

## **CABINET**

**Tuesday 17 June 2014 at 7:30pm**

### **Minutes**

#### **PRESENT:**

Councillors Bell (Chair), Anand, Dheer, Gordon, Johnson, Mahfouz, Rai, Taylor and Walker.

#### **ALSO PRESENT:**

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

- Item 07 – Leaseholder/ Freeholder Equity Assistance Scheme (Councillor Dabrowska)
- Item 08 – Appointment of Contractor for Construction of New Build Housing in Allenby Road, Greenford and Wincanton Crescent, Northolt (Councillor Dabrowska)
- Item 11 – The Right to Manage South Acton (South Acton Community Builders Co-operative Ltd – SCBC) (Councillor Malcolm)
- Item 18 – Property Strategy – Progress Update (Councillor Malcolm)
- Item 22 – Final report of Scrutiny Review Panel 1 – 2013-14 Governance (Councillor Malcolm)

Councillor Young addressed the Cabinet regarding item 22 – Final report of Scrutiny Review Panel 1 – 2013-14 in his capacity as Chair of the Panel.

#### **1. Apologies for Absence**

There were none.

#### **2. Urgent Matters**

The chair accepted the three tabled addendums as follows:

- Item 08 – addendum – amendments to the report
- Item 16 – addendum – Equalities Analysis Assessment
- Item 17 – addendum – amendments to the report

#### **3. Matters to be Considered in Private**

Items 8, 10, 13.14, 18, 19 and 20 contained confidential appendices but were not taken in private as it was not necessary to discuss the confidential information provided.

#### **4. Declarations of Interest**

Councillor Johnson declared a non-pecuniary interest in item 14 – Primary Schools Capital Approvals by virtue of being the chair of governors at Berrymede School.

#### **5. Minutes**

##### **Resolved:**

That the minutes of the Cabinet meeting held on 29 April 2014 be agreed and signed as a true and correct record.

#### **6. Appointments to Sub-Committees and Outside Bodies**

*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.*

**Resolved.**

There were none.

**7. Leaseholder / Freeholder Equity Assistance Scheme**

**Resolved**

That Cabinet:

- i) agrees to the creation of a Council Shared Equity Scheme (as set out in Appendix 1 of the report) to support regeneration on High Intervention Estates.
- ii) agrees that the Scheme shall be the Council's adopted policy for the purposes of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
- iii) authorises the Executive Director of Housing and Regeneration to take the necessary steps to set up and give notice of the Scheme following consultation with the relevant Portfolio holder and the Executive Director of Corporate Resources.
- iv) authorises the Executive Director of Housing and Regeneration to administer the Scheme once adopted.
- v) approves a £1,500k budget virement from the Asset Investment Programme to create a new element within the HRA Approved Capital Programme.

**Reasons for Decisions and Options Considered**

In February 2008, Cabinet agreed to the development of a strategy which would identify options for the regeneration of 7 estates, that each would require comprehensive remodelling to overcome the significant physical, social and economic issues experienced. These estates were Havelock, Allen Court, South Acton, Dean Gardens, Golf Links, Rectory Park and Copley Close. These seven were added to Green Man Lane which had already commenced the initial stages of consultation for significant regeneration.

There are currently 8 regeneration projects at varying stages of completion in Ealing. Each scheme has been through a process of consultation with stakeholders, viability testing and approval through the Council's cabinet process.

Cabinet approval for each scheme included the selection of a development partner for each of the estates and delegated authority to issue demolition notices, commence the compulsory purchase process and enter into negotiations with affected leaseholders and freeholders.

As part of each project a number of leaseholder or freeholder properties need to be bought back and tenants decanted to clear an area to either facilitate the commencement of the project or the next phase of demolition and construction.

To gain Cabinet approval for a Council Shared Equity Scheme to provide assistance to Council leaseholders and freeholders on High Intervention Estates who would otherwise be unable to acquire new properties

Options considered are detailed in the report.

**8. Appointment of Contractor for Construction of New Build Housing in Allenby Road, Greenford and Wincanton Crescent in Northolt**

**Resolved**

That Cabinet:

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- i) authorises the acceptance of a tender and award of contracts to Sandwood Design & Build Ltd for the construction of 3, 2-bedroom and 3, 1-bedroom flats on Allenby Road in Greenford and 3 houses on Wincanton Crescent in Northolt for the contract sums set out in section 2.7 of this report.
- ii) approves a £0.811m budget virement within the HRA Approved Capital Programme from Asset Investment Programme to Council New Build (Round 3) for the Allenby Road Scheme
- iii) notes the tabled addendum containing amendments to the published report.

