

Minutes of the meeting of the Cabinet

Date: Thursday, 18 May 2023

Venue: The Liz Cantell Room, Ealing Town Hall, New Broadway,
Ealing, W5 2BY

Attendees (in person): Councillors

P Mason (Chair)

J Anand, J Blacker, D Costigan, S Donnelly, S Manro and K K Nagpal

Apologies:

A Raza, G Shaw

Attendees (virtual): Councillors

B Mahfouz

Also present: (Councillors)

F Conti, A Zissimos, G Malcolm

1 Apologies for Absence

Apologies were received from Cllr Raza.

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

Item 7 - Environmental Services (GEL) Contract Extension

- Cllr Malcolm

Item 8 - Health and Wellbeing Strategy 2022-2027

- Cllr Conti (subst for Cllr Gallant)

Item 10 - Update to the climate and ecological emergency strategy action plans

- Cllr Malcolm

Item 11 - Waste Reduction and Recycling Plan

- Cllr Zissimos (subst for Cllr Malcolm)
- Cllr Conti (Subst for Cllr Gallant)

This meeting was held in a hybrid format with members and officers able to join the meeting remotely. However, regulations did not allow for members attending virtually to be counted as present in the attendance section of the minutes, and their attendance would not count as attendance in relation to

section 85(1) of the Local Government Act 1972. Members attending virtually would be able to speak but would not be able to vote. Cllr Mahfouz attended virtually.

2 Urgent Matters

There were none.

3 Matters to be Considered in Private

Item 7 - Environmental Services Company Contract Changes including extension (Greener Ealing Limited), Appendix A contains Exempt Information by virtue of Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (see paragraph 10 to the Access to Information Procedure Rules)

4 Declarations of Interest

There were none.

5 Minutes

The minutes of the meeting, 19 April 2023, were discussed.

RESOLVED:

The minutes of the meeting, 19 April 2023, were agreed as a true and accurate record.

6 Appointments to Sub Committees and Outside Bodies

There were none.

7 Environmental Services (Greener Ealing Limited) Contract Extension

RESOLVED:

That Cabinet

- I. Agreed to extend the contract between the Council and Greener Ealing Limited (GEL) dated 6th July 2020 for the provision of environmental services (“the Contract”) for 5 years from 7th July 2025 to 6th July 2030 pursuant to clause 5.2 on at least 3 months' prior written notice of such intention before the expiry of the initial term.

- II. Agreed in principle to the variations set out in a current draft deed of

variation to include the following variations of the Contract and authorises the Strategic Director of Housing and Environment following consultation with the Director of Legal & Democratic Services and the Strategic Director for Resources to finalise the following variations:

- 1.II.1 inclusion of an industry-based contract indexation clause and mechanism for annual contract price adjustment
 - 1.II.2 confirmation of the Council's status as parent company guarantor.
- III. Agreed in principle to GEL's dividend policy set out in Confidential Appendix A and authorizes the Strategic Director of Housing and Environment following consultation with the Director of Legal & Democratic Services and the Strategic Director for Resources to agree its terms with GEL.
- IV. Noted that on 13th December 2022, the Strategic Director of Housing and Environment approved the addition of graffiti and flypost removal services to the Contract.
- V. Agreed to thank Darren Henaghan for his work as Council shareholder representative for Greener Ealing Limited and appoints Nicky Fiedler to be the Council's shareholder representative for Greener Ealing Limited, with effect from 3rd July 2023.

REASONS FOR DECISION:

- 1 Since the award of the Environmental Services contract to GEL in July 2020, there was a significant improvement in performance compared with the previous contractor. Contract Key Performance Indicators were being consistently met or exceeded, and customer complaint levels were dramatically reduced. The business demonstrated its ability to deliver to high standards and Graffiti Removal was authorised to be added to the Contract and it is also planned for parking enforcement services to be added to the GEL portfolio soon. The proposed contract terms for both these services extended beyond the term of the current GEL contract, with Graffiti services delivered by GEL from June this year and therefore required formal inclusion in the agreement with the Council.
- 2 Additionally, as part of efficiency savings in 2022/23 to assist with revenue pressures, the lease financing agreement for the GEL fleet

signed in 2020 for 5 years was extended by 2 years. The current GEL Contract with the Council officially would end in 2025 and must be extended to align with contract terms for the additional graffiti removal and parking enforcement services, and the extended finance lease agreements.

