend the existing contract for 1 year with the existing provider under the current terms with minimal change until the end March 2022: This would allow time to design a new local specification and go out to tender for the entire Tier 2 service, which would include the new Mental Health Support Teams. This would also allow time for early market testing and engagement with health trusts and potential voluntary sector providers including new entrants to the market with the advent of Mental Health Support Teams.

Recommended – one year was sufficient for implementing the redesign of the service and re-procurement with sufficient capacity established to support this programme of work. Work had already begun in lieu of a range of issues previously identified.

2. Direct Award for up-to 1 year and re-provide under the Ealing CCG single community contract provided by Ealing Community Partnership (ECP). This was a 10-year contract, and the expectation was that all services that were varied into the contract were contracted on this basis. The contract was currently in Year 2 of the contract and CAMHS would be incorporated from 1st April 2022 until 31st March 2029.

Not recommended as Providers should bid as part of an open competitive re-procurement process – This would ensure that all identified issues were addressed within the wider contract framework and provide a better guarantee of value for money.

3. Direct Award for 2 years with the existing provider under the current terms with no change. This would not support the urgency of the service re-design to address the identified range of issues but allowed a longer period of time to support a sector wide move to a new model of care.

Not recommended – Did not support the urgency of service redesign or service user engagement but did support service continuity. Savings from a streamlined management structure were no longer apparent with the recent recruitment of a much-needed Senior Clinical Team Manager for SAFE (£84,000) alongside 15% overheads charged against all staffing costs including agency costs.

17. Date of Next meeting

Resolved

That Cabinet notes that the next meeting of Cabinet would be held on 16 March 2021 at 7pm.

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.

Councillor Julian Bell, Chair

Date

The duration of this meeting was 7pm to 8:14pm

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.

Contains Confidential or Exempt Information	YES (Part) Appendices 1, 2 and 3 are exempt by virtue of paragraph 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972
Title	Perceval House Redevelopment – Decant Options and Affordable Housing
Responsible Officer(s)	Lucy Taylor – Director of Growth & Sustainability
Author(s)	Andy Parsons – Programme Director
Portfolio(s)	Portfolio for Regeneration and Property Portfolio Holder for Housing, Planning and Transformation
For Consideration By	Cabinet
Date to be Considered	16th March 2021
Implementation Date if Not Called In	29 th March 2021
Affected Wards	All
Keywords/Index	Perceval House; Broadway Living Registered Provider (BLRP), Decant, affordable housing, office redevelopment

Purpose of Report:

Update on the current viability position of the Perceval House redevelopment and to agree a change to the proposed decant strategy. To agree the variations to the agreement with Vistry to reflect proposed revised terms of acquisition of affordable units and proposed decant strategy and agree in principle the onward sale of the Affordable Housing units to Broadway Living Registered Provider.

1. Recommendations

- 1) Notes the current position with regard to the Perceval House redevelopment scheme as detailed in this report.
- 2) Notes and agrees to a complete decant from Perceval House prior to construction of the new scheme for the reasons set out in paragraph 3.0 to 3.15 below.
- 3) Notes and agrees the Decant Strategy as attached in Appendix A.
- 4) Notes and agrees that the Council will need to take a lease for suitable office space within Central Ealing pending completion of new office space consistent with the financial forecast for the Decant Strategy.

- 5) Delegates authority to the Director of Growth and Sustainability to agree final terms of the lease of a suitable office space with the owner and to authorise the Council to enter into the lease following consultation with the Director of Legal & Democratic Services and Chief Finance Officer.
- 6) Notes and agrees the ongoing work to enable the complete decant from Perceval House as outlined in paragraph 3.8 and 3.9 and approves the following budget growth:
 - a) Additional capital funding requirement of £5.603m of which £5.270m to be funded by the developer and £0.333m (paragraph 8.2, 8.3 and Confidential Appendix 3) to be funded from mainstream borrowing with associated revenue financing cost to be met from the existing Treasury Management service budget.
 - b) Notes that of the total additional capital spend of £5.603m (paragraph 8.3 and Confidential Appendix 3), £4.603m is forecasted to be incurred in the latter half of 2021/22. Due to cashflow timings the Council will need to finance the costs from temporary borrowing with this being repaid in following years upon release of the programme benefits. Any associated revenue financing cost will be met from the existing Treasury Management service budget.
 - c) £0.415m one-off revenue growth required in 2021/22 to be funded from a combination of in-year savings with any unfunded spend to be financed from corporate reserves (paragraph 8.2, 8,4 and Confidential Appendix 3); and
 - d) Additional revenue budget requirement of £0.616m to be incepted in the MTFS as part of the 2022/23 budget process (paragraph 8.2, 8.4 and Confidential Appendix 3).
- 7) Notes the capital budget approved by Cabinet in March 2018 of £65.242m for the Affordable Housing units will now be recognised in the programme and approves the budget to be increased by £1.627m to £66.869m, funded from mainstream borrowing with the short-term revenue implications to be covered from the existing treasury management revenue budget for a duration of no longer than one year. The scheme will fund the acquisition of the affordable homes units until the forward transfer is completed to Broadway Living Registered Provider (Section 4 and paragraph 8.5).
- 8) Notes the revised purchase price for the Affordable Housing units contained within Confidential Appendix 1 and that the amount proposed is expected to be recovered from the proposed onward sale to Broadway Living Registered Provider within the existing Broadway Living Registered Provider £400m funding allocation and consistent with the approved Broadway Living Registered Provider business plan.

- 9) Notes and agrees that the Council should agree a variation to the existing Development Agreement with the Council's developer partner (Vistry) on the basis outlined in paras 6.0 to 6.2 below.
- 10) Delegates authority to the Executive Director of Place to finalise the terms of a revised Development Agreement with Vistry based upon the terms summarised in paras 6.0 to 6.2 below, and to authorise the Council to enter into a revised agreement following consultation with the Director of Legal & Democratic Services and Chief Finance Officer.
- 11) Notes and agrees in principle to the disposal of the affordable housing units to Broadway Living Registered Provider and note that a report will be taken to Housing Delivery Cabinet Committee to approve the disposal to Broadway Living Registered Provider, subject to necessary financial capacity.
- 12) Delegates authority to the Executive Director of Place, following consultation with the Chief Finance Officer and Director of Legal and Democratic Services, to take any required consequential action to ensure timely delivery of the project as set out in this report.

2. Reason for Decision and Options Considered

- 2.1 Cabinet has previously considered reports on the redevelopment of Perceval House to agree the principle of redevelopment and to enter into a Development Agreement (DA) with Vistry (previously Galliford Try).
- 2.2 The most recent report was taken to 20th March 2018 and Cabinet agreed:
 - To delegate authority to the Executive Director for Housing and Regeneration following consultation with the Director of Legal and Democratic Services, the Portfolio holder for Regeneration and the Portfolio holder for Finance and Performance to finalise the terms and enter into the DA with Galliford Try (now Vistry) on the basis that the Council will agree to purchase all the affordable homes at the pre-agreed price.
 - An addition of a new scheme called Perceval House Affordable Housing Acquisition Fund to the capital programme totalling £65.242m to be funded from mainstream borrowing with the short-term revenue implications to be covered from the existing Treasury management revenue budget for a duration of no longer than one year. The new scheme will fund the acquisition of the affordable homes until the forward transfer is completed.
 - Delegated authority to the Executive Director for Housing and Regeneration following consultation with the Executive Director of Corporate Resources and the Portfolio holder for Regeneration and the Portfolio holder for Finance and Performance to agree the final amount of any Right to Buy receipts to be applied to the scheme as appropriate.

- Reconfirmed agreement in principle to the appropriation of the Perceval House site as originally agreed in July 2017.
- Delegated authority to the Executive Director for Housing and Regeneration following consultation with the Director of Legal and Democratic Services to make a final decision to appropriate the Perceval House site for planning purposes when appropriate.

2.3 Cabinet on 12th December 2017 and Cabinet agreed:-

- to apply Right to Buy (RTB) receipts of up to £10.000m to facilitate the redevelopment and enter into agreements as required to achieve this.
- an addition to the capital programme of £3.705m for the funding of additional commercial floor space as part of the Perceval House redevelopment scheme, with the cost of borrowing to be covered by rental income from third parties.

2.4 The main objectives of the scheme are:

- To provide new more efficient office accommodation for Council's HQ. 100,000 ft2 new offices and a Customer Service Centre/Library of 30,000 ft2.
- To develop a mixed use scheme with 50% of the housing being affordable
- The Council to have an option to purchase the affordable homes (most likely via Broadway Living) at an agreed price as set out in the Employer's Requirements and the bidders' development assumptions.
- To share in the development risks and to share in the rewards of a successful development in order to increase the return to the Council
- A scheme which will not require the Council to make additional funding available for the cost of its accommodation requirements and potentially generate a surplus beyond this.
- A high quality scheme that enhances the town centre and contributes to further regeneration in the town centre.

2.5 The current position of the project is as follows

- Vistry is the development partner.
- The DA was signed February 2019.
- Residential - 477 homes proposed with a total of 1215 habitable rooms of which 601 are private and 614 are affordable housing, a 50.5% affordable housing scheme
- The planning application was deferred at the 17th February 2021 Planning Committee and is due to be considered by the Planning Committee on the 10 March 2021.
- Subject to the outcome of the local Planning Authority the scheme will be referred to the GLA for stage 2 consideration and the Secretary of State.

2.6 Officers have been involved in further dialogue with Vistry with regards to:

- The change of demolition strategy from partial separation to full demolition.
- The revised terms of the DA in respect of the purchase of the Affordable Housing units from Vistry and the onward sale of the units to Broadway Living Registered Provider (BLRP).
- The current projects financial viability.

2.7 This report sets out the results and recommendations.

3. Proposed Change to Demolition Strategy

3.1 Vistry in their bid submission and which was subsequently contained within the February 2019 DA proposed a scheme that enabled the new council offices to be located on the main frontage of Uxbridge Road. The proposal was to partially separate Perceval House to allow the demolition of the front two claws while the council retained occupation and operated from the remaining rear section. Once the new office building has been completed the council were to relocate into the new accommodation, allowing the remaining part of Perceval House to be demolished and the rest of the residential scheme to be constructed.

3.2 At the time of the bid submission the option of the Council fully vacating Perceval House and relocating off site was considered, as this would have been the preferred option in order to mitigate any Health & Safety (H&S) concerns for staff and provide increased certainty of delivery. At that time remote and home working was not significantly embedded throughout the Council and therefore the cost of providing sufficient office accommodation in the locality was prohibitive and therefore a full vacation of the site was not viable.

3.3 Since the beginning of 2020 and the start of the pandemic, the Council has had to adapt rapidly to a flexible service delivery model, which has moved away from the reliance on large areas of office accommodation to one mainly of remote and home working. Even once the pandemic has abated it is now not expected that the Council would go back to pre-pandemic levels of occupation (see below). Due to this significant change in the way services are and will be delivered and following discussions with Vistry the Council has reviewed the existing partial separation demolition strategy to assess if a full demolition option is now viable.

3.4 Vistry have confirmed that a full vacation of the site by the Council would also be their preferred option and would provide a programme saving of c20 months and significantly de-risk the delivery of the project. It would bring forward the delivery of some of the Affordable Housing and mean that no council staff would be on the development site during the construction process.

3.5 The table below identifies the main differences between the two options and advantageous and disadvantages of both.

Issue	Partial Decant (Approved)	Full Decant
Accommodation	Provides c700-760 workstations and meeting rooms in retained part of Perceval House (PH) and other council properties.	<ul style="list-style-type: none"> Provides 400 to 450 workstations split between c300 in existing council properties and c150 in leased property in central Ealing. Meeting rooms in other council properties.
Finances	Included in approved budget	Potential additional spend £1.570m - £2.596m
Construction methodology	<ul style="list-style-type: none"> Council occupies rear half of PH. New office constructed and occupied. Rest of PH demolished and scheme completed. 	<ul style="list-style-type: none"> Vistry have control of site to demolish PH. New office constructed and occupied. Rest of PH demolished and scheme completed.
H&S	<ul style="list-style-type: none"> H&S Assurance report on structure required. Ongoing monitoring of risks during construction, in line with Employers Requirements for separation. 	No H&S issues relating to construction work.
Disruption during construction	<ul style="list-style-type: none"> Intensive for c12 weeks during 'cut'. Overall c3 years while new office constructed. c3 years during completion of scheme. 	None for first c3 years during construction of office c3 years after new office occupied as rest of scheme is completed.
Services with more complex accommodation requirements	No significant changes to that originally planned to service/democratic service delivery.	New offsite locations to be confirmed and relocations implemented.
Staff impact	<ul style="list-style-type: none"> Staff will need to work from retained part of PH. Majority of staff will be exposed 1 or 2 days a week to significant disruption while working in PH for c3 years. 	<ul style="list-style-type: none"> Willingness to work in other locations (eg Greenford Depot) for first 3 years and continue significant amount working from home. Exposed to adjacent building works when in new office.
Programme	As per DA.	Quicker by c20+ months.
Approvals	Cabinet Approval obtained DA in place Contractual obligated to deliver.	New Cabinet Approval required Negotiation with Vistry and variations to DA.

- 3.6 The New Ways of Working (NWOW) project has engaged with both managers and staff to ascertain the impact on staff and service delivery that the change to a remote flexible working model has made. The results of the staff survey on working locations carried out between 24 November and 15 December 2020 were taken to Jan 2021 Scrutiny Committee and is contained in Appendix C.
- 3.7 The results from the survey show that the clear majority of staff (80%) would prefer to come into an office 2 days or less. Further work is being undertaken to analysis the results in terms of staff and managers perspectives. From analysis of work that has been done to date with the Directorates, it has been determined that between 400 and 450 workstations would enable the majority of staff to come into an office location at least one or two times a week.
- 3.8 The majority of estimated capital expenditure relates to a combination of costs associated with service relocation (across both leased and council owned premises), creation of work-stations and meeting room requirements within existing council properties, with the main location being Greenford Depot providing c220 workstations.
- 3.9 In order for the Council to continue to have a presence within Central Ealing a suitable leased space that would accommodate between c100 and c150 workstations and associated meeting rooms would be procured and incur a revenue expenditure. Currently available office space within Central Ealing have been identified and initial discussions commenced with landowners/agents with regards to terms and potential cost. This information has informed the development of the financial forecast of the cost of implementing a full decant of Perceval House.
- 3.10 Undertaking a full decant allows the overall programme to repurpose budget from avoiding costs required in a partial decant option, c£5.270m has been estimated by Vistry as being the realised benefit. The current high level spend estimate of a full decant option is between £6.840m and £7.866m. Following application of available revenue budgets and capital cost avoidance opportunities, the potential additional cumulative cost to the Council is estimated to be between £1.570m and £2.596m. Current assessment of the cost relating to delivering a full decant option are ongoing but the main areas of cost i.e. relocation of CCTV; upgrade of Greenford Depot and leasing property within Central Ealing are contained within the current high-level estimates. A breakdown of the estimate of costs is included in the Confidential Appendix 3 and the financial implications of a full decant are discussed further in section 8 below.
- 3.11 Key Risks/Dependencies of a Full Decant
- a) **Property**
- Some services with more complex accommodation requirements e.g. CCTV; Registrars; Customer Services will need suitable locations to be identified and completed before decant – max 10 months. The

proposed decant strategy in Appendix A provides more information on these services and proposed locations.

- Majority of workstations will be provided at Greenford Depot. Some accommodation will be leased within Central Ealing and further workstations provided in other council premises around the borough.
- That the Central Ealing accommodation is still available to lease and is of sufficient size at the anticipated affordable rate.
- Limited workstation capacity for staff and not able to readily absorb any additional accommodation pressures that may materialise over 3 years.
- Services/staff operating assumptions change requiring more space at cost

b) Financial

- The cost avoidance of £5.270m to be made available to fund the additional cost will only be held true upon approval of the full decant option.
- There is a risk that this amount could be exceeded during the implementation of the full decant option and that risk would be held by the council, subject to ongoing discussions with Vistry and confirmation at March Cabinet of estimated level of risk.

c) Service Delivery/Staff

- Services/staff willingness and goodwill to accept working from restricted workstations numbers/different locations, with UNISON support.
- Capacity and ability of the organisation to be able to efficiently deliver a full decant within the short timeframe during a considerable challenging time for staff and the council.
- Members/committees when not operating virtually will need to agree suitable locations to hold physical meetings prior to relocating to the Town Hall when that project is complete.
- Impact of partners currently within PH e.g. CCG/Met Police option to continue to co-locate with the council in its temporary accommodation or not.
- Development and implementation of an effective communication and engagement strategy; for staff, managers, members and community.

3.12 A summary of the two options is provided below

Full Decant	Partial Separation
<ul style="list-style-type: none"> • To be financially viable requires the organisation to work within c400-450 workstations • De-risks the new office construction phase and programme saving of c20 months. • Removes any H&S concerns of staff being on site during the office construction. 	<ul style="list-style-type: none"> • Provides c700 workstations. • No need to relocate key services and democratic centre. • Already within DA and Cabinet approval obtained. • Retained part will have severe disruption during 'cut' works (c12 weeks) and then have disruption associated with work adjacent to a building site for c3 years.

Full Decant	Partial Separation
<ul style="list-style-type: none"> • The majority of workstations (c220) will be provided within Greenford Depot which has limited accessibility. • Relocation in short time frame of some key services and democratic centre. • Negotiation with Vistry changes to DA and Cabinet approval. 	

3.13 For both options, noise/disruption associated with being adjacent to building work will continue for circa 3 years after occupation of the new office as the scheme is completed.

3.14 Officers recommend that a full decant of the Perceval House is agreed as the preferred option for the following reasons;

- it is Vistry's preference;
- it reduces the construction programme by c 20 months;
- it significantly de-risks and simplifies the construction programme;
- it is deliverable within the financial forecast;
- it removes any health and welfare concerns of staff being on part of the development site during construction;
- it accelerates the delivery of some of the Affordable Housing units.
- it is expected to have a positive impact on the projects overall financial performance which will be assessed as the financial modelling is refined prior to reporting to Cabinet in summer 2021.

3.15 An Engagement and Communication Strategy is attached in Appendix D which will help facilitate the efficient delivery of the decant strategy.

3.16 An initial Equality Analysis Assessment for the change in demolition strategy is attached in Appendix E and will be further refined at the point we understand which locations we will work out of, how much time staff are likely to work from home and any changes to service provision. Indications are that they could be both positive and negative impacts of increased home working to certain groups with protected characteristics and mitigation will be considered and included within the evolving decant strategy.

4. Affordable Housing

4.1 Approval was obtained at 20 March 2018 Cabinet to purchase the 235 affordable homes to be included in the Council Capital Programme to be funded from mainstream borrowing. The total approved budget was £65.242m. The 235 homes will not be built in one phase so the maximum borrowing needed may be lower than the full cost of the affordable homes of £65.242m. Cabinet also approved the in principle disposal of the affordable homes to BLRP which would result in the entirety of the borrowing required to be repaid on the disposal of the affordable homes to BLRP who in turn will be funded by the Council.

- 4.2 The DA that was entered into with Vistry on 13th February 2019 contained details of the Affordable Housing mix, tenure and associated rate card for each unit type that were expected to be delivered subject to planning approval. The DA made provision for the mix, tenure and unit numbers to be altered as the details of the scheme were progressed through the planning process. Officers from the council have continued to work with Vistry on the details of the Affordable Home offer to ensure that the scheme submitted for consideration be the Planning Committee on the 10 March 2021, best meets Ealing's current needs.
- 4.3 The current Affordable Housing offer differs from the baseline position contained in the DA as shown in Appendix B. The revised Affordable Housing offer provides 226 units with an increased number of larger 3 bed units and a change in tenure mix. The revised Affordable Housing offer forms part of the planning application to be considered on the 10 March 2021 by the Planning Committee.
- 4.4 The DA includes a mechanism for calculating the price of the final number and tenure mix of affordable units. Based on the approved level of affordable housing and tenure mix this produces a figure which Vistry are unable to agree, because of the additional cost of the increased floor area associated with the additional number of larger units with more habitable rooms proposed. A different purchase price of £66.869m is now proposed as set out in Confidential Appendix 1 which equates to an increase in purchase price of £1.627m, financial implications of which are set out in section 8 below.
- 4.5 On 10 November 2020 Cabinet approved the BLRP's Business Plan which included a borrowing requirement facility to fund the units contained within the existing Perceval House DA. The revised purchase price of the Affordable Housing units from Vistry will be able to be recovered from the proposed onward sale to BLRP without affecting the existing £400m loan agreement and associated business plan.
- 4.6 There is an opportunity to use RTB receipts in the scheme to improve the level of affordability of housing units now being sought. This will be set out in further detail when BLRP's affordable housing offer has been negotiated by officers and is brought to Cabinet or the Housing Delivery Cabinet Committee for approval.
- 4.7 The receipt from the onward sale of affordable units will be earmarked to repay the mainstream borrowing used to fund the acquisition and subject to the value being equal or greater than the outlay will result in no continued requirement for revenue funding in relation to the borrowing costs.

5. Current Viability Position

- 5.1 Vistry have provided an updated financial viability that indicates a potential shortfall in Vistry's priority return from that anticipated by the DA of c£7.4m. The main items that have contributed to these movements relate to increase

in land and production costs which have partly but not fully been covered by a projected increase in revenue generated from private unit sales.

5.2 Due to the length of the construction programme and the nature of construction projects of this scale there are opportunities that are being explored to reduce the current forecasted viability gap from crystallising, which include;

- Discussions with the GLA seeking additional grant from the Mayor's Land Fund to contribute towards the infrastructure cost of relocating the electrical substation to facilitate the delivery of the affordable housing units.
- Efficient use of grant and Right to Buy receipts to maximise benefit.
- Maximisation of innovative design and construction methodologies over the length of the project.
- Efficient and effective sales and marketing strategy to maximise revenue income from private market sales.

5.3 Vistry wish to agree the principle of sharing any potential viability gap equally with the council to a cap of a maximum of £3.7m. Further work is being undertaken to reduce the current projected viability gap prior to going unconditional.

5.4 A further report on the viability position will be considered by Cabinet prior to going unconditional, which will identify any financial risk and budget provision for the Council prior to proceeding.

6. Proposed Changes to Development Agreement (DA)

6.1 If Cabinet agree to the proposals set out in this report with regards to the change in the demolition strategy (3.0); the revised Affordable Housing offer (4.0) and Priority Return (5.0) variations to the current DA will be required in negotiation with Vistry.

6.2 The main changes are listed below;

- Decant Strategy (3.0)– the DA was signed on the basis of a partial separation of Perceval House and the council remaining in occupation of the retained part as described 3.1. Clauses relating to this approach will need to be removed or amended as necessary to reflect the change to a full decant strategy.
- Affordable Housing (4.0) – The Affordable Housing offer in respect to unit number, mix and tenure type has changed from that contained within the DA, as the scheme went through the consultation and planning process. A revised mechanism is to be agreed in relation to the purchase price of Affordable Housing units to be paid to Vistry.
- Priority Return (viability) (5.0) – the option to amend the Priority Return to take into account the current position and provision for varying the apportionment and allocation in respect of the current viability gap, details of which will be considered by Cabinet prior to going unconditional.

7. Key Implications

- 7.1 The Council will be legally committed to proceeding with the full decant of Perceval House within the timeframe subsequently agreed within the revised DA.
- 7.2 The Council will be legally committed to the purchase of all units of affordable housing at the revised price (subject to planning permission and meeting the other conditions precedent to start the development).

8. Financial Implications

- 8.1 As set out in section 3 above, since the beginning of 2020 the Council has been gradually moving services to a digital platform allowing for a more flexible service delivery model. Due to the pandemic the digitalisation has rapidly accelerated. Due to this significant change in the way in which services are now being delivered and will be delivered, the Council has reviewed the existing partial separation demolition strategy and in consultation with Vistry, SLT and Members has assessed a full decant option to now be viable.

8.2 Full Decant Spend Profile

- 8.2.1 Set out in the confidential Appendix 3 is the detail estimated spend profile of the Full Decant option. The total forecasted revenue and capital spend (based on 450 workstations) reflects the relocation and decant costs between Perceval House, temporary premises and the new office to be £16.339m (£5.603m capital and £10.736m). Majority of these costs will be funded from a combination of existing revenue budget savings and cost reduction opportunities realised in capital, totalling to £13.744m;

- £2.824m average annual revenue savings from existing Perceval House budgets, equating to cumulative saving of £8.474m over a three-year period; and
- £5.270m cost reductions released due to combination of accelerated timeline of the overall programme and avoidance of additional costs associated with a partial decant. The funds will be repurposed towards financing the capital decant costs, released over a nine-year period (estimated profile). It should be noted that the due to a timing issue the Council will need to temporarily finance £3.519m of the capital decant costs in 2021/22 with reimbursements of costs being released in subsequent years.

- 8.2.2 The table below provides a summary of the spend profile for both capital and revenue.

Full Decant Option - Spend Profile Summary (450 workstations)	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Total Cumulative
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	£M
	£M	£M	£M	£M	£M	£M	£M	£M	£M	£M
Capital Costs:										
Temporary Site Relocation Costs	3.078	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	3.078
Permanent Relocation / Decant Costs	1.525	0.000	0.000	0.825	0.000	0.000	0.000	0.000	0.000	2.350
Other Programme Costs	0.000	0.058	0.058	0.058	0.000	0.000	0.000	0.000	0.000	0.175
Total Additional Capital Costs	4.603	0.058	0.058	0.883	0.000	0.000	0.000	0.000	0.000	5.603
Repurpose programme budget (in-relation to cost avoidance)	(1.084)	(0.754)	(1.050)	(0.767)	(0.027)	(0.027)	(0.214)	(0.774)	(0.573)	(5.270)
Net Additional Capital Costs	3.519	(0.695)	(0.991)	0.116	(0.027)	(0.027)	(0.214)	(0.774)	(0.573)	0.333
Revenue Costs:										
Premises Costs	0.878	3.037	3.037	2.278	0.000	0.000	0.000	0.000	0.000	9.230
New Ways of Working	0.250	0.250	0.250	0.000	0.000	0.000	0.000	0.000	0.000	0.750
Other Project Costs including contingency	0.000	0.181	0.181	0.395	0.000	0.000	0.000	0.000	0.000	0.756
Total Additional Revenue Costs	1.128	3.468	3.468	2.673	0.000	0.000	0.000	0.000	0.000	10.736
Available Revenue Budget	(0.713)	(2.852)	(2.852)	(2.057)	0.000	0.000	0.000	0.000	0.000	(8.474)
Net Additional Revenue Costs	0.415	0.616	0.616	0.616	0.000	0.000	0.000	0.000	0.000	2.263

8.2.3 The spend profile is based on high level estimates using current spend and commercial rental markets. Actual cost of the decant will only be fully known once officers start to identify suitable commercial space, detail and refine decant and relocation implementation plans. The approved budget will be held centrally and released to the workstream leads, subject to approval of a business case by the programme board, in consultation with the Chief Finance Officer.

8.2.4 It is not unreasonable to have in place tolerance levels which allow officers to update budget following revision of estimates as details of commercial negotiations and actual cost of works are known. The current delegations allow, officers to approve spend up to the value of £0.500m and variances above this value will be brought back to Cabinet for approval.

8.3 Capital Budget Impact of Full Decant Option

8.3.1 A total of £67.446m was approved by Cabinet previously of which £66.648m was available as at 1 April 2020. An additional £0.333m growth is being requested to be approved in this report in order to pursue the full decant option. Details of the cost profile and key assumptions are set out in the Confidential Appendix 3.

Capital Budget	Approved	Spend Capitalised to 31 March 2020	Remaining Budget 1 April 2020	New Growth	Proposed Budget
	£M	£M	£M	£M	£M
Capital Programme Budget	67.446	0.798	66.648	0.333	66.981

8.3.2 The additional capital growth will be funded from mainstream borrowing with the cost of financing the additional amount to be met from existing Treasury Management budget.

8.4 Revenue Budget Impact of Full Decant Option

8.4.1 In total the revenue costs that will be incurred over a three-year period are £2.263m. £0.415m budget is required for 2021/22 increasing by £0.202m in 2022/23 to £0.616m until the end of 31 March 2025, following which the funding will end.

8.4.2 The table below summarises the budget profile, with details included within the Confidential Appendix 3.

Full Decant Option – Revenue Budget Summary	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Total Cumulative
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	£M
	£M	£M	£M	£M	£M	£M	£M	£M	£M	£M
Requirement	0.415	0.616	0.616	0.616	0.000	0.000	0.000	0.000	0.000	2.263
One-off Budget Reversed	0.000	(0.415)	(0.616)	(0.616)	(0.616)	0.000	0.000	0.000	0.000	(2.263)
Total Temporary Annual Budget Requirement (incremental)	0.415	0.202	(0.000)	0.000	(0.616)	0.000	0.000	0.000	0.000	0.000

8.4.3 The revenue budget growth for 2021/22 falls outside of the Medium-Term Financial Strategy (MTFS) and 2021/22 Budget process approved by Cabinet in February 2021. As such, if the full decant strategy is approved by Cabinet then officers will look to fund any revenue costs from a combination of one-off in-year savings, mitigations or corporate reserves with a view to incept the full £0.616m growth in the MTFS as part of the 2022/23 budget process.

8.5 Capital Budget Impact of Affordable Housing Perceval House Development

8.5.1 As set out in section 4 above, the current purchase of the affordable housing units is £66.869m which allows for the Council to purchase 226 units. Even though the overall units have reduced the increase in cost reflects a combination of more 3-bedroom housing and change in the tenure mix. The report looks to seek approval of the additional funding, to be temporarily financed from borrowing until the onward sale to BLRP (paragraph 4.7).

8.5.2 The table below sets out the capital budget summary.

Capital Budget	Approved	New Growth	Proposed Budget
	£M	£M	£M
Affordable Housing Perceval House	65.242	1.627	66.869

9. Legal

9.1 Best consideration

9.1.1 The Council will comply with its statutory duty to secure best consideration (under Section 123 Local Government Act 1972 or Section 233 Town and Country Planning Act 1990 as appropriate) in connection with both the disposal of land to Vistry under the DA and the onward sale of the affordable housing units to BLRP. The Council's valuers confirm that the revised terms of the disposal of land to Vistry and acquisition of the affordable units still represents best consideration and will be providing a report with regard to the proposed onward disposal to BLRP when this is considered by the Housing Delivery Cabinet Committee.

9.2 Procurement and State aid

9.2.1 Although state aid is no longer applicable the Council still needs to have regard to the principles of public subsidy control. The council's external legal advisers have advised on the procurement implications and 'state aid principles' and their advice is contained in Confidential Appendix 1

9.3 Appropriation

9.3.1 The Council has the power to appropriate land under section 122 of the Local Government Act 1972 where the land is no longer required for the purpose for which it is held immediately prior to its appropriation.

9.3.2 Where land has been appropriated for planning purposes the Council may dispose of the land under section 233(1) of the 1990 Act to secure the best use of that land or secure the construction of buildings needed for the proper planning of the area.

9.3.3 Under section 203 of the Housing and Planning Act 2016 the Council may override easements and other third party rights (not including rights of way) when undertaking works to or using land where

- a) There is planning consent for the works or use
- b) The land has at any time after 13 July 2016 been vested in, acquired or appropriated by the Council for planning purposes
- c) The Council could acquire the land compulsorily
- d) The works or use relate to the purpose for which the land was vested in or acquired or appropriated by the Council

9.3.4 The beneficiaries of any rights overridden by virtue of section 203 of the 2016 Act may, however, claim compensation (equal to the loss in value of their property caused by losing the right) but cannot seek an injunction to delay or terminate the development.

10. Value for Money

- 10.1 Lambert Smith Hampton the councils property advisors have assessed the revised terms of the DA including the purchase price to be paid to Vistry for the Affordable Housing units in terms of best value and their report is attached in Confidential Appendix 2.

11. Sustainability Impact Appraisal

- 11.1 Any new affordable homes will be constructed to modern planning and building regulations requirements.
- 11.2 The demolition will be managed and comply with all statutory legislation and will include a recycling strategy.

12. Risk Management

- 12.1 The table below sets out the principal risks and mitigation approach to the project in respect of the risks associated with the content of this report.

Risk – Council Acquiring the Affordable Units	Implication	Mitigation
Planning permission cannot be obtained for a scheme that is viable	The scheme stalls	The council will only be required to purchase the affordable units if the scheme starts
The market conditions for private sale in the future mean the scheme is not viable	The scheme stalls as a condition precedent for proceeding will be passing viability design	The scheme will be modified during its development into planning application and market conditions will influence that design if required. There is a mechanism for considering the overall viability in considering the obligations required under planning.
The Council cannot transfer affordable units to third party at a price that meets the cost of developing them	The Council has acquired the units but cannot recover its capital borrowing	The Council will find a buyer. Under the current conditions, it is known onward sale to Broadway Living RP would be acceptable financially. Interest has also been shown by RSLs. The main risk is regulatory conditions change and that affects the achievable rent and therefore the offer price. A variation away from the assumed affordable tenure may

Risk – Council Acquiring the Affordable Units	Implication	Mitigation
		increase the offer price. A lease period followed by an asset disposal would meet most shortfall scenarios.
Risk – Full Decant (discussed in detail in section 3.10 to 3.12 above)	Implication	Mitigation
Decant properties are not ready in time	The council cannot handover Perceval House at the time agreed in the DA and incur penalties.	Carryout further due diligence in respect to the implementation of the decant strategy to ensure all risks are identified and mitigated where possible. Concentrate on services with complex accommodation requirements to inform critical path and reduce risk. Identify options for leased space that can be delivered if preferred accommodation is not available. Negotiate realistic handover date with Vistry informed by due diligence and deliverable decant programme.
Estimated costs of full decant exceeded.	Additional unbudgeted funding required.	Further due diligence on cost of decant strategy as more information becomes available to crystallise budget requirement before implementation. Minimise amount of leased space required through efficient utilisation of council buildings and robust negotiation on terms. Efficient project management and cost control.
New office building is not ready for occupation when agreed.	Additional leased costs and costs of operating temporary decant strategy for a longer period.	Negotiate with Vistry penalties for late delivery of new office building to recover council additional costs that will be incurred.
Staff and customer health and well-being is negatively impacted	Staff/customers H&S and safety is impacted leading to potential delays to project and claims.	Due diligence will ensure H&S legislation is complied with in any

Risk – Council Acquiring the Affordable Units	Implication	Mitigation
		<p>leased and council properties used during the decant.</p> <p>The full decant strategy will remove any potential risk of staff/customers being exposed to building work/disruption during the construction of the new offices on the Perceval House site.</p>

13. Community Safety

13.1 There are no direct implications.

14. Links to the 3 Key Priorities for the Borough

14.1 The council’s administration has three key priorities for Ealing. They are:

- Good, genuinely affordable homes
- Opportunities and living incomes
- A healthy and great place

15. Equalities, Human Rights and Community Cohesion

15.1 A full Equality Analysis Assessment (EAA) was carried out in relation to the Cabinet decision of the 20th October 2015 which identified no significant issues with the proposed project and approach. An updated EAA was attached to the Officer Decision of 13th February 2019. A further EAA for the workforce (and service delivery) is attached in Appendix E and will be further refined at the point we understand which locations we will work out of, how much time staff are likely to work from home and any changes to service provision.

16. Staffing/Workforce and Accommodation implications

16.1 While the overall development creates a new modern working environment for the council the decision on the purchase of the affordable homes has no direct impact.

16.2 The proposed full decant of Perceval House will require staff to work more flexibly and for longer periods away from the office environment. The NWOW project will support staff adapt to these changes and will also help managers to manage efficiently remotely. The full decant of Perceval House will ensure that staff are not adjacent to a building site during the initial 3 year building phase.

17. Property and Assets

17.1 Regeneration Finance have confirmed that the following properties that are proposed to be used as part of the decant strategy during the decant phase of the Perceval House Development and will not impact on the disposal strategy.

- Greenford Depot
- Everyone Active Acton Centre
- Greenford Service Centre

18. Any other implications

18.1 None

19. Consultation

19.1 Results of staff survey on working locations were presented to Scrutiny Committee January 2021 providing information on working from home preferences.

