

CABINET

Tuesday 23 July 2013 at 7.00pm

Minutes

PRESENT:

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

ALSO PRESENT:

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

- Item 07 – Revenue and Capital Budgets Update (Councillors Malcolm and Reen)
- Item 08– 2012/13 Revenue and Capital Outturn and Statement of Accounts (Councillor Reen)
- Item 10 – Annual Council Performance Report (Councillors Malcolm and Stafford)
- Item 11 – Managing the Local Impact of Welfare Reform (Councillors Reen and Stafford)
- Item 12 – Housing Regeneration Update (Councillor Stafford)
- Item 13 – Priority Empty Properties – Compulsory Purchase Proposals (Councillor Malcolm)
- Item 14 – Former Northcote Arms, 49-53 Northcote Avenue, Southall, UB1 2AY (Councillor Stafford)
- Item 16 – Ealing Cinema Site – Compulsory Purchase Order (Councillor Stafford)
- Item 17 – Property Strategy – Progress Update (Councillor Stafford)
- Item 18 – Ealing Tree Strategy (Councillors Malcolm and Stafford)
- Item 20 – Parking Annual Report (Councillor Malcolm)
- Item 21 – Furniture and White Goods Reuse (Councillor Stafford)
- Item 24 – Proposals for PH Grant (Growth) 2013-2015 (Councillor Stafford)
- Item 25 - Police Contracts (Councillor Stafford)

Councillor Sabiers spoke on Item 18 – Ealing Tree Strategy, in his capacity as the Chair of the Overview and Scrutiny Committee

1. Apologies for Absence

There were none.

2. Urgent Matters

There were none.

3. Matters to be Considered in Private

Items 7, 14, and 22 contained confidential appendices but were not taken in private as it was not necessary to discuss the confidential information provided.

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Item 17 – Property Strategy, contained confidential appendices and these were discussed in private.

4. Declarations of Interest

There were none.

5. Minutes

Resolved:

That the minutes of the Cabinet meeting held on 18 June 2013 be agreed and signed as a true and correct record.

6. Appointments to Sub-Committees and Outside Bodies

Resolved.

There were none.

7. 2013/14 Revenue and Capital Budget Update

Resolved

That Cabinet:

- i. notes the position on the 2013/14 General Fund revenue budgets as set out in section 4.1 of the report showing a forecast underspend of £0.794m or 0.3% of the net general fund budget.
- ii. notes the position on balances including Ealing Civic Improvement Reserve (ECIF) as set out in section 4.3 of the report.
- iii. notes the progress on delivering the 2013/14 savings as set out in section 4.4 of the report.
- iv. agrees to enter into a loan agreement with the WLWA (as set out in paragraph 4.6 and in appendix 3 and confidential appendix 3a of the report) and agrees to delegate authority to the Director of Finance following consultation with the Portfolio Holder for Finance and Performance and the Director of Legal and Democratic Services to agree the final terms of the WLWA loan agreement.
- v. approves the addition and spend of up to £20m to the Capital programme for the purpose of making the loan to WLWA referred to in recommendation 1.4 of the report.
- vi. agrees to delegate authority to the Executive Director Children and Adults following consultation with the Portfolio Holder for Children and Young People to agree amendments that may be required to the Schools' funding formula and submission of the school funding proformas to the Department for Education by 31st October 2013 and 21st January 2014.
- vii. notes the position on the 2013/14 capital budgets as set out in section 4.8 of the report.
- viii. approves the additional allocation of £0.200m section 106 receipts towards the Walpole Park project set out in paragraph 4.9 of the report.
- ix. notes the position on in-year cash collection as set out in section 4.10.
- x. congratulates officers on the savings made.

Reasons for Decisions and Options Considered

The 2013/14 revenue and capital budgets were set by Council in February 2013. This report provides Cabinet with a summary of the council's financial

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performance as at 31 May 2013 and actions being taken to manage risks and ensure that performance remains within the approved budgets.

This report also enables Cabinet to consider significant financial issues that from time to time may occur outside of the Council's usual budget process and/or that in accordance with the Council's own financial regulations and contract procedure rules require Cabinet approval. In this report Cabinet are recommended to consider: entering into a loan agreement with WLWA; and school funding arrangements.

8. 2012/13 Revenue and Capital Outturn and Statement of Accounts Resolved

That Cabinet:

- i. notes the general fund revenue outturn position that shows a net underspend of £50k.
- ii. approves a general fund balance as at 31st March 2013 of £15.413m, which achieves the Council's target for balances of £15.4m.
- iii. notes the Housing Revenue Account (HRA) outturn position that shows a call on balances of £1.951m resulting in a reduction to accumulated balances as at 31st March 2013 of £6.124m, which is an improvement on the target set in the approved budget.
- iv. notes the outturn position on the prudential indicators as set out in Appendix 4 of the report.
- v. notes the Council's success in Council Tax collection, with the Council achieving a Council Tax collection rate of 97.3% despite the removal of exemptions and discounts and the impact of the economic climate.
- vi. notes the capital outturn for 2012/13 in paragraph 4.15 of the report and agrees the re-profiling of capital budgets, the adjustments to the HRA Capital Programme and the £0.258m savings to be carried forward into 2013/14 set out in section 4.16 and Appendix 3 and 3a of the report.
- vii. notes that the draft Statement of Accounts (appendix 2) have been signed by Ealing's Section 151 Officer; the Executive Director of Corporate Resources, and that the audited accounts will be published by 30 September 2013.
- viii. notes the net additions to earmarked reserves (£6.244m) (ref section 4.11.1 of the report) and net additions to provisions (£0.645m) (ref section 4.11.8) as presented in the Statement of Accounts (appendix 2 of the report).
- ix. commends the finance team.