- 3 The extension of the GEL Contract provided an opportunity to make amendments to it, clarifying clauses and to include minor omissions.
- 4 There was potential for the Council as the shareholder to receive a dividend, based on a share of operating surplus. The original contract did not specify exactly how this might be apportioned and accordingly, a dividend distribution clause would now be included in the agreement.
- 5 The original contract did not include a formula for calculating annual contract price uplift. A formula based on industry standard for similar contracts would now be included, along with clarification of the mechanism for other annual price adjustments.
- 6 To support GEL endeavours to successfully bid for works outside of any agreement with the Council, confirmation of the Council's position as guarantor in relation to any GEL third party contract, if required, was sought. This would be at the discretion of the Council.
- 7 The Interim Strategic Director of Environment and Housing (Darren Henaghan) left the Council in July 2023. The Strategic Director acted as the Council's shareholder representative for GEL. This post would be held by Nicky Fiedler from 3rd July 2023.

8 Health and Wellbeing Strategy 2022-2027

RESOLVED:

That Cabinet

- I. Approved and endorsed 'Together in Ealing', the Joint Local Health and Wellbeing Strategy 2023-2028, with consideration of the Council's commitments in implementation of the Strategy.
- II. Delegated to the Director of Public Health, following consultation with the relevant Portfolio Holders, the Strategic Director for Resources and the Director of Legal and Democratic Services, authority to develop and implement the action plan over the duration of the strategy.

NOTED:

- III. That “Together in Ealing” set out nine commitments within three key themes, to drive Ealing’s Health and Wellbeing Board’s work over the next five years.

REASONS FOR DECISION:

1. The COVID-19 pandemic exposed and exacerbated existing health, social and economic inequalities in Ealing, impacting some groups of people more negatively than others. These inequalities were highlighted in the COVID-19 Integrated Impact Assessment published as the Annual Public Health Report in early 2021 as well as in the relevant JSNA (Joint Strategic Needs Assessment) chapters. The Annual Public Health Report proposed a set of system-wide principles for future work to address inequalities in Ealing.
2. In addition to COVID-19, we learnt more about racial inequality in Ealing through the Race Equality Commission in 2021. The Commission declared race inequality a crisis that demands an urgent response, calling on Ealing’s institutions to be bold and make clear commitments in response to their work. The Health and Wellbeing Board’s decision to focus its Strategy for 2023-2028 on tackling inequality is an opportunity to respond to this need.
3. Following engagement activities with residents, communities, Council officers, NHS colleagues and the Health and Wellbeing Board members, ‘Together in Ealing’ sets commitments for work to address health inequalities and inequalities in the building blocks of health and wellbeing in Ealing for the next five years.
4. These commitments would:
 - Use community-centred and asset-based approaches wherever possible for their delivery
 - Make changes which have been shown to have a real and long-term impact on health and wellbeing outcomes and people’s lives
 - Each will have key deliverable actions to be developed either by the Health and Wellbeing Board members themselves, or in collaboration with communities in Ealing

- Be deliberately ambitious and innovative, acknowledging the value of trying new approaches and learning from them as a system alongside communities themselves
 - Be monitored annually throughout the five years such that improvements can be made in an iterative manner
 - Inform and influence other relevant borough-wide and town level strategic work, local commissioning and action planning for all Health and Wellbeing Board partners, local strategic partners beyond the Board and communities themselves
 - Have 'cross-system' support to champion them, sustain their momentum throughout implementation, and ensure everyone understands and uses their role in health and wellbeing to affect positive change.
5. The Ealing Health and Wellbeing Board has a statutory duty to develop a Joint Local Health and Wellbeing Strategy. 'Together in Ealing', the Joint Local Health and Wellbeing Strategy (the Strategy) is coming to Cabinet after approval by the Health and Wellbeing Board on 10 May 2023. The Cabinet will be updated with the outcome of the decision of the approval of the Strategy at the Health and Wellbeing Board on the 10 May.
6. The nine commitments were:
- a. Putting Communities at the heart of everything
 - i. Listen and learn from community conversations
 - ii. Harness our collective resource to enhance the Voluntary, Community and Faith Sector (VCFS)
 - iii. Develop new models for working with our local communities
 - b. Systems and Structures that leave no one behind
 - i. Drive excellence in a shared equality, diversity and inclusion agenda
 - ii. Make services and support meet the diverse needs of communities
 - iii. Ensure the Health and Wellbeing Board is equipped to operate for the benefit of our diverse communities
 - c. Connecting the building blocks of health and wellbeing
 - i. Ensure the lens of wellbeing and inequalities is applied to the building blocks
 - ii. Ensure greater contribution of the Board to the building blocks of health and wellbeing
 - iii. Lead a whole system approach to work on the building blocks of health and wellbeing
7. The action plan to implement the commitments would be developed as a separate document.