### **Reasons for Decisions and Options Considered**

Cabinet noted, in November 2012 and July 2013 that officers were continuing to work up a pipeline of new-build housing schemes, and that the Greater London Authority had awarded grant funding towards the construction costs.

Tenders have been received for the construction of two of the pipeline schemes – 6 flats on Allenby Road in Greenford and 3 houses on Wincanton Crescent in Northolt. Cabinet authority is required for the awarding of contracts in excess of £0.5m, and authority to proceed is sought to in respect of these projects.

An analysis on the tender evaluation and the cost savings is attached as confidential appendices 1 and 2 of the report.

## **9. Approval to Extend Electrical (fire safety) Testing, New Installation & Upgrades – Measured Term Contract**

### **Resolved:**

That Cabinet:

- i) authorises that the contract with W G Wigginton Limited for Electrical (Fire Safety) Testing, New Installations & Upgrades is extended for a further year from 3 October 2014 as allowed for in the existing contract.

### **Reasons for Decisions and Options Considered**

This existing contract was awarded to W G Wigginton Limited on 1st September 2011, as authorised by Cabinet / delegated authority (cabinet meeting dated 26 July 2011, item no 11), to inspect, test and carry out repairs, upgrades and installations on existing landlord's and communal electrical installations in the council's own communal housing blocks. The contract term was for two years with an option to extend by an additional twelve months on up to two occasions meaning a potential maximum contract term of four years. The first extension was authorised under delegated authority by the Executive Director for Regeneration and Housing on 30th September 2013; and expires on 2nd October 2014.

The current Contractor, W G Wigginton Limited, continues to deliver this contract in a professional, competent, and satisfactory manner which provides the Council with an efficient and cost effective service.

As part of last year's review as to whether or not to extend the contract, it was agreed by Cabinet on 18 February 2014 (item 16) to combine this contract with proposed 'Laterals' works in a new contract to be known as 'Electrical Installation and Testing'. In that cabinet report, there was a stated intent to start the procurement process with a view to commencing on site early in the 3rd quarter of 2014 (3Q2014), thus coinciding with the expiry of the current extension to the W G Wigginton Limited contract.

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However, additional work required on other procurements and the need to survey, analyse and specify the work for the new Electrical Installation and Testing contract will mean that the new contract may not be ready for 3Q2014, so it is prudent to extend the existing contract to ensure a satisfactory transfer of work on to the new contract once tendered and continuation of these works in the interim. In the meantime, 'Laterals' surveys continue to be carried out under W G Wigginton Limited's contract, together with any urgent works that need to be carried out in order to rectify any existing 'lateral' installation deemed to be un-safe.

**10. Award of two Housing Contracts to remodel and Refurbish existing Sheltered Blocks at 73 St Andrews Road and 24 Creswick Road, Acton Resolved**

That Cabinet:

- i) awards two contracts, for remodelling and refurbishing the existing sheltered blocks at 24 Creswick Road and 73 St Andrews Road, Acton, to the highest ranking successful tenderer in each case, namely Thomas Sinden Limited for the values as detailed in confidential appendix A of the report.
- ii) approves a £0.076m budget virement within the HRA Approved Capital Programme from the Asset investment Programme.

**Reason for Decision and Options Considered**

Following a report by Savills, on the suitability and sustainability of the sheltered housing schemes, commissioned by the Council in February 2011, a number of schemes including 24 Creswick and 73 St Andrews were shown not to meet current modern sheltered housing standards and also both blocks had a high proportion of bedsits which are currently difficult to let.

These factors have an impact on marketability and demand, which affects the time that it takes to let a vacant flat that leads to a loss of rental income.

Having reviewed the sustainability and financial performance of the schemes, officers considered various options including: alternative uses, de-commissioning, and reduction in the number of bedsits in the schemes that perform poorly on the sustainability matrix, together with the necessary works required to address weak areas of performance in the remaining schemes

The identified blocks were surveyed and the findings were as follows:

- It is possible to convert existing bedsits to one bedroom flats, by combining a number of bedsits together in 73 St. Andrews Road and 24 Creswick Road.
- There are no major structural works required to facilitate these conversions.
- if a number of bedsits are combined the number of lettable flats in each block will be reduced and some rental income lost.
- Any alterations would be subject to regulatory implications such as planning and building control.

