

## Minutes of the meeting of the Cabinet

**Date:** Tuesday, 20 April 2021

**Time:** 19:00

**Venue:** Virtual Meeting

**Attendees:**

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

- **Also Present**

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

Item 07 - Transport Programme 2021-22 (Councillor Ball)

**1 Apologies for Absence**

Councillor Camadoo-Rothwell

**2 Declarations of Interest**

Councillor Bell declared an interest in item 7 by virtue of his membership on the Board of TfL. Councillor Bell had recused himself from all decisions at TfL relating to the funding of boroughs including Ealing. Cllr Bell remained in the meeting for the duration of this item.

Councillor Dhindsa declared an interest in item 12 by virtue of having a relative who was a landlord in the borough. Cllr Dhindsa remained in the meeting for the duration of this item.

Councillors J Anand, Mahfouz and Sabiers declared an interest in item 12 by virtue of being landlords in this borough and they left the meeting for the duration of this item.

**3 Urgent Matters**

There were none.

**4 Matters to be Considered in Private**

Items 9 and 14 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 16 March 2021 be agreed and signed as a true and correct record.

## 6 Appointments to Sub Committees and Outside Bodies

There were none.

## 7 Transport Programme 2021-22

### Resolved

That Cabinet:

- i) approves the proposed 2021-22 budget changes to the existing Highways capital specific scheme's budget as detailed in Section 4.1 of the report which increases the budget by £0.416M, of which:
  - a) TFL grant funded budget decreases by £3.517M
  - b) Parking revenue account funded budget addition of £0.600M
  - c) S106 funded budget increases by £3.333M
- ii) notes that the Appendix A of the report provided the detailed revised 2021-22 Highways capital programme funded by TFL grant, Parking Revenue Account and S106 contribution.
- iii) approves £2.142M of revenue expenditure budget for Place Transport Planning projects in 2021-22 (as detailed in Section 4.2 of the report) of which:
  - a) £1.812M to be funded from a combination of TfL grant and Parking revenue account, (Appendix A of the report).
  - b) £0.330M to be funded from a combination of Fee Income from Source London Mobility Solutions Ltd and S106 funding received under the agreements as detailed in Appendix A of the report.
- iv) delegates authority to the Director of Place Delivery to take the necessary steps to implement the schemes identified in the Transport programme and also those schemes funded through S106 monies as set out in Appendix A of the report, following consultation with the Portfolio Holders for Regeneration and Transport plus Environment and Climate Action, subject to relevant detailed design and approvals and the outcome of any statutory consultation that may be required.
- v) delegates authority to the Director of Place Delivery to approve a revised Transport Programme for 2021-22 should the level of confirmed TfL grant for the Council be lower than expected, following consultation with the Chief Finance Officer and the Portfolio Holders for Regeneration and Transport plus Environment and Climate Action (see section 3 of the report).

### Reason for Decision and Options Considered

The Ealing Transport Strategy (approved by Cabinet in June 2018) and the Local Implementation Plan (LIP) 2019-22 set out the transport strategy for Ealing Council and provided the rationale for the Council's spending decisions. The Council's transport priorities were to encourage sustainable travel for social (including health), environmental (including air quality) and economic (regeneration) reasons and the Transport Strategy and LIP reflected this policy direction.

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

The Transport Programme 2021-22 also played an important role in contributing to the Ealing Climate and Ecological Emergency Strategy. The Transport Programme would help the Council reach the net zero carbon target by 2030 by satisfying the three Travel Objectives of the Strategy:

1. Reduce number of vehicles travelling in and through Ealing,
2. Increase active travel (mode shift) and,
3. Encourage Cleaner motor vehicles

The LIP was required to be consistent with the Mayor's Transport Strategy (MTS) together with other emerging strategic transport initiatives across London and would implement these at the local level. Ealing was also an active partner in the West Trans Sub-Regional Partnership of six boroughs hosted by the West London Alliance partnership.

The decision sought also allowed further development and delivery of the West Ealing Liveable Neighbourhood (WELN) Programme to build on the design and experimentation phases already completed. This project sought to improve the quality of life in West Ealing with improvements to streetscape, parks and to encourage active travel.

## **8 Ealing Outbreak Management Plan – Refresh March 2021**

### **Resolved**

That Cabinet:

- i) notes the Council's updated local system report and the plans around prevention and control of the spread of Covid-19 and any outbreaks.
- ii) records its thanks to the Public Health Team and officers across the Council for all of their work, and to the residents of Ealing who have joined the collective effort by not seeing loved ones, remaining at home and following the rules during this pandemic.