Reasons for Decisions and Options Considered

To confirm the financial position as at 31 March 2013.

The arrangements for keeping and publishing the Council's accounts are set out in the Accounts and Audit Regulations 2011. Under these regulations the Executive Director of Corporate Resources, as Ealing's Section 151 Officer, is responsible for determining the Council's accounting system, form of accounts and supporting accounting records. Under the Local Government and Housing Act 1989 the preparation of the accounts must follow proper practices, which

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includes preparing accounts in accordance with the Code of Practice on Local Authority Accounting in Great Britain.

This year the accounts were signed by the Executive Director of Corporate Resources under the powers delegated to that role and in conjunction with the Portfolio Holder for Finance and Performance by the statutory deadline of 30 June 2013. There is a statutory requirement to publish the audited accounts by 30 September 2013.

The Revenue Outturn Budgeting arrangements are covered by Financial Regulations which state that, in the event of a Service's actual revenue outturn varying from its revised estimates, proposals must be submitted by the Executive Director of Corporate Resources in consultation with other Executive Directors to deal with the variances.

For Capital, due to the fact that many capital projects do not keep to their original planned pattern of spend, it is inevitable that there will be the need to revise the original planned expenditure. The capital outturn reporting enables the 2013/14 capital budgets to be revised to take account of the 2012/13 outturn position.

9. Insurance Annual Report

Resolved:

That Cabinet:

- i. notes the continued reduced level of claims.
- ii. notes the balance on the Insurance Provision on the Council's balance sheet.

Reasons for Decisions and Options Considered

To bring Members up to date on Insurance in accordance with good corporate governance practice.

10. Annual Council Performance Report 2012/13

Resolved

That Cabinet:

- i. notes the contents of the report;
- ii. notes the progress made against the Corporate Plan measure of success;
- iii. notes the progress made against each of the Corporate Plan commitments.

Reason for Decision and Options Considered

The purpose of this report is to provide Cabinet with a summary of the 2012/13 year end performance against key indicators set out within the Corporate Plan. The report sets out: Performance against key targets for operational delivery and service improvement; Progress against the delivery of Corporate Plan Commitments.

11. Managing the local impact of Welfare Reform

Resolved

That Cabinet:

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- i. notes the anticipated impacts and likely consequences of Welfare Reform changes.
- ii. notes and approves the approach and action being undertaken and planned by officers to respond to the government's welfare reforms.
- iii. agrees the adoption of the policies below to minimise financial risk to the Council and specifically agrees the principle that households will be placed in affordable accommodation that is within their means whilst ensuring that they have access to the services they need.

WR1 Working in collaboration with Job Centre Plus, DWP's work programme contractors Registered Social Landlords, local colleges and private sector providers to help residents train for and find work. Section 5.1 of the report, sets out corporate arrangements to coordinate our approach and 5.2 of the report, sets out collaborative working arrangements on employment initiatives.

WR2 Raising awareness of the impact of Welfare Reform to encourage residents to act quickly. Our approach in relation to temporary accommodation and council tenants is set out in section 5.3 of this report.

WR3 Providing impacted residents with proactive and targeted advice and fast track access to services to assist them to meet the additional financial liability. Our approach is set out in sections 5.3 and 5.4 of the report.

WR4 Continuing to work with tenants to ensure they pay their rent- Our approach is set out in sections. 5.3 and 5.4 of the report.

WR5 Providing a single point of financial support to residents via the Local Welfare Assistance Scheme. Our approach is set out in 5.3 of the report.

WR6 Households will be placed in affordable accommodation that is within their means but may have to be outside of Ealing and London. Section 5.5 of the report, sets out our approach.

WR7 Seeking to increase the supply of temporary accommodation by utilising empty buildings, purchasing properties and utilising properties decanted for redevelopment. Section 5.4 of the report, sets out our approach.

WR8 Minimising the use of temporary accommodation and Bed and Breakfast in particular by using the statutory power to end a main homelessness duty with a suitable private sector offer following a thorough assessment of the individual housing needs. Our approach is set out in sections 4.4 and 4.5 of the report..

- iv. approves the proposed Discretionary Housing Payment scheme as summarised in 6.1 of the report.
- v. notes the tabled addendum to the report.

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Reason for Decision and Options Considered

Central government is implementing a major programme of Welfare Reform, which includes significant changes to housing benefit and disability benefits, the merging of several key working age benefits into a single universal credit and the localisation of some welfare provision. Whilst the changes are being phased in, many of the changes with the greatest impact are being introduced during 2013 with social size criteria being introduced in April and total benefit cap coming into effect from 12th August.