The Tender Reports, setting out the results of these tender evaluations are contained in Appendices A [Cre] – A1 [Cre] and A [StA] – A1 [StA] inclusive (Confidential Appendices) appended to this report.

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**11. The Right to Manage South Acton (South Acton Community Builders Co-operative Ltd - SCBC)**

**Resolved**

That Cabinet:

- i) notes the result of the Right to Manage ballot of tenants and leaseholders of the South Acton estate in March 2014
- ii) delegates authority to the Executive Director of Regeneration and Housing in consultation with the Portfolio holder and ward councillors; to enter into a five year Management Agreement with South Acton Community Builders Cooperative (SCBC), on behalf of the Council.

**Reason for Decision and Options Considered**

To provide members with an update on the result of the ballot of the tenants and leaseholders on South Acton Estate in March 2014. The final result was that the majority of tenants and leaseholders were in favour of South Acton Community Builders taking over the Management of five services on the estate.

To obtain authority to sign a Management agreement with South Acton Community Builders Co-operative (SCBC) to manage five services to residents on the estate.

**12. Housing Regeneration Update**

**Resolved**

That Cabinet:

- i) notes the progress of all regeneration estates across the borough as detailed in this report.

**For Green Man Lane Estate:**

- ii) notes and agrees that decant status is to be awarded to tenants at the affected blocks in the third phase of regeneration, in line with the Council's Allocations Policy regarding the decanting of tenants prior to demolition.
- iii) authorises the Executive Director for Regeneration and Housing to stop lettings on the Estate of secure tenancies for properties within the third phase of development and to adopt a local lettings plan to ring fence void properties in other phases on the estate for re-letting to existing Green Man Lane residents affected by decanting in the first instances, and then for overcrowded families on the estate, before being allocated to general lettings.
- iv) authorises the Executive Director for Regeneration and Housing to initiate a consultation process on the redevelopment scheme as required under Ground 10 A and Part V of Schedule 2 of the Housing Act 1985 with tenants in the affected blocks (on a phased basis as appropriate) and, subject to consideration of any representations received, to commence a voluntary decanting programme in advance of the Ground 10A consent being sought.
- v) authorises the Executive Director for Regeneration and Housing to consider any representations received and, subject to that, to apply for Ground 10A consent pursuant to Ground 10A and Part V of the Act in respect of each phase of the proposed development once Consultation has taken place.
- vi) authorises the Executive Director for Regeneration and Housing to award decant status to blocks and tenants in later phases to enable early decanting where necessary to allow later development phases to move forward in the programme.
- vii) authorises the making of Compulsory Purchase Order/s in principle in respect of Phases 3 and 4 of the Green Man Lane Estate Project (as shown on the plan in

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- Appendix 1 of the report) generally under the Acquisition of Land Act 1981 and specifically under Section 226(1) (a) of the Town and Country Planning Act 1990.
- viii) authorises the compulsory acquisition of all rights over the land by the creation of new rights pursuant to Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (as required).
  - ix) authorises the Executive Director for Regeneration and Housing to take any steps, procedures and measures necessary to discharge all rights, easements, liberties, privileges, advantages and incidents to which the land may be subject.
  - x) authorises the Executive Director for Regeneration and Housing to make the final decision to authorise the making of the necessary Compulsory Purchase Order/s when required and as appropriate
  - xi) authorises the Executive Director for Regeneration and Housing, both in advance of and after the making and confirmation of any compulsory purchase order, to negotiate with the owners of interests and rights in the CPO land with a view to acquiring those interests and rights by agreement, to conclude such acquisitions by agreement, and to pay such compensation for the acquisition of the interests and rights as may be proper and reasonable.
    - a. The appropriation of Housing land in principle pursuant to Section 19 of the Housing Act 1985 for planning purposes prior to the transfer of land outlined at Appendix 1 of the report in Phases 3 & 4 and the remainder of 2B, subject to the consent of the Secretary of State if required and .
    - b. authorises the Executive Director of Regeneration and Housing to finalise the appropriation process when appropriate.
  - xii) authorises the Executive Director for Regeneration and Housing to dispose of land to the developer partner under Section 233 of the Planning Act 1990 as required.
  - xiii) authorises the Executive Director for Regeneration and Housing to amend phasing and /or the boundary of the land to be acquired by CPO or agreement or appropriated as necessary following consultation with the Portfolio Holder.
  - xiv) authorises the Director of Finance to make the required adjustments to the Council's accounts to reflect the appropriation of the Land hereby authorised when the process is finalised.
  - xv) authorises the Executive Director of Housing and Regeneration to take all steps, procedures and measures including seeking statutory consents and enter into any arrangements necessary for the implementation of the scheme as outlined in this report.
  - xvi) authorises the Director of Legal and Democratic Services to seek all necessary statutory consents in order to facilitate the redevelopment scheme and authorises the Executive Director for Regeneration and Housing to undertake consultations necessary prior to seeking such consents.
    - xvii) authorises the taking of all steps, procedures and measures necessary to discharge all rights, easements, liberties, privileges, advantages and incidents to which the land may be subject.
  - xviii) authorises the Executive Director of Regeneration and Housing to agree a variation to the Principal Development Agreement with Network Housing to transfer the freehold of the land on a phase by phase basis.