### **Reason for Decision and Options Considered**

The Covid19 Contain Framework was a national framework that supported local decision-makers by clarifying their responsibilities and empowering them to take preventative action and make strong decisions locally, supported by mechanisms that safeguarded key national assets and interests. The overarching aim of the framework was to empower local decision-makers to act at the earliest stage for local incidents, and ensure swift national support was readily accessible where needed. Ealing Council had a local outbreak prevention and control plan setting out how partners would work together to implement the plans and take a preventative approach.

The plan was previously approved by Cabinet and had been updated to take into account the Government's roadmap to coming out of restrictive lock down measures. The plan was found at appendix 1 of the report.

Ealing's local outbreak prevention and control plan was centred on 7 themes

- care homes and education settings
- high-risk workplaces, communities and locations
- local testing
- contact tracing in complex settings
- data integration
- vulnerable people and diverse communities
- local boards and communications

There was no option other than to update the plan and given the continuing conditions and national arrangements to deal with the pandemic.

## **9 ICT Infrastructure Managed Support Services Contract**

### **Resolved**

That Cabinet:

- i) authorises the Director of ICT, IDM and Property Services to carry out a procurement in accordance with rules of the framework for a call off contract from a Crown Commercial Services G-Cloud 12 framework for the ICT Infrastructure Managed Services Contract for a duration of 2 years plus two 1-year extensions commencing June 2022 at an estimated value of £7.000m . The contract would be awarded based upon an evaluation of suppliers that are returned from the digital marketplace search.
- ii) delegates authority to the Director of ICT, IDM and Property Services to award a contract for the provision of the ICT Infrastructure Managed Services Contract for a duration of 2 years plus two 1-year extensions in accordance with rules of the framework for both:

Managed service for up to £0.982m per annum to be funded from the existing ICT Contracts Register annual revenue budget and.

Project management, technical design and delivering technical projects (integrated with ICT infrastructure server and storage support) for up to £0.768m per annum from the ICT capital budget as and when required by service areas within the council for relevant projects who have the requisite budgets.

iii) notes that the full specification of the required works could be referenced in Confidential Appendix A of the report.

#### **Reason for Decision and Options Considered**

The existing contract for the supply of ICT management services, ICT Server and Storage Support Contract, currently expires on 31 May 2022. The contract provided services to support, maintain, and deliver key ICT and business outcomes. These services ranged from maintaining and developing business applications, project management services and technical/non-technical support.

The principal business drivers for this contract include the need to:

- Deliver better value for money from existing and new ICT investments.
- Respond to evolving and growing demands of the business, especially under the current circumstances with the global pandemic (COVID- 19).
- Maintain and enhance data security compliance standards.
- Position, support, and drive infrastructure environments to support home, flexible and mobile working.

Following consultation with the Commercial Hub and considering the substantial revenue pressures caused by the global pandemic (COVID -19), there was a need to procure in a cost effective and expedient way. We were therefore seeking to call off from the Crown Commercial Services G-Cloud framework for a single supplier for all off the managed services. Procuring multiple suppliers would result in fragmentation of service with a reduction in quality due to the lack of end-to-end accountability. G-Cloud was identified as the most cost-efficient procurement route as this:

- negated the need for consultancy services to oversee and project manage the tender process and minimised the need for evaluation, procurement, and legal resources.
- option delivered the desired outcome in the shortest time as it provided an off-the-shelf solution without the need for: Invitation to Tender (ITT), Request for price (RFP), Request for quote (RFQ), request for information (RFI) or negotiation.
- Framework was legally compliant and regulated and ensured minimal contractual risk.
- Framework provided an off the shelf solution and transparency as the catalogue displayed the supplier's service information and pricing. It was therefore easy to ensure delivery of a solution that was best fit, and the price provided value for money

given that the framework was tendered.

- Framework was benchmarked to ensure continued value for money.

## 10

### **Agency Worker Contract**

#### **Resolved**

That Cabinet:

- i) Gives authority to conduct a mini competition for a call off contract from the Eastern Shires Purchasing Organisation (ESPO) MSTAR3 Framework Agreement for the provision of a managed service for temporary agency workers which has been effective from 11 April 2019. The start date of the contract is 9 January 2022 and the contract would be for two years with the option to extend for a further 2 periods of 12 months each for an estimated value of £25,136,198 per annum.

#### **Reason for Decision and Options Considered**

On 13 September 2016 Cabinet granted approval for the Council to enter into a contract with The Adecco Group from 9 January 2017 for a period of three years, with an option to extend for a further one year under the Eastern Shires Purchasing Organisation (ESPO) Framework Agreement for Managed Services for Temporary Agency Resources (MSTAR2). The Adecco group was awarded the contract under Lot 2 (Master Vendor) of the MSTAR2 Framework Agreement, following a collaborative mini-competition exercise led by the London Borough of Newham on behalf of a number of London Boroughs.