8. The action plan would be developed in consultation with portfolio holders, Health and Wellbeing Board members and partners in mid-2023.

9 Health of the Borough

RESOLVED:

- I. Noted the report and breadth of programmes across the Council which supported the reduction of inequalities among residents.

REASONS FOR DECISION:

1. The report was a Council Plan deliverable. This is the first year that this report was completed. To develop the report, each Council directorate provided information to demonstrate their work to reducing inequalities and to contribute towards the Council's overarching strategic objective of 'Fighting inequality'.
2. A summary was provided outlining overarching indicators of inequalities in health and wellbeing among Ealing communities.

10 Update to the climate and ecological emergency strategy action plans

RESOLVED:

That Cabinet

- I. Noted the two-year progress report (2021-2023) on delivering the Climate and Ecological Emergency Strategy.
- II. Noted the planned activities within the progress report to deliver the Climate and Ecological Emergency Strategy between 2023-2026 which included enhanced activity across all council activities towards carbon neutrality by 2030.
- III. Noted the links between inequality and climate impacts and recognised that climate action was an opportunity for the council to make a positive contribution to social justice, with these actions achieving the greatest benefit for those already most vulnerable to climate change.
- IV. Noted the plan to ramp up work on campaigning for the changes necessary to deliver on the Net Zero ambition including greater powers and funding in support of the transition, and that the Cabinet Member for Climate Action would formally write to the Secretary of State for Energy Security and Net Zero urging government to increase funding for retrofitting homes and active travel measures.

- V. Noted that the Council would evaluate all future planning applications against the retrofit first principle, in line with the Council Plan commitment to pursue retrofit and as set out in the Strategy, to prevent the needless demolition of buildings in the Borough.
- VI. Noted the establishment of a new Climate Leadership Board which would coordinate cross-council working to deliver the Strategy and engender a greater climate conscious culture within the council.
- VII. Noted the Council's recent success in securing greening and decarbonisation grants and delivering works in line with grant objectives and agreed to develop a holistic and cross-cutting Ealing retrofit programme to further enhance and expedite investment to improve energy performance of council assets.

REASONS FOR DECISION:

1. The Council committed to treat climate change as a crisis, where a swift, intensive and substantial response was compulsory. Climate change presented an opportunity for communities to unite behind a common cause and proactively change their behaviours, prepare for the future, and mitigate ongoing harm to our natural environment.
2. In recognition that the effects of climate change were predicted to cause profound impacts on humanity and the ecological systems it relied on, Ealing's full Council declared a climate emergency in April 2019 and pledged to make Ealing carbon neutral by 2030. In Ealing, the risks of extreme weather events such as floods, droughts, and excessive heat were likely to rise profoundly, affecting health and livelihoods. The scope of the declaration and the January 2021 Climate and Ecological Emergency Strategy (CEES) aims to address all carbon emissions, both produced and consumed, by everyone in the borough.
3. The Council's strategy was structured around five themes, where the organisation had the most control and direct influence, based on policies, procurement, projects, and stakeholder relationships.
4. Each of the themes within the strategy identified unique objectives, targets and actions that would either reduce or capture carbon emissions in Ealing and beyond. As outlined in the CEES and the subsequent Council Plan, the Council has been prioritising efforts to meeting its 2030 pledge. However, since the climate emergency declaration, the Council also had to mitigate unforeseen challenges including the pandemic, the cost-of-living crisis, and inflationary pressure in all sectors of the economy including construction costs.
5. The delivery of the CEES, first drafted in 2019, had been impacted by unprecedented global events. The pandemic response necessitated a diversion of resources from many council services to support residents and businesses in times of hardship and uncertainty. Further, global events led to an escalation of the cost-of-living crisis, increased levels of fuel poverty, and have impacted the markets of raw materials and

labour, adding to the market shocks caused by the pandemic.