20. Timetable for Implementation

	Existing Partial Decant	Proposed Full Decant
Planning Application submitted	September 2020	September 2020
Planning Committee	February 2021 (deferred) March 2021	February 2021 (deferred) March 2021
Cabinet	March 2021	March 2021
Planning Decision	April 2021	April 2021
Commence Decant from front two claws	August 2021	
Commencement of Phase 1 AH units	November 2021	December 2021
Handover/Demolition of Perceval House commenced	September 2021	December 2021
Completion of the Phase 1 AH residential	March 2023	April 2023
Completion of the council offices	November 2024	November 2024
Completion of AH Phase 2	December 2026	March 2025
Completion of AH Phase 3	November 2028	December 2026
Completion of the whole scheme	March 2029	June 2027

21. Appendices

Appendix A – Perceval House Decant Strategy
 Appendix B - Affordable Housing mix changes from Development Agreement
 Appendix C – Analysis of Working Locations Survey, Summary for Scrutiny
 Appendix D – Engagement and Communication Strategy
 Appendix E - Equality Analysis Assessment (EAA)

Confidential Appendix 1 – Legal advice
 Confidential Appendix 2 – Best value report by Lambert Smith Hampton
 Confidential Appendix 3 - Full Decant Option financial forecast

22. Background Information

- 12 December 2017 Cabinet report
- 20 March 2018 Cabinet report
- 13 February 2019 Officer Decision

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Cllr Julian Bell	Leader / Cabinet Member for: Property & Regeneration	20/2/21	23/2/21	
Gary Alderson	Executive Director	11/2/21	4/3/21	
Lucy Taylor	Director of Growth & Sustainability	11/2 /21	2/3/21	Throughout
Jackie Adams	Legal Services	11/2/21	18/2/21	Recommendations, Section 9
Ross Brown	Chief Finance Officer	19/2/21	19/2/21	Throughout
Shabana Kausar	Assistant Director Strategic Finance	11/02/21	19/2/21	Recommendations; Sections 3, 5, 8 & 9.
External				

Report History

Decision type:	Urgency item?
Key decision	Yes
Report no.:	Report author and contact for queries:
	Andy Parsons, Perceval House Programme Director parsonsa@ealing.gov.uk

Perceval House Decant Strategy



Key Objectives for Perceval House Redevelopment

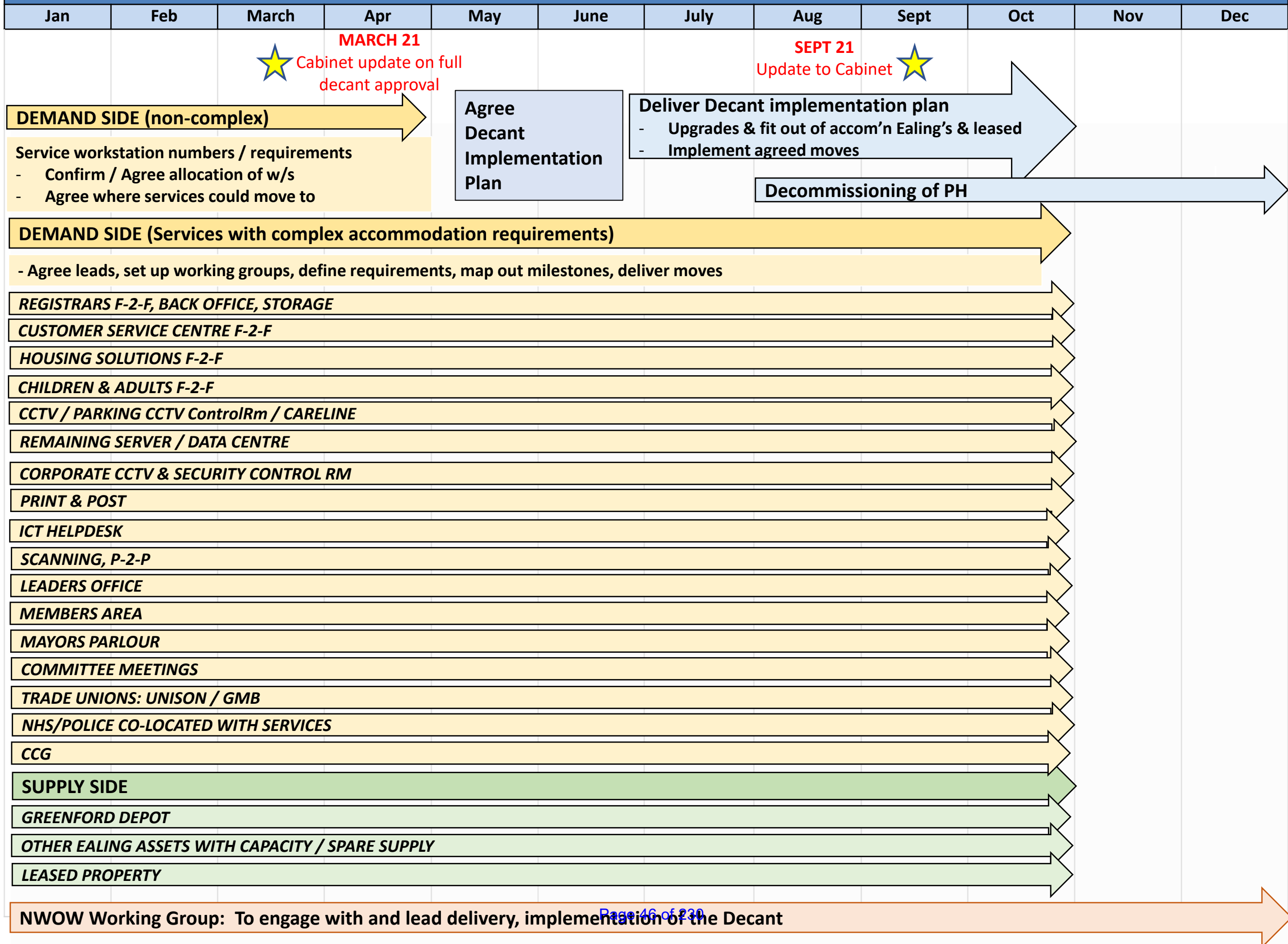
- To provide new more efficient to run office accommodation for Council's HQ. 100,000 ft² new offices and a Customer Service Centre/Library of 30,000 ft²
- To develop a mixed use scheme with 50% of the housing being affordable
- The Council to have an option to purchase the affordable homes (most likely via Broadway Living) at an agreed price as set out in the Employer's Requirements and the bidders' development assumptions
- To share in the development risks and to share in the rewards of a successful development in order to increase the return to the Council
- A scheme which will not require the Council to make additional funding available for the cost of its accommodation requirements and potentially generate a surplus beyond this
- A high quality scheme that enhances the town centre and contributes to further regeneration in the town centre
- To engage with the workforce and services to plan out and ensure that interim and longer term working arrangements support the council and staff to continue to effectively deliver services in a changing environment

Perceval House Development Current Position

	Partial Decant	Full Decant
Planning Application submitted	Sep 2020	Sep 2020
Planning Committee	Feb 2021	Feb 2021
Cabinet	Mar 2021	Mar 2021
Planning Decision	Apr 2021	Apr 2021
Commence Decant from front two claws	Aug 2021	
Commencement of Phase 1 AH units	Nov 2021	Dec 2021
Handover/Demolition of Perceval House commenced	Sept 2021	Dec 2021
Completion of the Phase 1 AH residential	Mar 2023	Apr 2023
Completion of the council offices	Nov 2024	Nov 2024
Completion of AH Phase 2	Dec 2026	Mar 2025
Completion of AH Phase 3	Nov 2028	Dec 2026
Completion of the whole scheme	Mar 2029	Jun 2027

- Vistry selected as development partner
- Development Agreement signed February 2019
- Planning Committee targeted February 2021
- Building works commence Summer 2021
- Current plan for a full decant out of PH by December 2021
- New office building completed Nov 2024
- 477 homes with a total of 1215 habitable rooms of which 601 are private and 614 are affordable housing, a 50.5% affordable housing scheme
- Phased delivery of housing development throughout the project, completed by 2028

DECANT ACTION PLAN & IMPLEMENTATION TIMELINES 2021



Proposed locations for services with complex accommodation requirements

Service with complex accommodation requirements	Division	Proposed location during decant	Proposed permanent location	Comments on location
Members Area	Legal & Democratic Services	TBC - Central Ealing Leased	Town Hall	Member preference for being co-located at whichever leased building in Central Ealing , options being prepared for consideration
Committee meetings	Legal & Democratic Services	TBC - Greenford Hall and / or find options in Central Ealing	Town Hall	Greenford Hall option for some of the committee meetings and full council. Cabinet preference for Central Ealing venues including possibly the Central Library for committee meetings but probably not big enough for full Council. Options are being considered for further discussion/consultation
Mayors Parlour / Rm 1.12	Legal & Democratic Services	TBC - Central Ealing Leased	Town Hall	Preference to maintain a presence in Central Ealing during decant. Options being prepared for consultation.
Leaders Office	Strategy & Engagement	Central Ealing Leased	New Office	Preference to maintain a presence in Central Ealing during decant
Trade Unions: Unison, GMB	HR and OD	TBC	TBC	Likely to be in an existing council building, options being prepared for consultation.

Proposed locations for services with complex accommodation requirements

Service with complex accommodation requirements	Division	Proposed location during decant	Proposed permanent location	Comments on location
Registrars f-2-f , Registrars back-office, secure storage	Customer & Transactional Services	Central Ealing Location	Ealing Town Hall	The GRO will expect that the services are provided in central Ealing with easy access to all transport routes. Wedding services to continue to be delivered from the Brentham until service moves back into the Town Hall. Will require specific storage to meet archive standards.
Customer Centre f-2-f	Customer & Transactional Services	Options being considered	Central Ealing or other option	A range of opportunities are being explored to engage with customers in the community and to look at the opportunities to maximise our existing estate and technology in future delivery that may reduce the demands on a new corporate centre
Scanning & P-2-P	Customer & Transactional Services	Greenford Depot	Greenford Depot or New Office	Permanent location depends on future of Greenford Depot
Post Print and Documents Solutions Team	ICT (CIO) & Property Services	Greenford Depot	Greenford Depot or New Office	Permanent location Depends on future of Greenford Depot
Remaining server/data centre	ICT (CIO) & Property Services	TBC	Becomes redundant or reinstalled into new office	Option of going offsite e.g. to Crown Hosting being considered
Corporate CCTV and security control room	ICT (CIO) & Property Services	Greenford Depot	Greenford Depot	Best located with rest of ICT & Property Services
ICT Helpdesk	ICT (CIO) & Property Services	Greenford Depot/Central Ealing location	Greenford Depot/new office	Depends on future of Greenford Depot. Helpdesk could be mainly virtual in future, will still need an ICT build room/place to pick up kit.

Proposed locations for services with complex accommodation requirements

Service with complex accommodation requirements	Division	Proposed location during decant	Proposed permanent location	Comments on location
Housing solutions f-2-f	Community Development	Options being considered	Decant location or New Office	A range of opportunities are being explored to engage with customers in the community and to look at the opportunities to maximise our existing estate and technology in future delivery that may reduce the demands on a new corporate centre
CCTV	Community Development	Copley Close	Copley Close	Releases space in new Office. Looking to co-locate all of these services
Parking CCTV control room	Place Delivery	Copley Close	Copley Close	
Careline	Place Delivery	Copley Close	Copley Close	
Partners				
NHS/Police in ECIRS team	Children and Families	TBC	TBC	TBC if still required to be co located with council services. If yes go with Children's Services to agreed location. If co-located Police / NHS will require ICT provision that they will need to specify
Police	Community Development	TBC	TBC	TBC if will still be co located with council services If yes co-locate with Safer Communities and could move to Copley Close site. If co-located Police will require ICT provision that they will need to specify
CCG	Children & Families	TBC	TBC	Currently occupy 3rd floor NW in PH. Contact made with CCG, confirming if they wish to co-locate with the council and have asked for specification for requirements. If co-located CCG will require ICT provision that they will need to specify

Property

- Some **services with more complex accommodation requirements** will need suitable locations to be identified and completed before decant - max 10 months e.g. CCTV
- Majority of workstations will be provided at **Greenford Depot**. Need to finalise scheme design; procure; implement changes
- Some accommodation will be leased within Central Ealing and further workstations provided in other council premises around the borough
- That **Central Ealing accommodation is available to lease** and is of sufficient size at the anticipated affordable rate
- **Limited workstation capacity for staff** and not able to readily absorb any additional accommodation pressures that may materialise over 3 years
- Services/staff **operating assumptions change** requiring more space at cost
- Unknown **impact on service delivery/efficiency** of operating a service deliver model with limited workstations **over a sustained 3 year period**

Key Risks/Dependencies of Full Decant

Financial

- **Vistry have agreed a contribution** and reallocation of construction costs of £5.27m to facilitate the full decant option
- There is a **risk that this amount could be exceeded** during the implementation of the full decant option and that risk would be held by the council, subject to ongoing discussions with Vistry and confirmation at March Cabinet of estimated level of risk.

Service Delivery/Staff

- **Services/staff willingness** and goodwill to accept working from **restricted workstations numbers/different locations**, with Trade Union support
- **Staff willingness to work out of Greenford Depot**
- **Capacity** and ability of the organisation to be able **to efficiently deliver a full decant** within the short timeframe during a considerable challenging time for staff and the council.
- **Members/committees** when not operating virtually will need to agree suitable locations to hold physical meetings prior to relocating to the Town Hall when that project is complete
- Impact of partners currently within PH e.g. **CCG/Met Police** option to continue to co-locate with the council in its temporary accommodation or not
- Development and implementation of an effective **communication and engagement** strategy; for staff, managers, members and community

Next steps

- Confirm locations where (non-complex) services will move to
- Confirm locations where services with complex accommodation requirements will move to
- Finalise specification and requirements of leased space
- Develop and agree decant implementation plan
- Then deliver decant implementation plan, taking forward agreed moves and carrying out upgrades and fit out as required of accommodation both Ealing's and leased
- Continue to engage with staff, partners and other key stakeholders to effectively plan out and deliver the decant

Appendix B – Changes to Affordable Housing Offer from Development Agreement

Residential Unit Mix (by unit size and tenure) -Submitted to 10th March 2021 Planning Committee.

Unit Size	Private	London Affordable Rent (LAR)	Discount Market Rent (DMR) 7	Sub Totals
Studio	18		0	18
1 Bed	116	23	76	215
2 Bed	117	33	66	216
3 Bed		14	14	28
Total	251	70	156	477

Residential Unit Mix (by habitable room)

Unit Size	Private	LAR	DMR	Sub Totals
Studio	18	0	0	18
1 Bed	232	46	152	430
2 Bed	351	99	198	648
3 Bed	0	63	56	119
Total	601	208	406	1215

Residential Unit Mix (by Phase and Block)

Phase	Buildings Constructed containing New Homes	Homes Delivered (Split by tenure)
Phase 0	N/A (demolition only)	
Phase 1	Building 1	28 x Private
	Building 2	67 x LAR
Phase 2	Building 5	3 x LAR 91 x DMR
	Building 6	105 x Private
Phase 3	Building 3	65 x DMR
	Building 4	118 x Private
Total	Buildings 1 - 6	70 x LAR 156 x DMR 251 x Private

**DEVELOPMENT AGREEMENT FEBRUARY 2019 (APPENDIX 16) Proposed Affordable Housing
Mix**

		Beds	Unit No.
<u>Phase 1 - Block R1</u>			
Studio - Phase 1 R1	DMR	1	5
1B2P - Phase 1 R1	DMR	1	18
2B4P - Phase 1 R1	DMR	2	34
3B5P - Phase 1 R1	DMR	3	4
Average & totals			61
<u>Phase 2 - Block R4</u>			
Studio - Phase 2 R4	LAR / LLR	1	11
1B2P - Phase 2 R4	LAR / LLR	1	33
2B4P - Phase 2 R4	LAR / LLR	2	64
3B5P - Phase 2 R4	LAR / LLR	3	4
3B5P - Phase 2 R4	DMR	3	9
Average & totals			121

<u>Phase 3 - Block R5</u>			
Studio - Phase 3 R5	LAR / LLR	1	4
1B2P - Phase 3 R5	LAR / LLR	1	15
2B4P - Phase 3 R5	LAR / LLR	2	5
3B5P - Phase 3 R5	LAR / LLR	3	0
2B4P - Phase 3 R5	DMR	3	25
3B5P - Phase 3 R5	DMR	3	4
Average & totals			53
Grand Total			235

Appendix C

Working Locations Survey (Nov/Dec 2020)

Presentation and analysis of results

Summary for Scrutiny

January 2021

Liz Chiles, Director of HR & OD

EALING COUNCIL

Staff Survey on working location – aim and scope

Background:

- A staff survey on ‘working locations’ was carried out from Tue 24th Nov to Tue 15th Dec 2020
- Aim was to use the survey to pick up staff views on their preferences in terms of working location over the longer term, assuming that the Covid situation allows it, to help inform the work we are doing to plan for requirements during the approx 3 year period of the decant, whilst the new office is built, currently scheduled from Dec 21 to June 24

Scope of survey was:

- To understand how many days per week staff might need / want to come into an office based environment over the longer term, particularly for staff who are based in Perceval House
- To better understand what staff needs might be when they do come into an office-based environment and what they need to do when they come in
- To understand how many days per week staff would like to wfh in the longer-term

Results:

- **1228 members of staff** responded to the survey which provides us with a rich data source in terms of
 - a) Ascertaining what the need for workstations is for services during the decant period, particularly for those currently based in Perceval House
 - b) Understanding staff views across a wide spectrum of areas for us to take on board in terms of working requirements as we plan for the future

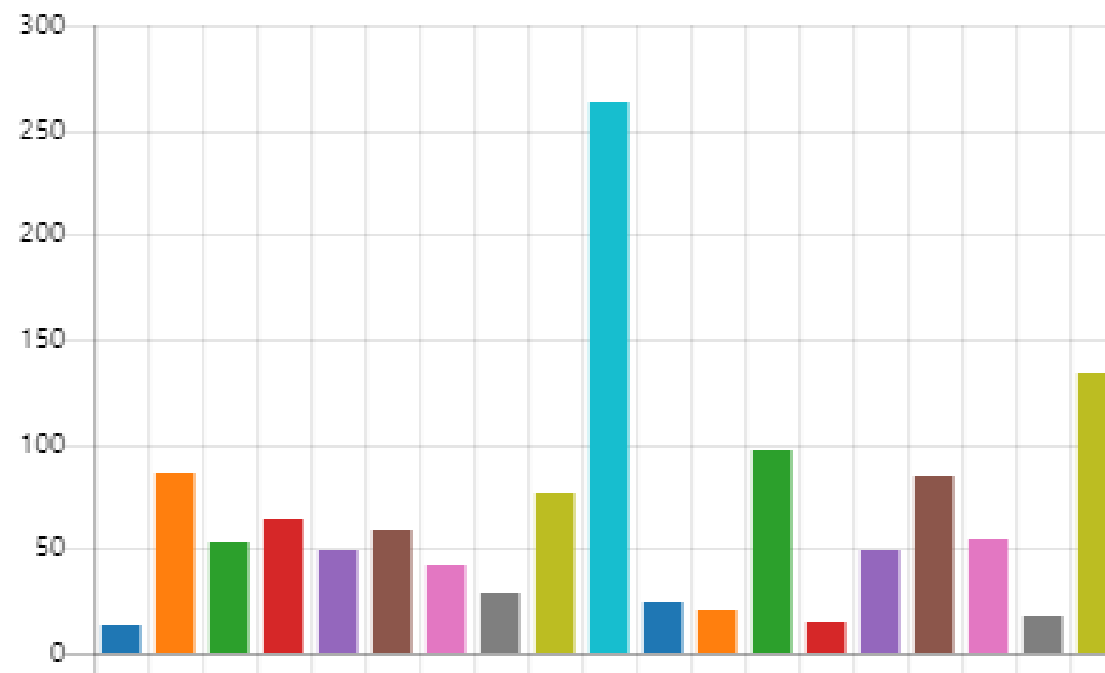
Working location survey results: Response rate and breakdown by dep't

1. Which department are you working in currently?

[More Details](#)

Chief Executives Business Sup...	14
Finance - Ross Brown	86
HR & OD - Liz Chiles	53
ICT (CIO) and Property Service...	64
Legal and Democratic Services...	49
Transactional and Customer S...	58
Strategy and Engagement - Ki...	42
West London Alliance (WLA) -...	28
Children, Adults and PH Direct...	76
Children and Families - Caroly...	263
Learning Standards and Schoo...	24
Schools Planning and Resourc...	21
Adult Services - Kerry Stevens	97
Public Health - Anna Bryden	15
Place Directorate Support - G...	49
Community Development - M...	84
Growth and Sustainability - Lu...	54
Housing Development - Philip...	18
Place Delivery - Dipti Patel	133

- **1228** members of staff responded to the survey
- The breakdown of responses by department is as per left / below

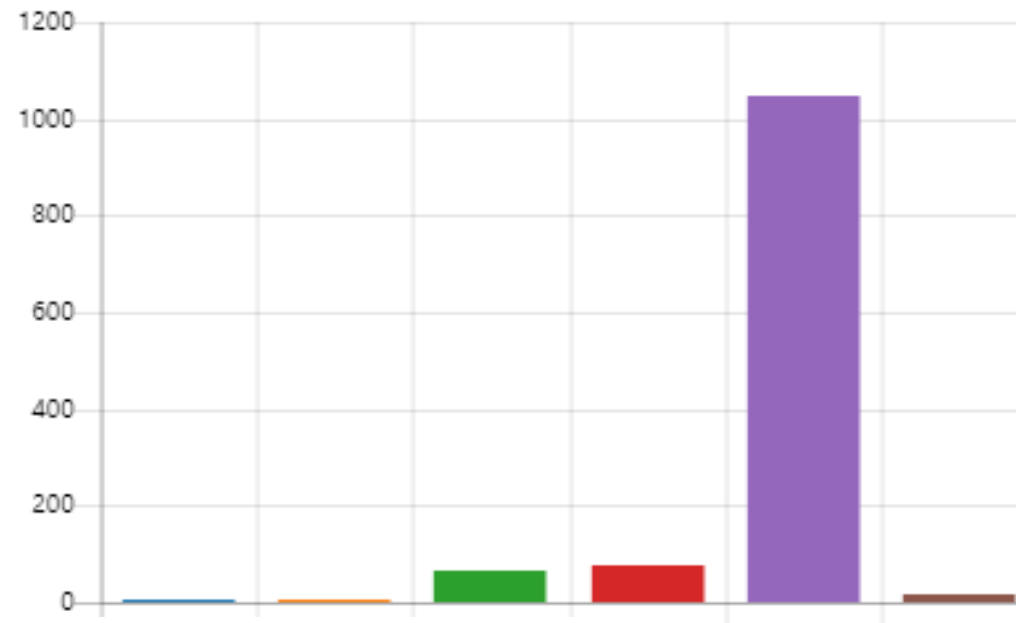


Working location survey results: Working days, employment, managerial

2. How many days per week do you work?

[More Details](#)

● 1 day per week	6
● 2 days per week	8
● 3 days per week	68
● 4 days per week	78
● 5 days per week	1050
● Other	18



3. In terms of your employment, are you?

[More Details](#)

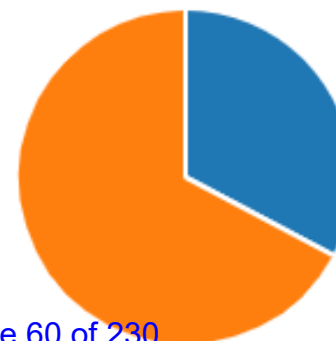
● On an Ealing Contract	1074
● Agency	121
● Interim	21
● Consultant	12



4. Do you manage or supervise other staff?

[More Details](#)

● Yes	402
● No	826



Working location survey results: Where majority of time is normally spent

5. Thinking about your role before COVID 19 and taking into account service delivery requirements, where was the majority of your working time normally spent?

[More Details](#)

● In the office / at a council buil...	1024
● Out in the community	70
● Permanent Homeworker	38
● Other	96



Before COVID 19

- **83%** of staff say the majority of their working time was normally spent 'in the office / at a council building'

6. Thinking about your role after COVID 19 and taking into account service delivery requirements, where do you expect the majority of your working time will normally be spent?

[More Details](#)

● Working from home	857
● In the office / at a council buil...	234
● Out in the community	45
● Permanent Homeworker	25
● Other	67



Whereas after COVID 19...

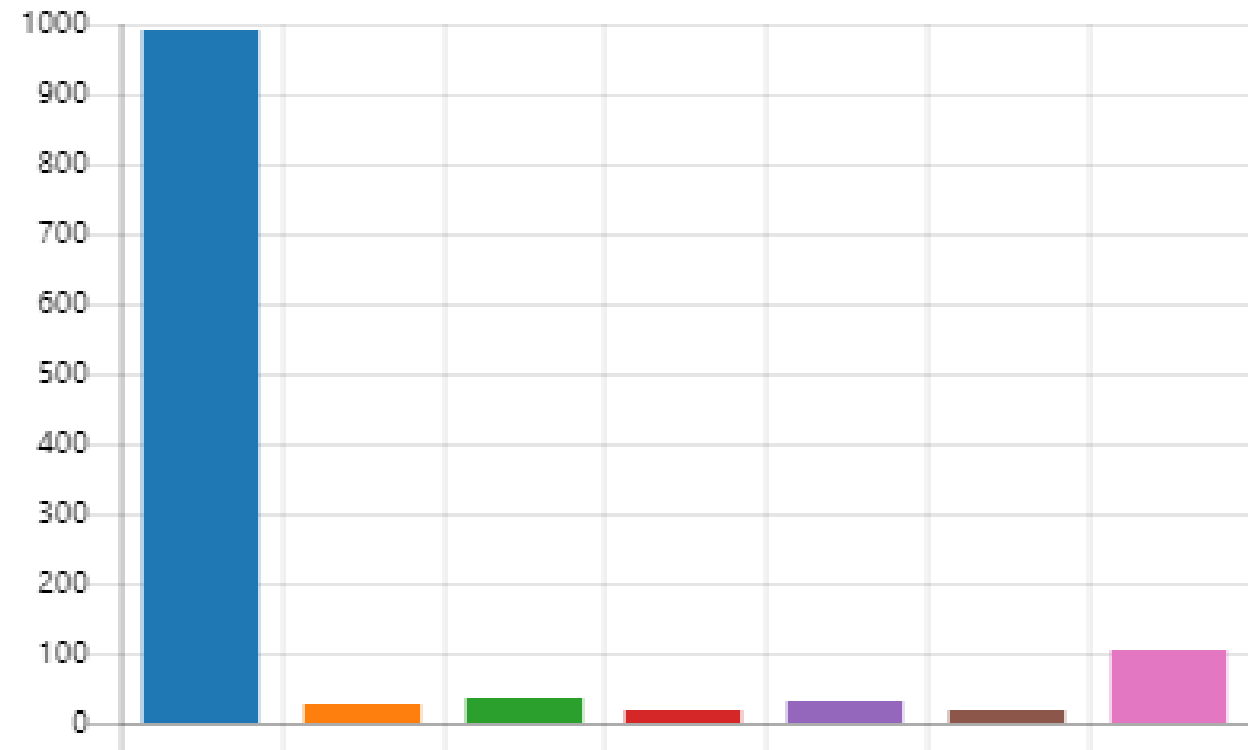
- Only **19%** of staff say they expect the majority of time will be 'in the office / at a council building'
- **70%** of staff expect the majority of their working time will normally be spent wfh

Working location survey results: Building normally work out of

7. Which building do you normally work out of when you come into an office-based environment?

[More Details](#)

● Perceval House	992
● Greenford Business Centre	27
● Everyone Active Acton Centre	36
● Westside Young People's Centre	16
● Carmelita House	32
● Not Applicable	20
● Other	105



Building location

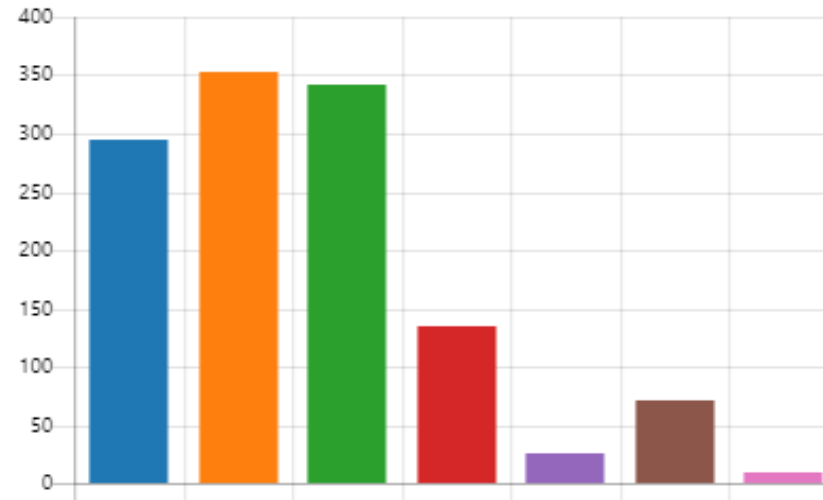
- **80.8%** of respondents say Perceval House is the building they normally work out of when they come into an office based environment (992 out of 1228 respondents)

Working location survey results: Office-based v wfh in future

8. Over the next three years, while the new office is being built, how many days per week would you prefer to work in an office-based environment (assuming the COVID 19 situation allows it)?

[More Details](#)

0 days per week	294
1 day per week	352
2 days per week	341
3 days per week	135
4 days per week	26
5 days per week	71
I am a permanent homeworker	9



Future views on coming into an office based environment

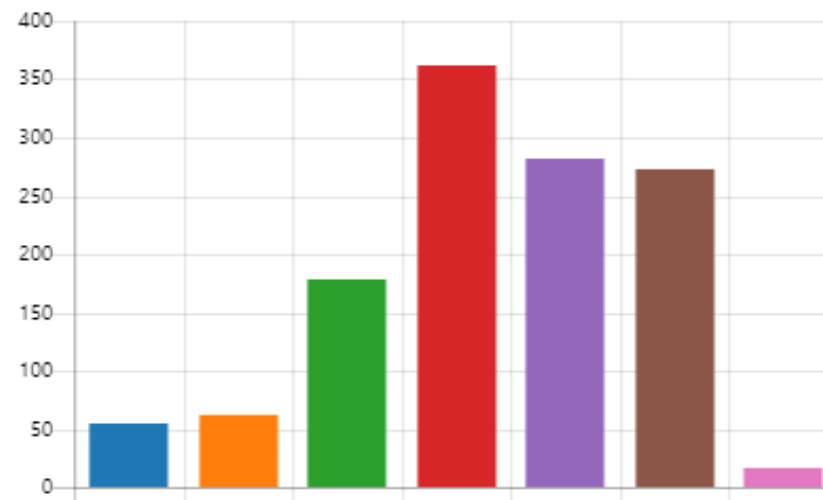
Very clear that the vast majority of staff would prefer to come into an office 2 days or less (**80.4%!**). Similar % choose 1 or 2 days, with 0 days slightly less.

- 0 days (23.9%)
- 1 day (28.7%)
- 2 days (27.8%)
- 3 days (11%)
- 4 days (2.1%)
- 5 days (5.8%)
- Perm homeworker (0.7%)

9. Over the next three years, while the new office is being built, how many days per week would you prefer to work from home?

[More Details](#)

0 days per week	55
1 day per week	62
2 days per week	179
3 days per week	361
4 days per week	282
5 days per week	272
I can't work from home becau...	17



Future views on working from home

Very clear that the vast majority of staff would prefer to wfh 3 days or more over the next 3 years (**74.5%**).

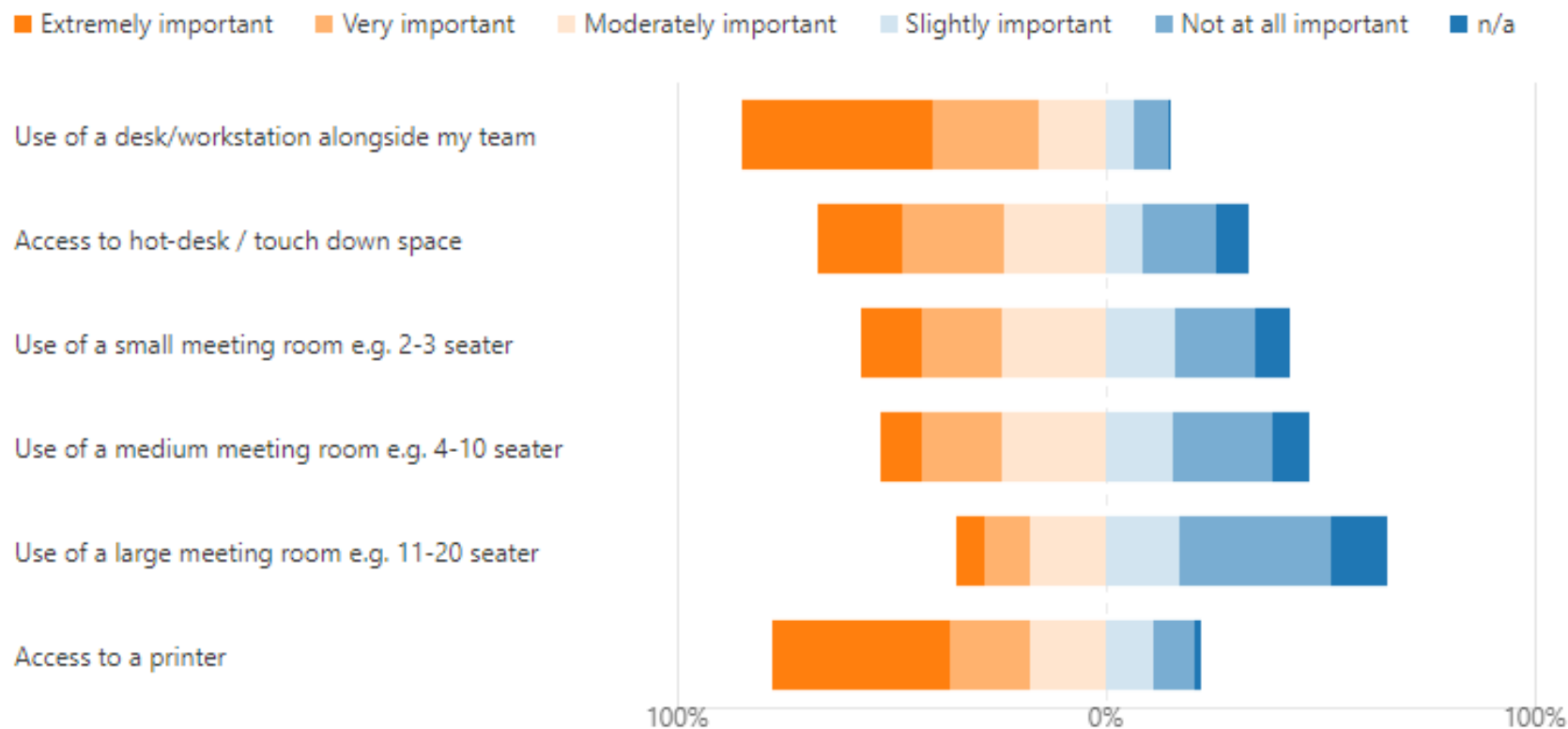
- 0 days (4.5%)
- 1 day (5.0%)
- 2 days (14.6%)
- 3 days (29.4%)
- 4 days (23.0%)
- 5 days (22.1%)
- Can't wfh (1.4% - so not really an issue?). Clear indicator of success of staff adapting to new ways of working

Note the figures just for staff based in PH are even higher at **82.1%** in office 2 days or less and **77.2%** wfh 3 days or more

Working location survey results: Facilities needed from an office env't

10. How important to you is each of the following facilities when you come into an office-based environment?

[More Details](#)



- Use of a desk / workstation alongside their team seen as most important **69.1%** either rate as extremely or very important (For hot-desk / touch down its **43.0%**)
- Access to a printer seen as next most important **59.9%** rated as extremely / very important
- Meeting rooms seen as significantly less important, with gradience of importance clearly showing small / medium are more needed
 - Small – **33.0%**
 - Medium – **28.1%**
 - Large – **16.9%**

Qualitative analysis of comments from working location survey

- Question 11 of the working locations survey gave respondents the opportunity to give qualitative feedback asking 'Do you have any other comments or suggestions about this subject?'
- Of the 1228 respondents, 516 gave comments, of those 88 were 'no' or 'not applicable', meaning **426 respondents** gave feedback
- As this was free text there was a broad spectrum of responses across a wide range of areas but some key common themes did come through

Theme: Working from home / remotely – what's going well

- Most commented on theme, with the majority being positive feedback about the choice and positive effects wfh gives staff e.g.
 - No travel time which can save between ½ hr - 3 hrs for people a day
 - Better work/life balance, more flexibility for staff
 - More productive / efficient in their role
 - Less distractions / noise
- Many comments how as a service we've '**adapted to wfh**', proved '**it works**', become more '**paperless**' and built on existing wfh that existed in teams, which was then accelerated because of Covid 19
- Clear that **this is the new norm** and ways of working won't go back to what they were before. Comments around how going forward can we
 - a) Enable this to be a **choice** for people i.e. don't force people to come back to office based environments
 - b) Embed **flexibility** in working arrangements e.g. working hours based around the staff members need

Theme: Working from home / remotely - concerns

- For some working from home isn't working in particular because
 - Their home environment is not conducive
 - They have ICT issues either with their hardware or broadband
 - People are missing human contact with others and their team
- What kit might we might provide to staff if wfh is the norm in the longer term
- Would any costs related to wfh be reimbursed for staff e.g. heating

Theme: Meeting face to face

- Lots of comments that although wfh is fine for the majority of time you can't beat **meeting face to face with** colleagues for a number of reasons and this needs to be enabled for the following reasons:
 - Human interaction, to catch up with colleagues
 - For a change of scenery
 - Team dynamics, peer and management support, dealing with difficult cases, ideas gathering / brain storming
 - For people's mental health and their wellbeing
 - For some teams it is easier if they are physically co-located to discuss service related issues more fluidly
 - Particularly not easy for new starters in current environment if they haven't physically met colleagues
- This can be enabled by having
 - Team meetings in person
 - Keep in touch days
 - Some staff / teams being **more regularly** based in the office

Theme: Delivery model for services – two emerging themes (post Covid 19)

1. Those services which are now very comfortable with wfh both a) for majority of time and b) for the majority of staff, and where service delivery hasn't been negatively affected, but they still ***need planned periodic time*** in the office to meet, could be weekly, fortnightly or monthly, just needs to happen. When this happens needs to be:
 - Planned / Rota'd - no point coming in if rest / majority of team don't
 - Be confident there is a desk/space that can be utilised on that day and meeting room availability
2. Those services delivered on a daily basis in the field to residents / businesses, where staff member might need access to
 - touch down space / team workstations in between visits and
 - Access to facilities to enable them in their roles e.g. storage, printing

Theme: Needs / requirements from office based environments

- Bookable **workstations** specifically for one's team
- **Meeting rooms** – mixture of need small / large, but also clear direction of travel that many meetings can happen equally effectively remotely as is currently happening. Need is mainly being able to use meeting room as/when based in office and ensuring availability – i.e. no point coming in for a team meeting if don't have a space for it
- **Hot desks** – mixed views
 - **For** - those who work in a mobile way e.g. site visits and need touchdown space at various times in day – can be in any council building (more likely could pick this up as part of allocation for a team and flexible use of that rather than large scale use of hot-desks per se)
 - **Against** – for many no need or point to use a random hot-desk, whole point of coming into a building is to be with their team, also don't want to risk travelling in and one not being available. Some cleanliness concerns as well

Theme: Needs / requirements from office based environments

1. Printers - as per the finding that access to a printer was the second highest rated need for staff when they come into an office, a number of staff gave comments about the need for this, variety of needs

- a) A standard printer in any council building they could use
- b) Specific printing needs related to service delivery e.g. large scale

2. Post & Print & Scanning - a number of staff also raised that they are coming into PH to collect post as and when required, do scanning. Some feedback around whether

- Printing at home – any mechanism to support this for staff
- Move to a different delivery mechanism for print and post or not
- Could this be enabled across a wider spectrum of council buildings
- Facility for print requests to be directed through the central print room was noted

3. Storage - Access to storage space where service specific items are kept or stored highlighted in a number of areas e.g. for PPE, service assessment materials, specific files, safes

Theme: Needs / requirements from office based environments

- ***Delivering training*** mixed feedback
 - In some cases have moved to online delivery model and works better
 - In other cases need that defined large space to deliver training f-2-f in person still
- **Cleaning** - some concerns around cleaning and cleanliness in buildings / toilet facilities / if hot-desking particularly given Covid 19
- **Break out space** – for people to talk / catch-up
- **Quiet space** – any potential to create these as staff now more used to working in quiet (home) environments and extended use of MS teams probably means will be more noisy in offices as people are in online meetings using headsets
- **Ability to access more than just your usual office** – if feasible across a more broad spectrum of council buildings
- **Sit/stand desks** – as an option for more people?
- **Cycle facilities / showers**

Theme: ICT

- **Positive**
 - Use of *MS teams* was highlighted by a number as a real enabler and actually better and more efficient than having to meet in person
- **Negative**
 - Kit issued e.g. are surfaces enough, people not having the right specialist equipment to wfh or in a mobile way effectively over the longer term
 - Issues with ICT when wfh and not being able to resolve
- **Question raised** - could we move to Citrix storefront

Theme: Chairs

- Option to take a chair from PH noted, but questions around longer term supply of (standard) chairs for people wfh
- Ergonomic / specific chairs – point noted by those staff with specific requirements and how this would be met / not lost in any future arrangements

Theme: Decant

- Number of respondents said current working arrangements support:
 - A direction of travel to fully decant out of Perceval House rather than out of 2 claws
 - Don't want to come back to work on a building site if latter option chosen

Theme: Engagement through being surveyed

- Number of respondents said thanks for carrying out the survey, and being given the opportunity to provide feedback and have this taken on board
- Need to think about how we build on this initial survey on working locations, and continue to monitor and engage with staff on their preferences and gather their views as we move forward

Appendix D Engagement & Communications Strategy

(updated 16 February 2021)

Vision

7

Creating a modern council HQ and truly 21st century ways of working that better serve our residents while preserving Ealing Town Hall and enabling the development of new homes and commercial space to significantly contribute to the town centre's regeneration and competitiveness.

Short version: Creating a modern, efficient council HQ and civic hub, 21st century ways of working and new homes and commercial space to conserve our civic legacy and boost town centre regeneration.