**For Rectory Park Estate:**

- xix) authorises the Executive Director of Regeneration and Housing to agree a variation to the Principal Development Agreement with Network Housing to transfer the freehold of the land on a phase by phase basis.

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### **For the Council New Build Scheme**

- xx) a) authorises the appropriation in principle of the land currently held for education purposes as shown edged in red in appendix 2 of the report for planning purposes subject to the consent of the Secretary of State if required and  
b) authorises the Executive Director of Regeneration and Housing to finalise the appropriation process.
- xxi) authorises the Director of Finance to make the required adjustments to the Council's accounts to reflect the appropriation of Land hereby authorised when the process is finalised.

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

A regeneration strategy was agreed by Cabinet in February 2008 and subsequently supported to address the key issues highlighted in the Estates Review of July 2007. Green Man Lane and phase 2.1 and, 2.2 of South Acton were excluded from the estates review at that time because these projects were already underway and already formed part of the Council's regeneration strategy. The recommendations agreed by cabinet included those to:

- Undertake detailed Options Appraisals on the High Intervention estates (listed in the report) where a detailed master plan exercise has not already been carried out, and to undertake a limited exercise to review the retention, demolition and delivery proposals on the South Acton estate, the results of which will be brought back to a future Cabinet meeting.
- High intervention estates are: Allen Court, Copley Close, Dean Gardens, Golflinks, Havelock, Rectory Park

Options appraisals were undertaken on all high intervention estates and detailed consultation carried out with estate residents. After completing resident consultation on each estate a report was presented to Cabinet recommending for each estate whether a comprehensive redevelopment option should be progressed and a process undertaken to secure a developer partner for the estate regeneration

The report below gives an overview of how each estate has progressed to either secure a developer partner for estate renewal or agreed an alternative solution for regeneration and also reviews the current position, issues going forward and the future programme.

### **13. Children's Domiciliary Care Contract Award Resolved**

That Cabinet:

- i) agrees to set up an approved list and appoint to it the organisations listed in 2.8 of the report for a period of three years starting September 2014 with an option to refresh the approved list yearly as required.
- ii) delegates authority to call off from the approved list to the Director of Children and Families in consultation with the Portfolio Holder for Children and Families.

### **Reasons for Decisions and Options Considered**

Cabinet at its meeting on the 22nd October 2013 authorised the Executive Director, Children and Adults to:

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- Invite and evaluate tenders for children's domiciliary care (home care) approved list
- Award call off contracts from the children's services domiciliary care (home support) framework in consultation with the portfolio holder.

The current children's domiciliary care framework expires on the 31st August 2014.

The specification for the new approved list was developed to meet the needs of children with additional needs.

The tender evaluation process was set out in the report.

#### **14. Primary Schools Expansions Capital Approvals**

That Cabinet:

- i) accepts the tender submitted by JB Leadbitter & Co Ltd in the sum detailed in Confidential Appendix A and awards the contract for the rebuild and expansion of Berrymede Infant School.
- ii) approves the expenditure for the Berrymede Infant School Expansion project as set out in Confidential Appendix A of the report, which will be funded from the existing approved capital programme.
- iii) accepts the tender submitted by JB Leadbitter & Co Ltd in the sum detailed in Confidential Appendix A of the report and awards the contract for the rebuild and expansion of West Twyford Primary School.
- iv) approves the total expenditure for the West Twyford Primary School Expansion project as set out in Confidential Appendix A of the report, which will be funded from the existing approved capital programme.
- v) agrees, subject to obtaining planning consent to enter into early works orders considered necessary to facilitate the programme completion dates.
- vi) authorises the Executive Director for Children and Adults, following consultation with the Portfolio Holder and Legal Services to settle the terms of the contracts with JB Leadbitter & Co Ltd in accordance with EFA guidance.