This report outlines the key changes and the local impact of these changes on Ealing residents affected as well as the anticipated impact on services. The report also sets out the likely risks and consequences of the changes and work undertaken and underway to prepare and mitigate any negative affects particularly in the area of employment initiatives since if households can be assisted into work they will become exempt from the Welfare Benefit caps.

The Council has and is reviewing a number of policies in light of the welfare changes and will continue to do so as the changes take effect particularly with regard to dealing with households who are homeless or suffering financial hardship within the context of the Welfare Reform Act 2012 and other recent legislative changes.

12. Housing Regeneration Update Resolved

That Cabinet:

Options Appraisal and Business Case for new delivery options

- i. notes the new delivery options identified to the Council following the Housing Revenue Account self-financing reforms and:
 - a. agrees to explore all options as outlined in paragraphs 3.1 to 3.18 of the report including a Council Owned Company and to return with a full options appraisal and associated business case to a future Cabinet meeting with a view to obtaining authority to develop the recommended option.

Copley Close

- ii. authorises the Executive Director for Regeneration and Housing to invite and evaluate tenders for the Copley Close works and property sales contracts on the basis that the Council may appoint a Council Owned Company as one of the options being explored as either the:
 - a. Sole contracting party; or
 - b. with the Council as joint contracting party with the successful bidder for both or either contracts.
- iii. authorises the Executive Director for Regeneration and Housing to enter into a licence with Network Rail to enable the Council to carry out works at Copley Close and to start negotiations with Network Rail for the terms of a new lease which will be subject to final approval by Cabinet.
- iv. notes that due to the extensive refurbishment work at Copley Close, Phase 1 tenants and leaseholders may have to move temporarily for up to 12 months whilst work is carried out.

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- v. authorises the Executive Director for Regeneration and Housing to start voluntary buyback negotiations with Phase 1 leaseholders on Copley Close who own properties that are due to be refurbished.
- vi. authorises the Executive Director for Regeneration and Housing to approve a limited number of off-site decant transfers for Phase 1 tenants in blocks at Copley Close which are due to be refurbished subject to the allocations policy and assessment of housing need.
- vii. notes the results of the Estate assessments and the resident consultation process on the Medlar Farm, Islip Manor, Yeading Lane 1, and High Lane estates

High Lane Estate

- viii. agrees in principle to progress the comprehensive redevelopment option for the High Lane estate.
- ix. in relation to High Lane Estate, authorises the Executive Director for Regeneration and Housing to:
 - a. continue to work with Estate residents to explain how redevelopment could work and the implications of this;
 - b. retain HTA architects to carry out further work to assess the potential for more efficient estate design and layout and to improve the viability of a redevelopment scheme;
 - c. report back to a future meeting of Cabinet with the results of the further scheme assessment work

Islip Manor Estate

- x. authorises the Executive Director for Regeneration and Housing to progress the proposed improvement scheme for Islip Manor by:
 - a. establishing a residents steering group to ensure continuing resident input into the finalised designs for estate refurbishment
 - b. approving a budget of £2.492m for the Estate improvement works (already included in the HRA capital programme)
 - c. retaining HTA architects to continue to produce detailed specifications and design drawings to tender the works
 - d. establishing a project steering group with local residents that live near to the shops to develop proposals to make improvements
 - e. assessing and approving the improvement proposals associated with the area around the shops
- xi. authorises continued consultation on Yeading Lane 1 and Medlar Farm estates in order to determine the preferred course of action, including carrying out more detailed viability and feasibility studies for the estates.

New Build Programme

- xii. authorises the Executive Director of Regeneration and Housing, in consultation with the Director of Legal and Democratic Services and the Head of Strategic Procurement, to invite and evaluate tenders in relation to all areas of works or services related to the delivery of the new new-build schemes referred to in paragraphs 3.116 to 3.154 of the report and set out in appendix 1 of the report, and where suitable tenders are received, and following consultation with the Portfolio Holder for Housing, to award works and services contract(s) as necessary.

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- xiii. authorises the Executive Director for Regeneration and Housing following consultation with the portfolio holder for Housing, the Director of Legal and Democratic Services and the Executive Director of Corporate Resources to enter into grant funding agreements with the GLA in relation to the new build programme, as set out in paragraphs 3.131 of the report.
- xiv. notes the transfer of Property Strategy sites to the new-build programme as set out in the Property Strategy Update Report to be considered by Cabinet on 23rd July, approves in principle the appropriation to the HRA of 6 parcels of land as described in section 3 of the report and as shown in appendices 2-7 and authorises the Executive Director for Regeneration and Housing to finalise the appropriation process.
- xv. authorises the Executive Director of Regeneration and Housing, following consultation with the Portfolio holder to decant and demolish existing Council houses where this is necessary to deliver the new build programme.

Right to Buy

- xvi. authorises the Executive Director for Regeneration and Housing to proceed with right to buy applications following the serving of an initial demolition notice on regeneration schemes in exceptional circumstances as set out in paragraphs 3.154 to 3.156 of the report.