Background

The council accommodation programme has three strands:

- Refurbishment of Ealing Town Hall by a development partner to preserve the iconic building, continue to provide space for civic and community use and develop a wing for commercial uses including a boutique hotel; expected completion 2023
- Release the site of the council's current headquarters, Perceval House, for redevelopment by a joint venture partner to provide:
 - New council offices (expected completion, November 2024), a customer service centre and library at no or minimal additional cost to the council
 - Mixed-use housing, of which 50% will be affordable, and commercial space; expected completion phase 1 from April 2023, full completion by June 2027
- Continued implementation of new ways of working (NWOW), building on the changes introduced and adopted as part of the Covid 19 lockdown led by the NWOW programme Board. This covers four workstreams:
 - Technology
 - Property (covering the decant)
 - Health, safety & wellbeing
 - People & culture change

An overall plan for communications will be developed to cover these workstreams.

Context

The NWOW workstreams are enablers, or building blocks, for wider transformation as part of the Future Ealing programme. The last year has given us an opportunity to rethink the way we work enabled by ICT, changed service delivery and working at home. As such, and to avoid confusion for audiences and engagement overload for staff, the communications strategies and activities for all three programmes should be aligned and co-ordinated.



Objectives

- Tell a compelling story about the vision for the new council accommodation and its place at the heart of Ealing town centre
- Involve and enthuse staff in continuing to adopt new ways of working
- Ensure all projects, either led by the council or other partners, carry consistent branding and messaging
- Ensure communications are aligned with those for concurrent council programmes, notably Future Ealing
- Ensure people affected are told what is happening, when, where and why
- Ensure people affected are told how the project will impact them
- Ensure people know how to access council services as they are relocated, throughout the programme
- Minimise the impact and disruption to staff by informing and involving them regularly throughout the programme
- Minimise the impact and disruption to local residents and stakeholders through targeted communications
- Encourage people to stay informed about progress through dedicated web and OneSpace presence and use of various communications channels including Talk to Paul briefings and the NWOW champions

Audiences

Building works will bring some temporary and some permanent changes which will need to be communicated throughout the duration of the project. New ways of working will involve culture change which staff will need to be engaged with throughout. The audiences will include the following stakeholders:

Internal	External
<ul style="list-style-type: none">• Cabinet, Labour group, minority parties• Ealing directors group• Senior Leadership forum• Middle managers• Council officers• Contractors• Trade unions• Partners sharing space in Perceval House – CCG, Police, WLA	<ul style="list-style-type: none">• Residents• Current and future service users• MPs and GLA member• LSP partners• Other statutory agencies• Third sector organisations• People working in and visiting Ealing• Local businesses and Ealing BID• Investors interested in new opportunities

Key Messages

The key messages need to be clear and consistent. They need to build on each stage of the development – keeping the primary messages in the forefront throughout.

Primary Messages

For all audiences

- The seven-year programme ensures the future of Ealing Town Hall and creates a modern council HQ, customer centre and library to better serve residents, plus much-needed new homes and commercial space
- It will save council-tax payers' money¹ and generate income to support local services, boosting town centre regeneration
- It will bring new jobs, apprenticeships and business opportunities to the area, contributing significantly to town centre regeneration and building Ealing's reputation as the capital of West London

¹ Until a developers' proposals have been agreed we cannot give figures. Councillors and spokespeople can instead talk about the benefits: that the new offices will be more efficient to run and enable us to work more efficiently to deliver better services and save money, savings on repair costs for ETH and that the new buildings will be delivered at no or minimal cost to the council.

For internal audiences

- Our temporary office accommodation will enable us to continue to deliver our services to residents while continuing to implement our new ways of working whilst our new offices are being built
- There will be disruption while we decant from PH into other Ealing buildings and temporary office accommodation
- In the longer term our new HQ office and new ICT infrastructure will enable us to continue to develop our **ways of working** - to be more flexible, mobile and to better focus on improving outcomes for residents
- Everybody will have a chance to contribute to developing our new working culture to make the best of the new accommodation
- The vision is of a workforce equipped and enabled by the buildings, ICT and flexible working arrangements to have more control over how and where they work so they can be motivated, high performing and effective

Secondary messages

For all audiences

- The town hall will be refurbished first, by end 2023, new council offices, customer service centre and library built by November 2024 and a new development of mixed-use housing and commercial space completed by 2027
- Saving Ealing Town Hall and building a new council HQ will be done at no or minimal cost to the council
- The council retains the freehold of both sites and is letting them on long leases to development partners, so it controls what development can take place, now and in the future
- These join Dickens Yard and the cinema development to add to the high-quality design and vibrancy of the town centre
- The programme aspiration is for as many of the new homes as possible to be affordable
- The new offices will save on annual operating costs

For internal audiences

- There will be disruption and internal moves through the programme
- Regular information and support will be available to help you be ready for and adjust to changes
- Please take responsibility for keeping yourself up to date and helping make things go smoothly
- You know your service best – get involved and use your creativity to reshape the ways we work

Tools and activities

Internal

- **NWOW champions** – staff nominated by each director who role is to:
 - Attend and actively participate in the NWOW Working Group meetings and as part of other workstreams if required and as agreed
 - Be the conduit to feedback to their relevant Director / Management team on the work of the NWOW Programme and the key messages and actions coming out of the NWOW working group each month
 - Support the ongoing culture change required to deliver the NWOW programme and the council accommodation programme, acting as facilitators and enablers of this
 - Over the next year in particular they will play a key role to support delivery of the decant out of Perceval House through
 - Leading on collating and verifying accurate data and information for their respective division which will underpin the refresh, finalisation and implementation of the Decant
 - Feeding back to colleagues in their division on:
 - What is happening
 - What is going to change
 - When it is going to change
 - What staff will need to do as a result
 - Act as a sounding board for ideas, and collect case studies of positive examples of change
 - Provide feedback for the NWOW programme and the Council Accommodation Programme to take on board as we plan for the future
 - Over the longer term the role of the NWOW champions will evolve to lead the preparation for moving into the new HQ, inputting into the design, use and layout of the building and then supporting the delivery of a smooth decant into the new office once it is finished being built by Nov 2024
- **Move makers** – volunteers selected within each team as they start to get ready to move. These will be people good at logistics and organising, probably in an admin or support role, who will prepare and organise their teams' moves
- **OneSpace presence** – a dedicated space on the intranet (location tba) to hold all information about the programme, with sub-pages for each of the strands. Content to include core info about each project, timelines, FAQs, key contacts, plans and visualisations, case studies of staff involved in planning or in modelling new ways of working behaviours

- **Talk to Paul and NWOW engagement sessions** – open to all staff
- **Staff workshops and working groups** – intra- and inter-departmental and of varying sizes to brainstorm / develop how delivery of services to residents will continue. Inter-departmental teams, focused on customer needs, will help to break down departmental silos

External

- Communications Protocols with development partners will ensure co-ordinated and consistent messaging

Channels

Internal	External
<ul style="list-style-type: none"> • The intranet • Inside Ealing weekly newsmail • Ealing directors group emails and meetings • Corporate resources managers briefing • Leadership forum presentations • Poster sites • Office plasma screens • Desktop messages • Business centre stalls • Employee forums / meetings / networks • Drop-in sessions • Targeted emails to user groups • Yammer 	<ul style="list-style-type: none"> • Web and social media • Events • Signage inc hoardings (developer) • Editorial in council-owned channels • Media engagement • Advertising • Emails and letters • Stakeholder channels • Developer channels (council oversight) • Plasma screens in council buildings

Timescales

Communications activities will be tied to the milestones identified in the programme timeline but key milestones are below and highlighted in more detail in Appendix 1

- Planning committee – Feb
- Cabinet decision on full or partial decant - March
- Service preparation for the decant and then implementing it – Throughout 2021

Resources

The NWOW champions will be the primary leads for engaging with their services. The NWOW workstream leads will be responsible for developing internal messages.

Until activities are scoped in more detail corporate resource requirements cannot be identified but a 0.5 FTE is anticipated to be needed in order to efficiently deliver the strategy.

Evaluation and amendment

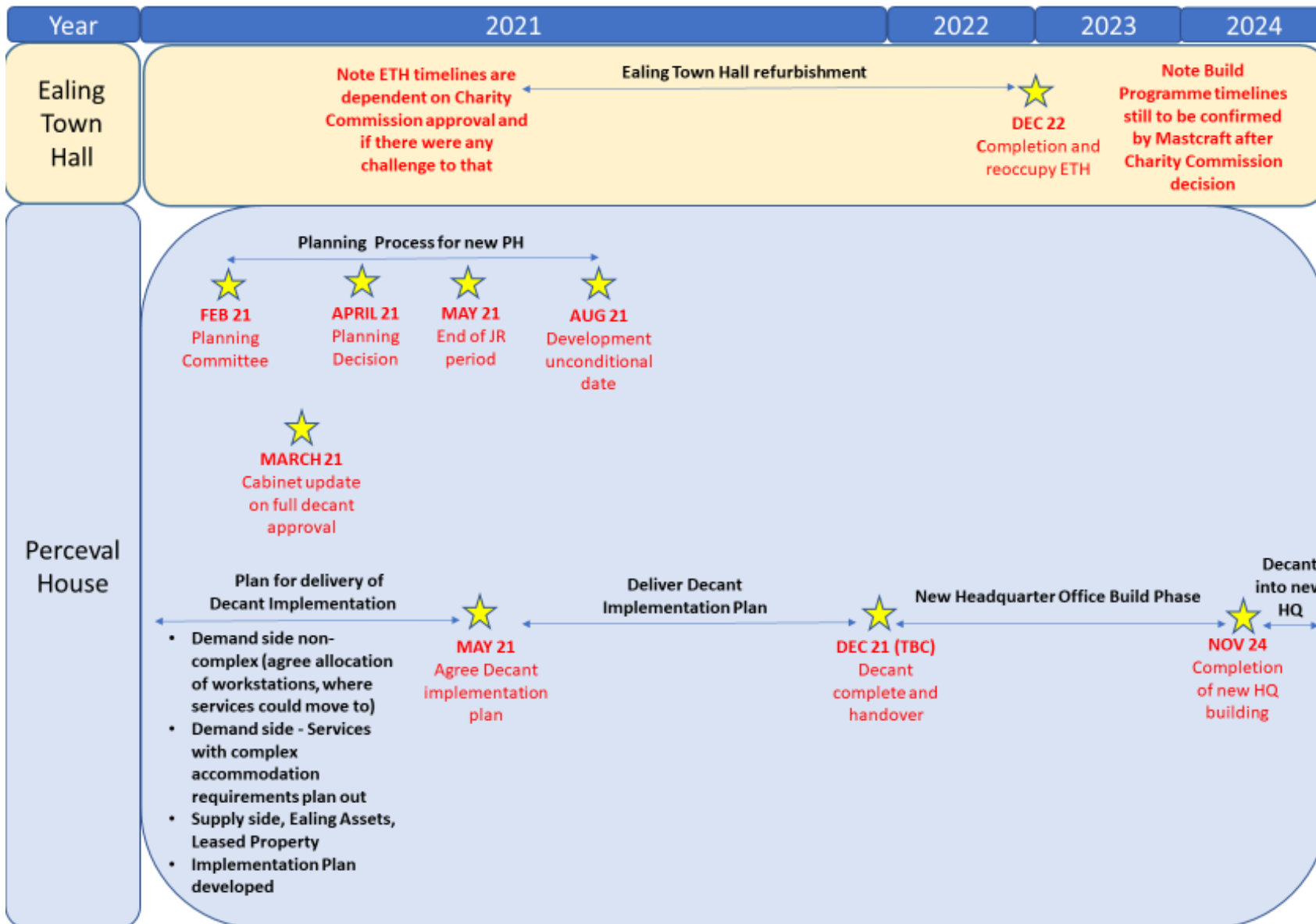
A detailed communications plan will identify milestones and intended communications activities. This will be kept under constant review and updated regularly. Progress and issues will be reported to the programme board.

For internal communications it is recommended that a staff survey be conducted to provide a benchmark for this and concurrent programmes to measure progress against.

The following tools and methods will be used to monitor and evaluate the success of communications activities:

- Feedback via internal channels (leadership forum, directors group, NWOW champions, manager groups, emails, staff events, Yammer, intranet usage and others)
- Smoothness of moves as a sign of successful communication to and within teams
- Future staff surveys
- Press and online coverage (quantity and quality)
- Monitoring of public conversations about the programme, e.g. in the press and on social media (mindful of RIPA regulations)
- Attendance and discussions at public meetings (if held)
- Analysis of customer services data on customer visits and enquiries, complaints to identify effectiveness of communications and any impacts of the programme on customer access to services.
- Feedback from developers
- Feedback from members, stakeholders, local businesses and local groups

Perceval House / ETH Timelines as of Jan 2021



Full Equalities Analysis Assessment

1. APPENDIX E – EAA Proposal Summary Information -

EAA Title	Perceval House Redevelopment - Full decant strategy
Please describe your proposal?	Project 7
Is it HR Related?	Yes
Corporate Purpose	<u>Cabinet Report Decision</u>

1. What is the Project looking to achieve? Who will be affected?

The Perceval House redevelopment project proposes a redevelopment of the Perceval House site to provide new smaller efficient council office accommodation, customer service centre, library and residential units 50% of which will be affordable.

An EAA was carried out for the overall project at the time of the Officer Decision and signing of the Development Agreement in February 2019, The proposal was to partially separate Perceval House to allow the demolition of the front two claws while the council retained occupation and operated from the remaining rear section. Once the new office building was to have been completed the council were to relocate into the new accommodation, allowing the remaining part of Perceval House to be demolished and the rest of the residential scheme to be constructed.

This EAA considers the impact of the change in demolition strategy from a partial demolition of the Perceval House to the proposed full demolition, which will affect everyone currently working and visiting the building and in the immediate development area.

All local residents and businesses within the immediate development area.

Public that used to attend the customer service centre and attend meetings and committees that were held in Perceval House.

Members/Mayor/unions/partners and organisations that currently have some access/use of space. A list of partners/organisations that utilise Perceval House are listed below;

CCG – 3rd Floor
 Police Safer Communities – 4th Floor
 Police MASH – 2nd floor
 Police Youth Justice – 2nd Floor
 Kingdom – 1st Floor
 Events Umbrella – 1st Floor
 West London Alliance – 5th Floor
 Affinity Works – 5th Floor
 Microland

Full Equalities Analysis Assessment

NHS in ECIRS

Depending upon the contractual relationship termination of licences/leases may need to be given.

The staff council car park on site will be closed which will also impact the public who use the car park outside of 6pm – 8am during weekdays when is free and at weekends when it is free.

2. What will the impact of your proposal be?

There are a number of businesses and residential properties adjacent to the site which will potentially be affected by noise and disruption during the demolition work. The proposed change to a full demolition will be generally positive as the length of overall demolition will be reduced and will enable the overall building programme to be reduced by c 20 months. A full demolition will provide more opportunities for mitigating strategies to be employed during the demolition process.

As of 3rd March 2021 Ealing Council has 3403 permanent and agency staff, 2842 of which work predominately out of Perceval House all of which will have a change in where they work from when Perceval house is no longer available. Some of these staff are not permanently office based.

Details of new temporary office locations are still being finalised but are expected to be located at Greenford Depot; other council properties and in new leased space with Ealing Broadway which is yet to be confirmed.

Travelling for staff will change and the impact will depend on the final locations of temporary properties and frequency.

The office working environment will change but will be compliant with all relevant legislation.

New office layout and facilities will be informed by input from staff and unions during the detailed design on the decant strategy.

Staff will be working more flexibly and less frequently within an office environment the impact of which is being monitored and mitigated through the NWOW programme.

All public facing services such as Customer Service Centre and public meetings/panels will no longer be able to be undertaken within the building. Meetings/panels may still be able to be carried out virtually, physical meetings will be undertaken in the temporary locations details of which will be confirmed during detailed design of the decant strategy.

Closing of the staff council car park on site will also impact the public who use the car park outside of 6pm – 8am during weekdays when is free but charges apply at weekends. There are plenty of public car parking facilities in the area including Spring bridge Road Car Park and Dickens Yard.

2. Impact on Groups having a Protected Characteristic

Full Equalities Analysis Assessment

AGE: <i>A person of a particular age or being within an age group.</i>
State whether the impact is neutral:
Describe the Impact
There is no differential impact on people with this characteristic.
Describe the Mitigating Action
<i>Construction plan and demolition methodology, stakeholder communication and engagement strategy,</i>

DISABILITY: <i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities¹.</i>
State whether the impact is a combination of both
Describe the Impact
The office environment will change with increased working from home which depending on individual requirements and adjustments may have positive, negative or neutral impact. There will also be an impact in terms of accessibility for staff and customers depending upon the new office locations and facilities provided. Some staff have specialist equipment, including chairs, in the office.
Describe the Mitigating Action
<i>Detailed design and fitout of new office environments to be statutory compliant and inclusive. Reasonable adjustments considered on an individual basis and priority for use of office space given where appropriate. Managers regular monitoring/support of staff during decant period and adjustments made where required, including the review of individual risk assessments and identification of any specific resources needed to work at home.</i>

GENDER REASSIGNMENT: <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact
There is no differential impact on people with this characteristic.
Describe the Mitigating Action
N/A

RACE: <i>A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact

¹ Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

Full Equalities Analysis Assessment

An analysis of the Council's staff show it is comprises of the following groups by ethnicity with the corresponding number working out of Perceval House.

	All Staff	PH
Any other Asian background	3%	2%
Any other Black background	1%	1%
Any other ethnic group	1%	1%
Any other Mixed background	1%	1%
Any other White background	6%	6%
Asian or Asian British - Bangladeshi	1%	1%
Asian or Asian British - Chinese	1%	1%
Asian or Asian British - Indian	11%	12%
Asian or Asian British - Pakistani	2%	3%
Black or Black British - African	7%	7%
Black or Black British - Caribbean	10%	10%
Declined to Specify	3%	3%
Mixed - White and Asian	1%	1%
Mixed - White and Black African	0%	0%
Mixed - White and Black Caribbean	2%	1%
Other ethnic groups - Arab	0%	0%
White - British	24%	25%
White - Irish	2%	2%
White - Irish Traveller/Gypsy	0%	0%
(blank) *	24%	22%
Grand Total		

The data shows that staff working out of Perceval House are generally representative of the total Council staff.

At this stage there is no differential impact on people with this characteristic.

* The (blank) response rate indicated in the table relates to staff that have not provided the information and agency staff where data is not available.

Describe the Mitigating Action

N/A

RELIGION & BELIEF: *Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.*

State whether the impact is positive, negative, a combination of both, or neutral: N/A

Describe the Impact

There is no differential impact on people with this characteristic identified at this time.

Describe the Mitigating Action

Full Equalities Analysis Assessment

The multi faith room within Perceval House will not be available when it is demolished but provision for a multi faith room is currently being considered in the new proposed office. A review will be undertaken as part of the detailed design of the decant strategy if provision of a multi faith room is reasonable and proportionate to be provided in the temporary accommodation being provided.

SEX: *Someone being a man or a woman.*

State A combination of both

Describe the Impact

There may be some differential impact on people with this characteristic.

A breakdown of staff in terms of gender below, shows that there is no significant difference within this characteristic for people working out of Perceval House.

	All Staff	PH Staff
Female	56%	56%
Male	30%	31%
Unspecified	14%	14%

People working more frequently from home may result in safeguarding issues.

The increased opportunity for working more flexibly and from home could provide more options for employment for people that otherwise could not work fixed hours in an office environment due to their personal situations. eg child care arrangements which are generally restrictive for females.

Describe the Mitigating Action

People working more frequently from home may result in safe guarding issues. Structured one to one line manager regular contact which will form part of the training being proposed for managing a remote work force.

SEXUAL ORIENTATION: *A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.*

State whether the impact is positive, negative, a combination of both, or neutral: N/A

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

N/A

Full Equalities Analysis Assessment

PREGNANCY & MATERNITY: <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact
The workforce will be working more flexibly, with an increase in time working from home and with associated less time travelling to and from a fixed place of work. This should be a positive impact as it will provide more opportunities/choices for individuals in how work can be delivered during periods of pregnancy and maternity. Negative – social isolation etc
Describe the Mitigating Action
<i>Review and updating of HR policies to ensure full support and inclusion while working remotely. Support and training for managers to effectively support staff working in an increased flexible and remote way. Recruitment to promote benefit/opportunities of flexible working</i>

MARRIAGE & CIVIL PARTNERSHIP: <i>Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact
There is no differential impact on people with this characteristic.
Describe the Mitigating Action
N/A

3. Human Rights²
4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

² For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

Full Equalities Analysis Assessment

4. Conclusion

The proposal does have positive and negative impacts on some groups with protected characteristic, where there is potential to negatively impact any particular group this will be explored as part of the detailed decant strategy.

If the project goes ahead it will offer a significantly improved working environment for staff when the new office is complete. During the construction phase the council will be operating a new service delivery model from various locations including home working. This should improve work opportunities for staff with disabilities, age, pregnancy and maternity.

4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

A staff survey on 'working locations' was carried out from Tue 24th Nov to Tue 15th Dec 2020 the aim of which was to pick up staff views on their preferences in terms of working location over the longer term, assuming that the Covid situation allows it, to help inform the work we are doing to plan for requirements during the approximately 3 year period of the decant, whilst the new office is built, currently scheduled from Dec 21 to Nov 24.

The scope of the survey was:

- To understand how many days per week staff might need / want to come into an office based environment over the longer term, particularly for staff who are based in Perceval House
- To better understand what staff needs might be when they do come into an office-based environment and what they need to do when they come in
- To understand how many days per week staff would like to wfh in the longer-term

1228 members of staff responded to the survey of which 992 (**80.8%**) said Perceval House is the building they normally work out of when they come into an office based environment.

The results of the survey indicate significant changes in terms of how and where staff expect and would prefer to work going forward, which provides a rich source of data to be taken into consideration in terms of working requirements and what the need for workstations is for services during the decant period. Key headlines were:

Before COVID 19

- **83%** of staff say the majority of their working time was normally spent 'in the office / at a council building'

Whereas after COVID 19...

- Only **19%** of staff say they expect the majority of time will be 'in the office / at a council building'
- **70%** of staff expect the majority of their working time will normally be spent wfh

Over the next three years whilst the new office is being built, staff were asked how many days per week would they prefer to work in an office-based environment and how many days per week would they prefer to wfh. Key findings were:

Future views on coming into an office based environment

Full Equalities Analysis Assessment

80.4% of staff said they would prefer to come into an office 2 days or less, a similar % chose 1 or 2 days with 0 days slightly less (for those staff based in PH the figure was even higher at 82.1%).

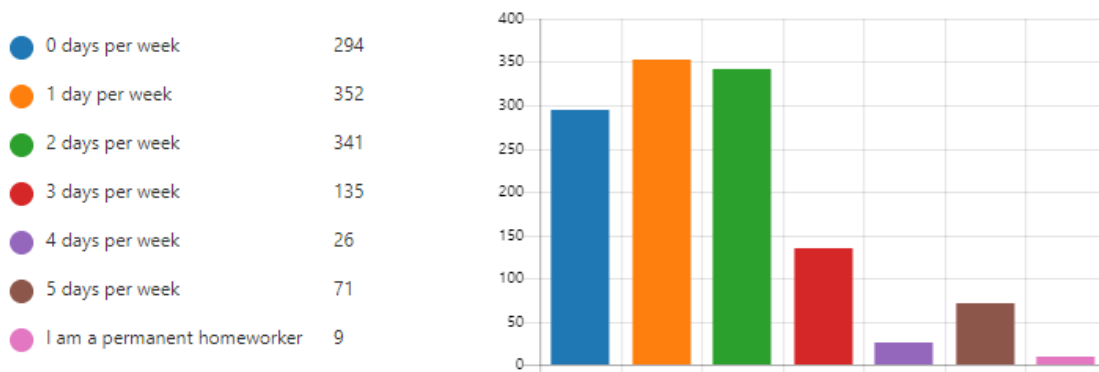
Future views on working from home

Three quarters of staff (74.5%) said they would prefer to wfh 3 days or more over the next 3 years (for those staff based in PH the figure was even higher at 77.2%)

The graph below gives the high level breakdown.

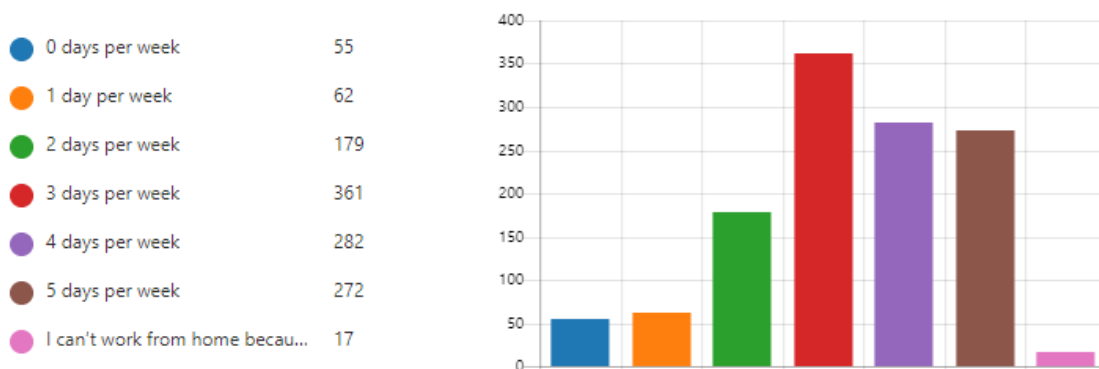
8. Over the next three years, while the new office is being built, how many days per week would you prefer to work in an office-based environment (assuming the COVID 19 situation allows it)?

[More Details](#)



9. Over the next three years, while the new office is being built, how many days per week would you prefer to work from home?

[More Details](#)



In terms of what staff most need when they come into an office based environment,

- Use of a desk / workstation alongside their team was seen as most important **69.1%** either rate as extremely or very important (For hot-desk / touch down space this figure is **43.0%**)
- Access to a printer seen as next most important **59.9%** rated as extremely / very important
- Meeting rooms were seen as less important, with gradience of importance clearly showing small / medium are more needed
 - Small – **33.0%**
 - Medium – **28.1%**
 - Large – **16.9%**

Information gleaned through reports and assessment of the impact of flexible working on workforce.

Information from the Councils HR dept.

Full Equalities Analysis Assessment

5. Action Planning: (What are the next steps for the proposal please list i.e. what it comes into effect, when migrating actions³ will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)
Disability – ensure new proposals fully meet the need of disabled people in line with agreed policies	Temporary office locations will be fully inclusive and accessible for disabled people and comply with statutory legislation. Disabled people feel fully included during the decant period	Decant strategy meets expected outcomes	At detailed design of layouts and Building Regulations application. Ongoing through NWOW programme through decant period	Jarvis Garrett
Pregnancy and maternity- ensure new proposals mitigate any negative impacts on people that are pregnant or maternity	Decant strategy mitigates negative impacts.	Decant strategy meets expected outcomes	During development of decant strategy and associated communication & engagement strategy, Development of training and support.	Liz Chiles
Additional Comments:				

6. Sign off: (All EAA's must be signed off once completed)

Completing Officer Sign Off:	Service Director Sign Off:	<i>HR related proposal (Signed off by directorate HR officer)</i>
Signed: Name (Block Capitals) ANDY PARONS Date: 3 rd March 2021	Signed: Name (Block Capitals): LUCY TAYLOR Date: 3 rd March 2021	Signed: N/A Name (Block Capitals): Date:
For EA's relating to Cabinet decisions: received by Committee Section for publication by 4 th March 2021:		

³ Linked to the protected characteristics above

Full Equalities Analysis Assessment

Appendix 1: Legal obligations under Section 149 of the Equality Act 2010:

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

Contains Confidential or Exempt Information	YES (Part) Confidential Appendix 2 is exempt from disclosure by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
Title	The Green Southall update
Responsible Officer(s)	Gary Alderson, Executive Director, Place
Author(s)	Eleanor Young, Regeneration Adviser
Portfolio(s)	Cllr Julian Bell, Regeneration, Cllr Mik Sabiers, Housing and Planning
For Consideration By	Cabinet
Date to be Considered	16 March 2021
Implementation Date if Not Called In	30 March 2021
Affected Wards	Southall Green
Keywords/Index	Southall Big Plan, The Green

Purpose of Report:

This report is to update members on the Green, Southall Regeneration proposals and to seek authority to vary the CPO red line boundary in the light of public consultation responses and to seek authority to enter into consequential amendments to the Development Agreement with Peabody to support the changes proposed to the scheme.

1. Recommendations

1.1 Cabinet is recommended to:

- 1) Note points raised in the public consultation upon the original scheme
- 2) Agree the proposed revisions to the scheme as summarised in paragraphs 2.3-2.9 below and in Appendix 1.
- 3) Note the financial implications contained within Confidential Appendix 2, which identify a contingent liability flowing from the changes to be approved in this report, which may give rise to an unbudgeted cost, should the liability crystallise in due course
- 4) Note and support as landowner the scheme proposed to be submitted in March / April 2021 for consideration by the planning committee
- 5) Approve the maximum CPO red line boundary (in Appendix 1) for a future CPO and authorise officers to commence preparations for the making of the CPO

- 6) Delegate authority to the Executive Director, Place, following consultation with the Director of Legal and Democratic Services, to approve the making of CPO in due course
- 7) Agree proposed changes to the Development Agreement with Peabody consequential on the scheme revisions and
- 8) Delegate authority to the Executive Director, Place, following consultation with the Director of Legal and Democratic Services, to enter into the Deed of Variation to the Development Agreement.
- 9) Note the potential inclusion of land at Featherstone Terrace as part of the scheme and delegate to the Director of Growth and Sustainability the authority to enter into a licence agreement with Peabody in respect of this land.

Background

- 1.2 Cabinet has previously considered two reports on this scheme. The first in March 2017 gave approval to seek a development partner for a scheme in Old Southall town centre involving a mixture of council owned and private land. The proposal was to advertise via the OJEU under procurement laws applicable at the time and the procurement process commenced in July 2017.
- 1.3 In July 2018 a further report explained the procurement process had been concluded and recommended the appointment of Peabody as the Council's preferred partner. A Development Agreement with Peabody was signed in April 2019.
- 1.4 Links to these previous reports can be found at the end of this report.

2. Reason for Decision and Options Considered

- 2.1 In March 2017, Cabinet agreed to seek a development partner for Council owned and adjoining land in the Green, Southall. In July 2018, Cabinet approved the selection of Peabody as the Council's development partner and a Development Agreement was entered into in April 2019. Since then, Peabody has consulted on a planning application, which was due to be submitted for approval in early 2020 and Peabody and the Council engaged with landowners affected by the proposed CPO. However, the Covid pandemic and the need for the Council to respond to that by providing a range of new public services, meant that senior officers and members were not able to consider these objections, along with Peabody, until Summer 2020.
- 2.2 A particularly strong set of objections was received to the proposal to include the Tudor Rose within the red line boundary of the CPO scheme and to demolish the existing building.
- 2.3 The objections to the demolition of the Tudor Rose, related mainly to the loss of what is clearly considered to be an important cultural and community asset. Peabody and officers have carefully considered the impact of removing the Tudor Rose from the scheme and Council officers are now recommending that the

building be retained, although some improvements both to its setting and façade are proposed to enhance the success of the future scheme.

2.4 As part of the redesign of that element of the scheme it is now recommended that other properties, not included in the current red line area, in particular a substation and a small part of the car park of St Anselm's Church, be included.

2.5 Since Summer 2020, Peabody has been working hard to revise the planning application to take account of public concerns about the original scheme and to develop a suitable alternative proposal. As part of this work, a dialogue has taken place with representatives of St Anselm's Church, and will be carrying out a further public consultation on a revised draft scheme commencing in early March 2021.

2.6 Further pre-application discussions have taken place with the Council and the scheme as proposed is expected to fulfil the policy requirements as set out in the local plan.

2.7 In particular Peabody has undertaken a process to assess the implications of retaining the Tudor Rose and the necessary changes to development boundary. This process has led to a redesign to some elements of the original scheme. The key metrics of the proposed redesigned scheme are a total number of residential units of 564 of which 269 will be Affordable Housing (50% by habitable room) of which 157 will be for London Affordable Rent and 112 shared ownership. There will now be 2773.7 m² non-residential provision (flexible uses class). There is no overall loss of housing units arising from the changes although the scheme changes have in-part meant a reduction in the non-residential uses by 854m² due to the removal of the proposed units fronting onto the Green and on the western edge.

2.8 The time between the original proposal and the redesign has allowed Peabody to review the quantum of commercial proposed in-light of the COVID-19 pandemic. This is ensure that the quantum and potential uses accurately reflect the likely demand.

2.9 The loss of commercial space can be offset to some extent by reconfiguring the parking proposed. This reconfiguration also allows for slightly more cycle parking and for the cycle parking to be lifted up from the ground floor allowing for active uses throughout. To achieve this, Peabody is also considering including some at grade parking on Council land at Featherstone Terrace (which would be made available under a licence agreement). To enable this, the existing tenants of that site, which consist of a number of Somali led community groups, which serve a wide client base mostly comprised of recent immigrants, including GOSAD the umbrella organisation, would need to be relocated. A temporary location could be found nearby or within an undeveloped part of the site, with the potential opportunity for permanent accommodation within the development. This proposal would also simplify in the longer term consequent leaseback arrangements with the Council for parking spaces as it would put all council controlled car parking spaces outside the buildings and in publicly accessible land.

2.10 A meeting took place in late February with two of the groups involved to discuss the principle of this move, which was positive. A number of next steps were agreed, including that the groups would receive a timeline for the development implementation; individual meetings would be held with the four groups involved to discuss their requirements and that there should be continuity of service provision for users from a temporary location during the construction period. It was agreed these outcomes can be secured via the s106 agreement and a licence agreement entered into between Peabody and the Council.

2.11 With regard to the CPO generally Peabody and their agent commenced discussions with all affected property owners in 2019 and these negotiations continued throughout 2019 and into 2020, although these discussions have been impacted by Covid restrictions.

2.12 Whilst a number of property owners have been happy to enter into discussions to sell their property and progress has been made in understanding details of properties and their use and occupation, it has not been possible to reach agreement on terms to acquire on any site at this stage. Other property owners have stated that they are not willing to sell their property to Peabody or the Council. Therefore, in order to ensure all necessary property and rights can be assembled for development to commence in line with the current programme, a compulsory purchase order remains necessary to facilitate the scheme delivery.

2.13 Negotiations will continue throughout this process.

Appendix 1 shows the new development boundary proposed and the new maximum red line boundary for the CPO which reflects this proposal.

2.14 Although no formal responses to the planning consultation were received from landowners and occupiers apart from Tudor Rose, other landowners within the site have contacted the Council directly to discuss the proposed scheme. This is in addition to the discussions undertaken by Peabody's agents. In particular, the owners of the Medina Dairy and the Milan Palace / Monsoon Banqueting suite have informed the Council that they are representing a number of other landowners and wish to propose an alternative development over part of the site. The Council has previously been concerned to ensure other previous proposals which affect only part of the site are not 'piecemeal' and has not supported these. No recent plans have been submitted or considered by planning officers. While correspondence between these representatives and the Council demonstrates that the principle of redevelopment is supported by these land owners, none has yet agreed to sell their land parcels to the Council and so it is considered that a CPO will be required to assemble the full site within the timescale required. These parties are currently in discussion with the Council about the sale of their site and a meeting took place in early March 2021 with discussions due to continue thereafter.

- 2.15 The need to consider revisions to the planning application and CPO boundary has added around 6-9 months to the original programme on top of a 6 month delay incurred in the first half of 2020 due to Covid which means that revisions are required to the Development Agreement including the amendment of longstop dates to reflect the shared position of the Council and the Developer. There are also some implications to costs as additional funding has been spent developing a new application which are reflected in the proposed revisions. Lastly there are some new risks to the affordable housing delivery as the scheme now needs to progress quickly to meet the funding criteria for the GLA affordable homes programme which requires starts on site by March 2023. The details of the proposed amendments to the Development Agreement, by way of a Deed of Variation are set out for members' consideration in **Confidential Appendix 2**.

3. Key Implications

4. Financial

- 4.1 Financial implications are set out in detail for consideration in **Confidential Appendix 2**. Due to changes to the Development Agreement proposed by way of a Deed of Variation, the Council will need to disclose a contingent liability in the accounts with regard to this matter. Should the liability crystallise, then a fully funded provision would need to be set aside in the accounts. At present there is no budget set aside to fund this provision in the event that the liability arises.

5. Legal

- 5.1 Legal implications have been considered throughout the report and in **Confidential Appendix 2**.

6. Value For Money

- 6.1 The original disposal of the land was considered to represent good value for money for the Council following advice from external surveyors, Lambert Smith Hampton. Going forward, Avison Young is appointed by the project team, with a shared duty of care to the Council and Peabody to negotiate and agree land acquisitions on behalf of both the parties. All land acquired, whether by agreement or via a CPO, will be acquired at market value reflecting the statutory requirements and case law of the Compensation Code, and the MHCLG Guidance (July 2019) on Compulsory Purchase Compensation and the Crichel Down Rules. In addition, owners of sites acquired by CPO will be entitled to non market value compensation including statutory loss payments, disturbance and reinvestment costs as well as reimbursement of the costs of taking professional advice. This means the Council and Peabody are not able, lawfully, to exploit or take advantage of land owners in the CPO area, who must get fair compensation for their land. The Development Agreement itself contains provision for a viability check to ensure that both the Council and Peabody are receiving fair value from the land and the development prior to commencement.

7. Sustainability Impact Appraisal

7.1 Sustainability issues will be considered as part of the planning process.

8. Risk Management

8.1 Risks with not proceeding as recommended are that the scheme will stall and the Council will risk being in breach of the Development Agreement. Beyond that the main risks are:

- Failure to achieve planning permission. This has been mitigated through pre-application advice and responding to points raised in public consultation
- Failure to acquire land required. This is being mitigated by getting ready to make a CPO order.
- Failure to deliver affordable housing in timetable. This is being mitigated by progressing with planning and the making of the CPO order.
- Market Failure / delay. This will be monitored and managed on an ongoing basis. The viability check in the DA allows for flex to the scheme out puts and our some delays in delivery to accommodate financial / market risks.

9. Community Safety

9.1 The new scheme would significantly improve the quality of the public realm and built form in Southall the Green and would enhance community safety.

10. Links to the 3 Key Priorities for the Borough

10.1 The council's administration has three key priorities for Ealing. They are:

- Good, genuinely affordable homes
- Opportunities and living incomes
- A healthy and great place

This scheme would contribute to all three but particularly the first one.