#### **Reasons for Decisions and Options Considered**

The decisions are required to enable the Council to progress with plans to expand schools in line with approved statutory proposals and to secure sufficient school places to meet future demand.

Awarding these contracts will facilitate the required additional accommodation for Berrymede Infant School to fully expand by 1 Form of Entry (FE) from 3 to 4 FE and for West Twyford Primary School to expand by 1 FE from 1 to 2FE. Should this work not proceed then the additional places will need to be provided through an alternative route.

#### **15. School Term & Holiday Dates 2015-16**

##### **Resolved**

- i) That Cabinet approves the schedule of dates set out in Appendix 1 of the report.
- ii) notes the correction to the dates in appendix 2 as follows: the start of the second half of the Summer term should read 6 June 2015.

#### **Reasons for Decisions and Options Considered**

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The London Inter-Authority Admissions Group (LIAAG) has recommended the dates for 2015/16. In previous years the LGA had coordinated the preparation of a Standard School Year draft for each year. However, the LGA has decided to stop coordinating the development of draft models for Standard School Years. These dates, which were used as the starting point for the schedule being recommended to Cabinet, are set out at the top of the table at Appendix 2 of the report.

Comparative dates have been sought from five neighbouring authorities and approved/proposed term dates for 2015/16 have been received from four. With all proposing to use LIAAG recommended dates, which can be seen on Appendix 2 of the report. The evidence is that overall our neighbouring authorities align with the start and end of term dates recommended by LIAAG.

## **16. London Collective Investment Vehicle (CIV)**

### **Resolved**

That Cabinet:

- i) agrees to participate in the London Collective Investment Vehicle (CIV) for the London Borough of Ealing Pension Fund and notes that this does not commit the Council to invest via this vehicle;
- ii) agrees to participate in the establishment of a private company limited by shares incorporated to be the Authorised Contractual Scheme Operator (the “ACS Operator”), structured and governed as outlined in this report;
- iii) agrees, following the incorporation of an ACS Operator, the London Borough of Ealing resolves:
  - a) to become a shareholder in the private company limited by shares which will be incorporated to be an ACS Operator of the Common Investment Vehicle, and
  - b) to contribute £1 to the ACS Operator as initial capital,
  - c) and notes that Mayor Pipe (Hackney, and Chair of London Councils), Councillor O’Neill (Bexley, and Leader of Conservative Group), Councillor Dombey (Sutton, and Leader of the Liberal Democrat Group), Mr Chris Buss (Finance Director, LB Wandsworth), Mr Ian Williams (Finance Director, LB Hackney), and Mr John O’Brien (Chief Executive, London Councils) be appointed as the interim Directors of the ACS Operator, subject to the consent of their relevant authorities to the appointments. These directors may be replaced once FCA authorisation is formally applied for.
  - d) to join the new London Boroughs sectorial joint committee the “Pensions CIV Joint Committee”, to be formed under section 102 of the Local Government Act 1972 and to delegate to such Joint Committee those functions necessary for the proper functioning of the ACS Operator including the effective oversight of the ACS Operator and the appointment of Directors; and
  - e) that the Chair of the Pension Fund Panel represents the Council on the Joint Committee referred to in (iv) above, and acts for the Council at the Joint Committee in exercising its rights as a shareholder of the ACS Operator with the Deputy Chair of the Pension Fund Panel to act in the Chairs absence.
- iv) notes the tabled addendum to the report – Equalities Analysis Assessment.

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## **Reasons for Decisions and Options Considered**

The London Borough of Ealing is the Administering Authority of the Local Government Pension Scheme within Ealing and the Pension Fund Panel has powers to manage the Fund, and this includes decisions on how the Pension Fund should be invested and administered.

The Pension Fund Panel has previously discussed and approved the formation of a Collective Investment Vehicle (CIV) for London. At the meeting on 20 June 2013, the Panel authorised a contribution of £25,000 towards the formation of the CIV. In addition Members discussed the recent 'Call for Evidence' from the Department for Communities and Local Government (CLG) to consider structural reform of the LGPS. In pursuance of Government austerity measures, LGPS funds' spending has been thrown into focus and they are under pressure to demonstrate that they are seeking to achieve efficiency savings particularly from working collaboratively. CLG have been reviewing a number of options for structural reform which could include fund mergers. Local authorities however, have opposed the call for mergers as they do not want to lose local democratic autonomy on asset allocation which ultimately determine the Council's contribution to the scheme and have a knock on effect on local taxpayers.