6. Underlying assumptions adopted in the development of the council's climate strategy were central government's commitment to make regulatory changes and strategic investment to ensure the nation meets binding targets agreed in the 2008 Climate Change Act and subsequent carbon budgets. Neither were forthcoming to the pace and extent forecast, which makes delivering the strategy far more challenging than previously estimated. Although the impacts of these challenges were recognised, the Council must continue its efforts, capitalise on emerging opportunities, and find solutions to mitigate the impact of these challenges on our aim to achieve the 2030 net zero pledge.
7. Notwithstanding the challenges, the Council made Tackling Climate Crisis one of its key cross cutting strategic objectives in the Council Plan 2022-2026, and the role of Cabinet Member for Climate Action was first created in the intervening period, reinforcing its commitment to addressing the key challenge.
8. Successful delivery of the climate strategy depended on the integration with, and implementation of, other council strategies, action plans, and innovation in the delivery of many services. To improve the effectiveness of implementation, a new Climate Leadership Board is established to mainstream delivery, uphold accountability, and engender a greater climate conscious culture within the council.

11 Waste Reduction and Recycling Plan

RESOLVED:

That Cabinet

- I. Approved Ealing's Waste Reduction and Recycling Plan (RRP). This plan set out objectives, targets and policies for the effective management of Ealing's waste and recycling activities.

REASONS FOR DECISION:

1. In May 2018 the Mayor of London published the London Environment Strategy (LES). The LES set out objectives, targets, and policies for the effective management of London's municipal waste and to accelerate the transition to a circular economy.
2. In performing their waste functions, waste authorities needed to show how they are acting in general conformity with the municipal waste provisions of the LES.

3. The Mayor initially required local authorities to develop Reduction and Recycling Plans (RRPs) covering the period 2018 to 2022, which demonstrate how Local Authorities intend to meet the Mayor's objectives and include local reduction and recycling targets that contribute to the Mayor's London-wide targets.
4. The RRP's were four year plans and were written prior to the Covid-19 pandemic. The pandemic since led to changes in waste volumes and composition, staff shortages and social distancing challenges. Local authorities worked hard to keep services running smoothly, but this understandably had an impact on progress of the agreed actions set out in the first set of RRP's.
5. The Mayor declared a climate emergency in 2018 and set ambitious aims for London to be a zero carbon city by 2030. Given the integrated nature of delivering waste services and associated environmental impacts, the Mayor expects that RRP's support wider environmental policies and proposals set out within the London Environment Strategy. RRP actions should therefore demonstrate consideration of wider key policy areas, including but not limited to reducing carbon emissions associated with waste operations, maximising air quality and vehicle LEZ / ULEZ compliance, and implementing actions that integrate circular economy thinking and practices
6. Local authorities were looking ahead to the government's Resources and Waste Strategy (Environment Act 2021, Government Bill), which would see the most significant changes to waste collection and disposal systems for a generation. At the time of publication of the guidance associated with producing the RRP, Defra has still to confirm the changes local authorities would need to put in place. The GLA acknowledged that there was still considerable uncertainty over exactly which services local authorities will be required to provide, the timescales, and the funding they would receive to support their implementation. Due to this uncertainty and given existing RRP's already contain actions from 2022 up to 2025, existing RRP's will remain in place until they are replaced by the new RRP's.
7. The GLA determined that the new RRP's should focus on a two year period from April 2023 to the end of March 2025, rather than four years (2022 – 2026).

8. Ealing's Reduction and Recycling Plan (RRP) followed the format requested by the Mayor to ensure consistency with other Borough RRP's.

9. Ealing's RRP had been reviewed by the Mayor's Office (Greater London Authority) and ReLondon, and comments have been incorporated.

Meeting commenced: 7.00 pm

Meeting finished: 7.27 pm

Signed:

Dated: Wednesday, 14 June 2023

P Mason (Chair)