11. Equalities, Human Rights and Community Cohesion

11.1 A full EAA has been carried out for the scheme and this has been updated (attached as Appendix 3)

12. Staffing/Workforce and Accommodation implications:

12.1 None

13. Property and Assets

13.1 This report affects property identified for disposal at Featherstone Terrace Car Park.

14. Any other implications:

14.1 None

15. Consultation

- 15.1 Peabody and the Council took a two stage approach to the community engagement, with Avison Young taking a lead on communication with the affected land owners as part of the on-going Land Assembly discussions.
- 15.2 The two stages were –
- An initial public exhibition to introduce the proposals inviting feedback in June 2019
 - A second exhibition to feedback how the detailed proposals had changed, responded to the initial feedback and a second invitation for feedback in September 2019.
- 15.3 Invitations to both exhibitions were sent the local community through adverts and articles in local newspapers alongside the distribution of leaflets almost 2,500 properties surrounding the site. A consultation website was also launched to provide further information on the proposals, supported by a consultation office contactable by email and phone.
- 15.4 Invitations were also sent to all key elected representatives including all councillors at the Council, Mr Virenda Sharma (MP for Ealing Southall) and Dr Onkar Sahota (London Assembly Member for Ealing and Hillingdon). In addition invitations were also sent to 50 community groups, clubs and organisations including Ealing Civic Society and Southall Community Alliance.
- 15.5 64 people attended the first exhibition and 56 people attended the second exhibition. Attendees of both exhibition included local residents, business owners, local police and community groups including Ealing Civic Society, St Anslems Church, Ealing Friends of the Earth, Southall Faith Forum and the Tudor Rose. Detailed bilateral discussion took place with the Tudor Rose and supporters of retaining the building during later 2019 and 2020.
- 15.6 No feedback forms were submitted during the first exhibition and four were submitted during the second exhibition. Two enquiries were sent to the consultation email address throughout both whole consultation period.
- 15.7 All comments received were generally very positive with comments being made regarding volume of traffic in Southall and specifically The Green itself as well recognising the opportunity for sustainable travel.
- 15.8 As referenced earlier in the report, to conclude the consultation process a further online consultation event will be held between February 2021 and March 2021 to provide an opportunity for local residents to view and comment on the final proposals. A newsletter will be distributed to all affected landowners (again via Avison Young) and c400 of the surrounding properties in addition to all key elected representatives and the 50 community groups previously identified.

16. Timetable for Implementation

Task	Timeline
Planning Application preparation	To date
Planning Application submission	End Mar 2021
CPO preparation	Mar- July 2021
Make CPO	July 2021
Target Planning Committee Date	August 2021
CPO Inquiry if required	March 2022
CPO decision	June 2022
VP and start on site	Autumn 2022

17. Appendices

Appendix 1 – map showing development / CPO boundary

Confidential Appendix 2 – changes to Development Agreement and financial implications

Appendix 3 - EAA

18. Background Information

[March 2017 Cabinet Report](#)

[July 2018 Cabinet Report](#)

Development consultation website - <https://www.thegreensouthall.co.uk/>

Consultation

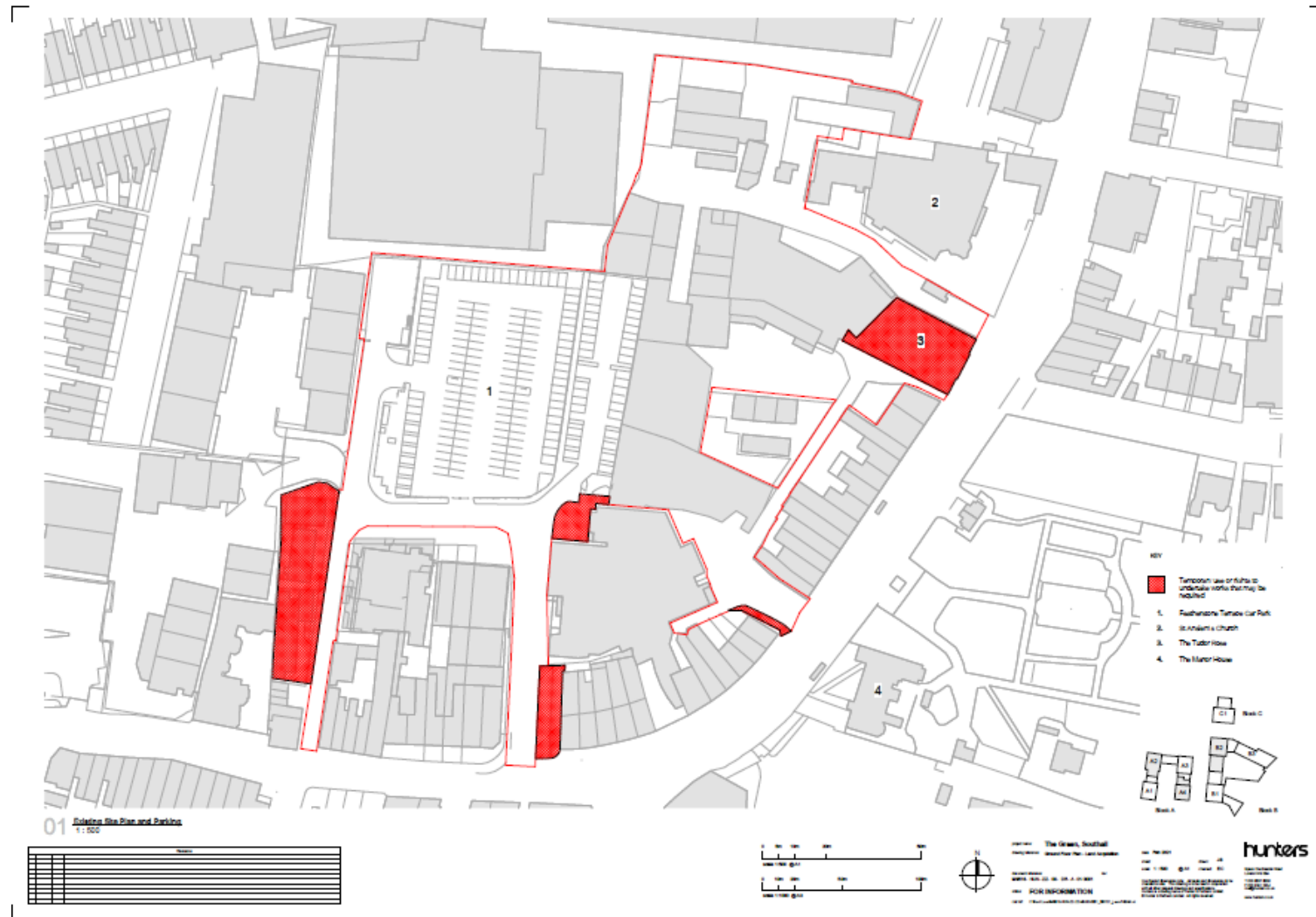
Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Gary Alderson	Executive Director, Place	11/2/21	12/2/21	Throughout report and appendices
Lucy Taylor	Director, Growth and Sustainability	11/2/21	15/2/21	Throughout report and appendices
Jackie Adams	Head of Legal (Commercial)	4/2/21	10/2/21	Throughout the report and appendices
Russell Dyer	Assistant Director Accountancy	4/2/21	10/2/21	Confidential Appendix 2
Cllr Julian Bell	Lead Member for Regeneration	11/2/21	15/2/21	Throughout report and appendices
Cllr Mik Sabiers	Lead Member for Housing and Planning	11/2/21		
External				
Chris Lyons	Development Manager, Peabody	4/2/21	10/2/21	Background, Consultation process, Appendix 1
Virginia Blackman	CPO adviser, Avison Young	4/2/21	10/2/21	Background, CPO process, Appendix 1
Nick Hurley	Browne Jacobson LLP	4/2/21	18/2/21	Confidential Appendix 2

Report History

Decision type:	Urgency item?
Key Decision	No
Report no.:	Report author and contact for queries:
	Eleanor Young, Strategic Regeneration Adviser

Appendix 1 – plan of site

CPO boundary



Development proposal



Full Equalities Analysis Assessment

1. Proposal Summary Information

EAA Title	Southall the Green redevelopment
Please describe your proposal?	It is a Project 8
Is it HR Related?	Yes No X
Corporate Purpose	<u>Cabinet Report Decision</u>

1. What is the Project looking to achieve? Who will be affected?

The Southall the Green redevelopment project is looking to acquire land needed to carry out a comprehensive redevelopment of land identified for redevelopment in the Southall Opportunity Area. The site is approximately 6ha and comprises mixed commercial units and a council car park. The scheme proposed is for residential and commercial units and replacement public car parking.

The project will affect everyone currently living and working in the development area and new residents and businesses that could occupy the new space built.

2. What will the impact of your proposal be?

There are a number of businesses on site which will potentially need to close or relocate to accommodate this proposal.

Replacement commercial space, capable of accommodating some of the businesses currently on site will be provided through the redevelopment.

c. 550 new residential properties will be provided and ancillary community space. Of the new residential properties, 50% by habitable room will be affordable.

As of October 2020, Ealing Council has **10,589** households on its waiting list for housing including **3,173** families in overcrowded accommodation and a total of **5,884** families, which collectively include **10,590** children. **2,366** households applying for accommodation include a person who considers themselves to have a disability. Ealing Council has a statutory responsibility to house many of these families, in particular those comprising vulnerable people.

On average last year **37%** of new lettings were to homeless households in priority need.

2031 applicants said yes when asked whether they have a disability

152 applicants are recorded as having restricted mobility, but there could be many more who have not submitted a medical form for assessment

1540 applicants have advised that they receive disability-related benefits.

Full Equalities Analysis Assessment

2. Impact on Groups having a Protected Characteristic

AGE: <i>A person of a particular age or being within an age group.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
There is no additional impact on people of particular age groups.
Describe the Mitigating Action

DISABILITY: <i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities¹.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact
<p>There would be significant enhancements for people with disabilities as a result of this proposal due to the positive enhancements to public realm and the need to provide new accommodation designed to inclusive design and lifetime homes principles, including 10% of new homes (55) to be made suitable for wheelchair users.</p> <p>In addition, there will be enhanced public realm in the development area and improved routes connecting to the station and the local bus stops.</p>
Describe the Mitigating Action
None – the scheme will enhance the physical environment for disabled people.

GENDER REASSIGNMENT: <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
State whether the impact is positive, negative, a combination of both, or neutral: N/A
Describe the Impact
There is no differential impact on people with this characteristic.
Describe the Mitigating Action

¹ Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

Full Equalities Analysis Assessment

RACE: A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.

State whether the impact is positive, negative, a combination of both, or neutral: N/A

Describe the Impact

A breakdown of the Council's housing waiting list in July 2020 showed that it was comprised of the following groups by ethnicity shows that the vast majority of applicants are from black and minority ethnic communities. Therefore, the provision of new affordable homes should have a positive beneficial impact for these communities:

<u>Ethnicity</u>	<u>Percentage</u>
White	26.6%
Mixed white & black	3.6%
Mixed white & asian	1%
Mixed other	1.6%
Asian	22.8%
Black	29%
Gypsy Romany	0.12%
Chinese	0.18%
Other	8.1%
Not stated	<u>7%</u>
<u>Total</u>	<u>100%</u>

The properties affected by the land assembly are in varied ownership and no detailed analysis exists about the ownership of properties by ethnicity.

However, there are some properties within the proposed redevelopment area which may be considered to impact on specific racial groups.

The Tudor Rose

The Tudor Rose is a former nightclub and community building. It was previously proposed to include this property within the redevelopment and demolish it, possibly including replacement facilities for the current owners to take up within the new scheme. However, during consultation on the original scheme in 2019 strong objections were received from a range of local community groups and stakeholders as to the inclusion of this building.

Following discussion with the Council and Peabody it is recognised that the building is a landmark in Southall and is an important cultural asset to the Black Caribbean community. Given its historic place in the cultural history of Southall the development will now leave the building in situ although the plans

Full Equalities Analysis Assessment

include changes to the external setting and potentially also the façade of the building to integrate it better with the new development.

The Monsoon and Milan Palace Banqueting Suites

These facilities are predominantly but not exclusively used by members of the Indian Community for celebrations. It is not clear whether in the event of redevelopment these facilities would close or would be relocated. There is some evidence locally that demand for this type of facility has fallen (for example the local banqueting suite the Centre is not being regularly used). Meetings have taken place both with the owner and leaseholder of the Monsoon Banqueting Suite. The leaseholder has expressed interest in relocation and the owner has expressed interest in redeveloping the property.

The Resource Centre

The Resource centre is a portable building based on Council owned land at Featherstone Terrace. The Council is now considering allowing this land to be relaid for public car parking thus displacing the Resource Centre. The Resource Centre is run by a number of Somali-led groups that provide services to a range of local people, including both people of Somali origin and those from other communities including recent immigrants.

Describe the Mitigating Action

Tudor Rose – leave Tudor Rose in situ and improve the external area and setting of the building
Banqueting suites – no mitigation to report; this is for commercial / market discussion with the affected parties
In respect of banqueting suites, operating businesses will be entitled to statutory compensation to allow these businesses to relocate and continue trading

Resource Centre – any impact should be mitigated by a temporary and permanent relocation solution secured through the s106

As a general point, the new commercial space being provided on site will allow for opportunities for both new and existing local businesses to be accommodated alongside those currently in-situ. This does not benefit any one specific group.

RELIGION & BELIEF: *Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.*

State whether the impact is positive, negative, a combination of both, or neutral: N/A

Describe the Impact

Due to the retention of the Tudor Rose building, a small amount of land will now be needed from St Anselm's Catholic church to facilitate access to the wider development area. This impact needs to be fully quantified at this stage it is possible that it may reduce car parking within the Church designated car park, which could be seen to have an impact on catholic residents who attend the church, particularly those with a disability or older residents. This impact is thought to be minimal and if it arises will be mitigated as part of the new development e.g. by providing replacement parking nearby accessible to users of the Church on Sundays.

Full Equalities Analysis Assessment

<p>The Church carries out a range of important social and community functions that affect not just the Catholic population but the wider Southall community, such as operating a food bank and homelessness support services.</p>
<p>Describe the Mitigating Action</p>
<p>Overall, the scheme will aim to minimise the loss of parking and servicing space for the church, and to ensure the continuation of existing religious worship and community outreach work (including the food bank) both during works and after they are completed.</p> <p>Further the new development will improve the setting of both the Church building itself and the homeless accommodation on-site by removing existing low grade adjacent uses such as vehicle repair garages etc.</p>

<p>SEX: <i>Someone being a man or a woman.</i></p>
<p>State whether the impact is positive, negative, a combination of both, or neutral: N/A</p>
<p>Describe the Impact</p> <p>There is no differential impact on people with this characteristic.</p>
<p>Describe the Mitigating Action</p>

<p>SEXUAL ORIENTATION: <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.</i></p>
<p>State whether the impact is positive, negative, a combination of both, or neutral: N/A</p>
<p>Describe the Impact</p> <p>There is no differential impact on people with this characteristic.</p>
<p>Describe the Mitigating Action</p>

<p>PREGNANCY & MATERNITY: <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i></p>
<p>State whether the impact is positive, negative, a combination of both, or neutral: N/A</p>
<p>Describe the Impact</p> <p>There is no differential impact on people with this characteristic.</p>

Full Equalities Analysis Assessment

Describe the Mitigating Action

MARRIAGE & CIVIL PARTNERSHIP: *Marriage: A union between a man and a woman, or of the same sex, which is legally recognised in the UK as a marriage*
Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.

State whether the impact is positive, negative, a combination of both, or neutral: N/A

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

3. Human Rights²

4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?

Yes No

4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?

Yes No

4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?

Yes No

All parties affected by the loss of land or business premises under CPO action will be compensated under the Compensation Code.

² For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

Full Equalities Analysis Assessment

4. Conclusion

The proposal does not have a negative impact on any group with a protected characteristic. Insofar as there is potential to negatively impact any particular group this will be explored as part of the planning process.

If the project goes ahead it will offer a significantly improved environment for people with physical disabilities and improved opportunities for people from BAME backgrounds to access suitable affordable rented housing.

4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

The Green Southall SPD and Southall Opportunity Area Planning Framework.

Information gleaned through public consultation and through consultation with landowners and leaseholders.

Information from the Council's public housing waiting list.

5. Action Planning: (What are the next steps for the proposal please list i.e. what it comes into effect, when migrating actions³ will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)
Disability – ensure new proposals fully meet the need of disabled people in line with agreed policies	Improved public realm. Scheme fully inclusive and accessible for disabled people. 10% wheelchair homes to be provided.	Scheme meets expected outcomes	At planning application approval stage	Eleanor Young younge@ealing.gov.uk
Race – ensure new proposals mitigate any negative impacts on particular racial groups	Impact of proposals on Resource Centre	Scheme meets needs of existing users if appropriate	At planning application submission stage	Eleanor Young younge@ealing.gov.uk

Additional Comments:

Impacts on the St Anselm's Catholic Church will be minimised especially during the construction phase.

³ Linked to the protected characteristics above

Full Equalities Analysis Assessment

6. Sign off: (All EAA's must be signed off once completed)

Completing Officer Sign Off:	Service Director Sign Off:	HR related proposal (Signed off by directorate HR officer)
<p>Signed: </p> <p>Name (Block Capitals): ELEANOR YOUNG</p> <p>Date: 3 March 2021</p>	<p>Signed: </p> <p>Name (Block Capitals): LUCY TAYLOR</p> <p>Date: 3rd March 2021</p>	<p>Signed: N/A</p> <p>Name (Block Capitals):</p> <p>Date:</p>
<p>For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):</p>		

Full Equalities Analysis Assessment

Appendix 1: *Legal obligations under Section 149 of the Equality Act 2010:*

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

Contains Confidential or Exempt Information	NO
Title	COVID/LSP cycle schemes – Interim Assessment
Responsible Officer(s)	Dipti Patel, Director of Place Delivery
Author(s)	Mark Holloway, Transport Team Leader, Highways and Tony Singh, Head of Highways
Portfolio(s)	Cllr Bell Regeneration and Transport, Cllr Anand Environment and Climate Action
For Consideration By	Cabinet
Date to be Considered	16th March 2021
Implementation Date if Not Called In	29th March 2021
Affected Wards	All
Keywords/Index	COVID transport measures, cycle schemes, active travel

Purpose of Report:

To present the findings of the interim assessment of the two emergency cycle schemes introduced at Fishers Lane, Southfield Ward and Church Road, Northolt Mandeville Ward under the Transport for London (TfL) Streetspace programme and to make recommendations as to the future of these schemes.

1. Recommendations

It is recommended that Cabinet:

- 1.1 Note this interim assessment of the impact of the experimental cycle schemes implemented at Fishers Lane, Southfield and Church Road, Northolt.
- 1.2 Notes and agrees that these schemes continue in force without modification pending the availability of further data necessary to enable a decision as to where to make the schemes permanent or not.
- 1.3 Notes that a further report will be brought to Cabinet for a final decision as to whether to make the schemes permanent or not when the further data is available

2. Reason for Decision and Options Considered

2.1 Background

In May 2020, The Department for Transport (DfT) announced funding for a new national programme of Emergency Transport Measures to reallocate road space to cyclists and pedestrians in response to the COVID 19 (COVID) pandemic.

In his foreword to the details of the scheme, The Right Honourable Grant Shapps MP, Secretary of State for Transport, states: “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 advises councils to reallocate road space in order to cater for significantly increased numbers of cyclists and pedestrians. The proposals outlined from Government are 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 are that there is a significant link between COVID-19 recovery and fitness. Active travel can help us become more resilient.
- Embed what the DfT have called a once in a generation opportunity to deliver a lasting transformative change in how we make short journeys in our towns and cities.
- Promote active travel, which is affordable, delivers significant health benefits, has been shown to improve wellbeing, mitigates congestion, improves air quality and has no carbon emissions at the point of use.

The statement was supplemented by updated statutory guidance and associated regulation from the Department for Transport on the Traffic Management Act 2004. The guidance advises councils to reallocate road space in order to cater for significantly increased numbers of cyclists and pedestrians. The Guidance was updated in November 2020 to strengthen the advice on consultation and engagement.

In London, the Mayor launched the London Streetspace Programme (LSP) to administer the central Government funding within London. London Boroughs were encouraged to support this programme and funding was also secured from the Department for 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 15th 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 is an issue, overcrowding is likely and will pose safety concerns, and where transport, economic and social datasets show a need to intervene).
- Value (the guidance required the use of cheap temporary materials).

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, and 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. The content of the TfL guidance is currently subject to a legal challenge yet remains operational pending any final determination of the Court.

The Right Honourable Grant Shapps MP, Secretary of State for Transport, wrote to all Local Transport Authority leaders on 16 October 2020 setting out his concerns with respect of ‘a significant minority of instances’ where schemes were poorly designed. Mr Shapps asked his officials to engage with local authorities where he had concerns. There were no concerns raised with respect of the schemes within this report.

2.2 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 is 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 is restricted at pick-up and drop-off times, during term-time.
- Implementation of 9 **Low Traffic Neighbourhoods (LTNs)** with modal filters;
- And pertinent to this report, 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. Four of the six schemes have been installed with a further two to be installed shortly. Details of the schemes are set out in the table in paragraph 2.3 below.

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 is affordable, delivers significant health benefits and has been shown to improve well-being, mitigate congestion, improve air quality and can help individuals to become more resilient.
- The DfT and TfL both outlined this as an opportunity to deliver transformative change in how we make short journeys in our towns and cities.
- These schemes support the Council's recovery programme, climate emergency action plan and air quality priorities.

The delivery of improved infrastructure for walking and cycling is a key goal of the borough's Transport Strategy and supports the Mayor of London's wider ambition for 80% of journeys to be made by walking, cycling and public transport by 2041. Evidence shows that the wider ambition to increase mode share is only going to be achieved by making cycling safer and more attractive.

To support these goals work was already underway in Ealing before June 2020 on several strategic cycle schemes and this work has provided the foundation for the identification and development of the LSP cycle schemes introduced following the June 2020 report.

2.3 Identification of COVID/LSP cycle schemes

Following the June 2020 report specific cycle measures were identified based on the following criteria:

- Schemes should be able to be delivered quickly and at low cost to maximise benefits of funding.
- Schemes should meet TfL criteria for safe cycle infrastructure i.e. London Cycle Design Standards (LCDS).
- Focus on improvements to existing strategic cycle corridors e.g. the Uxbridge Road, providing benefits to existing cyclists and encouraging wider use.
- Capitalise on route definition studies already undertaken in collaboration with TfL on routes in Acton and Boston Manor.
- Respond to measures undertaken in neighbouring boroughs to maximise benefits for longer distance cycle trips.

- Respond to additional proposals from councillors and portfolio holders.

The six schemes identified from this analysis were as follows:

Greenford Road - northbound
<p>Scheme introduced with DfT funding in May 2020. Light segregation (wands) introduced on existing advisory cycle lane north of junction with Uxbridge Road at Iron Bridge as far as Baird Avenue.</p> <p>Status: Implemented.</p>
Ealing Common East
<p>Scheme introduced light segregation in both directions east of junction with A406 North Circular Road. Subsequently extended further to the east.</p> <p>Status: Implemented.</p>
Church Road (east), Northolt
<p>Initial COVID response closed road to traffic and introduced parking controls to provide additional space for pedestrians and make route safer for cyclists. ETO published in July 2020. Subsequently, at the request of the Police, the closure has been revised to allow emergency vehicle access from Mandeville Road, but this is not currently enforced.</p> <p>Status: Implemented under ETO. Assessment delayed by lockdown (see 3.2 below).</p>
Acton, The Vale
<p>Light segregation introduced on sections of The Vale where road space permitted. Subsequently, further work was commissioned to extend the scheme to cover Acton town centre and through to the borough boundary with Hammersmith & Fulham in both directions. Implemented scheme includes further light segregation, widened cycle lanes and removal of some parking and loading bays. A parklet and planters have been introduced where bays have been removed.</p> <p>Status: Completed.</p>
Acton to Chiswick (including Fishers Lane)
<p>A TfL funded feasibility study already underway prior to the pandemic had identified measures to improve cycle safety along the proposed route (and included options for restricting traffic through Fishers Lane). LSP funded measures are focussed on key junctions along the route and include the introduction of</p>

parallel cycle crossings at existing zebras and improved wayfinding. Fishers Lane was closed to all traffic except buses, cycles and emergency services under an ETO in late July 2020. Initial assessment due in January 2021.

Status: Partly delivered and ETO subject of interim assessment (see 3.1 below)

Southall to Hanwell

Proposals include significant reallocations of road space in multi-lane sections and at Iron Bridge pinch point. Scheme requires approval from TfL and is subject to the agreement of a joint monitoring programme to assess impacts of the scheme.

Status: Implementation pending TfL approval.

A seventh scheme at Greenford Road (southbound) is on hold-pending resolution of parking issues with the local Angling Club.

A map of the Tranche 1 cycle schemes is shown in Appendix A.

LBE has bid for further funding from TfL to deliver an additional three cycle schemes and three LTNs, which are currently being designed before wider engagement.

2.4 Consultation

The unique circumstances around the LSP programme and particularly the need to deliver schemes within short time frames, prompted the Council to take a different approach to consultation and to make Experimental Traffic Orders (ETOs) where necessary to facilitate this.

The making of ETOs was in line with Government guidelines at that time and, the conditions for the funding which 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 required for permanent orders. However, the ETO process includes a six-month consultation period during which residents and others can provide feedback on the scheme which is considered alongside other data when the scheme is reviewed.

The revised statutory Guidance in November 2020, and particularly the strengthened advice with respect of consultation and engagement, has been taken into account during the experimental phase of these schemes.

The schemes at Fishers Lane, Chiswick and Church Road (east), Northolt were introduced by means of an ETO. These have enabled the new road layouts to be trialled on a temporary basis (up to 18 months). The necessary statutory consultation

required prior to the making of the orders and the notifications necessary before the orders came into force were made.

Traffic Regulation Orders (TRO) have also been utilised on other schemes as required and where changes are intended to permanent; although can still be subject to change following post implementation assessments or safety audits. Examples include changes to waiting and loading restrictions, and new or amended pedestrian crossings. A statutory consultation period of 21 days is required prior to implementation.

Residents' enquiries and feedback on all elements of the LSP programme have been captured via a dedicated email address (COVIDtransport@ealing.gov.uk). In addition, responses to ETOs and TROs are directed to the Traffic Notice email address (TrafficNotices@ealing.gov.uk). Specific details of the responses to the schemes at Fishers Lane and Church Road are detailed in the relevant sections below.

Scheme	Direct Responses to Traffic Notices	Other responses including those to COVIDtransport
Fisher's Lane ETO	22	72
Church Road ETO	4	9

Figures for January 2021

3.0 Monitoring and Assessment

The extended duration of the pandemic and the associated impacts on normal travel behaviour complicates the assessment of the schemes implemented under the two ETOs. It is also always the case that schemes that make significant changes to the road network may take some time to "settle in", particularly from a traffic point of view as drivers adapt their journeys. For larger schemes it may take many months before a long-term pattern is set. Cycling schemes in particular can show wide variations in usage between one day and the next dependant on the weather.

Before a final decision is made as to whether to make the ETOs permanent or not a full assessment will take place against a range of objectives supported by quantitative data where appropriate but also taking into account the wider policy context and longer term societal goals. These are listed below along with details of data to be used and assessment undertaken so far for each scheme set out in the tables below.

- Scheme addresses wider policy objectives on climate change, public health and the economy.
- Cycle network benefits – scheme adds to or improves existing cycle connections.
- Scheme delivers an increase in active travel (cycling and walking)

- Improved cycle safety (medium to long term reduction in cyclist collisions)
- No significant adverse effect on other traffic (including pedestrians)
- Any equalities impacts are identified and mitigated.

The details of objections received during the 6 month objection period will also be taken into account and the Council will also have regard to its statutory duties.

The following sections detail the current status of each of the ETO schemes currently in place.

3.1 Fishers Lane

The ETO for the Fishers Lane closure was made on 29th July 2020 and will expire in January 2022 unless made permanent. The 6 month objection period closed in January 2021.

Fishers Lane forms part of the preferred route for the Acton-Chiswick cycleway. It provides a direct connection under the railway at Chiswick Common avoiding longer detours via Turnham Green Terrace or Acton Lane. Fishers Lane is narrow, restricted to alternate one-way traffic and has limited space for queuing at either end.

Prior to the pandemic Ealing had been working with TfL to develop proposals for the cycleway and had progressed to concept design stage. To meet TfL cycleway criteria the volume of traffic on Fishers Lane would need to be reduced and options to achieve this reduction have been examined as part of the scheme development process.

Hounslow Council decided to close Turnham Green Terrace in July 2020, also under an ETO. Fishers Lane is the obvious alternative route for traffic and without similar restrictions, would have seen a significant increase in traffic flows. Given the constraints detailed above, this would have led to an increase in local congestion as well as making the road even more unpleasant for cyclists. At the end of July 2020 therefore, and with agreement from Hounslow, Ealing implemented the closure of Fishers Lane to all traffic except local buses and cyclists Hounslow have subsequently re-opened Turnham Green Terrace.

Objective	Measurement	Baseline data	Monitoring status
Increase in active travel	Cyclist and pedestrian flows	Y	Interim surveys undertaken for Fisher's Lane in October 2020 show increased numbers of cyclists using the route.
Improved cycle safety	Collision statistics	Y	Two collisions reported during lockdown. Awaiting further details.
Cycle network benefits	Connectivity	n/a	Safety and wayfinding improvements to existing signed route.

Traffic impacts	Traffic flows and journey times	Y	Interim analysis of bus journey times shows no negative impacts on local routes. Further analysis underway. See below and Appendix B
Improved air quality	Existing AQ Monitoring sites	Y	Benefits will materialise over time and are linked to increased cycling/walking in area.
Equalities impacts	Surveys and feedback	n/a	EAA prepared (see Appendix D)
Other impacts	Resident and Councillor feedback	n/a	Detailed responses have been provided to Councillor's and residents (see Appendix C)

Traffic surveys were undertaken in November 2019 as part of the initial planning phase of the Acton- Chiswick cycleway scheme. These included traffic surveys on Fishers Lane and South Parade. These provide a partial baseline for the assessment of the closure.

The surveys were repeated between 16th- 22nd October 2020. Analysis of the results show that at that time there were still significant numbers of drivers failing to observe the restrictions. Despite this there was a significant increase in cyclists using the route. Details are included at Appendix B

TfL iBus data has been analysed for routes 94 and 272 for the period October 2019 to November 2020. The data shows substantial improvements to bus journey time for both routes during first lockdown (Spring 2020). This is in line with expectations as traffic volumes reduced sharply during this period After the Fishers Lane closure, and with lockdown ended by October 2020, journey times increased, but were still lower than before the lockdown, especially in the am peak both ways and the pm peak westbound. Details are included at Appendix B.

Given that motor traffic volume was near or above pre-pandemic level in the autumn, it is possible that the Fishers Lane scheme has improved bus journey times a little, although the improvements may also be influenced by the shorter time spent at stops with fewer passengers.

3.1 Feedback from local residents and businesses

The Traffic Notices email has received 63 responses relating to the Fisher's Lane restrictions. A further 9 responses were received either directly or forwarded by Ward Councillors.

A clear focus of responses in the first few months of the scheme was the congestion in the area associated with simultaneous closures of both Fisher's Lane and Turnham Green Terrace to through motor traffic. The situation was further compounded by emergency water supply repair works on Acton Lane in the period between 23rd October and 27th November. To reduce this congestion Hounslow re-

opened Turnham Green Terrace on the 29th October.

Concerns over safety were also highlighted following 2 reported collisions Fisher's Lane, at least one of which involved a cyclist. Further details on these collisions are being sought and will be considered in the full review of the scheme.

Whilst the volume of responses received to the LSP schemes in general has meant that it has not been possible to respond individually to these comments there has been on-going engagement with Ward Councillors on many of the issues raised by residents. In addition, the Council has prepared a detailed response to the resident survey that was initiated by the Councillors (see Appendix C).

Ealing Cycling Campaign sent detailed comments on the whole route, in favour of the Fisher's Lane closure, but noting the need for more enforcement, and suggesting improvements further south in Hounslow.

In summary, for the reasons set out above it is not considered that there is enough data available yet to enable a decision to be made as to whether to make the ETO permanent or not. Once sufficient data is available a further report will be brought to Cabinet for decision. In the meantime and based on the data and consultation responses received as outlined above it is recommended that it is considered appropriate for the ETO to continue without modification pending a final decision.

3.2 Church Road (east) Northolt

The ETO for the Church Road closure was made on 4th July 2020 and will expire in January 2022 unless made permanent. The objection period closed in January 2021.

The closure of Church Road (east) or Little Church Road as it is sometimes called was originally proposed as part of the Corridor 11 scheme in 2016 and was one of a series of measures designed to improve cycling and pedestrian connections whilst also improving the public realm and bus facilities. Although public consultation at that time supported the scheme, concerns from some residents regarding access to Northolt Village meant that full implementation of the scheme was delayed pending further investigations.

Given the expected benefits for cyclists and pedestrians, it was decided to implement the closure in June 2020 as part of the Council's initial COVID response, and this was later formalised with an ETO in July. At the same time, parking controls were introduced to provide additional space for pedestrians and cyclists.

Objective	Assessment	Baseline data	Current status
Increase in active travel	Cyclist and pedestrian flows	Y	Baseline data collected in 2017 as part of LIP C11 scheme. Follow-up surveys planned for January 2021 delayed due to lockdown.
Improved cycle safety	Collision statistics	Y	Full assessment pending.
Cycle network benefits	Connectivity	n/a	Part of potential 'Green Ring' linking local parks and canal. Improves connection across busy traffic corridor.
Traffic impacts	Traffic flows and journey times	Y	Some reassignment of trips onto other local roads. Updated assessment pending new surveys.
Improved air quality	Existing AQ Monitoring sites	tba	Adjacent A roads are main source of pollutants. Scheme not expected to deliver improvements.
Equalities impacts	Surveys and feedback	n/a	EAA prepared (see Appendix D)
Other impacts	Resident and Councillor feedback	n/a	Closes off escape route for HGV's mistakenly entering Northolt village.

3.2.1 Feedback from local residents and businesses

The Traffic Notices inbox has received 4 responses relating to the Church Road (east) closure. A further 9 responses were received either directly or forwarded by Ward Councillors.

The predominant theme of the feedback from residents is the potential impact of the closure on access to and from Northolt Village and the re-distribution of traffic onto other local roads particularly Eskdale Avenue and Priory Gardens. Residents have also highlighted difficulties exiting the village via Ealing Road during peak hours when there are heavy traffic flows on Mandeville Road. These are both issues raised during the previous consultation for the Corridor 11 scheme.

3.2.2 Scheme Monitoring

Baseline data was collected in October 2015 and June 2013 as part of the original Corridor 11 LIP scheme. Follow-up surveys scheduled for January 2021 have been cancelled following the latest lockdown and the impact this would have on the data collected.

Compliance with the closure is not being monitored at this time. Although signage is in place, access for residents and emergency vehicle has been maintained and we know from other schemes that compliance is likely to be an issue. This will need to be resolved before further surveys are undertaken to ensure the data gathered

provides a reliable basis for assessment. The scheme is not expected to impact bus journey times or air quality and so no other monitoring is planned at this stage.

In summary, for the reasons set out above it is not considered that there is enough data available yet to enable a decision to be made as to whether to make the ETO permanent or not. Once this data is available a further report will be brought to Cabinet for decision. In the meantime, and based on the data and consultation responses received as outlined above it is recommended that it is considered appropriate for the ETO to continue without modification pending a final decision.

3.3 Other feedback

3.3.1 Emergency Services

The Council has sent all the emergency services draft details of the proposed schemes.

Feedback in relation to the two ETO schemes has been received as follows;

- Fire Brigade: No objection subject to access being maintained from Mandeville Road. More generally concern has been expressed over the use of wands restricting access to hydrants and potential for wider delays to traffic when and if appliances are unable to reach kerb and so block roads. In practice, the initial wand product used was easily removed whether by accident or deliberate act and so would not have hindered access. A newer product now being used is sturdier and should withstand accidental contact but also more flexible, allowing larger vehicles (e.g. a fire tender) to pass over if necessary.
- Metropolitan Police: Expressed concern over reduced road space impacting emergency response times (Acton scheme). At the request of the Police vehicle access through the closure on Church Road (east) at the junction with Mandeville Road was introduced. This closure is not currently CCTV enforced and so it is likely that compliance with the closure is low.
- Ambulance service: No objection subject to access being maintained from Mandeville Road.

3.3 Ward Members

Feedback from ward members has been sought since the ETOs for Fishers Lane and Church Road came into force. Most ward councillors have sent e-mails citing both their personal, or their constituents' concerns or support as well as highlighting issues with the operation of the schemes.

Ward members will be consulted on the outcomes of the interim assessments and their feedback will be considered before any final decisions are taken. Regular briefing meetings have been held for members on the full range of active travel schemes.

In mid-October 2020 Local Councillors in Southfield Ward organised a resident survey and published the results in a Traffic Survey Report. The report details responses from over 800 residents across Southfield Ward. Councillors have received a detailed response to the various issues raised by the residents in this survey and this is included at Appendix C. Further discussions with Councillors in early March 2021, and following a second resident survey, have highlighted specific concerns around local congestion, signage and enforcement and the plans for further surveys and consultation. In addition there are concerns about proposals in Hounslow and the potential impacts of these in the Southfield area.

For context the October 2020 survey was undertaken just prior to the second lockdown and before enforcement of the Fishers Lane closure had begun. Subsequently, Hounslow have removed the closure on Turnham Green Terrace which will have further effects on traffic distribution in the area.

4.0 Key Implications

With the need for social distancing and the reduced capacity of public transport it is important that measures are put in place to support active travel modes; both walking and cycling and combat a potentially large increase in private car use.

In May 2020, as a result of the COVID emergency, the normal funding for transport scheme via Ealing's LIP (Local Implementation Plan) was suspended. In its place, came funding specifically allocated for at the delivery of measures to facilitate active travel. Given the urgency of the situation, these measures have had to be implemented very quickly, in order to protect public safety, maximise the benefit to Ealing's residents, businesses and the local economy and to comply with the terms of the funding.

Active travel is the most effective way to travel that facilitates social distancing whilst also helping with the climate crisis, air pollution (which has seen a 25% reduction in NO2 during lockdown), reducing obesity and road danger. It aligns with the London Mayor's Transport Strategy and also the policies and objectives set out in the Council's Transport Strategy.

The evaluation of the schemes referred to above implemented under Experimental Traffic Orders has been impacted by the on-going COVID emergency. Surveys

undertaken in lockdown would not give reliable results and so have been postponed. As soon as conditions permit more data will be collected and further evaluation of the schemes undertaken. In the meantime, other data sources are being investigated.

Trial schemes may be made permanent, modified or even removed altogether based on evidence and consultation once the monitoring date and response to consultation have been considered at the end of the 6 month objection period. It is recognised that these schemes generate 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.

4.1 Changes implemented to date

- Additional signage introduced at Fishers Lane.
- Closure at Church Road modified to allow access for emergency services.

5. Financial Implications

The total amount of funding received by the Council for the Tranche 1 cycle schemes was £486K for all the LSP schemes to be implemented. This should cover design and implementation costs, staff costs and monitoring. An additional £100K for cycle schemes was received directly from DfT and was used to deliver the Church Road (east) and Greenford Road schemes. The table below sets out the allocation of this funding.

Cycle Schemes	Tranche 1 £'m
Estimated costs	
UXBRIDGE RD CYCLE CORRIDOR	0.220
EAST ACTON TO CHISWICK	0.116
24 HOUR BUS LANES	0.050
THE VALE	0.020
GREENFORD ROAD/CHURCH ROAD	0.060
EALING COMMON	0.020
Total Cost	0.486
Financed by:	
TFL Funding for Tranche 1	(0.386)
DFT Funding for Tranche 1	(0.100)
Total funding	(0.486)

The Fisher's Lane scheme has been implemented from the LSP allocation for the Acton-Chiswick cycleway (total £116K). This includes the traffic order and permanent

signage. Camera enforcement is funded from Council budgets. No further funding is required at this time.