Reason for Decision and Options Considered

Options for delivering and financing future housing developments

The Council wishes to build more new homes in a mixture of tenures to assist in meeting the housing demand in the borough and the commitment to provide at least 500 new Council homes in the next 5 years. Additional aspirations include a wider housing estate improvement programme covering 23 estates, and further new build housing on the Council's land.

The Housing Revenue Account (HRA) reforms allow the Council to borrow up to c. £54m from the headroom (the difference between the actual level of debt and the government imposed cap). This is not enough to achieve the Council's aspirations for regeneration and new supply programmes over the next 5 to 10 years, which have current budget estimates of above £58m. However further headroom should become available in future years.

Depending on the financial implications there may be a requirement to look into additional delivery structures and sources of funding to be considered to bring forward development and regeneration opportunities to complement the current HRA programmes.

This report identifies for the options available to the Council to achieve these ambitions and full options appraisals for these options and a detailed business case for the recommended option will be presented for approval by Cabinet.

The report requests that Cabinet authorise the inclusion of a reference to the Council Owned Company option within the tender documents for the Copley Close procurement in order to avoid any delay in the event it is the preferred

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delivery option. This will keep the delivery timetable for Copley Close on track and meet our commitments to residents on the estate.

Copley Close Regeneration Update

The report Estate Regeneration Update – Copley Close Redevelopment Proposals was received by Cabinet on May 24th 2012. Cabinet approved the refurbishment and redevelopment recommendations for Copley Close and authorised a series of activities to progress the regeneration, including re-housing. This report updates Cabinet on the progress to date and requests further authority to progress the regeneration.

These four estates - High Lane, Islip Manor, Medlar Farm and Yeading 1 - form the new Housing Estate Improvement Programme. This report updates Members on the work done to assess each of these four estates including substantial consultation with residents to understand the issues affecting each estate and how best to make each estate a better place to live.

New Build Update

A further 74 new homes are now proposed as part of the New Build programme, with development expected to begin in 2014, and a bid has been made to the GLA (which has taken over the HCA's funding responsibilities in London) for grant support for these schemes, although they could be built without grant. This report seeks authorisation for a range of activities to support this including recommending delegated authority to invite and evaluate tenders and awards works contracts; to appropriate land; and to demolish some Council homes in support of the new build programme.

13. Priority Empty Properties – Compulsory Purchase Proposals Resolved

That Cabinet:

- i. notes the position with regard to empty properties in Ealing as outlined in the report.
- ii. agrees to adopt the Empty Properties Enforcement Protocol in Appendix 1 of the report.
- iii. authorises the Director of Safer Communities to undertake enforcement with regard to empty properties in accordance with the Protocol including the exercise of compulsory purchase powers as a last resort.
- iv. authorises the Executive Director of Regeneration and Housing to take the necessary steps to acquire properties by means of a CPO following consultation with the Director of Legal and Democratic Services in appropriate cases in accordance with the Protocol, and following consultation with the Executive Director of Corporate Resources with regard to suitable funding being identified in each case.
- v. authorises the Director of Safer Communities, both in advance of and after the making and confirmation of any CPO
 - (a) to negotiate with the owners of any property or their personal representatives with a view to acquiring their interest by agreement and;
 - (b) to acquire any property by agreement and to pay such compensation for each acquisition as may be proper and reasonable, following

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- consultation with the Executive Director of Corporate Resources with regard to suitable funding being identified in each case.
- vi. authorises the Executive Director of Regeneration and Housing to either
 - a) dispose of any property acquired (either by agreement or by means of a CPO), on the open market, including by auction following consultation with the Director of Legal & Democratic Services on condition that the purchaser is required to renovate or develop the property to the satisfaction of the Council (in accordance with the Decent Homes Standards) and within a specified time, or
 - b) use any property acquired for Housing purposes.
 - vii. subject to the appropriate funding mechanism being identified in each case, approves the addition of a capital budget for each property reflecting the purchase price, acquisition costs and compensation to the Council's capital programme.

Reasons for Decisions and Options Considered

The Council will take every step to assist owners of empty properties in bringing the accommodation back into use. The details of this are set out within the Empty Property Strategy (2010-2015) adopted by Cabinet in January 2010. However, there are some instances in which, despite the best the best efforts on the part of the Council some properties remain empty for long periods of time.

These are the very properties that are more likely to cause problems in the immediate neighbourhood, such as fly tipping, graffiti and attracting misuse and dealing of substances. It is these cases that, as a last resort, the Council need to consider making a Compulsory Purchase Order (CPO).

As at February 2013, according to council tax records, there were 1816 empty properties in the London Borough of Ealing. Of those, 483 properties had been empty for over 6 months, which highlights the need for robust action to be taken. Cabinet authority is therefore sought to adopt an Enforcement Protocol to guide officers in the exercise of the Council's enforcement powers in relation to empty properties and in particular to exercise CPO powers where appropriate as a last resort.