London Councils, in conjunction with a number of London Boroughs including Ealing have been reviewing options that will enable funds to achieve savings whilst retaining key accountabilities that could impact on the employer contribution rate. The London CIV has now reached a crucial stage where the achievement of further progress requires London Authorities to seek local approval for the establishment of a new Authorised Contractual Scheme Operator and to contribute initial share capital of £1.

The Leader of the London Borough of Ealing and officers of the Council have been active in both the Council Leaders and Officer Pensions technical sub group of London Councils and have therefore been involved in the recommendations being brought forward.

The aim of the CIV is to provide individual London Pension Funds with the opportunity to work collaboratively whilst retaining local control over their asset allocation, investment decisions and funding strategy. This will see funds achieving substantial fee savings. Funds do not have to decide which asset classes to fund via the CIV until later on during 2014. Naturally, the CIV will be more sustainable if more funds invest through it.

## **17. 2013-14 Revenue and Capital Outturn**

### **Resolved**

That Cabinet:

- i) notes that the in-year targets for savings of £23.883m (General Fund) and £1.576m (HRA) were achieved (para 4.1 and 4.2 of the report).
- ii) notes the general fund revenue outturn position that shows a net underspend of £0.025m (para 4.4 of the report).
- iii) notes a general fund balance as at 31 March 2014 of £15.438m (para 4.5 of the report).
- iv) notes the position on earmarked reserves to be £102.5m as at 31 March 2014 (para 4.6.3 of the report).

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- v) notes the Housing Revenue Account (HRA) outturn position that shows a surplus of £0.343m resulting in an accumulated balance as at 31 March 2014 of £3.967m (para. 4.6 of the report).
- vi) notes the Council's success in Council Tax collection, with the Council achieving a Council Tax collection rate of 96.8% despite the removal of exemptions and discounts and the impact of the economic climate (para 4.7 of the report).
- vii) notes the capital outturn of £157.474m for 2013/14 (para 4.8 of the report).
- viii) approves additional capital expenditure of £0.289m funded from TFL grant to be added to the 2013/14 Capital programme 2013/14 (para 4.8.13 of the report).
- ix) approves the re-profiling of capital budgets of £21.181m and the £1.115m underspends to be carried forward into 2014/15 set out in section 4.9 and Appendices 2 and 3 of the report.
- ix) notes the addendum to the report containing revisions to the report.
- x) notes the correction to 4.9.14 of the report as follows: the revised budget should read £51.195m.
- xi) thanks officers for their hard work.

### **Reasons for Decisions and Options Considered**

To confirm the financial position as at 31 March 2014. This report outlines the final outturn position for revenue and capital, income and expenditure for the 2013/14 financial year, and the consequent effect on the Council's levels of reserves.

## **18. Property Strategy – Progress Update**

That Cabinet:

- i) notes the progress being made to implement the Council's 2010 Property Strategy, including the progress being made on the Service Centre facilities in Southall and the new Service Centre in Greenford.
- ii) authorises the Assistant Director of Property and Regeneration, following consultation with the Portfolio Holder for Finance, to dispose of two sites, including land on The Crescent, Southall as attached at Appendix 6 of the report to St James West London Limited to facilitate the Southall Gasworks redevelopment and regeneration scheme as set out in section 2:13 of this report.
- iii) authorises the Assistant Director of Property and Regeneration, following consultation with the Portfolio Holder for Finance, to dispose of Acton Library on the basis set out in section 2:12 of this report.

### **Reasons for Decisions and Options Considered**

At its meeting of 14th September 2010, Cabinet agreed to receive regular progress reports on the Property Strategy and this is the tenth report.

The Property Strategy sets out requirements for service centres across the Borough for the provision of Adult and Children Services. There were originally 3 service centres proposed in Acton (in the new Acton Leisure and Library Centre Development at the old Town Hall), in Greenford (at Ravenor Farm) and in Southall (at Phoenix House or the Dominion Centre). Following a review of the Service Centre component of the Property Strategy and further analysis of the requirements for space for Adult and Children Services, it was decided that service needs can be met by the provision of a larger Service Centre in Greenford and with flexible Adult Services activity space and additional community space at the Dominion Centre in Southall alongside the proposed new library development (Cabinet January 2013).