Subject to approval, the Church Road (east) closure would be delivered using the Council's 2021/22 LIP allocation from TfL. This funding has yet to be confirmed but is expected to be in line with pre-pandemic allocations and so would be sufficient to cover the cost involved – estimated at £40K.

Should these schemes not proceed, the cost to remove the measures currently in place would be minimal.

6. Legal

The Highways Act 1980 places a duty on highway authorities to maintain the highway asset or network and a Code of Practice for Maintenance Management (Delivering Best Value in Highway Maintenance) gives information about the standards to be achieved. There are various Audit Commission Performance Indicators that give monitoring information of highway conditions.

The Highways Act 1980 also places a duty on highways authorities to improve highway safety, and the Greater London Authority Act 1999 requires authorities to implement projects and programmes that contribute to the Mayor's Transport Strategy. The Road Traffic Regulation Act 1984 (the 1984 Act) and the Traffic Management Act 2004 (the 2004 Act) give powers and duties on the relevant highway authority to manage traffic (including pedestrians and cycles) to secure that safe and expeditious movement of traffic. Under the 2004 Act, TfL has the power to approve or reject changes on Uxbridge Road that impact on capacity and buses.

By virtue of section 122 of the 1984 Act the Council must exercise functions under 1984 Act '(so far as practicable...) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway...' and having regards to matters including the desirability of securing and maintaining reasonable access to premises and the effect on the amenities of any locality affected and any other matter appearing to the Council to be relevant.

Emergency legislation came into force on 23 May 2020 to amend, temporarily, the:

- The Road Traffic (Temporary Restrictions) Procedure Regulations 1992
- The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the 1996 Regulations)
- The Secretary of State's Traffic Order (Procedure) (England and Wales) Regulations 1990

The Council has the power to make Experimental Traffic Orders under section 9 of the 1984 Act. The procedural requirements are set out in Regulations 22 and 23 and Schedule 5 to the 1996 Regulations.

An experimental order can only stay in force for a maximum of 18 months while the effects are monitored and assessed (and changes made as necessary as outlined below) before a decision is made whether or not to continue the ETO on a permanent basis.

The ETOs expressly provide for the suspension or modification (while the order is in force) of any provision previously made or provisions that could have been made under section 10 of the 1984 Act. The orders also contain provisions confirming that the Council's Head of Highways or anyone authorised by him may, if it appears to him or that other person 'essential in the interests of the expeditious, convenient and safe movement or traffic, or in the interests of providing suitable and adequate on-street parking facilities, or for preserving or improving the amenities of the area through which any road affected by [the relevant order] runs' modify or suspend any provision of this Order.

Any modification does not extend to making additions to the order or designating additional on-street parking for which charges are made.

The powers in section 10(2) are only to be exercised after consulting the appropriate chief officer of police and giving public notice.

7. Value for Money

There is no value for money implications resulting from this Interim Assessment of the cycle schemes. Value for money implications for the design and implementation of the COVID transport measures were set out in the June 2020 Cabinet Report.

8. Sustainability Impact Appraisal

There are no sustainability implications resulting from this Interim Assessment of the cycle schemes. Sustainability implications for the design and implementation of the COVID transport measures were set out in the June 2020 Cabinet Report.

9. Risk Management

There are no risk implications resulting from this Interim Assessment of the cycle schemes. Risk management implications for the design and implementation of the COVID transport measures were set out in the June 2020 Cabinet Report.

10. Community Safety

There are no community safety implications resulting from this Interim Assessment of the cycle schemes. Community safety implications for the design and implementation of the COVID transport measures were set out in the June 2020 Cabinet Report.

11. Links to the 3 Key Priorities for the Borough

The interventions proposed fulfil Ealing Council's key priorities:

Opportunities and living incomes

The programme will help deliver better active travel provision during a period when public transport is much less of an option. The measures will support the creation of safe town centres and public spaces and therefore encourage people to visit and use the businesses in their local area.

A healthy and a great place

As part of all standard transport schemes the Council will ensure that road safety issues are investigated and addressed. Traffic will be managed by supporting and promoting sustainable modes. This will manage emissions of carbon and other pollutants, assisting with the Council's response to the climate emergency. Transport links throughout the borough will be targeted for improvement, particularly sustainable modes (walking, cycling and public transport) and orbital journeys between areas of Outer London, including key employment hubs.

12. Equalities, Human Rights and Community Cohesion

As confirmed in the June 2020 Cabinet report, the public sector equality duty applies to the making of ETOs as well as permanent traffic orders. The needs of those with protected characteristics including the needs of disabled people are an integral part of the design and assessment process when making and reviewing ETOs and schemes generally. None of the schemes in Tranche 1 have made changes to any disabled parking bays and the original design assessment did not identify any specific additional accessibility issued for the disabled over and above the restrictions on vehicular access which affect vehicle traffic generally.

The council relied in its initial decision making on the EAA for the Local Implementation Plan (LIP), which is the statutory Transport Strategy for the Council, to assess any equalities impacts. The EAA relied upon for the cycle schemes has

been informed and updated by the feedback. An updated EAA is attached and shall continue to be kept under review as the schemes progress and to inform a future decision with respect of each scheme. There is a link to the EAA in section 17.

The United Kingdom is a signatory to the European Convention on Human Rights (ECHR) which came into force as an international treaty in 1953. The Convention comprises a statement of rights, which signatory states guarantee, and incorporates machinery and procedures for their enforcement through the European Commission of Human Rights and the European Court of Human Rights in Strasbourg. The provisions of the ECHR which are of most relevance to the making of ETOs and exercise of powers under the Road traffic regulation Act 1984 this context are as follows.

- Article 8 - "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- Article 1 of the First Protocol - "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."

The Human Rights Act 1998 came fully into force on 2 October 2000, incorporating the provisions of the ECHR into domestic law. Although the ECHR guarantees the right to peaceful enjoyment of property, it is clear from Article 1 of the First Protocol that the making of ETPOS which restrict traffic movement on the highway does not involve an infringement of the ECHR so long as it is done in the public interest and subject to the law laid down by statute. Similar considerations apply to Article 8.

13. Staffing/Workforce and Accommodation implications

There are no staffing or accommodation implications resulting from this Interim Assessment. Staffing and accommodation implications for the design and implementation of the COVID transport measures were set out in the June 2020 Cabinet Report.

14. Property and Assets

This report is concerned with changes to parts of the highway network in the Borough, which are a key asset of the Council.

15. Any other implications:

There are no other implications of these proposals.

16. Consultation

As reported in section 3 and 5 above, ETOs have been used to implement specific measures related to the LSP cycle schemes. ETOs have a statutory 6-month objection period from the making of the order and which has been utilised to undertake a public consultation.

Stakeholders and the public were invited to respond to the Traffic Notices inbox by email or in writing to the Council.

17. Appendices

Appendix A – Map showing L.B. Ealing LSP Tranche 1 funded cycle schemes.

Appendix B – bus journey time and traffic survey data.

Appendix C – Response to Southfield Ward Councillor survey

Appendix D - EAA

18. Background Information

TfL - London Street Space Plan – interim Guidance to Boroughs – 15 May 2020:

<http://content.tfl.gov.uk/lsp-interim-borough-guidance-main-doc.pdf>

Reallocating road space in response to COVID-19: statutory guidance for local authorities– 12 January 2021:

<https://www.gov.uk/government/publications/reallocating-road-space-in-response-to-covid-19-statutory-guidance-for-local-authorities>

Cabinet Report dated 16th June 2020 item 8:

<https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6514/Committee/3/Default.aspx>

Equalities Analysis Assessment for the Local Implementation plan

https://www.ealing.gov.uk/downloads/download/5891/local_implementation_plan_equalities_impact_assessment

Decision Notices and Equalities Analysis Assessment:

<https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6803/Committee/315/Default.aspx>

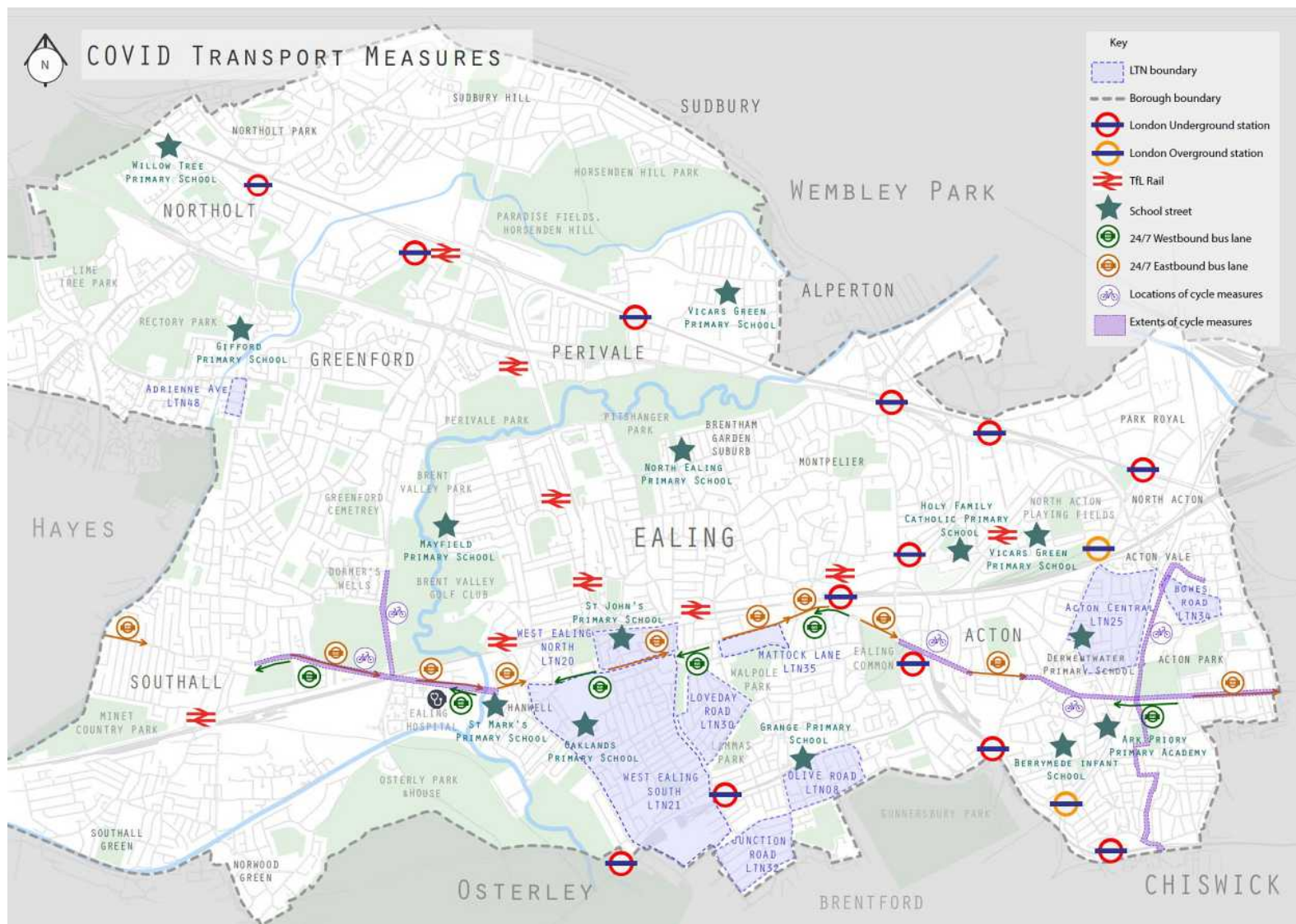
Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Tony Singh	Head of Highways	16/02/21	20/02/21	
Lucy Taylor	Director of Growth and Sustainability	16/02/21	20/01/21	3
Dipti Patel	Director of Place Delivery	16/02/21	11/01/21	1,3
Jackie Adams	Head of Legal (Commercial)	16/02/21	18/02/21	1,2,3,4
Justin Morley	Head of Legal Services (Litigation)	16/02/21	18/02/21	5
Chris Neale	Principal Accountant - Environment	11/02/21	18/02/21	1,3,5
Gary Alderson	Executive Director for Place	11/02/21	18/02/21	2,3
External				
N/A				

Report History

Decision type:	Urgency item? NO
Information only	
Report no.:	Report author and contact for queries:
	Mark Holloway, Team Leader, Transport - Highway Services

Appendix A: Map of LSP schemes including Tranche 1 cycle schemes and School Streets



Appendix B: Fisher's Lane iBus data comparison: October 2019 to November 2020

From		To		Route	Direction
Stop code	Name	Stop code	Name		
25678	Acton Green	11333	Abinger Road	94	Eastbound
11334	Abinger Road	11349	Acton Green		Westbound

IVT (seconds)	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020	Jul 2020	Aug 2020	Sep 2020	Oct 2020	Nov 2020
7-19h Weekday Route 94 EB	231	245	237	231	234	219	183	200	204	210	213	221	219	221
AM (7-10h) Weekday Route 94 EB	237	257	235	239	239	222	174	185	193	197	198	215	212	214
IP (10-16h) Weekday Route 94 EB	221	228	232	221	224	212	186	200	206	213	217	218	217	217
PM (16-19h) Weekday Route 94 EB	245	271	251	244	247	231	185	218	213	217	221	235	229	235
7-19h Weekday Route 94 WB	247	249	252	248	251	232	190	202	211	225	223	228	222	227
AM (7-10h) Weekday Route 94 WB	246	248	244	243	242	225	174	187	202	218	212	220	214	219
IP (10-16h) Weekday Route 94 WB	229	230	243	230	233	221	195	204	210	223	223	221	217	224
PM (16-19h) Weekday Route 94 WB	279	284	280	280	286	255	198	213	222	233	233	248	237	238

RAW	Oct 2019- Feb 2020 Ave IVT (seconds)	Mar 2020 IVT (seconds)	Apr 2020- June 2020 Ave IVT (seconds)	Jul 2020 IVT (seconds)	Aug 2020- Nov 2020 Ave IVT (seconds)	Apr-Jun 2020 % change from baseline	Aug-Nov 2020 % change from baseline
7-19h Weekday Route 94 EB	235.6	219	195.7	210	218.5	-17	-7
AM (7-10h) Weekday Route 94 EB	241.4	222	183.3	197	209.8	-24	-13
IP (10-16h) Weekday Route 94 EB	225.2	212	197.3	213	217.2	-12	-4
PM (16-19h) Weekday Route 94 EB	251.6	231	205.3	217	230	-18	-9
7-19h Weekday Route 94 WB	249.4	232	200.3	225	225	-20	-10
AM (7-10h) Weekday Route 94 WB	244.6	225	187.7	218	216.8	-23	-13
IP (10-16h) Weekday Route 94 WB	233.0	221	202.3	223	221.2	-13	-5
PM (16-19h) Weekday Route 94 WB	281.8	255	211	233	239	-25	-15
<i>IVT = in-vehicle time</i>							

From		To		Route	Direction
Stop code	Name	Stop code	Name		
R0865	Dolman Road	11337	Turnham Green Station	272	Eastbound
11338	Turnham Green Station	40003	Fishers Lane		Westbound

IVT (seconds)	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020	Jul 2020	Aug 2020	Sep 2020	Oct 2020	Nov 2020
7-19h Weekday Route 272 EB	193	195	205	190	190	180	155	170	176	180	167	169	181	200
AM (7-10h) Weekday Route 272 EB	189	192	180	189	183	175	134	164	167	167	164	162	176	177
IP (10-16h) Weekday Route 272 EB	183	183	194	183	183	178	165	171	176	180	167	168	176	188
PM (16-19h) Weekday Route 272 EB	221	230	255	206	212	190	154	173	187	192	170	180	195	247
7-19h Weekday Route 272 WB	196	196	225	189	194	180	152	169	183	188	173	178	175	206
AM (7-10h) Weekday Route 272 WB	195	193	189	191	189	179	136	178	181	182	182	168	171	177
IP (10-16h) Weekday Route 272 WB	182	183	206	179	183	174	157	162	178	185	170	168	173	188
PM (16-19h) Weekday Route 272 WB	229	228	296	209	225	195	158	175	196	200	170	208	18	270
IVT = in-vehicle time	These are average bus running times between the 'from' and 'to' stop as specified. Dwell time at intermediate stops (if any) between the 'from' and 'to' stops are included in these numbers; dwell time at the 'from' and 'to' stop itself is not included.													

PROCESSED	Oct 2019- Feb 2020 Ave IVT (seconds)	Mar 2020 IVT (seconds)	Apr 2020- Jun 2020 Ave IVT (seconds)	Jul 2020 IVT (seconds)	Aug 2020- Nov 2020 Ave IVT (seconds)	Apr-June 2020 % change from baseline	Aug-Nov 2020 % change from baseline
7-19h Weekday Route 272 EB	194.6	180	167	180	179.2	-14	-8
AM (7-10h) Weekday Route 272 EB	186.6	175	155	167	169.8	-17	-9
IP (10-16h) Weekday Route 272 EB	185.2	178	170.7	180	174.8	-8	-6
PM (16-19h) Weekday Route 272 EB	224.8	190	171.3	192	198	-24	-12
7-19h Weekday Route 272 WB	200.0	180	168	188	183	-16	-8
AM (7-10h) Weekday Route 272 WB	191.4	179	165	182	174.5	-14	-9
IP (10-16h) Weekday Route 272 WB	186.6	174	165.7	185	174.8	-11	-6
PM (16-19h) Weekday Route 272 WB	237.4	195	176.3	200	207.5	-26	-13
<i>IVT = in-vehicle time</i>							

Appendix B: Fisher's Lane traffic data comparison.

Summary	Direction 1 North Bound				Direction 2 South Bound			
	Total Vehicles	Of which cycles	Average speed	85%ile Speed	Total Vehicles	Of which cycles	Average speed	85%ile Speed
Thur 21/11/2019	2375	91	18.0	22.9	5082	116	19.5	22.8
Fri 22/11/2019	2984	92	17.2	21.9	5542	105	18.2	21.8
Sat 23/11/2019	2393	81	17.2	21.5	4662	81	18.5	22.0
Sun 24/11/2019	1712	59	17.9	22.5	3672	80	19.1	22.6
Mon 25/11/2019	2126	132	17.6	22.0	4617	136	19.3	22.8
Tue 26/11/2019	2110	105	17.1	22.0	4849	122	18.7	22.3
Wed 27/11/2019	2732	77	16.6	21.4	5368	125	18.1	21.8
Week Total	16432	637	17.3	22.0	33792	765	18.7	22.3

Summary	Direction 1 North Bound				Direction 2 South Bound			
	Total Vehicles	Of which cycles	Average speed	85% Speed	Total Vehicles	Of which cycles	Average Speed	85% Speed
Fri 16/10/2020	876	294	16.6	22.4	1013	287	17.6	23.8
Sat 17/10/2020	784	241	16.4	22.2	737	237	17.2	23.9
Sun 18/10/2020	578	168	16.8	22.6	565	180	17.3	23.8
Mon 19/10/2020	769	257	16.7	22.3	740	277	16.8	23.5
Tue 20/10/2020	728	273	16.3	21.5	775	282	16.9	23.2
Wed 21/10/2020	599	147	16.2	21.4	686	160	17.3	22.7
Thu 22/10/2020	755	290	16.1	21.4	803	288	16.9	23
Week Total	5089	1670	16.4	21.9	5319	1711	17.2	23.5

Cycles: The numbers have roughly trebled between 2019 and 2020 increasing from 1400 to 3400 (21 Oct was wet, which is probably the so the figure didn't quite treble over the whole week). Some of this increase will be because the 2019 survey was done in November instead of October.

Traffic speeds: Mean speeds have gone down, probably due to the higher proportion of cycles. The 85th percentile speed has increased southbound. This may be due to meeting traffic the other way less frequently.

Motor traffic volume: The northbound volume has dropped by nearly 80% (15800 to 3400), and the southbound (from a much higher starting point) by more than 90% (33000 down to 3600). There is still slightly more southbound motor traffic than northbound. The recorded traffic volume is equivalent to around 6000 contraventions a week

Fisher's Lane closure to motor traffic except buses – response to public concerns

Introduction

In July 2020, as part of its response to the COVID pandemic, Ealing Council closed Fisher's Lane in Southfield Ward to all motor traffic, except buses. The closure was implemented using an Experimental Traffic Order (ETO) which allows for an initial six-month consultation period. At the end of this period, feedback from residents and others is included in a review of the scheme.

Southfield Ward Councillors organised a resident survey in October 2020. Details of the survey method are unknown, but it is assumed that the survey was publicised locally via websites and social media and the responses collected on-line.

809 responses were analysed, excluding responses from outside the ward, multiple responses from the same address, and responses received after the 11 Oct cut-off. Grand total number of responses up to 25 October was 1213. Given that there are an estimated 6000 households in Southfield ward this represents a response rate of around 13%.

Responses to results of survey carried out by Ward Councillors in October 2020

- **Seventy-four percent of respondents said they were against the changes to Fisher's Lane.**

There is often resistance to change and none more so than when it involves changes that have a direct effect on peoples travel choices. It is worth noting though that at the time of the survey, Turnham Green Terrace was also closed. This would have contributed to some localised congestion in the area. Subsequently Turnham Green Terrace has been re-opened to traffic and is expected to stay that way.

- **All groups (totalling sixty-eight percent) said they have seen things getting worse since the changes were made by Ealing Council.**

It's not clear what 'things' this statement refers to, so it is difficult to respond directly. The comments above regarding the timing of the survey and the situation at Turnham Green Terrace applies here also.

The council is analysing all available data, and commissioning surveys to gather more, to understand the exact effect of the Fisher's Lane restriction on traffic volume, congestion and journey times. This takes time, and data gathered during lockdown are unlikely to be representative, which means surveys planned for this month will have to be delayed.

- **Eighty-nine percent wanted Ealing Council to have consulted them before making the changes.**

The Streetspace Programme required that schemes were implemented quickly to offset the reduction in public transport capacity brought about by the need for social distancing and to provide safe and attractive alternatives to the private car. Changes to Fisher's Lane were already under consideration prior to lockdown, but the scheme needed to be introduced quickly after Hounslow closed Turnham Green Terrace, to avoid the road being overwhelmed with diverted

traffic. In common with other schemes implemented with experimental traffic orders (ETOs) there is a consultation and monitoring period after implementation. Consultation is arguably more meaningful when people can see actual, rather than predicted, effects of a change.

- **Thirteen percent of people say they have been encouraged to cycle or walk more often.**

This is encouraging but it is not clear if this is related to the Fisher's Lane changes or other factors.

- **Eighty-two percent of respondents felt that the signage is inadequate.**

The signage has been increased from its initial level. Ealing Parking Services have agreed that signage is adequate for enforcement, without significant risk of penalties being cancelled on appeal. The number of private motor vehicles using the road declined to a fraction of its original level when the restriction was imposed, suggesting that most people saw the signs. The number has declined further since the camera was installed.

It is noted that many drivers rely on satellite navigation rather than signs, and it takes time for Satnav companies to update their data – nevertheless drivers should be paying attention to the road ahead and arguably this should not be an issue for local residents on familiar roads.

- **Seventy-nine percent of respondents have not seen enforcement cameras when driving in the area.**

An enforcement camera was installed in November 2020 to record southbound violations of the Fisher's Lane restriction. This was initially used to issue warning notices, but penalty charges have been issued since 7 December 2020.

- **Sixty-seven percent want enforcement cameras to be present and clear for drivers.**

As above. Regulations do not require advance warning of enforcement cameras for this restriction.

- **Forty-nine percent of respondents would like to attend a virtual public meeting to discuss this topic with a Council officer.**

Council officers have provided briefings to Ward Councillors at regular intervals during the last six months and have responded to other enquiries as required. In addition, information has been available on the Council's website.

- **Most respondents who were in favour of the Fisher's Lane scheme said they walk or cycle more often, but it can be seen that 42% of those who now cycle or walk more often, prefer not to travel using those modes.**

This would seem to underline the need for safe, high quality pedestrian and cycle facilities.

- **Of the four alternatives, respondents were only interested in the option where Fisher's Lane and Turnham Green Terrace were opened up as one-way streets: Fisher's Lane southbound and Turnham Green Terrace northbound.**

Making Fisher's Lane and Turnham Green Terrace one-way in opposite directions is not a practical option, as many vehicles cannot use Fisher's Lane, and the connecting roads south of the railway are not suitable for heavy traffic.

- **Eighty percent of respondents want to see a review of the scheme take place as soon as possible or within the next few weeks.**

The scheme was implemented in late July 2020 and the six months consultation for the ETO expires in January 2021. Interim traffic surveys undertaken in October 2020 showed that cyclist numbers had increased by two to three times pre-pandemic levels., however a reliable before/after comparison may only be possible once road traffic returns to more normal levels.

Further responses to comments received on the scheme, both via the survey and direct

The total number of individual responses to the scheme received either via the Councillor survey or via other means totals 950. The great majority come from the councillors' survey, in which about 500 respondents made one or more comments, for a total of 818 comments. Responses received in other ways included a further 132 comments. The total also included 52 positive responses supporting the scheme (with 49 of these in the Councillor's survey).

The biggest concerns of residents (in terms of the number of responses received) were as follows:

1. Delays to motor traffic, increased congestion and pollution.
2. Anticipated effect on local shops and delivery services.
3. Enforcement (the survey was carried out pre-enforcement)
4. Lack of consultation
5. Impacts on surrounding roads e.g. rat running, reduced safety etc

The text of all comments made in survey responses has been reviewed and combined giving a total of over 40 separate concerns raised by residents. The points are listed in descending order of the total number of people who made them. Comments only made by a single respondent may not be included. Numbers in brackets in the headings below are the number of comments received in the Councillor survey, followed by the number received in other ways¹.

1. Delays to motor traffic, congestion, pollution (207 survey, 37 other)

There can be residual traffic delays for up to a year after changes are introduced while drivers adapt their journeys. The result of this is that initial congestion levels following a change do not give a good indication of the long-term effects, so enough time must be allowed to pass before considering reversal of measures. Experience shows that in most cases traffic levels settle down to a similar level as previously. This is because drivers who find any additional delay too long will seek alternative routes or mode of transport, until the level of delay reduces to a point that those who remain find acceptable.

The evidence gathered so far shows no increased congestion on South Parade and further surveys will be carried out once lockdown is over and traffic returns to near normal levels. There will always be occasional incidents and the roadworks in Acton Lane in October and November 2020 did cause problems, but have now finished.

2. Opposition to scheme, reasons not stated (84, 10)

Both Ealing and Hounslow have policies to promote walking and cycling, and to improve conditions for pedestrians and cyclists. They are also legally required to facilitate movement of traffic, including pedestrian and cycle traffic.

¹ Other ways" includes direct email, emails to COVIDtransport and TrafficNotices in-boxes and paper letters.

3. Effect on small business, especially shops and delivery services (68, 12)

Experience in Waltham Abbey and elsewhere shows that improving pedestrian and cycle access to local high streets produces an overall increase in trade. As far as delivery services are concerned these will simply adapt their journeys to take account of the change at Fisher's Lane. Services are in general provided outside of peak hours and are therefore unlikely to suffer from additional delay.

It is worth noting that there is scope for a high proportion of delivery work to be done by bicycle, e-bike, or freight bike, all of which are allowed through Fisher's Lane. There are already companies in London that offer this service, and their market is expanding fast.

4. Delays to journeys for those who can't walk or cycle for various reasons (54, 7)

We do not seek to prevent necessary car and van travel. Once the changes have settled down, traffic speeds are expected to be similar to before, but at lower volume. Those who need to drive will do so as they do now. Where journeys distances increase, for example to and from the doctor's surgery on Dolman Road, it may be necessary to avoid travelling at peak times or allow extra time for the extra distance.

The change to Fisher's Lane is aimed at reducing the number of people who can't or won't cycle, by improving cycling conditions.

5. Messages of support (49, 3)

3 people emailed to support the scheme unconditionally, and 49 people supported it in responses to the councillors' survey.

6. More enforcement is needed (39, 8)

Immediately after the restriction was imposed on Fisher's Lane in July 2020, the level of motor traffic dropped significantly. In October, when we did some initial traffic counts, it was down by around 80% northbound, and by 90% southbound. However, this reduction (with about 6000 contraventions a week), was not enough for less confident cyclists to feel safe on the road. An enforcement camera was therefore brought into operation on 7 December, producing a further reduction in southbound contraventions to about 800 a week in January. This is being reviewed regularly, and additional enforcement will be done if necessary. Note though, that northbound enforcement is a matter for L.B. Hounslow.

7. Not enough consultation (35, 9)

The opportunity to undertake pre-implementation consultation was limited, due to the requirements of the London Streetspace Programme to implement schemes quickly. Since implementation, there has been continuous consultation, and some changes made, for example additional signs. There will be a full-scale review before the temporary traffic order expires, but this cannot fairly be done until the country comes out of lockdown. In the meantime, all feedback is captured and will be considered in future reviews of the scheme.

8. Status quo ante was fine (35, 1)

Motor traffic levels were very high for such a small road. Most cyclists did not feel safe, suppressing cycling in the area. The motor traffic levels were higher than TfL now permits for signed cycle routes without segregation. Since there is no possible space for cycle segregation on this road, the only options were reduction of motor traffic or diversion of the route via paths on Chiswick

Common to Turnham Green Terrace, which would make the route much longer and less attractive for north-south cyclists.

9. The change has worsened cycling conditions on other nearby roads (29, 0)

This may be true of South Parade in the short term, due to increased congestion there. But the scheme should eventually reduce motor traffic volumes, which will benefit cyclists in the whole area.

10. Make Fisher's Lane one-way instead of closing it both ways (21, 5)

If this were done, cyclists would continue to be allowed through both ways. While the road is wide enough for a motor vehicle and a cyclist to pass in opposite directions, it needs to be done carefully and at low speed. It is possible to instruct bus drivers to do this, but not random drivers who know they will not meet a motor vehicle. Similarly, there is no room to overtake a cyclist safely under the bridge, but some drivers would try. The overall result would be cycling conditions nearly as bad as they were before, and the additional cyclists seen since the closure would stop coming.

Change has increased rat-running and speeding on other nearby roads (20, 3)

This will be kept under review. There was a general increase in speeding during the first lockdown due to reduced traffic levels. We have information on motor traffic speeds and volumes on various roads in the area from before the first lockdown. These roads can be resurveyed, and action taken if traffic speeds and/or volumes have increased significantly. As stated above, overall motor traffic volume is expected to reduce as people adapt to the changes.

11. Unclear signage (22, 1)

The signage is adequate and conforms with regulations. Drivers were initially disobeying the restriction due to lack of enforcement.

No benefit, and/or some dis-benefit for pedestrians (21, 1)

There are no significant dis-benefits to pedestrians. The scheme should improve conditions for pedestrians, by reducing the number of cyclists who only feel safe using the footway to go through Fisher's Lane. If the closure is made permanent, there may be opportunities to make the carriageway a shared space for pedestrians, cyclists and buses, or to widen the footway – though that would be very expensive.

12. No increase in cycling (12, 5)

Our before and after traffic surveys show that in October 2020 the number of cyclists using Fisher's Lane was 2.5 times the number in November 2019, except on one day when it rained all day. This was at a time when there were still 6000 motor vehicles per day driving through illegally. With the further reduction in motor traffic due to enforcement, cycling numbers are expected to rise further.

13. Re-open Turnham Green Terrace to through traffic (14, 1)

Of the two roads, Turnham Green Terrace is the more suited to heavy traffic. It has now been re-opened, and is expected to remain so – although this is a matter for LB Hounslow. Future traffic surveys, once traffic levels are more representative, will allow us to monitor the effect of Fisher's Lane being closed with Turnham Green open.

14. Closure causes delays to buses (13, 2)

We have iBus data for the two routes affected, the 94 and 272, between October 2019 and November 2020 inclusive, and there is no noticeable impacts on bus journey times.

For route 94, journey times were longer in August to November 2020 than April to June, but were still quicker than before the first lockdown. This may be partly due to lower passenger numbers, but the closure has not caused serious delays.

For route 272, which use Fisher's Lane, the pattern is similar, but journey time improvements are slightly better, and most likely to be partly due to the closure to general traffic. The figures might have been better still with fewer motorist contraventions of the closure.

15. Delays to emergency vehicles (6, 3)

At the request of the police, the traffic order and associated signage was amended to allow emergency vehicles to use Fisher's Lane, which gives them a way to avoid any congestion on other roads. This should more than offset any delays from traffic queueing on South Parade and Acton Lane.

16. Unnecessary, or no benefit for cyclists (7, 2)

See answers 8 and 14.

17. General complaints about pavement cycling and scooting (4, 4)

The benefits of cycling to the individual and society are so large that it is counter-productive to do anything to discourage it. But that doesn't give cyclists the right to endanger pedestrians. Priorities are to improve cycling conditions on-carriageway, to educate cyclists on how to ride with traffic and in pedestrian areas, and to dispel the myth that cycling is dangerous.

18. Re-phase traffic signals on the High Road (7, 1)

This may be necessary as a result of changed traffic patterns resulting from the closure. It will be considered if the Fisher's Lane closure is made permanent.

19. Fisher's Lane is flooded, so unusable by cyclists (8, 0)

This has been reported for gully-cleaning. It is not a permanent problem.

20. Buses still going through - means it's still not good for cyclists (5, 2)

There are only 6-8 buses an hour and the effect on cyclists' safety is considered to be very small. The benefit to bus passengers of letting buses use the road is considered to outweigh the minor deterrence of cycling. Bus drivers are professionals who are trained to be aware of the correct behaviour to keep cyclists safe.

21. Allow access for residents, and/or at school run times (5, 2)

Both would completely remove the benefit to cyclists of the closure to general traffic. We particularly want to encourage cycling to/from school along Fisher's Lane, so school run times are the most important times to keep general traffic out.

22. Insufficient justification for the change (5, 2)

See most of the answers above.

23. Criteria for success need to be clearly stated (4, 2)

The main criterion for success is an increase in cycling in the area, in particular along Fisher's Lane, as measured by before and after traffic surveys. This should be accompanied by no increase in cycle casualties (which would mean a reduction in the casualty rate), and (after the initial period) no major increase in motor traffic volume or congestion on nearby roads.

Whilst the criteria listed above are important locally and ultimately quantifiable, there are other broader aims which also have to be taken into account. We know for example that an increase in active travel i.e. walking and cycling is good, both for individual health and the wider environment and these objectives are supported at local and national government level.

24. Any review will be invalid until conditions are more normal (5, 0)

Comparison against pre-pandemic traffic levels is not something that is likely to be achievable for some time and may well be complicated by other confounding factors such as a potential long-term increase in home working and a reluctance to return to public transport.

Environment in Turnham Green Terrace needs to be improved (5, 0)

This is a matter for LB Hounslow. Major changes cannot be made until and unless a scheme is made permanent.

25. Undemocratic (2, 2)

The arrangements for COVID-related schemes required quick implementation, and it was important not to leave Fisher's Lane open after Turnham Green Terrace was closed, to prevent Turnham Green traffic diverting to Fisher's Lane. As promised, there has been a long consultation period since implementation.

26. Buses not a viable alternative for everyone during a pandemic (0, 4)

We accept this. The diversion route for general motor traffic is not too long now that Turnham Green Terrace has reopened, and the changes are expected to discourage unnecessary car journeys, freeing up road space for necessary ones.

27. If Turnham Green Terrace closed, no need / essential to close Fisher's Lane (4, 0)

Two opposing views, both superseded by the reopening of Turnham Green Terrace.

28. Money-making scheme (4, 0)

A light-touch has been used for enforcement, with no penalty charges issued until the scheme had been live for more than 4 months. With stricter enforcement, the council could have been making a lot of money, but has not done this.

29. Consider a wider area (3, 0)

The review will consider the effect of the closure on traffic in the wider area, not just Fisher's Lane itself.

30. Allow taxis and private hire vehicles through Fisher's Lane (3, 0)

While we appreciate the value of taxis and private hire vehicles to those who have no access to a private car, they are very numerous. Allowing them through would remove almost all the benefit for cyclists.

31. Suggestions of alternatives, keeping Fisher's Lane closed (3, 0)

The main one is to keep Turnham Green Terrace open, which has now happened.

32. Should build segregated cycle infrastructure (2, 0)

Closing the road to general motor traffic makes it virtually cycles only. This is a very high level of service for cyclists. A segregated cycle route on Turnham Green Terrace or Acton Lane would be expensive, and offer a worse level of service, due to junctions and frontage activity.

33. Requests for extra zebra crossings on South Parade (2, 0)

Can be considered on their merits, but not in the scope of the present scheme.

34. Review delayed (0, 2)

See answer 26.

35. No benefit for social distancing (1, 1)

This is largely true, but was not an objective of the scheme. Enabling more people to cycle helps reduce the number of people needing to use public transport. Some runners now use the carriageway in Fisher's Lane instead of the footway.

36. Widen Fisher's Lane (1, 0)

This would be prohibitively expensive and take many years to achieve. And it would be even harder to increase the headroom.

37. Add a second footway under the bridge (1, 0)

This would have to be narrow. Better to widen the existing footway, if anything.

38. Lift restriction when there are other problems in the area (1, 0)

This will be considered, as and when necessary, in the same way as bus lanes are sometimes temporarily opened to other traffic.

39. Propose peak time only restrictions (1, 0)

This would reduce the benefit to cyclists without benefiting drivers much. But not totally ruled out.

Colin McKenzie

January 2021

Equalities Analysis Assessment	
EAA Title	Fisher's Lane Full Closure - January 2021 Update
Please describe your proposal?	Implementation of an experimental Cycleway as part of the Acton-Chiswick Cycleway using temporary materials
Is it HR Related?	No
Corporate Purpose	Officer decision 9

1: Introduction
<p>This Equalities Analysis Assessment (EAA) is for a full road closure on Fisher's Lane between South Parade and Chiswick Common Rd to all traffic except buses, emergency vehicles and cycles.</p> <p>The Fisher's Lane cycleway closure is an update to the EAA published with the Officer Decision which recorded the making of the Experimental Traffic Order (ETO) on 23rd October 2020.</p> <p>An EAA is a living document, ensuring the Council has a continuing consideration of its public sector equality duty, and should be reconsidered if new information comes to light or when any significant changes are made to the scheme it is assessing. The updated EAA is undertaken as part of the decision-making process of a new ETO being created as changes are being made to the operation of the Cycleway, namely:</p> <ul style="list-style-type: none"> • An exemption for buses, cycles and emergency vehicles. • An exemption for blue badge holders to enable them to drive through the close section of Fisher's Lane. • An exemption for Council authorised vehicles transporting people with a mobility impairment.

2: Proposal Summary information
<p>2a: What is the Scheme looking to achieve? Who will be affected?</p> <p>Cycleways are routes that link communities, businesses and destinations across London in one cycle network with designated cycle and shared lanes to improve access for cyclists and other sustainable form of travel. To close sections of road or junctions, features such as cameras, signs and lines are placed strategically to remove through routes whilst still allowing vehicle access to all properties for residents living within the section of the road closed.</p> <p>Closing Fisher's Lane between South Parade and Chiswick Common Road make it harder or impossible to drive through the area from one main road to the next. Road closures are intended to reduce through traffic or "rat-running" through residential neighbourhoods by closing roads to vehicular through traffic. By restricting through traffic on narrow dangerous roads to motorists encourages walking and cycling.</p> <p>More information is available at: https://londonlivingstreets.com/low-traffic-liveable-neighbourhoods/</p> <p>A plan of the area of this road closure is attached as appendix B.</p> <p>There is no property within the closed section of the road. However, residents or business vehicles and deliveries) may be less affected than previously, depending upon the origin/destination.</p> <p>The schemes are being implemented using funding from the London Streetspace Plan (LSP), which is a central Government fund (administered by TfL) in response to the COVID emergency. There is a concern from Government that vehicular based travel is expected to increase as lockdown restrictions</p>

eases and public transport remains at reduced capacity due to social distancing. This would result in more traffic looking to rat run to avoid queues on main roads.