14. Former Northcote Arms, 49-53 Northcote Avenue, Southall, UB1 2AY, Compulsory Purchase Order Resolved

That Cabinet:

- i. notes the current position with regard to the former Northcote Arms site.
- ii. authorises the Executive Director of Regeneration and Housing to negotiate with the owner of the freehold (of the site) for the purchase of the site for housing purposes with the Council acting as the developer on the basis of the valuation in confidential Appendix 1 of the report.
- iii. agrees in principle that the Council compulsory purchase the Northcote Arms site if the site cannot be acquired by agreement and should the owners fail to provide evidence of a clear and contractual commitment to complete the approved scheme by 21 August 2013.

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- iv. notes that a report will be brought back for consideration and approval by Cabinet before any final decision to make a Compulsory Purchase Order is taken.

Reasons for Decisions and Options Considered

The Northcote Arms has been a derelict site since it was purchased by the current owner in November 2005, who intended to convert the property into a residential care home. It is located within sight of the vibrant Southall Broadway shopping area and is bordered by residential properties. The building and associated land have deteriorated significantly since 2005 and the site has become the epicentre of a significant amount of crime and disorder in the area. The site provides an ideal location for crime and anti-social behaviour to take place, being in close proximity to the Broadway, having several means of access and secluded areas where criminal activity can be conducted out of sight. The Northcote Arms has been used by rough sleepers since it became derelict, and is routinely visited by Homeless Support Workers from St Mungo's on their shifts. The site has been in the top five crime hotspots in Southall and has been the location for incidents of prostitution, Class A drug dealing, Class A drug use and storing stolen goods. It also poses a significant fire risk, the Fire Brigade having attended three fires at the site in the past three years.

The Council has received numerous assurances from the owner that redevelopment of the site will occur, however despite patience and support from the Council the site remains derelict. Officers still do not have any firm evidence by way of an arms-length contractual commitment that development will be carried out within a reasonable timescale. Information provided by the owner during interview about his proposals for moving this matter to resolution identified that leaving the site empty but secure is considered to be an effective long term solution, and suggests to the Council that it is unlikely the development will be completed. It is therefore considered that the time has now come for the Council to take action to deliver a scheme which finally brings the site back into use after eight years.

15. Landlord Services Procurement of Cyclical Decoration, Communal Electrical Laterals and Warden Call System Contracts Resolved

That Cabinet:

- i delegates authority to the Executive Director Regeneration and Housing to invite and evaluate tenders for the contracts detailed below, and following consultation with the Cabinet member for Housing Employment and skills, to award the following contracts if suitable tenders are received subject to the result of leaseholder consultation; where relevant
- ii a contract for a warden call system for the Council's sheltered housing schemes and residents in their own homes
- iii a contract for an internal and external cyclical decoration programme for the Councils housing stock
- iv a contract for communal electrical works (laterals) to the Council's blocks of flats

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Reasons for Decisions and Options Considered

The need to procure a number of contracts for the following:

- Installation of a new warden call system in each sheltered housing flat and for residents in their own homes throughout the Borough.
- Deliver an internal and external cyclical decoration programme for the Council's housing stock.
- Provide surveying services and upgrading/replacement of low voltage electric mains and equipment within communal areas of blocks of flats known as laterals.

16. Ealing Cinema Site – Compulsory Purchase Order Resolved

That Cabinet:

- i. notes that the Council and Land Securities have now finalised the terms of CPO indemnity agreement and a land sale agreement for the disposal of the former YMCA site at 14-16 Bond Street) with Land Securities.
- ii. a) agrees that the Council enter into the CPO Indemnity Agreement and land Sale Agreement on the terms agreed.
b) authorises the Executive Director of Regeneration and Housing to agree any further minor amendments to the agreements as may be required.
- iii. a) agrees that preparations for the making of a CPO (on the basis of the boundary shown in Appendix 1 of the report) should continue in parallel with discussions and negotiations for the acquisition of the sites within the boundary of the proposed CPO by agreement.
b) authorises the Executive Director of Regeneration & Housing to amend the boundary of the land to be acquired as appropriate once the final details of the scheme are known.
- iv. notes that Land Securities are working up a planning application for submission in August and have undertaken public consultation.
- v. notes that a further report will be brought back to Cabinet in September; to seek final approval to the making of a CPO should negotiations to acquire the land be unsuccessful.
- vi. agrees that if there are no material changes in circumstances then the Executive Director of Housing & Regeneration may authorise the making of a CPO.

Reasons for Decisions and Options Considered

Ealing Town Centre has been without a cinema since September 2008 when Empire Cinemas closed the Ealing Cinema (the Empire Site). Most of the building was demolished in February 2009 except the front elevation which has been supported with an unsightly steel structure. The owners have left the site derelict and failed to complete the development within a reasonable timescale. The lack of a cinema and the derelict site are significantly undermining the Council's efforts to regenerate the Town Centre.

The Council and Land Securities have now completed negotiations and agreed the terms of a CPO Indemnity Agreement (CPOIA) and a Land Sale Agreement for the disposal of the former YMCA site at 14-16 Bond St as summarised in Appendices 2 and 3 of the report.

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The CPOIA requires Land Securities to cover all Ealing Council costs associated with the CPO.

The Land Sale Agreement sets out the terms of the sale to Land Securities of 14-16 Bond St and of any land that it is necessary to acquire through the CPO.