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The Everyone Active Acton Centre in Acton has opened and works on both the Greenford and Southall Service Centres is progressing ready for completion and occupation in 2014.

The Property Strategy also identified a number of assets that would become surplus over time as the Strategy is implemented or as the requirements of Council services change. The Council's managing agents have undertaken valuations of these assets following an extensive exercise with the Council's Planning Services to assess the level of development that can be delivered on these sites. The overall financial position regarding proposed disposals is as attached at Confidential Appendix 1 of the report.

## **19. Ealing Broadway Crossrail Station Update**

That Cabinet:

- i) notes the progress on design development for Ealing Broadway Crossrail station
- ii) authorises the Assistant Director of Regeneration and Planning Policy to acquire the freehold of 49 Haven Green, Ealing W5 as shown in Appendix 1. Of the report.
- iii) authorises the Executive Director of Housing and Regeneration following consultation with the Leader of the Council and the Executive Director of Corporate Resources to take the necessary steps to compulsorily purchase 49 Haven Green, Ealing, W5 if the site cannot be acquired by agreement subject to funding for the acquisition costs being secured from Ealing Limited and the Crossrail Complementary Measures funding and to the grant of planning permission under the 'Schedule 7' process outlined in the report.
- iv) authorises the Executive Director of Housing and Regeneration to negotiate and enter into arrangements to secure funding for part of the acquisition costs from Ealing Ltd.
- v) congratulates officers on this excellent piece of work.

### **Reasons for Decisions and Options Considered**

There will be 5 Crossrail stations in Ealing at Acton, Ealing Broadway, West Ealing, Hanwell and Southall. Crossrail services from these stations will significantly reduce the journey times to central London with some journeys taking about the half current time, e.g. From Ealing Broadway to Liverpool Street will be 18 minutes. As part of the Crossrail proposals Ealing Broadway station will be refurbished and significantly enhanced with a new entrance, a larger ticket hall and enhancements to the station forecourt.

The Council has been working closely with Crossrail and its architects to influence the design of the station and the area around the station through an Urban Integration Study for each station.

Crossrail does not need to apply for planning permission for the works to the station in the usual way as the powers for development of Crossrail have been provided through the Crossrail Act 2008. These powers apply to any development within the 'Limits of Deviation' identified through that Act. The Council, as Local Planning Authority (LPA) is still able to consider proposals under a 'Schedule 7' process where the LPA may refuse a Schedule 7 application on the grounds of design and external appearance and road safety.

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The design of Ealing Broadway Station is the most advanced of all 5 stations in the borough and a Schedule 7 application was made in November 2013. Consultation was undertaken on this. The design was considered to be inadequate by the Council and local groups for the station and did not reflect the need for high quality design in the adjacent conservation areas and Ealing Town Centre generally. The Council has subsequently worked closely with Crossrail on a new design.

The revised design of the station forecourt and canopy now includes the whole of the station forecourt including land at 49 Haven Green – the Laraosh kebab shop. This shop is a single storey stand-alone unit which sits on part of the forecourt and is not part of the main retail parade that fronts Haven Green. The proposed canopy will be supported by columns some of which will need to be positioned on the forecourt where No 49 is currently sited. It is considered that the removal of the building at 49 Haven Green would significantly enhance the station and forecourt designs and enable the canopy as designed to be built. This is however subject to approval by Planning Committee under the Schedule 7 process.

The freehold and leasehold owners have been contacted to commence negotiations to acquire the land. If it is not possible to acquire by agreement then the Council could use its compulsory purchase powers. This report seeks authority to acquire the land and to use CPO powers in order to do so if necessary.

## **20. Southall Big Plan Regeneration Project and Growing Places Funding**

That Cabinet:

- i) approves the implementation of the Southall Big Plan project funded from the Southall Big Plan capital budgets of £9.92m in the Regeneration Capital Programme as agreed as part of the 2014/15 budget setting process and profiled as set out in paragraph 4.4 of the report.
- ii) authorises the Executive Director of Regeneration and Housing following consultation with the Executive Director of Corporate Resources to negotiate and enter into the Growing Places loan agreement between the GLA and the Council,
- iii) a) authorises the Executive Director of Regeneration and Housing to negotiate and approve the acquisition and subsequent disposal of land in the Southall Gateway as shown on page 3 of the report, necessary to facilitate the Southall Gateway regeneration scheme (project 1 in the report).  
b) authorises the Executive Director of Regeneration and housing to agree the exact boundaries of the land to be acquired and disposed.
- iv) authorises the Executive Director of Regeneration and Housing to invite and evaluate tenders for the contracts relating to the conversion and upgrade of Southall Town Hall and Southall Manor House (projects 6 & 7 in the report) and to award contracts if suitable tenders are received subject to the necessary statutory approvals.
- v) authorises the Executive Director of Environment and Customer Services to implement the highways projects outlined in the report (projects 2,3 and 4 of the report) and, following consultation with the Executive Director of Regeneration and Housing (subject to the obtaining the necessary statutory