Cycleways form part of the council's approach to make Ealing a great and healthy place to live, as by strategically closing streets it makes the journeys for those that were using the street as a cut through, more difficult.

Schemes are being implemented using temporary materials and utilise an Experimental Traffic Order (ETO) which can stay in force for up to 18 months prior to the decision on whether to make them permanent or not. This allows for monitoring of impacts and changes to the scheme to be made where adverse impacts become apparent.

2b: What will the impact of your proposal be?

The biggest impact will be on the residents and businesses in close proximity to the road closure although those drivers from other areas that use the link road under the railway as a through road, short cut or "rat run" will also be impacted.

Whilst access to all properties in close proximity will be maintained, the impact will be in terms of potential additional time required to make a vehicular journey. This is expected to be in the form of additional time taken to complete journeys as some residents may need to take a longer route if their destination is on the far side of the closed road. In addition, there may be some minor delays from some additional traffic that is expected on the boundary roads in the first instance as drivers get used to the new road closure and the scheme "settles in". This is anticipated to be approximately 5 to 10 minutes in normal circumstances. Walking, buses, emergency vehicles and cycle journeys will not be affected.

There is concern that by reducing routes available that the boundary roads will not be able to cope with the additional traffic. However, evidence from LTNs previously implemented elsewhere shows that after a settling in period, traffic disperses and the additional volumes of traffic on the boundary roads is small. <https://www.livingstreets.org.uk/media/3844/lcc021-low-traffic-neighbourhoods-detail-v9.pdf>

According to Sustrans (a charity dedicated to promoting walking and cycling), Low Traffic Neighbourhoods have also been shown to have other impacts including:

- increase physical activity through more walking and cycling
- benefit local businesses
- create new public space
- deliver improvements to air quality

<https://www.sustrans.org.uk/for-professionals/infrastructure/an-introductory-guide-to-low-traffic-neighbourhood-design/an-introductory-guide-to-low-traffic-neighbourhood-design-contents/design-guide/all/1-making-the-case-for-a-low-traffic-neighbourhood>

Improving air quality will have positive impacts for all residents along cycleways.

Access will be maintained for emergency vehicles through Automatic Number-plate Recognition (ANPR). The emergency services have been consulted and some schemes have been updated based on their feedback including using cameras instead of bollards at some junctions.

Consideration of any potential impacts on protected groups are embedded in the Council's design processes for Highways schemes. The qualified engineers who undertook the design use National and Regional guidance and standards including the Manual for Streets (DfT), Traffic Signs Regulations and General Directives (DfT) and Streetscape Guidance (TfL). Should any significant impact on any protected group become apparent, then a more detailed analysis would be initiated.

3: Impact on Groups having a Protected Characteristic

AGE: A person of a particular age or being within an age group.

Positive, no additional impact and negative impact

Describe the Impact

CONSTRUCTION

Construction is using temporary signs and lines, therefore, is quick (usually within a single day) and involves no significant noise or obstruction. The impact is, therefore considered to be **neutral**.

OPERATION

If a particular person is wholly or mostly dependent on car or vehicular travel (e.g. older people with a significant mobility impairment), the operation of the finished scheme may generate a **low negative impact** initially. This is expected to be in the form of additional time taken to complete journeys as some residents may also need to take a longer route if their destination is on the far side in order to avoid the road closures. The exemption for blue badge holders to register one vehicle¹ within the LTN they live, will reduce the number of people impacted and mean that any time impact will be reduced even further for these people.

In addition, there may be some minor delays from some additional traffic that is expected on the boundary roads, in the first instance, as drivers get used to the new road layout and the scheme “settles in”. This is anticipated to be approximately 5 to 10 minutes in normal circumstances. Walking, buses, emergency vehicles and cycling journeys will not be affected.

Once the scheme has settled in, any negative impact is expected to reduce as traffic patterns return towards the previous levels as expected, therefore, for some journeys it is expected to be **low negative** and others are expected to have **no additional impact** depending upon the origin/destination of the journey and whether the quickest route prior to implementation was through a road closure. However, it needs to be re-stated that access to all residents will continue even after the road closures, so impact is limited.

The impact on children is expected to be **low positive**. Road safety in the residential area is expected to be improved with lower traffic volumes allowing more walking and cycling in the area.

For those who are able to walk and cycle and choose to utilise active travel modes, the scheme is expected to be **positive**. The expected reduction in traffic in the residential area is expected to make it more conducive to walking and cycling with an associated lower road safety risk.

Some residents within road closures will require carers or similar external help. An unknown number of carers will need to change the route of their journey to/from the residence and it may be longer than before implementation, however access to all properties is maintained, so the impact is not expected to be significant. The exemption for Council authorised vehicles transporting people with a mobility impairment will reduce the number of people on whom there is an impact.

Known Establishments in close proximity to this Road Closure

The following is a list of establishments within this Cycleway upon which there may be an impact.

- The Bedford Park Surgery, South Parade
- Acton Lane Medical Centre, Acton Lane
- Chiswick Family Practice, Southfield Road
- St Peters Parish Hall, Southfield Road
- The London Buddhist Vihara, The Avenue
- Orchard House School, Newton Grove
-

¹ The process for registering vehicles will be kept under review

Note: it is recognised that additional establishments may also exist.

Describe the Mitigating Action

Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.

Continue to liaise with emergency services to identify any issues.

Ensure residents are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.

DISABILITY: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities².

Positive, negative and no additional impacts

Describe the Impact

CONSTRUCTION

Construction is using temporary signs and lines, therefore, is quick (usually within a single day) and involves no significant noise or obstruction. The impact is, therefore considered to be **neutral**.

No further intrusive construction is required as a result of the proposed changes

OPERATION

No street furniture will be placed on the footway or block any desire lines at junctions, therefore, operation of the implemented scheme would have **no additional impact** for visually impaired people.

If a particular person is wholly or mostly dependent on car or vehicular travel (e.g. a person with a significant mobility impairment or wheelchair users), the operation of the finished scheme may generate a **low negative impact** initially. This is expected to be in the form of additional time taken to complete car journeys as there may be some minor delays as drivers get used to the new road layout and the scheme "settles in". The exemption for blue badge holders to register one vehicle³ within the LTN they live, will reduce the number of people impacted and mean that any time impact will be reduced even further for these people.

Once the scheme has settled in, the impact is expected to reduce as traffic patterns return towards the previous levels as expected, therefore, for some journeys it is expected to be **low negative** and others is expected to be **no additional impact** depending upon the origin/destination of the journey and whether the quickest route prior to implementation was through a road closure. However, it needs to be re-stated that access to all residents will continue even after the road closures, so impact is limited.

Operation of the implemented scheme is likely to generate a **slight positive impact** on an unknown number of people with breathing difficulties if traffic volumes within the residential area reduce and traffic volumes on the boundary roads remain broadly similar to pre-COVID volumes as expected due to reduced air pollution.

Operation of the finished scheme is likely to generate a **positive impact** on an unknown number of pedestrians and cyclists with mobility issues due to reduced traffic volumes making for a more pleasant, safer walking and cycling environment.

Some residents in close proximity to road closures require carers or similar external help. An unknown number of carers may need to change the route of their journey to/from the residence and it will be

² Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

³ The process for registering vehicles will be kept under review

longer than before implementation, so the impact is not expected to be significant. The exemption for Council authorised vehicles transporting people with a mobility impairment will reduce the number of people on whom there is an impact.

Known Establishments in close proximity to this Road Closure

The following is a list of establishments within this Cycleway upon which there may be an impact.

- The Bedford Park Surgery, South Parade
- Acton Lane Medical Centre, Acton Lane
- Chiswick Family Practice, Southfield Road
- St Peters Parish Hall, Southfield Road
- The London Buddhist Vihara, The Avenue
- Orchard House School, Newton Grove

Note: it is recognised that additional establishments may also exist.

Describe the Mitigating Action

Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.

Ensure residents and establishments are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.

GENDER REASSIGNMENT: *This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.*

No additional impact

Describe the Impact

There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.

Known Establishments surrounding this road closure

There are no known establishments near this road closure upon which there may be an impact, although it is recognised that some may exist.

Describe the Mitigating Action

Not applicable.

RACE: *A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.*

Positive impact

Describe the Impact

<p>According to Public Health England, there has been clear evidence that the BAME population has been more adversely affected by Covid-19 than the general population as a whole. https://www.gov.uk/government/publications/covid-19-understanding-the-impact-on-bame-communities . There are a number of underlying reasons attributed to this including health, greater poverty and greater percentages than average as key workers who have continued to travel to their workplace during the Covid-19 pandemic.</p> <p>Improvements in air quality and enhancing the ability of people to walk and cycle safely may therefore have a slight positive impact on the health of the BAME population.</p>
<p>Known Establishments in close proximity to this Road Closure</p>
<p>The following is a list of establishments within this road closure upon which there may be an impact.</p> <ul style="list-style-type: none"> • The London Buddhist Vihara, The Avenue <p>Note: it is recognised that additional establishments may also exist.</p>
<p>Describe the Mitigating Action</p>
<p>Not applicable.</p>

<p>RELIGION & BELIEF: <i>Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.</i></p>
<p>Low Negative Impact</p>
<p>Describe the Impact</p> <p>Some of the LTNs contain religious buildings. Therefore, if an attendee is wholly or mostly dependent on car or vehicular travel (e.g. a person with a significant mobility impairment or wheelchair users), the operation of the finished scheme may generate a low negative impact initially in the form of a slight increase in the time taken to get to the religious building by car depending on the origin of the journey. However, this is not specific to any religious belief so is covered more fully in the disability section of this EEA.</p>
<p>Known Establishments in close proximity to this Road Closure</p>
<p>The following is a list of establishments within this LTN upon which there may be an impact.</p> <ul style="list-style-type: none"> • St Peters Parish Hall, Southfield Road • The London Buddhist Vihara, The Avenue <p>Note: it is recognised that additional establishments may also exist.</p>
<p>Describe the Mitigating Action</p>
<p>Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.</p> <p>Ensure users of religious buildings are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.</p>

SEX: <i>Someone being a man or a woman.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.
Known Establishments in close proximity to this Road Closure
There are no known establishments within this LTN upon which there may be an impact, although it is recognised that some may exist.
Describe the Mitigating Action
Not applicable.

SEXUAL ORIENTATION: <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.
Known Establishments in close proximity to this Road Closure
There are no known establishments within this LTN upon which there may be an impact, although it is recognised that some may exist.
Describe the Mitigating Action
Not applicable.

PREGNANCY & MATERNITY: <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i>
Low Negative impact
Describe the Impact
This group may have a greater reliance on the car due to some potential reduced mobility issues. If a pregnant woman is wholly or mostly dependent on car or vehicular travel the operation of the finished scheme may generate a low negative impact initially. This is expected to be in the form of additional time taken to complete car journeys as there may be some minor delays as drivers get used to the new road layout and the scheme "settles in".

Known Establishments in close proximity to this Road Closure
<p>The following is a list of establishments within this road closure upon which there may be an impact.</p> <ul style="list-style-type: none"> • The Bedford Park Surgery, South Parade • Acton Lane Medical Centre, Acton Lane • Chiswick Family Practice, Southfield Road <p>Note: it is recognised that additional establishments may also exist.</p>
Describe the Mitigating Action
<p>Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.</p> <p>Ensure residents are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.</p>

<p>MARRIAGE & CIVIL PARTNERSHIP: <i>Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage</i></p> <p><i>Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.</i></p>
No additional impact
Describe the Impact
<p>There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.</p>
Known Establishments in close proximity to this Road Closure
<p>The following is a list of establishments within this LTN upon which there may be an impact.</p> <ul style="list-style-type: none"> • St Peters Parish Hall, Southfield Road • The London Buddhist Vihara, The Avenue <p>Note: it is recognised that additional establishments may also exist.</p>
Describe the Mitigating Action
<p>Not applicable.</p>

4: Human Rights⁴
<p>4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?</p> <p>Articles 1 and Article 8 of the Protocol to the European Convention of Human Rights (which are enshrined in the 1998 Act) confirm as follows:</p>

⁴ For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

Article 1 "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."

Article 8 "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others'.

To the extent that Articles 1 and/or 8 applies it is considered that the decision to introduce experimental traffic orders to create road closures is justified in the public interest given the anticipated positive outcomes outlined above.

4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?

No

4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?

Yes, the proposed Cycleway schemes have considered the accessibility issues for persons with disabilities to live independently. **This includes the identification and elimination of obstacles and barriers to accessibility.**

5: Conclusions and Data

5a: Conclusions

There are not expected to be any significant impacts on any groups with protected characteristics. All impacts will be closely monitored during the trial period and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.

5b. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

- Data available from Office of National Statistics
- Evidence from other LTN installations: <https://www.livingstreets.org.uk/media/3843/lcc021-low-traffic-neighbourhoods-intro-v8.pdf>

6: Action Planning:

(What are the next steps for the proposal please list i.e. when it comes into effect, when mitigating actions⁵ will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales	Lead Officer
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Set up and communicate a feedback mechanism	Allow residents, businesses and stakeholders to report any issues that may impact an equalities group	<ul style="list-style-type: none"> • COVID transport inbox open and receiving emails • Operate an online digital engagement platform 	<ul style="list-style-type: none"> • Immediately • Immediately 	Transport Planning Service
Letter regarding scheme to all properties	Allow residents to consider alternative modes or routes for journeys, advise deliveries etc.	<ul style="list-style-type: none"> • Delivery of letters 	Prior to making of new ETO	Highways
Implement monitoring regime	Scope, obtain or survey items for monitoring (e.g. traffic volumes, air quality, etc.)	<ul style="list-style-type: none"> • Collection of data, e.g. traffic data, AQ data, surveys of residents. Details to be published on LBE website when finalised. 	All data to be collected by end of ETO consultation and prior to any final decision	Transport Planning Service
Use of industry standards and guidelines in design	Minimise any negative impacts on any equalities group	<ul style="list-style-type: none"> • Undertake audit 	2 months after ETO published date	Highways
Consult with Emergency Services	Ensure awareness of the LTNs, mitigate any concerns, change designs if required. Continual monitoring on operations	<ul style="list-style-type: none"> • No on-going concerns raised by emergency services 	In accordance with statutory timeframes and prior	Highways
Consider all impacts on equalities group as part of the design	Avoid adding to removing elements which specifically and significantly negatively impact on any equalities group	<ul style="list-style-type: none"> • Undertake audit 	2 months after installation	Highways
Additional Comments: None.				

7: Sign off

Completing Officer Sign Off:	Service Director Sign Off:
Signed:	Signed:

<p>Name (Block Capitals): xxxxxxxxxxx</p> <p>Date: 25/1/21</p>	<p>Name (Block Capitals): Dipti Patel</p> <p>Date: XXX</p>
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Appendix A: Legal obligations under Section 149 of the Equality Act 2010:

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

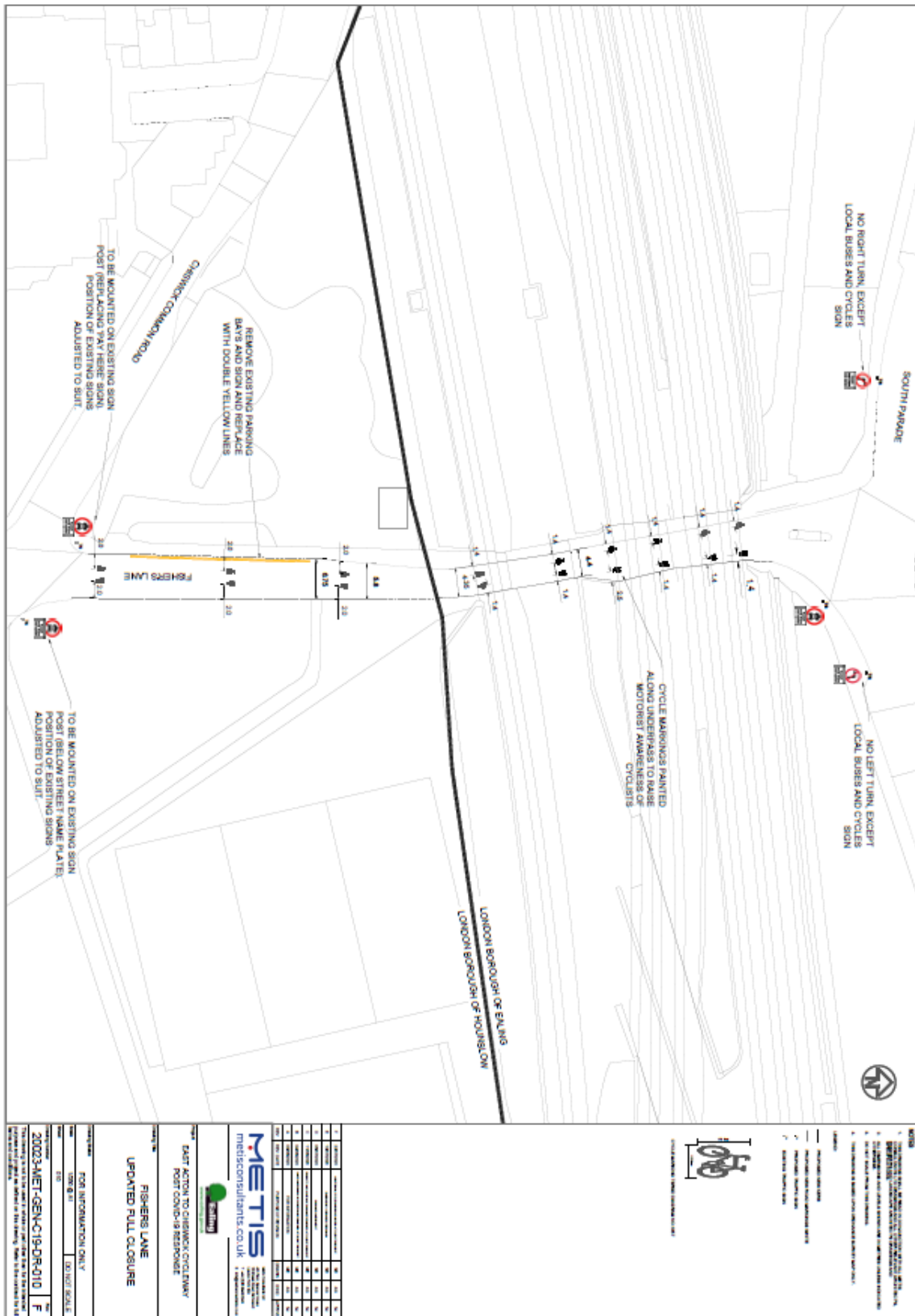
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP

- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.

- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

Appendix B: Plan of Fisher's Lane Closure



Equalities Analysis Assessment	
EAA Title	Church Road Low Traffic Neighbourhoods - January 2021 Update
Please describe your proposal?	Implementation of an experimental Low Traffic Neighbourhood at Northolt using temporary materials
Is it HR Related?	No
Corporate Purpose	Officer decision

1: Introduction
<p>This Equalities Analysis Assessment (EAA) is for Church Road Eastern Minor Road Northolt Low Traffic Neighbourhood (LTN) an update to the EAA published with the Officer Decision which recorded the making of the Experimental Traffic Order (ETO) on 23rd October 2020.</p> <p>An EAA is a living document, ensuring the Council has a continuing consideration of its public sector equality duty, and should be reconsidered if new information comes to light or when any significant changes are made to the scheme it is assessing. The updated EAA is undertaken as part of the decision-making process of a new ETO being created as changes are being made to the operation of the LTN, namely:</p> <ul style="list-style-type: none"> • An exemption for blue badge holders within the LTN that they live (subject to registration) from camera enforcement, to enable them to drive through their LTN road closures. • An exemption for Council authorised vehicles transporting people with a mobility impairment where there is camera enforcement. • Bollards, with camera enforcement, are replacing the current design <p>In addition, following feedback, there is now an individual EAA for each LTN, rather than one EAA covering all LTNs. This shall enable the Council to have due regard to all relevant material for a specific LTN through the decision-making process and prior to the consideration of any final Traffic Order.</p>

2: Proposal Summary information
<p>2a: What is the Scheme looking to achieve? Who will be affected?</p> <p>An LTN is a residential area, bordered by main roads (roads that are often used by buses, lorries and non-local traffic), where "through" motor vehicle traffic is discouraged or removed, while allowing access for pedestrians and cyclists. To close junctions, features such as cameras, planters and/or bollards are placed strategically to remove through routes whilst still allowing vehicle access to all properties for residents living within the LTN. LTNs make it harder or impossible to drive through the area from one main road to the next. LTNs are intended to reduce through traffic or "rat-running" through residential neighbourhoods by closing roads to vehicular through traffic. By reducing traffic in residential neighbourhoods this encourages walking and cycling.</p> <p>More information is available at: https://londonlivingstreets.com/low-traffic-liveable-neighbourhoods/</p> <p>A plan of the area of this LTN is attached as appendix B.</p> <p>All properties within the LTN will maintain access for vehicular traffic (e.g. residents' or a business's vehicles and deliveries), however, the route may be less direct than previously, depending upon the origin/destination.</p> <p>The schemes are being implemented using funding from the London Streetspace Plan, which is a central Government fund (administered by TfL) in response to the COVID emergency. There is a concern from Government that vehicular based travel is expected to increase as lockdown restrictions</p>

eases and public transport remains at reduced capacity due to social distancing. This would result in more traffic looking to rat run to avoid queues on main roads.

LTNs form part of the council's approach to make Ealing a great and healthy place to live, as by strategically closing a series of residential streets it makes the journeys for those that were using the street as a cut through, more difficult. Evidence from [Waltham Forest who introduced several LTNs saw that around 15 percent of non-local](#) traffic from LTNs disappeared entirely as the drivers adjusted their routes and behaviours. This led to a reported 90% reduction in household exposure to nitrogen dioxide after Waltham Forest Council installed over 40 filters in residential areas.

Schemes are being implemented using temporary materials and utilise an Experimental Traffic Order (ETO) which can stay in force for up to 18 months prior to the decision on whether to make them permanent or not. This allows for monitoring of impacts and changes to the scheme to be made where adverse impacts become apparent.

2b: What will the impact of your proposal be?

The biggest impact will be on the residents and businesses within or in close proximity to an LTN, although those drivers from other areas that use the residential roads as a through road, short cut or "rat run" will also be impacted.

Whilst access to all properties will be maintained, the impact will be in terms of potential additional time required to make a vehicular journey. This is expected to be in the form of additional time taken to complete journeys as some residents may need to take a longer route if their destination is on the far side of the LTN. In addition, there may be some minor delays from some additional traffic that is expected on the boundary roads in the first instance as drivers get used to the new road layout and the scheme "settles in". This is anticipated to be approximately 5 to 10 minutes in normal circumstances. Walking and cycling journeys will not be affected.

There is concern that by reducing routes available that the boundary roads will not be able to cope with the additional traffic. However, evidence from LTNs previously implemented elsewhere shows that after a settling in period, traffic disperses and the additional volumes of traffic on the boundary roads is small. <https://www.livingstreets.org.uk/media/3844/lcc021-low-traffic-neighbourhoods-detail-v9.pdf>

According to Sustrans (a charity dedicated to promoting walking and cycling), Low Traffic Neighbourhoods have also been shown to have other impacts including:

- increase physical activity through more walking and cycling
- benefit local businesses
- create new public space
- deliver improvements to air quality

<https://www.sustrans.org.uk/for-professionals/infrastructure/an-introductory-guide-to-low-traffic-neighbourhood-design/an-introductory-guide-to-low-traffic-neighbourhood-design-contents/design-guide/all/1-making-the-case-for-a-low-traffic-neighbourhood>

Improving air quality will have positive impacts for all residents in the LTN areas.

Access will be maintained for emergency vehicles through Automatic Number-plate Recognition (ANPR) cameras and with the use of "drop down bollards" opened with a standard key that emergency service vehicles carry. Keys have been offered to the emergency services to ensure all vehicles have keys. The emergency services have been consulted and some schemes have been updated based on their feedback including using cameras instead of bollards at some junctions.

Consideration of any potential impacts on protected groups are embedded in the Council's design processes for Highways schemes. The qualified engineers who undertook the design use National and Regional guidance and standards including the Manual for Streets (DfT), Traffic Signs

Regulations and General Directives (DfT) and Streetscape Guidance (TfL). Should any significant impact on any protected group become apparent, then a more detailed analysis would be initiated.

3: Impact on Groups having a Protected Characteristic

AGE: *A person of a particular age or being within an age group.*

Positive, no additional impact and negative impact

Describe the Impact

CONSTRUCTION

Construction is using temporary materials, therefore, is quick (usually within a single day per LTN) and involves no significant noise or obstruction. The impact is, therefore considered to be **neutral**.

No further intrusive construction is required as a result of the proposed changes

OPERATION

If a particular person is wholly or mostly dependent on car or vehicular travel (e.g. older people with a significant mobility impairment), the operation of the finished scheme may generate a **low negative impact** initially. This is expected to be in the form of additional time taken to complete journeys as some residents may also need to take a longer route if their destination is on the far side of the LTN in order to avoid the road closures. The exemption for blue badge holders to register one vehicle¹ within the LTN they live, will reduce the number of people impacted and mean that any time impact will be reduced even further for these people.

In addition, there may be some minor delays from some additional traffic that is expected on the boundary roads, in the first instance, as drivers get used to the new road layout and the scheme “settles in”. This is anticipated to be approximately 5 to 10 minutes in normal circumstances. Walking and cycling journeys will not be affected.

Once the scheme has settled in, any negative impact is expected to reduce as traffic patterns return towards the previous levels as expected, therefore, for some journeys it is expected to be **low negative** and others are expected to have **no additional impact** depending upon the origin/destination of the journey and whether the quickest route prior to implementation was through a road closure. However, it needs to be re-stated that access to all residents will continue even after the road closures, so impact is limited. No buses are routed through this LTNs.

The impact on children is expected to be **low positive**. Road safety in the residential area is expected to be improved with lower traffic volumes allowing more walking and cycling in the area. No buses are routed through this LTNs.

For those who are able to walk and cycle and choose to utilise active travel modes, the scheme is expected to be **positive**. The expected reduction in traffic in the residential area is expected to make it more conducive to walking and cycling with an associated lower road safety risk.

Some residents within an LTN require carers or similar external help. An unknown number of carers will need to change the route of their journey to/from the residence and it may be longer than before implementation, however access to all properties is maintained, so the impact is not expected to be significant. The exemption for Council authorised vehicles transporting people with a mobility impairment will reduce the number of people on whom there is an impact.

¹ The process for registering vehicles will be kept under review

<p>Known Establishments within this LTN</p> <p>The following is a list of establishments within this LTN upon which there may be an impact.</p> <ul style="list-style-type: none"> • Northolt Village Community Centre, Ealing Road • Northolt Village Memorial Hall, Ealing Road • Goddard Veterinary Group, Mandeville Road • Mandeville Medical Centre, Mandeville Road • M Gokani Chemist, Church Road • Saint Bernard’s Roman Catholic, Mandeville Road • St Marys C of E Church, Ealing Road <p>Note: it is recognised that additional establishments may also exist.</p>
<p>Describe the Mitigating Action</p> <p>Impacts will be closely monitored, and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.</p> <p>Continue to liaise with emergency services to identify any issues.</p> <p>Ensure residents are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.</p>

<p>DISABILITY: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities².</p>
<p>Positive, negative and no additional impacts</p>
<p>Describe the Impact</p> <p>CONSTRUCTION</p> <p>Construction is using temporary materials, therefore, is quick (usually within a single day per LTN) and involves no significant noise or obstruction. The impact is, therefore considered to be neutral.</p> <p>No further intrusive construction is required as a result of the proposed changes</p> <p>OPERATION</p> <p>No street furniture will be placed on the footway or block any desire lines at junctions, therefore, operation of the implemented scheme would have no additional impact for visually impaired people.</p> <p>If a particular person is wholly or mostly dependent on car or vehicular travel (e.g. a person with a significant mobility impairment or wheelchair users), the operation of the finished scheme may generate a low negative impact initially. This is expected to be in the form of additional time taken to complete car journeys as there may be some minor delays as drivers get used to the new road layout and the scheme “settles in”. The exemption for blue badge holders to register one vehicle³ within the LTN they live, will reduce the number of people impacted and mean that any time impact will be reduced even further for these people.</p> <p>Once the scheme has settled in, the impact is expected to reduce as traffic patterns return towards the previous levels as expected, therefore, for some journeys it is expected to be low negative and others is expected to be no additional impact depending upon the origin/destination of the journey and</p>

² Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

³ The process for registering vehicles will be kept under review

whether the quickest route prior to implementation was through a road closure. However, it needs to be re-stated that access to all residents will continue even after the road closures, so impact is limited.

Operation of the implemented scheme is likely to generate a **slight positive impact** on an unknown number of people with breathing difficulties if traffic volumes within the residential area reduce and traffic volumes on the boundary roads remain broadly similar to pre-COVID volumes as expected due to reduced air pollution.

Operation of the finished scheme is likely to generate a **positive impact** on an unknown number of pedestrians and cyclists with mobility issues due to reduced traffic volumes making for a more pleasant, safer walking and cycling environment.

Some residents within an LTN require carers or similar external help. An unknown number of carers may need to change the route of their journey to/from the residence and it will be longer than before implementation, however access to all properties is maintained, so the impact is not expected to be significant. The exemption for Council authorised vehicles transporting people with a mobility impairment will reduce the number of people on whom there is an impact.

Known Establishments within this LTN

The following is a list of establishments within this LTN upon which there may be an impact.

- Northolt Village Community Centre, Ealing Road
- Northolt Village Memorial Hall, Ealing Road
- Goddard Veterinary Group, Mandeville Road
- Mandeville Medical Centre, Mandeville Road
- M Gokani Chemist, Church Road
- Saint Bernard's Roman Catholic, Mandeville Road
- St Marys C of E Church, Ealing Road

Note: it is recognised that additional establishments may also exist.

Describe the Mitigating Action

Impacts will be closely monitored, and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.

Ensure residents and establishments are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.

GENDER REASSIGNMENT: *This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.*

No additional impact

Describe the Impact

There is no clear evidence, data, or rationale to expect that these works will have a differential impact on people with this characteristic.

Known Establishments within this LTN

There are no known establishments within this LTN upon which there may be an impact, although it is recognised that some may exist.

Describe the Mitigating Action
Not applicable.

RACE: *A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.*

Positive impact

Describe the Impact

According to Public Health England, there has been clear evidence that the BAME population has been more adversely affected by Covid-19 than the general population as a whole. <https://www.gov.uk/government/publications/covid-19-understanding-the-impact-on-bame-communities> . There are a number of underlying reasons attributed to this including health, greater poverty and greater percentages than average as key workers who have continued to travel to their workplace during the Covid-19 pandemic.

Improvements in air quality and enhancing the ability of people to walk and cycle safely may therefore have a **slight positive impact** on the health of the BAME population.

Known Establishments within this LTN

The following is a list of establishments within this LTN upon which there may be an impact.

- Northolt Village Community Centre, Ealing Road
- Northolt Village Memorial Hall, Ealing Road

Note: it is recognised that additional establishments may also exist.

Describe the Mitigating Action

Not applicable.

RELIGION & BELIEF: *Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person’s life choices or the way you live for it to be included.*

Low Negative Impact

Describe the Impact

Some of the LTNs contain religious buildings. Therefore, if an attendee is wholly or mostly dependent on car or vehicular travel (e.g. a person with a significant mobility impairment or wheelchair users), the operation of the finished scheme may generate a **low negative impact** initially in the form of a slight increase in the time taken to get to the religious building by car depending on the origin of the journey. However, this is not specific to any religious belief so is covered more fully in the disability section of this EEA.

Known Establishments within this LTN

The following is a list of establishments within this LTN upon which there may be an impact.

- Saint Bernard’s Roman Catholic, Mandeville Road
- St Marys C of E Church, Ealing Road

Note: it is recognised that additional establishments may also exist.
Describe the Mitigating Action
Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not. Ensure users of religious buildings are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.

SEX: <i>Someone being a man or a woman.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.
Known Establishments within this LTN
There are no known establishments within this LTN upon which there may be an impact, although it is recognised that some may exist.
Describe the Mitigating Action
Not applicable.

SEXUAL ORIENTATION: <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.
Known Establishments within this LTN
There are no known establishments within this LTN upon which there may be an impact, although it is recognised that some may exist.
Describe the Mitigating Action
Not applicable.

PREGNANCY & MATERNITY: <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work</i>
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<i>context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i>
Low Negative impact
Describe the Impact
This group may have a greater reliance on the car due to some potential reduced mobility issues. If a pregnant woman is wholly or mostly dependent on car or vehicular travel the operation of the finished scheme may generate a low negative impact initially. This is expected to be in the form of additional time taken to complete car journeys as there may be some minor delays as drivers get used to the new road layout and the scheme “settles in”.
Known Establishments within this LTN
The following is a list of establishments within this LTN upon which there may be an impact. <ul style="list-style-type: none"> • Mandeville Medical Centre, Mandeville Road • M Gokani Chemist, Church Road <p>Note: it is recognised that additional establishments may also exist.</p>
Describe the Mitigating Action
Impacts will be closely monitored and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not. Ensure residents are aware of the proposal in advance so that alternative arrangements (e.g. new routes) are known.

MARRIAGE & CIVIL PARTNERSHIP: <i>Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage</i> <i>Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.
Known Establishments within this LTN
The following is a list of establishments within this LTN upon which there may be an impact. <ul style="list-style-type: none"> • Northolt Village Community Centre, Ealing Road • Northolt Village Memorial Hall, Ealing Road • Saint Bernard’s Roman Catholic, Mandeville Road • St Marys C of E Church, Ealing Road <p>Note: it is recognised that additional establishments may also exist.</p>

Describe the Mitigating Action
Not applicable.

4: Human Rights⁴

<p>4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?</p> <p>Articles 1 and Article 8 of the Protocol to the European Convention of Human Rights (which are enshrined in the 1998 Act) confirm as follows:</p> <p>Article 1 "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."</p> <p>Article 8 "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others'.</p> <p>To the extent that Articles 1 and/or 8 applies it is considered that the decision to introduce experimental traffic orders to create LTNs is justified in the public interest given the anticipated positive outcomes outlined above.</p>
<p>4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?</p> <p>No</p>
<p>4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?</p> <p>Yes, the proposed LTN schemes have considered the accessibility issues for persons with disabilities to live independently. This includes the identification and elimination of obstacles and barriers to accessibility.</p>

5: Conclusions and Data

<p>5a: Conclusions</p> <p>There are not expected to be any significant impacts on any groups with protected characteristics. All impacts will be closely monitored during the trial period and any on-going adverse impacts will be taken into account as appropriate in the decision on whether to make the scheme permanent or not.</p>
<p>5b. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.</p>

⁴ For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

- Data available from Office of National Statistics
- Evidence from other LTN installations: <https://www.livingstreets.org.uk/media/3843/lcc021-low-traffic-neighbourhoods-intro-v8.pdf>

6: Action Planning:

(What are the next steps for the proposal please list i.e. when it comes into effect, when mitigating actions⁵ will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales	Lead Officer
Set up and communicate a feedback mechanism	Allow residents, businesses and stakeholders to report any issues that may impact an equalities group	<ul style="list-style-type: none"> • COVID transport inbox open and receiving emails • Operate an online digital engagement platform 	<ul style="list-style-type: none"> • Immediately • Immediately 	Transport Planning Service
Letter regarding scheme to all properties	Allow residents to consider alternative modes or routes for journeys, advise deliveries etc.	<ul style="list-style-type: none"> • Delivery of letters 	Prior to making of new ETO	Highways
Implement monitoring regime	Scope, obtain or survey items for monitoring (e.g. traffic volumes, air quality, etc.)	<ul style="list-style-type: none"> • Collection of data, e.g. traffic data, AQ data, surveys of residents. Details to be published on LBE website when finalised. 	All data to be collected by end of ETO consultation and prior to any final decision	Transport Planning Service
Use of industry standards and guidelines in design	Minimise any negative impacts on any equalities group	<ul style="list-style-type: none"> • Undertake audit 	2 months after ETO published date	Highways
Consult with Emergency Services	Ensure awareness of the LTNs, mitigate any concerns, change designs if required. Continual monitoring on operations	<ul style="list-style-type: none"> • No on-going concerns raised by emergency services 	In accordance with statutory timeframes and prior	Highways
Consider all impacts on equalities group as part of the design	Avoid adding to removing elements which specifically and significantly negatively impact	<ul style="list-style-type: none"> • Undertake audit 	2 months after installation	Highways

	on any equalities group			
Additional Comments: None.				

7: Sign off	
Completing Officer Sign Off:	Service Director Sign Off:
Signed:	Signed:
Name (Block Capitals):	Name (Block Capitals): Dipti Patel
Date: 22/1/2021	Date: XXX

Appendix A: Legal obligations under Section 149 of the Equality Act 2010:

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP

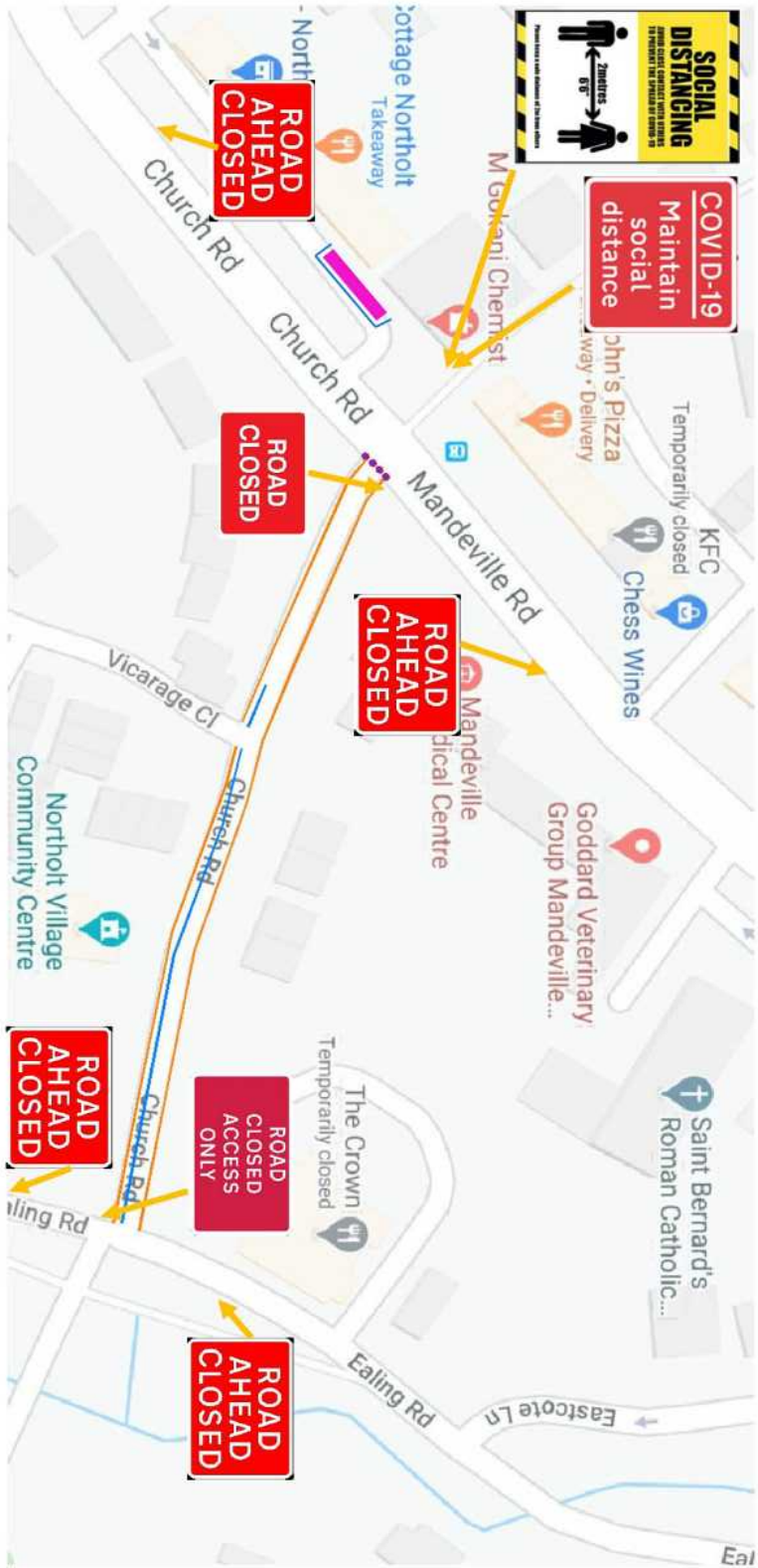
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.

- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

Appendix B: Plan of LTN

Church Road, Northolt



Key/Legend

- Proposed double yellow lines: To prevent water barriers being moved to park. Also refresh existing return markings at junctions.
- Water barrier alignment, approximately 1.5m from kerb face to inside of barrier. Approximate length 95m, to be confirmed on site. To support footfall for community centre and ped flow.
- Location of bolt down kerb islands with bollards on top. Act as modal filter to allow cyclists in/out. 4 units needed with 1.5m spacing in between, to be confirmed on site.
- Suspended parking bays (with stickers) to allow queuing for pharmacy? Current queues extend towards Park entrance.
- Diversion signs to be needed to re-route via Eskdale avenue / Ealing Road (depending on direction of travel)?

Report for:
ACTION

Item Number: 10

10

Contains Confidential or Exempt Information	NO
Title	Road and Footway Infrastructure Improvement Programme 2021-22
Responsible Officer(s)	Dipti Patel, Director of Place Delivery
Author(s)	Tony Singh, Head of Highways Richard Stiles, Infrastructure Renewal Team Manager
Portfolio(s)	Leader of the Council and Cabinet Member for Regeneration & Transport, Cllr Julian Bell Cabinet Member for Environment and Climate Action Councillor Jasbir Anand
For Consideration By	Cabinet
Date to be considered	16th March 2021
Implementation Date if Not Called In	29th March 2021
Affected Wards	All
Keywords/Index	Investment, Access, Roads, Footways, Bridges, Drainage, Road Markings, Highway Infrastructure

Purpose of Report:

This report gives information about the annual condition assessment of highway infrastructure and the prioritised listing of roads and footways and seeks approval for the programme of works in 2021-22.

1. Recommendations

It is recommended that the Portfolio holder:

- 1.1 Notes the 2021-22 allocation of **£5.100m** mainstream borrowing capital growth approved for Footway and Carriageway improvement at February 2021 Cabinet and authorises this growth budget to be incepted into the 2021-22 Highways capital programme as outlined in Table 1, Table 2 and Section 18 of the report and detailed in Appendices 1 and 2.
- 1.2 Delegates authority to the Director of Place Delivery to carry out the infrastructure improvement works in accordance with the approved programme for non-principal roads set out in Appendices 1 and 2 below subject to consideration of responses to any statutory consultation required.
- 1.3 Authorises the Director of Place Delivery following consultation with the Portfolio holder for Environment and Climate Action, to amend the programme within available funding should any of the proposed projects not be possible to be implemented.

- 1.4 Delegates authority to the Director of Place Delivery following consultation with Chief Finance Officer (CFO) to enter into any agreements with Transport for London and take any necessary steps to implement the TfL Principal Road Renewal Programme should the Council's bid be successful, and if applicable to increase the Highways capital programme budget, noting the potential allocations outlined in 3.3 being considered at the time of writing this report.

2. Reason for Decision and Options Considered

- 2.1 To allow the Council's 2021-22 Infrastructure Renewal Programme to commence and to ensure the effective management of the Council's capital budget.

3. Key Implications

- 3.1 This report confirms the funding available in the budget for footways and carriageway renewals, the methodology for the technical assessment and also proposals for the allocation of these funds. It also confirms the funding available in the budget for structures, drainage and signs & lines programme.
- 3.2 It should be noted that funding for highway maintenance is capital funded; Table 1 below sets out the capital funding that has been approved for this area of work. It should also be noted that funding from TfL can only be used on principal roads and cannot therefore be allocated against any of the schemes listed in the attached Appendices 1 and 2.

Table 1: Capital Budgets for Road, Footway Infrastructure Improvement, and the Structures, Drainage and Signs & Lines Programme

Financial Year	Capital	
	LBE £m	Total £m
2021-22	5.100	5.100

- 3.3 In 2020/21 TfL awarded £0.200 for Principal Road resurfacing. At the time of writing this report, TfL were considering budget allocations for 2021/22 with two funding scenarios being considered. If £15m is divided amongst London Boroughs, Ealing could receive £0.551m, or if £30m is divided amongst London Boroughs and an allocation of £1,130m. An announcement was awaited at the time of writing this report.

4. Revenue Funded Maintenance

- 4.1 In addition to the annual condition survey, safety inspections of footways and carriageways are regularly carried out (currently every month for main roads and every three months for other roads which are the responsibility of London Borough of Ealing). At these safety inspections note is taken of specific defects meeting well-defined criteria (e.g. depth of hole, height of trip etc.) and such reactive works are ordered to rectify the noted defect.

- 4.2 This reactive work arising from the safety inspections could escalate if the deterioration of the highway occurs at a faster rate than repairs or renewals, and when the life of the highway is approaching or indeed past the designed or expected life. Reactive patch and repair work, which is funded from revenue budgets, is intended to maintain the highway in a safe condition, seldom do reactive works extend the life of the road before other patch repairs are required.

5. Capital Funded Renewal

- 5.1 It is now generally accepted that major items of infrastructure require regular investment and renewal to ensure sustainable availability and to avoid unplanned failure with unforeseen major expenditure. Both footways and carriageways form part of the nation's major infrastructure, all of which needs regular renewal through appropriate investment. Carriageway works will include gully repairs and line marking refresh, together with ad-hoc kerb or footway repairs where necessary.
- 5.2 To enable effective targeting of such investment a condition survey of footways and carriageways is carried out each year throughout the borough. This survey objectively assesses each section of road (generally junction to junction, such that a long length of the same road is separated and assessed in several sections) by site surveyors, observing, measuring and noting defects in the footways and carriageways of each section of road a 'defect value' is calculated.
- 5.3 Appendices 1 and 2 show the 'condition rating' for the worst condition (highest defect value) in the most recent Condition Survey undertaken in 2020-21 for sections of non-principal footways and carriageways (non 'A' class roads). This prioritised listing of the condition of footways and carriageways is carried out by an independent specialist surveyor and passed to the London Borough of Ealing. The survey process has been updated and whilst considering structural condition it now also provides more emphasis on value for money with more emphasis on the road or footway within its environment. Together with this prioritised listing indicative costs and proposed type of renewal work for each section of road are prepared. The Council is then able to decide (consistent with its statutory duties and within the priorities and available budgets) on which sections of roads should receive renewal works. The carriageways in Appendix 1 highlighted in bold are roads with a high condition which need to be re-sealed to prevent water ingress and structural failure of the foundation. The existing surface has started to reach the end of its life but resealing with micro-surfacing will extend the life of the road.
- 5.4 In selecting the type of work required for carriageways the most sustainable solution has been chosen. The work will involve renewal of whole lengths or large sections of roads to bring them up to the required standard.
- 5.5 Appendices 1 and 2 show the prioritised listing in order of condition rating of non-principal road carriageways and footways together with the proposed highway renewal schemes. The schemes to be actually carried out will be those at the top of the list (i.e. having the 'worst' condition rating). In order to ensure that there is no conflict between any proposed highway investment schemes

and potential statutory undertaker works some proposed schemes might have to be deferred and replaced with the next scheme in the list. Any scheme deferred will be carried out at the first subsequent opportunity.

- 5.6 The ride quality of the roads is essential for cycles. An uneven road surface causes discomfort and hazards for cyclists which discourages the use of certain routes or cycling altogether. Therefore, this programme will enhance the ride quality for cyclists. This is particularly important for Ealing who are working towards becoming an exemplary cycling borough.
- 5.7 Prior to Covid 19, the network was being placed under more pressure than ever before from increased traffic volumes, larger and heavier vehicles, combined with increasing frequencies of extreme weather and future budgets must make allowance for these impacts. With the impact of Covid 19, traffic volumes have altered, and there is now more emphasis on home delivery and freight.
- 5.8 Greater emphasis is being placed on footway schemes through this year's programme. There are two types of footway paving currently used, paving slabs (artificial stone paving ASP) or tarmac (dense bitumen macadam DBM). Tree root damage, increased wear and tear from vehicles over-riding the footway, footway parking, damage by developers and ad-hoc maintenance repairs can lead to a mixture of paving types. Changes to the planting policy now allows for trees that are unlikely to cause root damage to footways. For some schemes the specification will be changed from ASP to DBM to future proof the footway against damage from increasing wear and tear, and in particular tree root damage. DBM laid around trees enables a larger tree pit to be created, putting the tree under less strain as its roots press against the paving looking for water and nutrients. Appendix 2 indicates the paving material proposed to be used.

6. Financial Implications

- 6.1 Mainstream borrowing capital growth budget of £5.1m has been approved at February 2021 Cabinet to fund road carriageway and footway re-surfacing in 2021-22. The £5.1m is to be allocated as detailed in Table 2 overleaf:

Table 2. Road Carriageway and Footway Re-Surfacing

Project	Budget £m
Proposed carriageway resurfacing works prioritised in order of condition rating	3.250
Proposed footway renewal works prioritised in order of condition rating	1.500
Structures	0.050
Drainage	0.150
Signs and Lines	0.150
Total	5.100

- 6.2 TfL has not currently provided any funding to maintain the Principal Road network. A bid submitted to TfL in February 2020 for a grant by London Borough of Ealing to carry out re-surfacing works on the Council's Principal Roads resulted in an allocation of £0.200m. This amount is well below the level required to keep the main roads in good condition and unless sufficient funding is provided principal roads will enter a state of managed decline. An announcement regarding funding was awaited from TfL at the time of writing this report, as outlined in paragraph 3.3. Table 3 below shows options for anticipated funding to be provided.

Table 3. Capital Budgets for TfL Principal Road resurfacing, subject to confirmation*

Financial Year	Capital	
	TfL PRR £m	Total £m
2021-22	0.551 or 1.130	0.551 or 1.130

**Any TfL Principal Road funding can only be used on the TfL Principal Road Network*

7 Legal

- 7.1 The Highways Act 1980 places a duty on highway authorities to maintain the highway asset or network and a Code of Practice for Maintenance Management (Delivering Best Value in Highway Maintenance) gives information about the standards to be achieved. There are various Audit Commission Performance Indicators that give monitoring information of highway conditions.
- 7.2 The Highways Act 1980 also places a duty on highways authorities to improve highway safety, and the Greater London Authority Act 1999 requires authorities to implement projects and programmes that contribute to the Mayor's Transport Strategy. The Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 give powers and duties on the Public Highway to manage traffic (including pedestrians and cycles) to secure that safe and expeditious movement of traffic.
- 7.3 Under S159 of the Greater London Authority Act 1999, TfL may give financial assistance to the Council where they consider it would be conducive to the provision of safe, integrated, efficient and economic transport facilities or service to, from or within Greater London.

8 Value For Money

- 8.1 The Council's framework consultants and term contractors, who were engaged on the basis of competitive tendering, would carry out the implementation works.
- 8.2 To ensure the most efficient use of funds officers strongly recommend that selection of roads be based on the prioritised condition rating as set out within the Appendices 1 & 2. This will represent good value for money, as it will mean

that only roads that are in most need of urgent repair are being renewed. This sequentially will remove the need to carry out regular patching works to these roads thus reducing demand on already limited revenue budget for this area.

9 Risk Management

- 9.1 Such operations have been carried out annually and it is not expected that there are any potential major risks associated with the options and the proposed course of action. The priorities identified are consistent with the Council's statutory duties as highway authority to maintain the highway network. The main risk to the schemes arises from formal objections received at the statutory consultation stage that cannot be justifiably overturned, delays preventing implementation during the time frame of available funding and unforeseen problems on site. Processes are in place to minimise the impact of any such eventualities. Non-delivery of schemes may result in loss of funding.

10 Community Safety

- 10.1 Roads and Footway Infrastructure Improvement works will enhance community safety by eliminating potential hazards to improve footway and carriageway conditions.

11 Links to the 3 Priorities for the Borough

- 11.1 *Good, genuinely affordable homes all developments to facilitate healthy and sustainable transport.* Transport links throughout the Borough will be improved, particularly sustainable modes and orbital journeys. This will help local people access jobs and services more effectively.
- 11.2 *A healthy and great place.* As part of all transport schemes the Council will ensure that road safety and personal security issues are investigated and addressed. The Local Implementation Plan (LIP) will manage traffic by supporting and promoting sustainable modes. This will manage emissions of carbon and other pollutants. Appropriate maintenance and improving the quality of the street environment are key components of schemes to encourage walking and cycling. Transport links throughout the Borough will be targeted for improvement, particularly sustainable modes (walking, cycling and public transport) and orbital journeys. This will help people access jobs and services more effectively.
- 11.3 A reduction of carbon emissions is possible by changing the way in which the network is managed strategically. Micro-surfacing is more environmentally friendly than plane and lay surfacing which uses more natural resources and also energy to produce surfacing materials. Micro-surfacing can prolong the life of a road before it finally requires energy intensive plane and lay resurfacing.

12. Equalities and Community Cohesion

- 12.1 An Equality Impact Assessment has been undertaken on the proposed programme of works. In addition, all schemes detailed in this report will be designed in accordance with current disability and equality guidelines.

13. Staffing/Workforce and Accommodation implications

- 13.1 There are no staffing/workforce and accommodation issues as the design and works involved are carried out by consultant and contractors employed by the Council.
- 13.2 Although Covid 19 has changed the way staff from Ealing Council and its contractors work, it has not adversely affected scheme delivery.

14. Property and Assets

- 14.1 This Report is concerned with the refurbishment enhancement and improvement of footways, carriageways and parks in the Borough, which are a key asset of the Council.

15. Any other implications

- 15.1 By investing in the infrastructure will ensure that footways and carriageways are fit for purpose in the future and lead to a reduced need for reactive maintenance of those items.

16. Consultation

- 16.1 There are three usual stages of consultation for schemes of the type detailed in this report. These are:
- (i) Consultation with residents and businesses in the scheme area by way of posted letter drop;
 - (ii) Statutory advertising of any necessary Traffic Management Orders, using on-street notice boards, information in the London Gazette and in the local newspaper, prior to implementing a scheme. Any formal objection received at the statutory consultation stage that cannot be justifiably overturned could delay the implementation of the scheme. There is no other known potential risk at present.
 - (iii) Publishing of Notices under Section 58 of the New Roads and Street Works Act which places certain restrictions upon statutory undertakers in excavating new surfaces.

In addition, the emergency services and bus operators are consulted where appropriate during scheme development.

17. Timetable for Implementation

- 17.1 The Infrastructure Renewal Programme is as follows:

Item	Date
Approval	March 2021
Detailed design commencement	March 2021
Section 58 Notice	June 2021 onwards
Works commencement on site	June 2021 onwards
Overall completion	March 2022

18. Conclusion

- 18.1 The budgets for highway maintenance work are under significant pressure and for many years have not matched the preferred investment levels. In this situation it is essential that the most cost-effective solution is adopted and budgets are allocated on the basis of condition survey information, which ensures that the streets or sections of streets with the worst defects are prioritised for improvement works.

The funds available in the budget for Borough roads are £5.100m. Officers recommend that the budgets be allocated as follows:

- £3.250m – 2021-22 carriageway resurfacing prioritised in order of condition rating – Appendix 1
- £1.500m – 2021-22 footway renewal works prioritised in order of condition rating – Appendix 2
- £0.050 - structures
- £0.150 - drainage
- £0.150 - signs and lines

19. Appendices

Attached below are the following Appendices.

- Appendix 1 Proposed Carriageway Resurfacing Schemes
- Appendix 2 Proposed Footway Schemes

20. Background Information

1. Highways Act 1980
2. Delivering Best Value in Highway Maintenance – Code of Practice for Highway Maintenance Management (July 2001).
3. Annual Condition Surveys
4. State of the Highway Report: Ealing's Highways 2020

21. Report Consultation

Name of consultee	Post Held	Date sent to consultee	Response received from consultee	Comments appear in report para:
Internal				
Councillor Julian Bell	Leader of the Council and Executive Member for Regeneration and Transport			
Councillor Anand	Portfolio Holder for Environment and Highways	15/2/21		
Dipti Patel	Director of Place Delivery	9/2/21	16/2/21	Throughout
Gary Alderson	Interim Executive Director of Place	17/2/21	18/2/21	Throughout
Jackie Adams	Head of Legal (Commercial)	4/2/21	8/2/21	Throughout
Liz Blackburn	Finance Manager Capital & Projects	5/2/21		Throughout
Chris Neale	Principal Accountant Environment	4/2/21	8/2/21	Throughout
Yalini Gunarajah	Finance Manager Place	4/2/21	8/2/21	1-3, 6
External				
None				

Report History

Decision type:	Urgency item?
Key decision	Yes
Report no.:	Report author and contact for queries:
	Richard Stiles, Infrastructure Renewal Manager
Authorised by Cabinet member:	Date report drafted: Report deadline: Date report sent:

Infrastructure Renewal Programme: Appendix 1

2021-22 Proposed Carriageway Resurfacing Works - Prioritised in Order of Condition Rating

Road Name	From	To	Ward	Condition Rating	Budget Allocation £'m
Old Oak Common Lane (section)	Wells House Road	Depot Entrance	East Acton	100	145.61
Oldfield Lane North (section)	Bridge	Currey Road	Greenford Green	98	126.27
Havelock Road (section)	Merrick Road	Hunt Road	Norwood Green	98	128.99
The Avenue	Southfield Road	South Parade	Southfield	98	148.66
Warple Way (section)	Uxbridge Road	Canham Road	Southfield	98	160.23
Eaton Rise	Montpelier Road Roundabout	Montpelier Road Roundabout	Ealing Broadway	97	81.91
Western Road, (section)	Featherstone Road	King Street	Southall Green	97	155.84
Hamilton Road	South Road	Avenue Road	Southall Broadway	95	58.48
Limes Walk	Chestnut Grove	To End	Ealing Common	95	10.20
West End Road	Beaconsfield Road	Southall Broadway	Southall Broadway	94	110.67
Airedale Road	South Ealing Road	Weymouth Avenue	Northfields	93	84.36
Highview Road	Cleveland Road	Courtfield Gardens	Cleveland	93	81.26
Costons Lane	Greenford Road	Ruislip Road East	Greenford Broadway	92	167.20
South Ealing Road (section)	Lothair Road	Ranelagh Road	Walpole / Ealing Common	91	87.75
Laburnum Grove	Lady Margaret Road	To end	Lady Margaret	91	36.74
Lower Boston Road (section)	Boston Road	Uxbridge Road	Elthorne	91	145.55
St Leonard's Road (section)	Uxbridge Road	Gordon Road	Ealing Broadway	91	135.54
Amherst Road (section)	Castlebar Road	28 Amherst Road	Ealing Broadway	91	96.46
A40 Eastbound Slip Road	A40	Ealing Road	Northolt Mandeville	91	80.03
Whiteoaks Lane	Cowgate Road	Pennifather Lane	Greenford Green	91	22.82
Penifather Lane	Pennifather Lane	Cowgate Road	Greenford Green	91	24.34

Sandown Way (section)	Wilsmere Drive	Newbury Way	Northolt Mandeville	90	95.88
Eskdale Avenue	Church Road	To end	Northolt Mandeville	88	60.97
Devonshire Road	Windemere Road	Bycroft Road	Lady Margaret	88	44.11
Dormers Wells Lane	Uxbridge Road	North Road	Dormers Wells	88	150.73
Damsonwood Road	Havelock Road	To End	Norwood Green	87	29.06
Castle Road	Ribblesdale Avenue	The Fairway	Northolt Mandeville / Greenford Green	86	113.30
Golden Manor	Church Road	Station Road	Hobbayne	85	68.80
Rosecroft Road	Westbury Avenue	Allenby Road	Lady Margaret	85	63.26
Bernard Avenue	Northcroft Road	Northfield Avenue	Walpole	85	33.31
St Helens Road	Dane Road	To End	Walpole	85	16.09
Ascott Avenue	Elderberry Road	Warwick Road	Ealing Common	85	57.34
Darwin Road	Windmill Road	South Ealing Road	Northfields	85	79.41
Wood End Way	Wood End Gardens	Lillian Board Way	North Greenford	84	44.46
Hillcroft Crescent	Woodville Road	To End	Ealing Broadway	84	84.38
Broomfield Road	Mattock Lane	Uxbridge Road	Walpole	83	23.55
Dane Road	Mattock Lane	Uxbridge Road	Walpole	82	30.42
Little Ealing Lane, (section)	Weymouth Avenue	South Ealing Road	Northfields	82	63.18
Twickenham Gardens	Sudbury Heights Avenue	To End	North Greenford	82	21.64
Waverley Road	Burns Avenue	Kenton Avenue	Dormers Wells	82	28.58
Eaton Rise (section)	Montpelier Road	Marchwood Crescent	Ealing Broadway	82	52.65

* **Bold text indicates microsurfacing**

Total: £ 3.250

Infrastructure Renewal Programme: Appendix 1 Reserve Schemes					
2020-21 Proposed Carriageway Resurfacing Works - Prioritised in Order of Condition Rating					
Road Name	From	To	Ward	Condition Rating	Budget Allocation £'m
Cleveland Road	Castlebar Hill	Argyle Road	Cleveland	81	0
Kings Road	Park Hill	Hillcroft Crescent	Ealing Broadway	80	0
Moat Farm Road	Eastcote Lane	Mandeville Road	Northolt Mandeville	80	0
Lily Gardens	Manor Farm	Pleasant Way	Perivale	78	0
Total:					0.000

* **Bold text indicates microsurfacing**

Infrastructure Renewal Programme: Appendix 2						
2020-21 Proposed Footway Renewal Works- Prioritised in Order of Condition Rating						
Road Name	From	To	Ward	L/R	Condition Rating	Budget Allocation £'m
Court Farm Road	Ealing Road	Fort Road	Northolt Mandeville	L/R	99	114.34
Norman Way	Noel Road	To end	Acton Central	R	97	27.33
Orchard Gate (section)	Greengate	Crossgate (Station)	North Greenford	L/R	97	76.58
Park Avenue (section)	Argyll Avenue	Barratt Industrial Estate	Southall Broadway	L/R	97	131.23
Cranborne Avenue	Wimborne Avenue	To end	Norwood Green	L/R	97	32.10
Gordon Road (section)	Carlton Gardens	Longfield Avenue	Ealing Broadway	L/R	87	28.52
Carlton Gardens	Gordon Road	Carlton Road	Ealing Broadway	L/R	86	71.51
The Green (section)	Western Road	Featherstone Road	Southall Green / Norwood Green	L/R	85	83.61
Lyncroft Gardens	Carew Road	Waldemar Avenue	Walpole	L/R	83	66.19
Bilton Road (section)	Horsenden Lane North	Aintree Road	Perivale	L/R	82	130.21
Mansell Road (section)	Ruislip Road	Ellesmere Road	Greenford Broadway / Lady Margaret	L/R	82	85.62
Walton Way	Saxon Drive	Westfields Road	Acton Central	L/R	82	64.56

Little Ealing Lane (section)	Weymouth Avenue	South Ealing Road	Northfields	L/R	81	98.70
Elveden Road	Twyford Abbey Road	To end	Hanger Hill	L	80	59.38
Lexden Road (section)	Barlow Road	Steyne Road	South Acton	L	80	88.36
Barlow Road	Lexden Road	Chatsworth Gardens	South Acton	L/R	80	58.05
The Rise	Whitton Avenue E	Borough Boundary	North Greenford	L/R	80	82.20
Killowen Avenue	Russell Road	Halsbury Road East	North Greenford	R	80	88.23
Almond Avenue (section)	Rose Gardens	Knights Avenue	Ealing Common	L/R	80	113.28
Total:						1.500

** Bold text indicates the material proposed is Dense Bitumen Macadam (DBM tarmac) footway, if not in bold it will be Artificial Stone Paving (ASP paving slabs)*

Contains Confidential or Exempt Information	YES part Appendices 1 to 4 contain confidential information that are exempt and not for publication by virtue of paragraph 5 of part 1 of Schedule 12A to the Local Government Act 1972.
Title	Highways Term Contract Review and Extension
Responsible Officer	Dipti Patel, Director of Place Delivery
Author	Tony Singh, Head of Highways
Portfolio	Cabinet Member for Environment and Climate Action – Cllr Jasbir Anand
For Consideration By	Cabinet
Date to be Considered	16 th March 2021
Implementation Date if Not Called In	29 th March 2021
Affected Wards	All
Keywords/Index	Contract Extension, Highway Maintenance Works, Minor Civil Engineering Works, Highways Works

Purpose of Report:

To summarise a review of the current Highways Maintenance Services (HMS) and Minor Civil Engineering Works (MCEW) contracts and seek approval to extend both contracts for a further period of 4 years with effect from April 2022.

1. Recommendations

It is recommended that Cabinet:

- (i) Approves the extension of the Highway Maintenance Services contract with Murrill Construction Limited from 1st April 2022 for 4 years, with the approximate expenditure of £2.5m per annum to be funded from the existing £3.6m Highways revenue budget and agrees to a variation of the contract terms to remove the provisions permitting other local authorities joining the contract.
- (ii) Approves the extension of the Minor Civil Engineering Works contract with Murrill Construction Limited from 1st April 2022 for 4 years, with the approximate expenditure of £4.0m per annum to be funded from the existing Highways capital budget and agrees to a variation of the contract terms to remove the provisions permitting other local authorities joining the contract.

2. Reason for Decision and Options Considered

- 2.1 Under the Highways Act 1980 the council, as Highway Authority for most of the public roads and footways within the borough, has a statutory responsibility to ensure public highways are maintained to a safe standard. This will cover everything from a standard “pothole” repair to gritting the roads and pavements deemed necessary during freezing conditions and snowfall. In addition to these statutory duties the Council also has a responsibility to endeavour to improve the highway network where possible. This is carried out using capital funding which can be from Ealing Council’s own approved budgets or from external partners such as Transport for London (TfL) or through developers’ S106 / Community Infrastructure Levy (CIL) funds.
- 2.2 The contracts for the current Highway Maintenance Services and Minor Civil Engineering Works contracts were both awarded to Murrill Construction Limited and approved by Cabinet on 11th July 2017. Both contracts expire in March 2022 although there is an option to extend each of them (subject to Cabinet approval) for two periods of up to 24 months each, that is a total of up to 48 months each. These contracts were awarded at a time when market rates were low, and these contracts have provided good value for Ealing.
- 2.3 In respect of the Highway Maintenance Services contract awarded in 2017 and the Minor Civil Engineering Works contract also awarded in 2017, Murrill Construction Limited were the lowest bidder.
- 2.4 A detailed commercial strategy was formulated and presented to the Joint Contracts Board in December 2020, as set out in Appendix 2 and they endorsed the recommendation to extend the contracts by 4 years. The strategy included a benchmarking exercise which represents the most effective best Value for Money solution for the Council, its stakeholders, and its residents.
- 2.5 Officers will continue to monitor and assess market conditions within the London area and determine the most appropriate and beneficial delivery method on expiry of the contract extensions.

Contractor Performance

- 2.7 Murrill Construction Ltd have provided a good standard of service over the last four years. They have successfully exceeded key contract performance indicators (for details of current performance see Appendices 3 and 4) and have represented value for money in the services they have provided to Ealing.
- 2.8 Of the 30 Key Performance Indicators (KPI) that cover the two contracts, the only performance issues of note in exception to the above were:
 - Minor Civils - KPI 7 (Invoices and Applications (accurate, complete and on time)), which failed to meet the expected level for the month of June 2020.

- Highway Maintenance - KPI5 (all works orders not completed by the time for completion are completed within 3 days of that date), which failed to meet the expected level for the month of August 2020.
- Highway Maintenance – KPI7 (Traffic Management Act), which failed to meet the expected level for the month January through to March 2020.

However, since this time all the KPI's have been achieved or exceeded the agreed levels.

3 Key Implications

- 3.1 Should the contracts not be extended as recommended, then annual savings of £0.120m would have to be found from elsewhere within the Highway Service budget, the effect of this would have a detrimental impact on service delivery as highway works would have to be reduced.
- 3.2 Should the contract not be extended, then taking account of the benchmarking results and the impact Brexit will have on the construction industry, we anticipate that contract prices will increase by an average of at least 11.45%. This would equate to potentially an annual budget pressure of £0.286m (revenue) and £0.458m (capital).
- 3.3 Failure to extend or retender this contract could potentially lead to the Council's Highways infrastructure not being maintained to a safe standard therefore increasing highway related insurance claims against the Council.

4 Financial

- 4.1 The proposed contract extension will not commit Ealing Council to any minimum level of expenditure during any financial year. This contract provides no exclusivity to Murrill Construction Limited and the Council retains the right to use other delivery contractors should the need arise.
- 4.2 In 2018 Murrill Construction Limited agreed an annual saving of £0.050m across the two contracts. This has arisen following changes to the terms and conditions which enabled early payment to be made once invoices are received. If the contracts are extended for 4 years, the total potential annual saving will amount to £0.200m from April 2022.
- 4.3 In addition, the contractor has offered a maximum further saving of £0.070m per annum commencing 1st April 2021 (in the year before the extension is awarded). This has arisen following further capital investments with cost effective machinery and plant resulting in cost savings associated with reduced fuel costs and other efficiencies including potential reduction in CPI uplift. Similar costs are being passed on to the contractor by their suppliers. The total saving potentially amounts to £0.350m over 5 years.

- 4.4 The combined savings from changes to the terms and conditions and innovation through the commercial strategy amounts to £0.120m per annum. To the end of the extended contracts this amounts to £0.550m.
- 4.5 As detailed in Appendix 2, by extending the contacts for the full 4 years the Council would potentially not need to increase their revenue budgets by a total of £0.286m per annum, which over 4 years which equates to £1.144m. Similarly, by extending the contacts for the full 4 years the Council would potentially not need to increase their capital budgets by a total of £0.458m per annum, which over 4 years equates to £1.832m (capital). The commercial strategy confirms that the total estimated contract extension costs will be managed within available budget.

5. Legal

- 5.1 A competitive tender procedure was followed in July 2017 for the letting of the Highway Maintenance Services and Minor Civil Engineering Works contracts.
- 5.2 The tender submitted by Murrill Construction Ltd represented the most economically advantageous tender evaluated on quality and price for both the Highway Maintenance Service and for the Minor Civil Engineering Works. The contract extension will comply with the Council's Contract Procedure Rules.
- 5.3 The contract was awarded on the basis of a five-year contract period with a possible minimum two year and maximum four-year extension. Therefore, the contract may be lawfully extended under the Public Contracts Regulations 2015 for the proposed 4 years.
- 5.4 Further legal comments are set out in Confidential Appendix 1.

6. Value For Money

- 6.1 Murrill Construction Limited ranked first in quality and pricing evaluation on each contract in 2017 and were the lowest bidder.
- 6.2 As detailed in Appendix 2, the recent benchmarking comparison of prices identified that Murrill Construction Limited was the most commercially advantageous, and on average their prices were lower than the next placed tested contracts.
- 6.3 The annual cost of the Highways Maintenance Services contract is £2.5m (revenue) per annum and the Minor Civil Engineering works contract is £4.0m (capital) per annum. Taking account of the projected increase in contract prices, the retendering of these contracts could result in annual budget increase of £0.286m (revenue) and £0.458k (capital).

- 6.4 Extending the contracts will also provide direct cost savings to the Council by mitigating the cost of procuring of new contracts and the cost of new mobilisation (passed to the Council) if new contractors are appointed.
- 6.5 The contracts will continue to deliver efficient and cost-effective services, while the performance based KPI regime will continue incentivise the contractor to maintain high standards of quality.
- 6.6 Highways have previously carried out a detailed evaluation of the London Highways Alliance Contract (LoHAC) which confirmed that it was more expensive than Ealing Council's current contract. Similar cost comparisons have also been carried out by other local authorities who also concluded that the LoHAC contract rate was more expensive than their existing contracts. Since the original evaluation was carried out in 2017 the LoHAC contract has been re-tendered and re-awarded. However, initial feedback is that although the contract has been reshaped from four to three new larger areas there has not been any significant reduction in cost. The Council has the option (subject to Cabinet approval) to join the LoHAC contract.

7. Sustainability Impact Appraisal

- 7.1 Environmental considerations and sustainability were given due consideration during the tender process and form a key part of the current contract.

8. Risk Management

- 8.1 In the event the contracts are not extended, procurement of new contracts would be required at a time when at a time when resources are under increased strain due to the impact of Covid 19.
- 8.2 The ongoing Covid 19 conditions and the impact materials supply and labour costs are expected to significantly increase prices in the current market conditions. Extending the contracts will secure competitive rates that are subject to agreed industry agreed price fluctuations.
- 8.3 The changing market conditions may result in some tenderers going out of business and this could further reduce the competitive market
- 8.4 The benchmarking exercise has shown that the current contract is extremely competitive and there is a risk to Murrill Construction Limited to continue to deliver the contract at the agreed rates. However, since 2018 the contractor's financial performance and profitability has been consistent and they are credit rated as 'low risk' with a good credit score of 96. The risk is therefore small.

9. Community Safety

- 9.1 Ealing Highways ensures that Ealing Council continues to maintain its legal duty of care in respect of public safety.

9.2 Any disruption to the service may result in delays to planned and reactive maintenance works, which could also affect the implementation of traffic and transport projects.

10. Links to the 3 Key Priorities for the Borough

- Good, genuinely affordable homes the extension of the contract will enable us to continue to deliver a sustainable and effective public realm which in turn will encourage developers to invest in the borough which will help to deliver more affordable homes.
- Opportunities and living incomes the extension of the contract will ensure that local supply contracts and jobs are retained and new opportunities are provided to local businesses and people.
- A healthy and great place the construction of a high quality streetscape environment creates a healthy and positive place for all users and residents. Furthermore, highway works form a vital role in providing access for pedestrians, cyclists, and vehicle users.

11. Equalities, Human Rights and Community Cohesion

11.1 Standards have been incorporated within the Contract specification to ensure that the service provider complies with the Council's policies for equalities.

12. Staffing/Workforce and Accommodation implications:

12.1 There are no staffing or work force implications.

13. Property and Assets

13.1 There are no implications for any Council owned properties or assets.

14. Any other implications:

14.1 None

15. Consultation

15.1 A report detailing the Commercial Strategy was presented to the Contracts Board with full consultation carried out with Legal and Finance.

16. Timetable for Implementation

16 th March 2021	Cabinet decision to extend contract
29 th March 2021	End of Call-In Period
April 2021	Notification to the Contractor
April 2021	Extension agreement

17. Appendices

Appendix 1: Confidential Legal Notes

Appendix 2: Confidential Commercial Strategy

Appendix 3: Confidential Key Performance Indicators (HMS)

Appendix 4: Confidential Key Performance Indicators (MCEW)

18. Background Information

- Appointment of Murrill Construction Limited for the provision of Highway Maintenance Services & Minor Civil Engineering Works – Cabinet Report 11th July 2017.

Consultation

Name of consultee	Post Held	Date sent to consultee	Response received from consultee	Comments appear in report para:
Internal				
Councillor Julian Bell	Leader of the Council and Executive Member for Regeneration and Transport			
Councillor Anand	Portfolio Holder for Environment and Highways			
Gary Alderson	Interim Executive Director of Place	16/02/21	18/02/21	Throughout
Dipti Patel	Director of Place Delivery	10/2/21	15/2/21	Throughout
Chuhr Nijjar	Senior Lawyer (Legal Contracts)	8/2/21	12/2/21	Throughout
Jackie Adams	Head of Legal (Property & Regulatory)	4/2/21	5/2/21	Throughout
Liz Blackburn	Finance Manager Capital & Projects	8/2/21		
Sarah Hadland	Category Lead, Commercial Hub	8/2/21	9/2/21	Throughout
Yalini Gunarajah	Finance Manager Place	4/2/21	5/2/21	1.2,4,6
Christopher Neale	Principal Accountant Environment	4/2/21	8/2/21	Throughout
External				

None				
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Report History

Decision type:	Urgency item?
EITHER: Key decision OR Non-key decision OR For information (delete as applicable)	No
Report no.:	Tony Singh
	Head of Highways

Contains Confidential or Exempt Information	NO
Title	Extension and variation of S75 Framework Partnership Agreement between the Council and Ealing Clinical Commissioning Group relating to the Commissioning of Health and Wellbeing and Social Care and Education Services for Adults and Children
Responsible Officer(s)	Judith Finlay, Executive Director Children, Adults & Public Health
Author(s)	Adenike Tilleray, AD Commissioning and Use of Resources, Adult Social Care
Portfolio(s)	Cllr Binda Rai, Portfolio Holder Adults & Public Health Cllr Yvonne Johnson, Portfolio Holder Children and Families
For Consideration By	Cabinet
Date to be Considered	16 th March 2021
Implementation Date if Not Called In	29 th March 2021
Affected Wards	All
Keywords/Index	Health and Wellbeing, Integration, Better Care Fund, Adults, Children, Social Care, COVID, Discharge, Funding

Purpose of Report:

This report seeks authority to vary and extend for up to two years the current partnership agreement between the Council and the Ealing Clinical Commissioning Group (CCG) dated 24th March 2016 relating to the Commissioning of Health and Wellbeing and Social Care and Education Services for Adults and Children (“the Partnership Agreement”).

1. Recommendations

That Cabinet:

- 1.1. Authorises the Executive Director for Children, Adults & Public Health to
 - a) extend the Partnership Agreement (and associated service schedules) for two years from 1 April 2021 to 31 March 2023 and
 - b) to vary it to include a new COVID discharge schedule.
- 1.2. Delegates authority to the Executive Director for Children, Adults & Public Health, the following powers only where they are specifically derived from expenditure, pooled funds and commissioning and procurement arrangements within the Partnership Agreement relating to the Commissioning of Health and Wellbeing and Social Care and Education Services for Adults and Children and

subject to the limits of the powers delegated to her under the Council's constitution.