Land Securities are preparing an outline planning application for a cinema-led mixed use development. This will be submitted to the Council in August 2013.

The proposed development will include a 7-8 screen multiplex cinema, a mix of restaurant and retail uses and residential apartments. The scheme will be centred around a new civic square with pedestrianised streets linking the development to New Broadway, Bond Street and Mattock Lane. The underlying principles of the development are to encourage integration and permeability with a mix of uses complimenting the delivery of a new leisure quarter to Ealing.

Land Securities have been undertaking pre-application consultation in June. They have met with local stakeholders and councillors to discuss the emerging scheme and held a public exhibition in Ealing Broadway Shopping Centre on 28th and 29th June.

17. Property Strategy – Progress Update Resolved

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 Regeneration and Planning Policy to market and to dispose of the disused Car Park located in Roslin Road, Acton W3.
- iii. authorises the Assistant Director of Regeneration and Planning Policy to enter into negotiations and/or market:-
 - a) Land adjacent to Acton Health Centre, Church Road, Acton W3.
 - b) The former Adelaide Dock, Endsleigh Road, Southall
- iv. (i) agrees in principle the appropriation of the following surplus sites to Housing for the purposes of the Council's new build Housing programme:-
 - a) 131-133 Windmill Lane Greenford (former David Cousins and Mental Health Centres).
 - b) Adelaide/Gordon Road, Southall (former Recycling Centre).
 - c) Land at Hamborough Road, Southall (former Disraeli Nursery, current use temporary pay and display car park facility)(ii) authorises the Executive Director Regeneration and Housing to finalise the appropriation process.
- v. authorises the Assistant Director of Regeneration and Planning Policy to dispose of the former Albert Dane Centre, 19-21 Western Road Southall to Pocket Living on the terms summarised in paragraph 2.7 and as detailed in confidential Appendix 6 of the report.

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- vi. authorises the Assistant Director of Regeneration and Planning to instruct the Council's managing agents to negotiate the terms of an agreement with Catalyst Housing Limited on the MILAP Day Centre in Shackleton Road, Southall and to bring forward delivery of the scheme as detailed within the main part of this report as out-lined in paragraph 3.7 and confidential Appendix 4 of the report.
- vii. authorises the Assistant Director of Regeneration and Planning Policy to:- take the necessary steps to prepare the freehold interest in the Adelaide Dock, Endsleigh Road Southall, as shown on the plan contained in the report from Cushman & Wakefield at confidential Appendix 8. The site is leased to British Waterways for a period of 93 years unexpired. The site will be offered to the open market as an income producing investment in order to generate a capital receipt and to promote the redevelopment of the surplus part of the site by the private sector.

Reasons for Decisions and Options Considered

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). Work on all three projects is progressing ready for completion and occupation in 2014.

The Property Strategy identified a number of assets that would become surplus over time as the Strategy is implemented or as the requirements of Council services change. Cushman and Wakefield, the Council's former property advisers, 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 the sites. The overall financial position regarding proposed disposals is shown at confidential Appendix 1 of the report. This shows the latest valuations from the review undertaken by Cushman and Wakefield in September 2012.

The report seeks Cabinet approval to remove some assets from the Property Strategy for the purposes of the Council's new build Housing programme, as listed within the recommendations section of the report.

18. Ealing Tree Strategy Resolved

That Cabinet:

- i. approves and adopts the Ealing Tree Strategy 2013 to 2018 (ETS) and authorises the Director of Environment and Leisure to proceed to implement the ETS action plan.

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.

- ii. authorises the Director of Environment and Leisure to make amendments to the ETS during the course of its lifetime, and following consultation with the Portfolio Holder for Transport and Environment.
- iii. accepts the recommendations from the Overview and Scrutiny Committee as detailed in the minutes of the Overview and Scrutiny 11 July 2013 – Item 6.
- iv. notes the pressure of £50k per annum on budgets arising from the risks associated with new ‘Emerging Pests and Diseases’ EP&D which officers are seeking to contain within existing budgets and should this not prove possible
- v. agrees funding of up to £100k from the Business Risk reserve for allocation under delegated authority in consultation with the Director of Finance.

Reason for Decision and Options Considered

The reason for the decision is to ensure that the Council, implements a one organisation approach to the management of the boroughs current and future tree stock. The ETS covers all trees on the adopted highway and Council owned parks, open spaces and cemeteries. The ETS provides a five-year action plan that will meet both the Council and the Greater London Authority needs in relation to managing Ealing’s tree stock. It will deliver both environmental benefits and will improve the management and ultimately the current and future quality of trees throughout the borough. There is no one strategy for the management of the Council’s tree stock. This ETS will replace all previous tree related strategies and policies and its aim is to ensure a single approach to the management of all Council owned trees. The ETS has been produced using the Greater London Authority and the London Tree Officers Association examples of best practice in relation to the management of trees.