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consent) and to implement the enforcement activities and deep cleansing outlined in the report (project 5)

- vi) notes the proposed scheme to replace the foot and cycle bridge over the railway, subject to appropriate match funding and S106 contributions being secured. Another Cabinet report will be submitted once secured seeking approval to proceed whilst also subject to the necessary planning, statutory and budgetary approvals.

### **Reasons for Decisions and Options Considered**

Cabinet is asked to approve the implementation of the Southall Big Plan project funded from the agreed capital programme for the Southall Big Plan including the entering into an interest free loan agreement with the GLA under the 'Growing Places' funding stream as recommended by the LEP of a total of £6.8m to be drawn down and repaid over a period of 8 years commencing in 2014/15.

The projects contained in the Southall Big Plan programme are integral to delivering the vision for improving Southall – set out in the Southall Charter – and also to realising the development potential for new homes and jobs, set out in the draft Opportunity Area Planning Framework, for 6,000 new homes and 3,000 new jobs. The loan financing is required to accelerate the pace of delivery and allow cost certainty for private developers wishing to invest in the area.

## **21. Ealing Markets Strategy**

That Cabinet:

- i) endorses the final Ealing Council Markets Strategy 2014-19 (Appendix 1 of the report) and related Market Operations Policy (Annex 1 of the report).
- ii) notes the update on Ealing's existing markets.
- iii) recommends that the Ealing Council Markets Strategy 2014-19 and related Market Operations Policy is recommended for adoption by Full Council and that the Executive Director for Regeneration and Housing is authorised to take all steps necessary to implement the opportunities and recommendations contained within the Ealing Council Markets Strategy 2014-19, which includes:
  - undertaking site specific public consultation to take forward proposals for new markets; and
  - setting up new markets in accordance with Ealing Council's procurement policies and procedures.

### **Reasons for Decisions and Options Considered**

This is the first 'Ealing Markets Strategy' that has been produced for Ealing (Appendix 1 of the report).

There are currently three markets in operation across the borough: Ealing Farmers' Market, Acton Market and Southall Market (West Ealing Craft Market recently ceased trading). Ealing Farmers Market and Acton Market both operate on public highway and therefore are licenced by Ealing Council. Southall Market operates on private land and was established by Royal Charter. Each of these markets are different in the way they have been set up, the offer they provide and the way in which they are managed (including governance through different forms of legislation).

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Ealing Council does not currently have an adopted policy on how markets (on public highway) are allocated, how they operate and are monitored. There is also no formal charging policy for market operators and currently income received from the existing markets do not cover the costs that are incurred by Ealing Council – particularly in relation to the issuing of Licences (admin and legal fees), additional/required street cleaning, utility usage, and officer monitoring and enforcement time.

Following public consultation (including engagement with market operators), it has been identified that some markets are more successful than others: each could benefit from improvements in order to create a more vibrant environment and, in turn, increase trade. It has also been identified there is a desire for more markets in the borough, in particular offering specialist goods and services (for example, Artisan food and crafts markets and high quality street food markets) and a strong desire for these markets to be located in town centres, in particular in, or within close proximity to, Ealing Broadway.

## **22. Final Report of Scrutiny Review Panel 1 – 2013-14 Governance**

That Cabinet:

- i) notes the final report of the Panel, as endorsed by the Overview and Scrutiny Committee (OSC) on 17 April 2014, Appendix A of the report;
- ii) undertakes to provide a written response within the next 10 days for consideration at the Overview and Scrutiny Committee on 10 July 2014.
- (iii) authorises the Leader (following consultation with the Director of Legal and Democratic Services) to finalise the written response on behalf of Cabinet and to submit the same for consideration by OSC

### **Reasons for Decisions and Options Considered**

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

## **23. Date of Next meeting Resolved**

The next meeting of Cabinet will be held on Tuesday 22 July 2014 at 7pm.

**Councillor Julian Bell, Chair**

**Date**

The meeting concluded at 9:05 having completed its business.

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