On 10 December 2019 Cabinet granted approval to extend the current contract with The Adecco Group from 9 January 2020 to 8 January 2021. The reasons for this were:

- oneSource, working on behalf of the London Boroughs of Havering and Newham council, had been working on arrangements for a new contract and procurement activities had been taking place over Summer/Autumn 2019.
- oneSource, were presenting to London councils on Tuesday 3 December 2019 the launch of future arrangements under the MSTAR3 Lot1a and Lot1b Collaboration Launch.
- Decisions needed to be made ahead of this launch on 3 December 2019 of the best way forward for the council; and

Options considered included:

- Entering into new contractual arrangements effective from 9 January 2020; and
- Extending the current contractual arrangements for one year from 9 January 2020 to 8 January 2021 to allow time for the most effective and financially advantageous decisions to be made on behalf of the council.

The option of extending the current contractual arrangements for one year for 9 January 2020 to 8 January 2021 was the preferred option which was recommended to Cabinet for approval.

On 10 November 2020 Cabinet authorised the extension of the existing contract with Adecco UK Limited for the provision of Managed Services for Temporary Agency Resources for the duration of one year from 9 January 2021 to 8 January 2022.

The current contract would end on 8 January 2022.

A Managed Services For Temporary Agency Resources – Agency Worker contract would be required from 8 January 2022.

Options considered included:

- Continuing with the current contract using emergency COVID19 procurement regulations.
- Continuing with a contract through joining an appropriate Framework Agreement.
- Re-procuring a contract. This would have significant capacity and resource issues across several Service Areas which had not been planned or budgeted for to date and would be difficult particularly due to COVID-19.
- Providing the service requirements in house. This would have significant capacity and resource issues across several Service Areas which had not been planned or budgeted for and would be difficult; and
- No longer providing agency workers. For a large organisation with circa 3,000 employees it was essential to have a Managed Services For Temporary Agency Resources – Agency Worker Contract to provide additional temporary resources required by the council to deliver its business requirements.

The preferred option was that with effect from 8 January 2022 Ealing Council enter a contract for Managed Services For Temporary Agency Resources – Agency Workers through joining the ESPO Framework Agreement.

**11**

## **Contract for HR and Payroll IT System**

### **Resolved**

That Cabinet:

- i) authorises the Director of HR and OD to conduct a call off exercise from the Crown Commercial Services (CCS) G-Cloud 12 framework and awards a contract for the provision of a HR and Payroll IT System and associated managed services. In accordance with the rules of this framework, this would be for a duration of 2 years plus two 1-year extensions. The value of the current contract was £499.768.72 over a 2 year period which would

be fully met from existing service budget.

### **Reason for Decision and Options Considered**

There was a clear business need for a HR and Payroll IT System due to the significance of its service provisions.

An average of 16,500 people were paid and circa £22m processed by the “System” monthly. This system contract was critical to the business to manage payroll, pensions, recruitment, absence management, employee self-service and people management by managers.

12

## **Private Rented Sector Licensing Schemes Renewal**

### **Resolved**

That Cabinet:

- i) notes the progress made with improving the private rented sector (PRS) since January 2017 following the introduction of additional House in Multiple Occupancy (HMO) licensing boroughwide and selective licensing of all other PRS properties in the wards of Acton Central, East Acton, South Acton, Southall Broadway and Southall Green.
- ii) notes the evidence report highlighting the scale of poor housing conditions, deprivation, crime, anti-social behaviour (ASB) and environmental nuisance linked to the private rented sector in Ealing.
- iii) authorises the Director of Place Delivery to commence a statutory consultation exercise with residents, private landlords, businesses and other key stakeholders on proposals for additional and selective licensing schemes for five years from 2022.
- iv) notes a further report with the outcome of the consultation would be brought to November 2021 Cabinet with recommendations as to whether or not to renew the additional and selective licensing schemes.

### **Reason for Decision and Options Considered**

Ealing was among the largest Boroughs in London with a population estimated at 346,908 in 2018. Population projections by the GLA anticipated that this would increase to 398,309 by 2031. Currently there were over 143,863 residential properties in the borough and 54,776 were estimated to be in the private rented sector. Based on tenure modelling undertaken in January 2021, Ealing’s PRS was now calculated to be 38.1% of housing stock. This compared to 23% of households in 2011 (ONS) and represented a 65.7% increase over the last 10 years. By comparison owner occupation had shrunk from 55% in 2011 to an estimate of 42% in 2021, whilst social renting had been virtually static at 20% Ealing was consistent with London in that it had a shortage of affordable housing and a shrinking prevalence of owner-occupation.