19. CPZ Programme Update 2012-2013 Resolved

That Cabinet:

- i. notes the results of the consultation detailed in this report.
- ii. approves the officer recommendation not to proceed with a controlled parking zone in the areas detailed in this report.
- iii. approves the implementation of dual-use bays in the Ealing Broadway area as detailed in section 2.22 of the report.
- iv. approves the implementation of traffic remedial works as detailed in section 2.28 and identified in Appendix 4 of the report.
- v. authorises the Director of Environment and Leisure to take all the necessary steps including minor adjustments, following consultation with the Portfolio Holder for Transport & Environment to implement measures set out in recommendations (iii) and (iv) above.

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Reason for Decision and Options Considered

Public consultation has been carried out for proposed controlled parking in the Pitshanger Lane and Castlebar area. The results of these consultations are presented in this report. It is within the remit of Cabinet to approve/disapprove the introduction, modifications or extension to a CPZ subject to statutory consultation.

20. Parking Annual Report Resolved

That Cabinet:

- i. approves for publication the Parking Services Annual Report 2012/13.
- ii. authorises the Executive Director Environment and Customer Services to make minor amendments to the report prior to final publication following consultation with the portfolio holder.
- iii. records its thanks to the Parking Team for their work over the past year.
- iv. thanks the Overview and Scrutiny Committee who had considered this report in detail and had commented positively.

Reasons for Decisions and Options Considered

Operational guidance issued alongside the Traffic Management Act 2004 advises that parking enforcement authorities should regularly review both their parking policies and the associated regulatory framework. Authorities are also required to collate and publish information about their parking & enforcement activity in the form of an Annual Report.

21. Furniture and White Goods Re-use Resolved

That Cabinet:

- i. approves the introduction of a pilot reuse bulky collection service from residents in the borough in partnership with Furnish (a West London charity) and London Reuse Limited (LRL) and authorises the Executive Director of Environment and Customer Services to implement the pilot and to finalise the arrangements for the introduction envisaged for September 2013 including entering into a tripartite agreement with the two organisations to deliver the service during the pilot period of 2 years, with the option of extension in line with contract procedure rules, following consultation with the Portfolio Holder.
- ii. approves the use of Furnish via the tripartite agreement to provide second hand furniture where available, to residents meeting the eligibility criteria of the Council's Local Welfare Assistance scheme.

Reasons for Decisions and Options Considered

The reason for the decision is to ensure that the Council delivers value for money from its waste and recycling services, by continuously reviewing and improving the recycling service that it offers to its residents' and in conjunction reduces the amount of residual waste that the Council sends for landfill.

As a large local authority, the Council regards very highly the standard of waste and recycling service that it offers to its residents.

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Ealing Council has set a local and has a national target of achieving a 50% recycling rate by 2020 (Ealing Council's target, National Waste Strategy 2007). Ealing's recycling rate for 2012/13 was 41%, and is set at 43% for 2013/14. As a result a significant number of service improvements and enhancements will be required to achieve the target of a 50% recycling rate by 2020.

This report outlines the proposal to introduce and run in partnership with Furnish (a West London charity) and London Reuse Limited (LRL), a pilot reuse bulky collection service from residents in the borough. This partnership will help to divert unwanted but reusable household items, mainly furniture and appliances, to reduce the amount of waste being sent to landfill. There are also potential opportunities for the clearance of voids, and for links with the Council's Local Welfare Assistance scheme.

22. Children Services Capital Works Approvals

Resolved

That Cabinet:

West Acton Primary School Expansion – New block B and refurbishment of existing block C including associated works.

- i. accepts the tender and award a contract in respect to the construction of new Block B, refurbishment of existing Block C and associated works to Quinn London Ltd being the contractor recommended by the Council's Consultants EC Harris for the contract sum set out in confidential Appendix A of the report.
- ii. approves the total expenditure of this project as detailed in paragraph 4a of this report.

Windmill Children Centre & South Acton Children Centre

- iii. authorises the Executive Director, Children and Adults, to seek planning approvals for the extension and refurbishment works at Windmill Children Centre and South Acton Children Centre.
- iv. delegates authority to the Executive Director, Children and Adults to invite and evaluate tenders for contracts for the extension and refurbishment works at Windmill Children Centre and South Acton Children Centre, and, if suitable tenders are received, following consultation with the Portfolio Holder, award the contract(s) to the most economically advantageous tender.

Greenwood Primary School

- v. agrees a later date for meeting the conditions on which Cabinet approved the expansion of Greenwood primary School on 18th December 2012 such that the date for obtaining planning permission and land transfer arrangements approval is extended to from September 2013 to June 2014

Clifton Primary School Expansion including relocation of EOTAS

- vi. authorises the Executive Director, Children and Adults, to seek planning approvals for the two storey accommodation tuition support at the EOTAS

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Study Centre site and refurbishment of the Talbot Road site to provide sufficient accommodation to enable the expansion of Clifton Primary School to a two form entry school.

- vii. delegates authority to the Executive Director, Children and Adults to invite and evaluate tenders for contracts for the extension and refurbishment works at the EOTAS Study Centre site and refurbishment of the Talbot Road site to provide sufficient accommodation to enable the expansion of Clifton Primary School to a two form entry school, and if suitable tenders are received, following consultation with the Portfolio Holder, award the contract(s) to the most economically advantageous tenderer(s), noting that contracts could not be entered in to unless Cabinet had considered and approved statutory proposals in relation to the expansion of Clifton Primary School and proposals to relocate EOTAS provision.