- i. to approve the annual submission of the Better Care Fund (BCF) plan to the Department of Health, following consultation with the Health and Wellbeing Board, the Portfolio Holder for Adults & Public Health and the Clinical Commissioning Group (CCG)
- ii. The authority to vary the contents of the Service Schedules in Part 2 of the Partnership Agreement following consultation with the Director of Legal and Democratic Services and the Chief Finance Officer. This includes the power to vary the extent of the delegation of the exercise of the functions of the CCG to the Council
- iii. The authority to enter into agreements under S256 NHS Act 2006 with NHS England or the CCG
- iv. The authority to enter into separate agreements under Section 75 NHS Act 2006 or under Section 10 Children Act 2004 with provider organisations for operational service delivery of integrated arrangements that are relevant to the Framework Partnership Agreement following consultation with the Director of Legal and Democratic Services and the Chief Finance Officer

1.3. The delegated powers do not extend:

- I. To adding or deleting Service Schedules to the Partnership Agreement.
- II. To the delegation of the exercise of Council functions covered within the Partnership Agreement to NHS bodies.

1.4. Notes that, as a minimum, the Partnership Agreement extension will be on the existing levels of financial commitment into 2021/22 and will also comply with the national BCF policy guidance as and when published.

1.5. Notes the restructure of the North West London (NWL) CCGs is expected to result in changes in the partnership arrangements between the NHS, Council, and governance arrangements with key health providers in future years. The nature of the changes are not yet determined but are under review. Changes are expected to be agreed at local and NWL level during 2021/22 and will be tabled for Cabinet approval if required. In 2019 the NHS and the Council established a new Integrated Care Partnership including West London NHS Trust and other key partners, envisaging a different form of partnership relationship for the future.

2. Reason for Decision and Options Considered

2.1. Ealing CCG and Ealing Council work together under the Partnership Agreement through which they can jointly commission services to improve health and wellbeing and social care for adults and children in the Borough. Cabinet approved the Partnership Agreement in March 2015.

- 2.2. The purpose of the Partnership Agreement is to set out the terms on which the Partners have agreed to collaborate and to establish a framework through which the Partners can secure the future position of health and wellbeing and social care services for adults and children through lead or aligned commissioning arrangements. It is the means through which the Partners may delegate the exercise of their functions to each other, pool funds and align budgets as agreed between the Partners. This includes the arrangements for pooling funds required for the Better Care Fund (BCF).
- 2.3. On 17 March 2020, Cabinet agreed to delegate authority to extend the existing Section 75 Partnership Agreement (including service schedules) with the Clinical Commissioning Group to 31 March 2021. At that time North West London Clinical Commissioning Groups were consulting on significant changes to the structure of NHS commissioning in the sector with a view to the establishment of one North West London Clinical Commissioning Group from 2021/22.
- 2.4. During 2020/21 the new structures across NWL have become more defined in shadow form ahead of the planned formal establishment of one NWL CCG in April 2021. These structures reflect both local and more centralised NHS commissioning arrangements across the sub region. This has involved a significant amount of change to functions and personnel.
- 2.5. Earlier in the year, Health and Wellbeing Boards (HWBs) were advised that BCF policy and planning requirements would not be published during the initial response to the COVID-19 pandemic and that they should prioritise continuity of provision, social care capacity and system resilience and spend from ringfenced BCF pots based on local agreement in 2020 to 2021, pending further guidance. Given the ongoing pressures on systems, Departments and NHS England and NHS Improvement have agreed that formal BCF plans will not have to be submitted to NHS England and NHS Improvement for approval in 2020 to 2021. Locally BCF arrangements from 2019/20 have rolled over into 2020/21.
- 2.6. In addition to the NHS restructure, both the Council and NHS have diverted significant resources to respond to the COVID health crisis. Partnership arrangements have continued to be effective; working to shared and nationally defined BCF, integration and public health priorities. However, the impact of COVID and the NWL wide restructure of the CCGs has resulted in delays to further joint strategic review or refresh of the existing Partnership Agreement.
- 2.7. Agreement is sought to extend the existing Section 75 arrangements for a further two years, to provide time for the development of a new agreement. Having a signed Section 75 agreement is a requirement of the BCF each year, and the COVID Discharge Arrangements for the current financial year. The requirement to extend the Partnership Agreement (and associated service schedules) for 2 years to March 2023, instead of one year, is proposed in case environmental factors impact our ability to fully renegotiate the Partnership Agreement during a time of structural change and uncertainty in relation to the COVID health crisis. This option would enable partners to

continue to work in line with the current Partnership Agreement, national requirements for integration, health and wellbeing in the interim. The option to extend to March 2023 would also allow a window of continuity for the existing Partnership Agreement and associated service schedules to be signed by organisational parties reflective of the Integrated Care System (at NWL level) and Integrated Care Partnership (at Borough level) at that point in the future. The Partnership Agreement can be terminated at any time in the 2-year extension period, on 6 months' written notice by either party.

- 2.8. There is a need to vary the current Section 75 agreement to include a new COVID discharge schedule to meet the requirements set out in the Covid-19 Hospital Discharge Service Requirements. This schedule, agreed at NWL level, will reflect the national funding agreements introduced by central government in March 2020 to support rapid discharge from acute settings during the COVID period to 31st March 2021, funded by £1.6bn NHS support package.
- 2.9. The COVID Discharge Schedule will confirm arrangements for commissioning and funding responsibility for care commissioned during defined periods in year, in line with national guidance and local discharge pathways in place during 2020/21.
- 2.10. The COVID Discharge Schedule will also aim to set out the appropriate joint arrangements for managing the resulting statutory assessments and risk share for these packages of care into 2021/22. This is required to provide shared and reasonable approaches to mitigate the on-going financial risks to partner organisations at the point of exit from the current national COVID Discharge funding arrangements.
- 2.11. Joint funding arrangements for these packages are confirmed by national guidance until 31st March 2021. In the event that no further Government guidance is issued to extend COVID discharge arrangements, any joint funding of care commissioned under these arrangements beyond 2020/21 remain under review with Councils and the NHS, and are informing risk assessment of potential pressures on Adult Social Care budgets in the next financial year.
- 2.12. National guidance for the specific requirements of the 2021/22 Better Care Fund (BCF) has yet to be published. Existing BCF arrangements, as included in the current Section 75 have been rolled over into the current year, with inflationary uplifts and minimum partner contributions transacted as per BCF Policy Guidance for 2020/21.
- 2.13. It is proposed that as a minimum, the Partnership Agreement extension will be on the existing levels of financial commitment into 2021/22 and will be updated where necessary to comply with the new national BCF policy guidance for 2021/22, when published. Updated BCF plans are routinely tabled for agreement by the Health and Wellbeing Board.

3. Key Implications

- 3.1. The aims and benefits of the Partners in extending the Partnership Agreement are to:
- a) improve access to high quality health and social care for adults and children
 - b) commission services based on an agreed picture of needs rather than historical service configurations
 - c) commission services which present good value for money and best value
 - d) commission services which seek to promote emotional and physical good health and work to overcome social exclusion
 - e) commission services which are culturally competent in meeting the needs of people from black and minority ethnic communities
 - f) take a whole systems approach by preventing duplication of services and making more effective use of current resources through integrated care pathways
 - g) establish robust arrangements to collect performance management information and use the information to evaluate performance against targets, monitoring both the effectiveness of the commissioning process and the commissioned services, as set out in Part 2 – the Service Schedules
 - h) meet the National Conditions and Local Objectives in respect of Services related to the Better Care Fund; and
 - i) make more effective use of public resources through the establishment and maintenance of pooled funds for revenue expenditure on certain Services and aligned commissioning in other Services.
 - j) The addition of a COVID Discharge Schedule will formalise local implementation of the Government’s Discharge requirements guidance to reduce pressure on those hospitals providing acute services, and the respective funding responsibilities in a reasonable and sustainable way.
- 3.2. The Partnership Agreement was drawn up by DAC Beachcroft on behalf of the Council and reviewed by the CCG’s legal advisors. It is consistent with legislative requirements and the guidance on S75 agreements produced by the Audit Commission. The Partnership Agreement put in place an agreed framework for partnership working and set out clear roles, responsibilities, duties and liabilities for both parties.
- 3.3. The Term for the Partnership Agreement is five years. Under Clause 32 of the Agreement, no variation of the Agreement shall be valid unless expressly agreed by the Parties in writing. The Council and the CCG wish to vary the Partnership Agreement and through an appropriate Deed of Extension and Variation.
- 3.4. The Deed of Extension and Variation will be prepared for signature by the Parties with the purpose of extending the Partnership Agreement by a minimum of 24 months from 1st April 2021.
- 3.5. The specific service schedules, and related joint funding contributions are covered in Part 2 of the Partnership Agreement are as follows:

- Better Care Fund
- Learning Disabilities
- Community Equipment
- Mental Health
- NHS Fast Track Commissioning
- Services for Children and Young People with Additional Needs
- Early Start Ealing
- Safeguarding Children
- Safeguarding Adults
- Integrated Commissioning Team
- Voluntary Sector Grants
- JSNA and Joint Health and Wellbeing Strategy

It is proposed that the new COVID Discharge schedule is added to Part 2 of the Partnership Agreement

4. Financial

- 4.1. The Partnership Agreement does not of itself contain financial commitments but does set out the governance arrangements for the various types of commissioning arrangements, pooled budgets and aligned budgets.
- 4.2. The Partnership Agreement provides for early termination by either partner subject to appropriate protections. The extension of the Partnership Agreement would be on the existing terms, and the previous Deed of Variation.
- 4.3. The financial contributions are set out in the individual Service Schedules which form Part 2 of the Partnership Agreement (as listed in point 3.5).

5. Financial impact on the budget

- 5.1. The Service Schedules, which are under preparation for 2021/22, include the Better Care Fund, will set out Council and CCG commitments for a range of services. The Council budget figures will be consistent with Adults' and Children's departmental budgets, including the existing levels of CCG contributions to Adult Social care and other services where relevant. No changes to levels of partner contributions are proposed for 2021/22, except to adjust for variable elements of baseline budgets, prescribed inflationary uplifts or the allocation of financial contributions to schemes within nationally defined descriptions of "minimum" and "additional" contributions. All council expenditure will be contained within existing Adults' and Children's revenue and capital budget (where relevant) assumptions for 2021/22 and as noted the agreement of the schedule is subject to consultation with the Chief Finance Officer.
- 5.2. The published policy statement for Better Care Fund 2020/21 (3rd December) set out the following planning national assumptions for 2021 to 2022

- *The Spending Review 2020 confirmed that the iBCF grant will continue in 2021 to 2022 and be maintained at its current level (£2.077 billion).*
 - *The Disabled Facilities Grant will also continue and will be worth £573 million in 2021 to 2022.*
 - *The CCG contribution will again increase by 5.3% in line with the NHS Long Term Plan settlement.*
 - *The Policy Framework and Planning Requirements will be published in early 2021.*
- 5.3. Risks associated with NHS funding are kept under review as part of routine monthly budget monitoring within Adult Social Care and Children's and are being factored into financial planning assumptions, along with proposed MTFS savings and cost avoidance measures for 2021/22.
- 5.4. Hosting Arrangements - the regulations require that one of the partners is nominated as the host of a pooled budget and this body is then responsible for the budget's overall accounts and audit. The host will appoint/nominate a pool manager whose role is covered appropriately by standing financial instructions/ prime financial policies and the scheme of delegation. The host will ensure arrangements are in place to deliver quarterly reporting to the Integration Board, the Health and Wellbeing Board and to the Cabinet, where required, of:
- Income
 - Expenditure
 - Performance information as data becomes available (via national and local data collection processes) to ensure that progress is transparent and can be regularly reviewed.
- 5.5. In addition, they will:
- Co-ordinate regular and timely receipt of performance reports by the HWB
 - Ensure that where elements of the pooled budget are ring-fenced for a particular purpose, the necessary supporting information is available to provide assurance that those elements have been used appropriately and to support the accounting arrangement applied
- 5.6. To meet the requirements in relation to an annual return the host must prepare and publish a full statement of spending, signed by the accountable officer/Chief Finance Officer to provide assurance to all other parties to the pooled budget for the Better Care Fund This is likely to include:
- Contributions to the pooled budget – cash
 - Expenditure from the pooled budget
 - The difference
 - The treatment of the difference
 - Any other agreed information.

- 5.7. The host should also liaise with other partners to identify if there is any other information they require for their year-end reporting and the corresponding date that it is required in order to meet external reporting deadlines and must review all other requirements specified in the signed agreement and ensure compliance.
- 5.8. It has been agreed between the parties that the Council will host the pooled budget for the Better Care Fund along with other pooled budgets as set out in para 5.2 above. This brings certain responsibilities and accountabilities that have been accommodated within existing Adults, Children's, and Corporate Resources revenue budgets.

6. Legal

- 6.1. The statutory duty of partnership working between NHS bodies and Local Authorities was established under the Health Act 1999 and the NHS Act 2006 updated and consolidated this legislation.
- 6.2. Under S10 Children Act 2004 Local Authorities and Clinical Commissioning Groups are under a duty to cooperate to improve the wellbeing of children and young people in the area and may provide staff, goods, services, accommodation or other resources to one another and make contributions to a fund out of which payments may be made.
- 6.3. Under S26 Children and Families Act 2014 Local Authorities and CCG's are required to put in place joint commissioning arrangements for children with Special Educational Needs and Disabilities
- 6.4. Section 3 of the Care Act 2014 places a duty on local authorities to carry out their care and support responsibilities with a view to joining-up services with those provided by the NHS and other health-related services (for example, housing or leisure services). The duty will apply where the local authority considers that integration of services would either promote the wellbeing of adults with care and support needs (including carers), contribute to the prevention or delay of developing care needs, or improve the quality of care in the local authority's area.
- 6.5. Under S75 National Health Service Act 2006 Local Authorities and NHS bodies have the power to enter into partnership arrangements and agree to extend them.
- 6.6. The powers permit:
 - The Partners to agree that certain functions (statutory powers or duties) of one Partner may be delivered by the other subject to agreed terms of delegation to achieve the partnership objectives, although ultimate accountability rests with the original partner.
 - Arrangements to pool funds

- 6.7. The NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (SI 2000/617) set out the rules governing such partnerships.
- 6.8. Both local authorities and CCGs are subject to the Public Contracts Regulations 2015 ("2015 Regulations"), as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019, SI 2019/560. The 2015 Regulations set out a range of obligations that contracting authorities (such as CCGs and local authorities) must comply with when procuring goods and services.
- 6.9. In response to the Covid-19 pandemic the Government has issued updated Covid-19 Hospital Discharge Service Requirements setting out the work that organisations are expected to undertake to mitigate pressure on NHS resources, and specifically hospital beds. Updated arrangements for Hospital Discharge Scheme 2 (HDS2) from 1 September 2020 to 31 March 2021 were set out in NHSE/I guidance published on 21 August 2020. This sets out how health and care systems can ensure that people are discharged safely from hospital to the most appropriate place continue to receive the care and support they need after they leave hospital. The current Section 75 agreement is therefore to be varied to take account of these requirements.
- 6.10. Local authorities are not subject to the NHS (Procurement, Patient Choice and Competition)(No.2) Regulations 2013 ("2013 Regulations") which apply to all health care services for the purposes of the NHS (including those that may also constitute adult social care services).

Where the Council procures services on its behalf it will have to comply with the PCR 2015 and the Council's CPRs. Where the Council procures health care services either on behalf of the CCG or jointly which fall within the 2013 Regulations it will need to ensure that it acts in a way that is consistent with the 2013 Regulations.

7. Value for Money

- 7.1. The Partnership Agreement enables the Council to work more effectively with the NHS to commission integrated health and social care and educational services for the residents of Ealing, thereby making more effective use of public money.
- 7.2. Each of the Service Schedules sets out the benefits of an integrated approach for the service concerned and includes monitoring and evaluation requirements.

8. Sustainability Impact Appraisal

- 8.1. The Framework Partnership Agreement relates to the commissioning of health and wellbeing, social care and education services for adults and

children. Within the arrangements for each of the services concerned consideration will be given to the sustainability impact of the service.

9. Risk Management

- 9.1. The Framework Partnership Agreement has been drafted by the Council's legal advisors to ensure that both parties can have confidence that arrangements are place to manage resources effectively and deliver the shared agenda.
- 9.2. Each Service Schedule, including the BCF, is subject to risk assessment and mitigating actions and oversight through the governance arrangements for the Partnership Agreement.

10. Community Safety

- 10.1. The services contained within the agreement relate to the provision of care for vulnerable adults and children and, as such, contribute to improved community safety.

11. Links to the 3 Key Priorities for the Borough

- 11.1. The Council's administration has three key priorities for Ealing. They are:
 - Good, genuinely affordable homes
 - Opportunities and living incomes
 - A healthy and great place

12. Equalities, Human Rights and Community Cohesion

- 12.1 The Partnership Agreement relates to the provision of services for vulnerable adults and children and, as such, contributes to the delivery of care for a range of disadvantaged groups.
- 12.2 The Service Schedules address how they will meet the needs of particular equality groups.

13. Staffing/Workforce and Accommodation implications:

- 13.1 Staffing/workforce and accommodation implications are addressed within each of the specific Service Schedules.

14. Property and Assets

- 14.1 The report does not involve property. Where there are property implications relating to particular services this is reflected in the Service Schedule.

15. **Any other implications** - none

16. Consultation

- 16.1 There has been no specific consultation on the extension of the Partnership Agreement which, in part regularises arrangements that are already in place and those required as a minimum by Government. Ealing CCG are working in parallel to enter into the varied and extended Partnership arrangements on the same terms through their own Governance arrangements.

17. Timetable for Implementation

- 17.1 The Framework Partnership Agreement commenced on 1st April 2015 for a period of five years. The extension to the Agreement started on 1st April 2020 for a period of up to one year, terminating on 31st March 2021. The proposed further extension of the agreement would start on 1st April 2021 for a period of up to one year, with a further option to extend to March 2023 if required.

18. Background Information

Information regarding the Better Care Fund policy statement for 2020/21 is published [Better Care Fund: policy statement 2020 to 2021 - GOV.UK \(www.gov.uk\)](http://www.gov.uk/better-care-fund-policy-statement-2020-to-2021)

The Government set out expectations of local areas COVID Discharge Requirements in published guidance in March 2020 and August 2020. These are available at [Hospital discharge service guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk/hospital-discharge-service-guidance)

Previous Cabinet Decision 17th March 2020
[CMIS > Meetings](#)

Consultation (Mandatory)

Name of consultee	Post held and Department	Date sent to consultee	Date received from consultee	Comments appear in report paragraph:
Internal				
Kerry Stevens	Director of Adult Services	16.02.21		
Judith Finlay	Executive Director Children, Adults & Public Health	16.02.21		
Kathleen Ennis	Principal Lawyer, social care and housing	16.02.21	18.02.21	
Chuhr Nijjar	Senior Contracts Lawyer	16.02.21	22.02.21	Throughout
Russell Dyer	Assistant Director of Accountancy	16.02.21	04/03/21	Throughout

Jumoke Adebisi	Interim Finance Manager A&PH	16.02.21		
Anna Bryden	Director of Public Health	18.02.21		
Charles Barnard	Assistant Director Integrated Early Years, Preventative and Youth Services	18.02.21		
Carolyn Fair	Director Children and Families	18.02.21		
Cllr Binda Rai	Portfolio Holder	17.02.21		
Cllr Yvonne Johnson	Portfolio Holder			
External				
Neha Unadkat	Borough Director Ealing CCG	17.02.21		
Rashesh Mehta	AD Integration and Delivery, Ealing CCG	17.02.21	18.02.21	

Report History

Decision type:	Urgency item?
Key decision	Yes
Report no.:	Report author and contact for queries:
	Adenike Tilleray, Assistant Director, Commissioning and Use of Resources, Adult Social Care Tilleraya@ealing.gov.uk

Contains Confidential or Exempt Information	No
Title	Community Equipment Service Call Off Extension
Responsible Officer(s)	Executive Director for Children, Adults & Public Health
Author(s)	Val Wilson Independent Living Commissioner
Portfolio(s)	Cllr Rai, Portfolio Holder Adults and Public Health
For Consideration By	Cabinet
Date to be Considered	16 March 2021
Implementation Date if Not Called In	29 March 2021
Affected Wards	All
Keywords/Index	Community equipment; aids to daily living

Purpose of Report:

This report seeks authorisation for the London Borough of Ealing to extend the call off contract made between the Council and Medequip Assistive Technology Limited dated 1st April 2017 (“the Call Off Contract”) for Community Equipment as part of the London Community Equipment Consortium on behalf of the Council and the Ealing Clinical Commissioning Group to commence on 1st April 2022 for a period of one year. In 2019 an Officer Decision was taken to extend the contract from April 2021 to March 2022.

The report seeks delegated authority to the Executive Director Children, Adults & Public Health to decide whether to join the for re-procurement from April 2023 as part of the London Consortium and delegated authority to call off from the framework.

1. Recommendations

- 1.1 Cabinet approves the extension for the Call-Off Contract for Community Equipment Services as part of the London Consortium to 31st March 2023 from 1st April 2022 with no change in conditions other than the 1.7% inflation uplift on activity charges (applied from April 2021). Annual cost to Ealing is estimated at £10,242 which will be budgeted for via the 50:50 split between the CCG and the Local Authority (£5,121 per year added to each contribution).
- 1.2 Cabinet delegates authority to Executive Director Children, Adults & Public Health to make the decision by end of November 2021 whether to participate in the Consortium procurement for a new community equipment from April 2023 and further delegates authority to Executive Director

Children, Adults & Public Health to make a call off from the framework in accordance with its rules.

2. Reason for Decision and Options Considered

- 2.1. The London Borough of Ealing is part of the London-wide consortium delivering Community Equipment services via a contract with Medequip, as one of 21 London boroughs.
- 2.2. Ealing joined the consortium from 1st April 2017 following Cabinet authorisation for the London Borough of Ealing to call off from the single supplier framework on behalf of the Council and the Ealing Clinical Commissioning Group for a period of four years plus two years extension option.
- 2.3. In 2019 an Officer's decision was taken to extend the contract from April 2021 to March 2022.
- 2.4. The current framework has delivered a high quality service since 2017 and the member authorities have benefited from having a Consortium team to manage the contract and negotiate with the service provider in relation to any required changes or contract variations.
- 2.5. The London Consortium has taken a majority decision to extend the contract for the final available year to 31st March 2023 and will commence re-procurement to be completed for a new contract to be in place from 1st April 2023.
- 2.6. Ealing Council, and the Ealing Clinical Commissioning Group, must decide:
 - by April 2021, whether to remain with the Consortium for the extension period to 31st March 2023
 - by November 2021, whether to take part in re-procurement of the framework with the London Consortium.

3. Key Implications

- 3.1. The Consortium timetable for decision-making requires notice to be served by April 2021 if members wish to withdraw. If Ealing were to withdraw from the Consortium the Council and CCG would need to procure an alternative service by April 2022. (Annex 1: Decision Tree). Any gap in service would cause considerable distress to Ealing residents and create pressures on health and social care services.
- 3.2. The London Community Equipment Consortium has brought together 21 local authorities and CCGs to establish this framework which achieves greater value for money from collaborative procurement and increased buying power.

- 3.3. The London Consortium carried out an options appraisal before establishing the Framework for Independent Community Equipment Services in 2017 and again when the first year's extension was agreed in 2019. Options for a range of procurement options were examined. The options at this stage remain the same, and the agreement with Medequip will be unchanged for 2022 – 2023.
- 3.4. The following high-level options could be available to each London Consortium member:
- a) Extend the existing community equipment contract with Medequip for a period of one year from 2022 - 2023
 - b) Access a community equipment framework set up by another organisation
 - c) Set up and/or work with other authorities to set up and use a new London Consortium community equipment framework
 - d) Join an existing shared service arrangement for community equipment
 - e) Set up and/or work with other authorities to set up and use an entirely new shared service arrangement
 - f) Go out to tender for an individual outsourced community equipment contract
 - g) Bring community equipment services back in house on an individual authority basis, either as an internal department or as a local authority trading company
 - h) Some combination of these / mixed options
- 3.5. The additional one year extension to 2023 provides more time to consider these as a borough (to November 2021). Most of these options are not viable to establish in the time available before re-procurement in 2022. Some options, such as accessing a framework agreement for equipment goods only, do not offer a full solution.
- 3.6. The ability to call off from the Framework managed by the Consortium in 2017 and the first one year extension to 2022 were considered to be the most cost effective options, with proven cost benefits including economies of scale achievable from joint commissioning by multiple authorities.
- 3.7. Identified benefits to continue as a Consortium member are:
- Buying power: the Consortium is the largest community equipment consortium in the UK and Europe
 - Support from the Consortium Team who undertake high level negotiations, contract management support, quality assurance, development of the Consortium Catalogue and access to Equipment Review Groups, service specification and policy development, Consortium wide data analysis, escalation route for issues
 - Shared Specials. Bespoke special items that are no longer required are collected and added to stock. These items are visible to all consortium members and can be shared for a minimal charge of £10.

(The owning local authority retains discretion to refuse to share certain refurbished specials)

- Sharing of best practice and training across boroughs
 - Learning from pilots run in other boroughs e.g. delivery speeds pilot to reduce use of emergency tariff
 - Clinical advice for prescribers
- 3.8. If Ealing chooses to take part, the next procurement exercise and contract mobilisation process will be managed by the Consortium, sharing and therefore reducing costs between 21 boroughs.
- 3.9. During the Covid-19 Pandemic, the Consortium has been the main point of contact between boroughs and Medequip, issuing regular communication updates and resolving issues. The Consortium Team negotiated the supplier support relief package between Medequip and London ADASS and then monitored and calculated the monthly contributions from boroughs. They maintained business continuity with Medequip to minimise service disruption to boroughs and supported sourcing PPE.
- 3.10. The Consortium Team has developed its own Brexit risk log and are working with Medequip in developing an Equipment Business Continuity Plan that will sit alongside the operational BCP. The Equipment BCP includes a review of Medequip's supply chain resilience and its mitigations, which will then be overlaid with the clinical risk assessment of key items of equipment and close technical equivalents and the clinical mitigations that will be used.
- 3.11. Nationally, there is a reluctance to bring Community Equipment Services back in-house during the ongoing period of austerity, combined with the unknown environment due to Covid-19 and post Brexit. Those authorities who still have in-house services are considering their options as to whether to outsource partially or move to a fully managed service.
- 3.12. In NW London, Harrow CCG and Local Authority considered last year whether a regional procurement would be viable, across NW London. Their analysis led them to decide to remain as members of the London Consortium, due to better buying power, back office support for contract management and procurement, and a wider knowledge base and experience.

4. Financial

Financial impact on the budget

- 4.1. The community equipment service is demand led. It is commissioned by the Council on behalf of itself and Ealing CCG, with the costs split 50/50. The prices agreed in the framework relate to the actual price of equipment and the cost of delivery and collection ('activity tariffs'). The total cost of the contract during the one year extension has been estimated based on

activity over the past four years, and taking into account the impact of the Covid-19 pandemic.

- 4.2. The contract value for the extension period is estimated at £3.100m. This is based on activity between April 2020 and December 2020. 12.3% of this relates to children’s equipment
- 4.3. There is no change in conditions or cost for the additional extension period to the contract. There is however, an inflationary uplift of 1.7% on activity totalling £10,242 applied to both 2021/22 and 2022/23. This is budgeted for through the 50:50 contributions from the local authority and the CCG.
- 4.4. Increases in the purchase price of lead equipment products may occur on some items as a result of shortages in raw materials such as currently being seen in foam and steel due to factory closures where there have been Covid outbreaks and the impact of planning for Brexit. The Consortium Clinical Lead and the Catalogue Management Group review and risk assess close technical equivalent products as an alternative solution and only where there is no alternative, would the price increase be accepted.
- 4.5. Any increase in costs can be offset in improving collection rates as boroughs receive back 90% of the equipment value (at the new higher cost) when it is collected and recycled. A cost avoidance Action Plan for Community equipment is being developed and will be managed by the service and the prescribers group, extending the work achieved to date to deliver the previous year’s FE saving on community equipment spend.
- 4.6. Council revenue funding is made up of Adults’ Services budget, plus income from the NHS via S256 of £0.922m which is a recurrent revenue stream.
- 4.7. The Future Ealing has approved a capital programme which includes the following allocations for the next 2 years under the Health, Independence and Efficiency programme.

	Year 1 (2021/22)	Year 2 (2022/23)	Total
	Capital £m	Capital £m	Capital £m
Health, Independence and Efficiency	0.480	0.480	0.960

4.8. The approved budget allocated to the Community Equipment is as follows:

	2021/22	2022/23	Total
	£m	£m	£m
Adults Services Revenue Budget			
Integrated Community Equipment	1.070	1.070	2.140
Contribution from Ealing CCG	1.550	1.550	3.100
Total Revenue Budget	2.620	2.620	5.240
Contribution from Capital			
Health, Independence and Efficiency	0.480	0.480	0.960
Total Contract Value	3.100	3.100	6.200

4.9. In-year spend is now forecast at £2.8m. Additional savings above what was achieved in 2020/21 are unlikely for 2021/22 or 2022/23. The forecast savings in 2020/21 were achieved through a combination of local cost control measures, and Covid-19 affecting prescribing practice and customer choices.

4.10. At the end of 2020 activity was returning to normal for the time of year. It is likely that customers who did not take up opportunities for equipment will still require equipment in future, which may mean a backlog in demand which will need to be dealt with by prescribers.

5. Legal

5.1. The Community Equipment service contract contributes to the Council meeting its general duties and exercising its powers as set out in.

- a) s.2 of the Chronically Sick and Disabled Persons Act 1970, the Council have a duty to provide practical assistance and additional facilities for the greater safety, comfort or convenience of people who are assessed as needing them.
- b) Section 17 Children Act 1989 imposes a duty on the Council to safeguard and promote the welfare of children within their area who are in need; and so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs. For the purpose of facilitating the

discharge of their general duty, every local authority also has the specific duties and powers set out in Part 1 of Schedule 2 to the Act.

- c) A number of provisions of the Care Act 2014 (the 2014 Act), including:
- Section 1 To promote an individual's well-being, defined in the Act and including control by the individual over their day-to-day life.
 - Section 2, In exercising this general duty the Council must have regard to the importance of preventing or delaying the development of needs for care and support and the importance of the individual participating as fully as possible.
 - Section 3, To promote integration of care and support. The statutory guidance supporting the 2014 Act includes guidance for Council departments working more closely together and in a joined up manner.
 - Where an individual has an eligible need for care and support under the 2014 Act the Council will have a duty to ensure that a reasonable offer is made to meet that need. In cases where there is no statutory duty the Council will have a power to make a reasonable offer. S.8 of the 2014 Act provides examples of how needs may be met and this includes providing goods and facilities. The Care and Support Statutory Guidance gives examples of what local authorities could do to meet this duty, which includes the provision of equipment.
 - To establish and maintain a service for providing people in its area with information and advice relating to care and support. This service should include information about the choices and types of care and support available, choices of providers available and how to access the care and support.
 - To promote diversity and quality in the provision of services within the locality. The Council must ensure that commissioning and procurement practices deliver the services that meet the requirements of the Act.
- 5.2. The proposals in this paper do not fall within one of the prohibited delegations within s.79 of the 2014 Act.
- 5.3. Section 75 of the National Health Service Act 2006 and National Health Service Bodies and Local Authorities Partnership Regulations 2000 allows local authorities and specified NHS bodies to work jointly including having pooled budget arrangements and undertaking commissioning on each other's behalf.

- 5.4. Amendments to the NHS Act 2006 provided the legislative basis for the Better Care Fund, (BCF), a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible allowing for the mandate to NHS England to include specific requirements relating to the establishment and use of an integration fund.
- 5.5. The national conditions for the BCF in 2020-21 are that:
- Plans covering all mandatory funding contributions have been agreed by HWB areas and minimum contributions are pooled in a section 75 agreement (an agreement made under section 75 of the NHS Act 2006).
 - The contribution to social care from the CCG via the BCF is agreed and meets or exceeds the minimum expectation, as set out by NHS England in February 2020
 - Spend on CCG commissioned out of hospital services meets or exceeds the minimum ringfence
- 5.6. In February 2020, Health and Wellbeing Boards were advised that BCF policy and planning requirements would not be published during the initial response to the COVID-19 pandemic and that they should prioritise continuity of provision, social care capacity and system resilience and spend from ringfenced BCF pots based on local agreement in 2020 to 2021, pending further guidance.
- 5.7. For 2021/22 the CCG contribution to the BCF will again increase by 5.3% in line with the NHS Long Term Plan settlement. The Policy Framework and Planning Requirements will be published in early 2021.
- 5.8. The Community Equipment contract meets the national conditions set for access to the BCF
- 5.9. The lead/host authority for the framework is Royal Borough of Kensington and Chelsea, and the extension request was added to the forward plan and approved by their Cabinet with the delegated responsibility to agree the second year extension going to the Lead Member for Adult Social Care. The framework was procured through Hammersmith & Fulham under the previous tri-borough arrangements, so H&F are progressing the extension of the framework agreement through their Cabinet along with the permission to novate the framework over to RBKC.
- 5.10. S149 Equality Act 2010 requires public authorities to have due regard to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

5.11. The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

5.12. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities. The provision of equipment which increases people's ability to live independently, and to take part in and contribute to their communities is part of the Council's and the CCG's commitment to promoting equality.

5.13 Clause 3.4 of the Call Off Contract permits extension of the Call Off Contract for the period 1st April 2022 to 31st March 2023.

6. Value For Money

- 6.1. The London Consortium is in a unique position to negotiate with providers, and has already come to an agreement with Medequip to maintain the conditions of the contract, with only 1.7% inflation and no other changes to costs to individual boroughs.
- 6.2. Membership of the Consortium does not impact on Ealing's ability to control spend locally, and the Consortium's size allows for savings and gainshares with the Provider to be negotiated across the contract.
- 6.3. Ealing retains control of its approach to collections, recycling, prescribing practice and to implementing speeds within prescribing. For example, Ealing was able to implement a dynamic collections policy which delivered savings during 2020.
- 6.4. Where a price increase occurs, the Consortium Clinical Lead and the Catalogue Management Group will review and risk assess close technical equivalent products as an alternative solution. Only where there is no alternative, would the price increase be accepted

- 6.5. To note, during the dip in equipment prescribing there was an increase in referrals into social care relating to falls.

7. Sustainability Impact Appraisal – not applicable

8. Risk Management

- 8.1. The Council has a statutory duty to ensure that the eligible need of individuals is met and to ensure this the provision of this service, with no gap between contracts, since the provision and maintenance of community equipment is critical for the care of vulnerable adults and children and delays in such provision can also impact on discharges from hospital, unnecessary admissions, preventable falls or accidents.
- 8.2. It is likely that expenditure on this service will continue to increase, since the provision of equipment is critical to the support of people in their own homes and in the community.
- 8.3. Risks of increasing activity and therefore costs are mitigated both through the Consortium oversight and ongoing work with the Provider, and through local actions such as increased collections and changes in speeds taken up.
- 8.4. There are risks associated with the delivery of this extension in relation to Global conditions relating to the Covid-19 Pandemic, and relating to Brexit. Being part of the Consortium mitigates these risks through the Provider's status within the market and ability to stockpile materials and equipment.

9. Community Safety

- 9.1. The provision of a range of community equipment contributes to keeping vulnerable adults and children safe within the community.

10. Links to the 6 Priorities for the Borough

- Good, genuinely Affordable Homes
Equipment improves people's homes and their ability to live better in them, as well as making living at home accessible to more people.
- Opportunities and Living incomes
Equipment facilitates people to take part in, and contribute to, their communities in terms of social life, employment, volunteering, education and leisure.
- A Healthy Great Place
Community equipment helps people live a more healthy and independent life.

11. Equalities, Human Rights and Community Cohesion

- 11.1. The provision of equipment is based entirely on needs, assessed by NHS and local authority professionals with the service user and carer. Prescribers ensure that people receiving equipment are given explanation

and training in how to use it.

12. Staffing/Workforce and Accommodation implications: Not applicable

13. Property and Assets: Not applicable

14. Any other implications: Not applicable

15. Consultation

- 15.1. Service users and their families, friends and carers are invited to give feedback on the service they receive. Part of the ongoing improvement work with Medequip is to make feedback and complaints mechanisms more accessible and responsive and to embed learning into the organisation.
- 15.2. Medequip undertake a customer viewpoint survey which feeds into the 'Complaints and Action Log' lessons learned process.

16. Timetable for Implementation

Joint Contracts Board, supported proposals	19 01 20
Cabinet decisions for extension and recommendation to re-procure with Consortium	16 03 20
Ealing CCG governance	
Executive and Innovation Committee	03 03 20 (TBC)
Finance and Performance Committee	24 02 20 e-governance
Implementation date if not called in	29 03 20
Current extension ends	31 03 22
Additional one year extension starts if agreed	01 04 22
Decision to remain with Consortium for re-procurement	30 11 21
New contract starts	01 04 23

17. Appendices

Annex 1: Decision Tree

18. Background Information

18.1. The Market in London

Of the 33 London Boroughs, the market is segmented in the following way:

- 21 (64% by number) have an outsourced Independent Community Equipment Service (ICES) contract with Medequip via the London Consortium
- 7 (21% by number) have an outsourced ICES contract with Millbrook
- 2 (6% by number) are operating an in-house service directly or through a trading arm of the local authority
- 3 (9% by number) were using the Croydon shared service arrangement but due to the current financial situation in Croydon it is not known if this framework will continue.

- 18.2. Due to the size of the London Consortium, Medequip is currently the dominant provider of the outsourced market in London.
- 18.3. The Governance of the Consortium
- 18.4. Operated through the Management Committee and the Board; which respectively meet on a monthly and bi-monthly basis.
- 18.5. Medequip attend both these meetings and present a quality report on performance and updates on the positive action plan as well as discussing and resolving ongoing issues.
- 18.6. The Consortium Team holds Best Practice days for Clinicians on a range of focused topics to share good practice, exchange and develop ideas and processes.
- 18.7. Several working groups have been set up, who meet on a regular basis to focus on specific areas of work to resolve issues and develop new ways of working:
- Procurement Project Group
 - Catalogue and Specials Working Group
 - Equipment Review Groups
 - I.T. Review Group
- 18.8. Performance management is carried out by the Consortium Team, with oversight from members as outlined above. It is not proposed to change KPIs for the extension period. However, the Consortium works closely with Medequip on areas of improvement, many of which have delivered for service users and reduced costs, for example through Planned Preventative Maintenance.

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Kerry Stevens	Director of Adult Services	04 02 21	09 02 21	
Chuhr Nijjar	Legal Services	04 02 21	10 02 21	5. Legal
Jumoke Adebisi	Finance Manager	04 02 21	10 02 21	4. Financial
Cllr Rai	Cabinet Member for Adults Services			
External				
Neha Unadkat	Managing Director Ealing CCG	11 02 21	15 02 21	
Pooja Maniar	Head of Finance, Ealing and Hounslow CCG	11 02 21		

Report History

Decision type:	Urgency item? No
Key decision	Yes
Report no.:	Report author and contact for queries:
	Val Wilson, Independent Living Commissioner wilsonv@ealing.gov.uk Ext 7704

Borough decision making Consortium following host borough proposing final year extension