These facts together with the projected increase in population indicated that the size and importance of the PRS would continue to grow and be the only type of accommodation available to many Ealing residents including persons who were on low incomes and were vulnerable. The PRS was also becoming the only sector available to older persons, including those of retirement age, who had not been able to buy their own home. Housing conditions in the PRS were, on average, often in worse condition than in other tenures. The coronavirus pandemic had highlighted that housing and health inequalities were a factor in exacerbating the spread of covid-19, as well as other illnesses such as cancer, respiratory and cardiovascular diseases.

Black, Asian and Minority Ethnic groups were disproportionately likely to suffer from poor housing, which would not only have an impact on their health but could also have a detrimental impact on safety, education and life chances.

HMOs remained an important and integral part of the housing supply and met the demands of a whole range of residents. The term HMO applied to a wide range of forms of housing normally in the private rented sector, for example, hostels, 'bed and breakfast' accommodation, halls of residence and supported housing regimes. HMOs were the cheapest form of private rented accommodation and often housed people who were vulnerable, disabled and or were living on low incomes. Unfortunately, housing conditions in HMOs were often some of the worst in the PRS.

Licensing allowed a local authority to adopt a much more proactive approach to tackling poor housing conditions and raising standards in the PRS. Licensing encouraged good practices and imposed a level of self-regulation as licenses would not be granted if at point of application a landlord was not able to demonstrate that they complied with fire, gas and electrical safety conditions.

Mandatory HMO licensing under Part 2 of the Housing Act 2004 operated nationwide and this applied (generally) to larger HMOs that were occupied by five or more persons in two or more households. Larger HMOs were considered to be higher risk hence the requirement for all local authorities to operate a mandatory HMO licensing regime. Sometimes it wasn't just the larger HMOs that caused concern. If a local authority was aware of demonstrable problems associated with smaller HMOs (i.e. those not meeting the mandatory definition), then it had powers under the Housing Act 2004 to designate an area or areas to be subject to additional licensing in respect of some or all HMOs not already subject to mandatory licensing. However, unlike mandatory licensing which ran indefinitely, additional licensing could only last for up to 5 years. Ealing currently had a boroughwide additional HMO licensing scheme which included HMOs occupied by four or more persons

and some so called “section 257” HMOs. This boroughwide additional licensing scheme was due to expire on 31 December 2021.

In addition to HMO licensing, where an area had demonstrable problems associated with low housing demand, poor housing conditions, ASB, deprivation, migration or crime, the Housing Act 2004 enabled local authorities to introduce a selective licensing scheme which was applicable to all private rented dwellings (typically single household dwellings) not just HMOs. As with additional licensing, selective licensing could only last for up to 5 years. Ealing currently operated selective licensing in the wards of Acton Central, East Acton, South, Acton, Southall Broadway and Southall Green and the scheme was due to expire on 31 December 2021.

The current licensing schemes had ensured that there had been good progress in improving property standards for residents living in the PRS and reducing ASB. However poor housing conditions remained prevalent in Ealing’s growing PRS and many dwellings in the PRS remained unlicensed or did not meet the necessary criteria to be licensed within the existing licensing schemes.

The option of the Council not renewing both its additional and selective licensing schemes, relying on only the mandatory schemes, would lead to a deterioration in the standards of housing across the whole borough. This report provided cabinet with an overview of the provisions of the Housing Act 2004 that set out the process for the renewal of the licensing schemes and sought agreement to consult and gauge opinion with all key stakeholders that would be affected by the proposals. These are two distinct schemes that would, if introduced, operate in parallel to mandatory HMO licensing and as part of the Council’s wider strategies for housing and other related issues. The decision to designate an additional HMO licensing scheme could be agreed locally by the Council’s Cabinet. However, should the overall size of a renewed selective licensing scheme cover more than 20% of the geographical area or would affect more than 20% of private rented properties in the local authority area, approval from the Secretary of State would be required to proceed with the scheme.

13

## **Update on Wood End Infant and Junior Academy**

### **Resolved**

That Cabinet:

- i) notes the progress made regarding the amalgamation of Wood End Infant School (WEI) and Wood End Academy Junior (WEAJ), including the Statutory Notice.
- ii) approves the statutory proposal to close WEI to enable the

amalgamation of WEI and WEAJ to become an all through primary school to take effect for the start of the 2021/22 academic year.

iii) delegates to the Executive Director Children, Adults and Public Health, following consultation with the Portfolio Holder and Director of Legal Services, authority to make all necessary decisions to amalgamate WEI and WEAJ.

### **Reason for Decision and Options Considered**

The Cabinet decision was required to enable the local authority (LA) and the schools to progress with the creation of an all through infant and junior education provision. This involved the technical closure of WEI and extension of the age range at WEAJ. As WEAJ is an academy it sought, and had received, approval from the Regional Schools Commissioner for the extension of its age range to include the WEI provision. The Governing Body of each school wished to meet the challenges for education in the future and to enable children to continue experiencing excellent teaching and learning. The schools had been collaborating increasingly closely in recent years. Since September 2019, the schools shared an Executive Head Teacher, which both Governing Bodies believed had benefited pupils and staff. The Legal Framework within which Cabinet must consider the proposals was set out in section 5 of the report. The relevant background reports were presented to Cabinet on the 13 of October 2020 for starting the consultation and authority to publish statutory proposals was given by Cabinet in the report on 19 of January 2021.

14

## **Northolt High School Redevelopment Temporary Classrooms Contract Award and Beaconsfield Primary Capital Approvals**

### **Resolved**

That Cabinet:

- i) awards a contract in the sum of £1,289,168.50 to CMS Accommodating People Limited for the temporary classroom accommodation for Northolt High School redevelopment works to be funded from the existing approved budget of £9m as set out in the Capital Programme 2020/21 to 2024/25.
- ii) approves the addition of £0.088m Section 106 money to the existing approved Schools Service Capital Programme as a contribution to the funding of the Beaconsfield Primary School dining extension, with spend of the received funds incorporated into the budget as outlined in section 4 of this report.

### **Reason for Decision and Options Considered**

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

Cabinet authorised the Assistant Director Planning, Resources and Service Development, following consultation with the Portfolio Holder, to invite and evaluate tenders for the any enabling and temporary classroom accommodation works required for the redevelopment works at Northolt High School at an estimated value of £2.100m, on 8 December 2020.

Awarding the building contract for the enabling and temporary classroom accommodation works for Northolt High School Redevelopment works would allow the Council and school to progress the redevelopment of the school accommodation.

15

**Approval to use a Recognised Procurement Framework, Eastern Shires Purchasing Organisation (ESPO) and a Dynamic Purchasing System (DPS) to Streamline the Tendering Process; Recognised by Local and Central Government for a four-year period.**

**Resolved**

That Cabinet:

- i) authorises the Director of Place Delivery to award a direct contract to Handicare (stairlift providers) via the ESPO Framework Agreement 364\_18 Stairlifts, Steplifts, Vertical Through Lifts and Hoists for a term of four years from May 2021 to March 2025 for an estimated total value of £3.200m
- ii) authorises the Director of Place Delivery to conduct a law compliant procurement process for the establishment of a five-year Dynamic Purchasing System for the provision of services starting from May 2021 to deliver major adaptations through the Disabled Facilities Grant and Council Housing Adaptations processes.
- iii) delegates authority to the Director of Place Delivery to admit suppliers from the DPS once established in accordance with its rules and selection criteria during its five-year term.
- iv) notes that the CHA estimated contract value to be funded by approved Housing Revenue Account budget, with provision made in the HRA Business Plan approved by Cabinet in January 2021. The DFG contract spend from April 2021 to March 2023 is to be funded by the approved DFG capital scheme budget and it is assumed that the DFG grant allocation would continue through the BCF for the remaining three years of the contract period as it is mandatory. The 2021/22 budget has been approved but for the following year of 2022/23 this was subject to the annual budget process and grant announcements, although it was anticipated that this would be as planned in the table at 4.3 in the report. Any changes to the grant regime would mean a change to the budget for the remaining 3 years of the contract period, which was again subject to the annual budget process.

### **Reason for Decision and Options Considered**

The ESPO Framework Agreement estimated value of the contract for stairlifts and hoisting lifting equipment to be procured is £0.600m to £0.800m annually.

The DPS estimated value of the contract and set up costs would be contained within the proposed budgets (as set out in section 4 of the report). The overall cost of set up would be met from existing resources.

Both awarded values were based on an estimate on previous yearly returns and would be contained within the approved capital budgets over the five years 2021/22 through to 2025/26.

**16**

### **Date of Next Meeting**

#### **Resolved**

That Cabinet notes that the next meeting of Cabinet would be held on 25 May 2021 at 7pm.

Councillor Julian Bell, Chair

Date

The duration of this meeting was 7pm to 7:33pm

*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.*