Reasons for Decisions and Options Considered

Cabinet approval is required to proceed on schemes described in this report. Under the Financial Procedure Rules, no scheme involving capital expenditure, whether included in the Capital Programme or not, shall proceed until a report thereon has been submitted to the Cabinet for a decision.

Cabinet authority is required to proceed with works over £500,000 in value.

23. WLA Independent Fostering Provider Tender Resolved

That Cabinet:

- i. delegates authority to the Executive Director of Children and Adult Services to enter into an Access Agreement with the London Borough of Hillingdon to access the West London Alliance (WLA) Independent Fostering Agency (IFA) Services Framework.
- ii. delegates authority to the Executive Director of Children and Adult Services to award call-off contracts from the WLA Independent Fostering Agency Services Framework Agreement as required by the respective service areas.

Reasons for Decisions and Options Considered

This decision will enhance quality control of the majority of externally purchased foster placements for Ealing Council's looked after children & young people. Furthermore the access agreement has potential to produce efficiencies via the combined purchasing power of West London Alliance partners.

The framework, using the collective purchasing power of West London authorities, has the potential to deliver preferable rates for IFAs, with additional fee reductions/discounts, as well as the benefit of tendered prices being fixed for the first 2 years of the framework.

The alternative to accessing the framework would be to continue our current commissioning practices. This is not recommended as the Council will potentially gain quality improvements, improved market management and fee

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reductions through significant volume discounts as a result of the nine participating boroughs using the framework.

24. Proposals for Public Health Grant (Growth) 2013-2015 Resolved

That Cabinet:

- i. notes and approves the proposals for the expenditure of public health grant growth for 2013-2015 as set out in Appendix 1 of the report.
- ii. delegates authority to the Executive Director for Children and Adults, Director of Children and Families, Director of Adult Services and the Director of Public Health to enter into new partnership arrangements or vary existing partnership arrangements with NHS bodies to the extent necessary to implement these proposals.
- iii. delegates authority to the Executive Director for Children and Adults, Director of Children and Families, Director of Adult Services and the Director of Public Health to provide financial and other assistance from the Public Health Grant allocation to voluntary organisations and enter into grant agreements with the voluntary sector up to a value of £250,000 within their respective portfolios.

Reasons for Decisions and Options Considered

A number of Public Health responsibilities transferred to Local Authorities on the 1st April 2013. These new responsibilities and duties are funded by a ring fenced Public Health grant, and the allocation for Ealing is £21.376m in 13/14 and £21.974m in 14/15. Once all inherited contracts, staffing costs, and other commitments and risks are allowed for, there is £3.468m headroom in 2013-2014, and £0.6m in 14-15. Provision has been made for GUM (sexual health) services where there is a national pattern of growth in the demand for these open-access services. Ealing Council is responsible for providing these sexual health services to residents from 1st April 2013.

The level of PH grant allocation from 2015-16 is unclear. It is anticipated that a revised allocation formula will be implemented, and there is a significant risk that Ealing's allocation may reduce in 2015. It is therefore crucial that the growth available in 2013/14 and 2014/15 is spent on schemes which are expected to make a significant impact on the health of the population, but which can be concluded if necessary in 2015. All proposals were prepared in a manner that takes into account this uncertainty in funding likely to be available from 2015.

The Department of Health has announced that in 2015-16, progress against public health outcomes indicators will inform the allocation of the "health premium", an incentive payment to Councils for reducing inequalities in health which will come into effect in 2015. In addition, in 2015, the Council will take on additional responsibilities for Children's public health services (0-5 years) and this offers opportunities for integrated services and greater efficiencies.

25. Police Contracts

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

That Cabinet:

- i. authorises the Director of Safer Communities to negotiate and enter into agreements with the Mayor's Office for Policing and Crime to effect the proposal in paragraph 3.6 of this report.
- ii. notes the proposed allocation of resources from the London Crime Prevention Fund for Ealing in 2013/14 (paragraph 4.2 and appendix 3 of this report).

Reasons for Decisions and Options Considered

One of the two Agreements for police resources in the borough has now come to an end, and in order to regularise the arrangements and to bring the two Agreements into line with the available resources, it is proposed to enter into a new and an extended Agreement for police resources to end on March 2015.

Options considered included, no renewal of Agreements and different configuration of resources, but in consultation with the borough police senior leadership team the resource allocation proposed compliments and furthers the boroughs shared priorities.

26. Permission to Tender the Target Hardening Project

Resolved

That Cabinet:

- i. agrees the tendering of the contract.
- ii. agrees a three year term for the contract with an option to extend for a further year.
- iii. agrees to a revision of the service specification to broaden the target hardening service for burglary to include vulnerable properties identified in hotspot areas.

Reasons for Decisions and Options Considered

To ensure the Council compliments the crime reduction initiatives led by policing colleagues, ensuring the targeting of resources where residents will benefit most from Council support. To enable victims of domestic violence, vulnerable victims and witnesses, to remain safely in their own homes. To enhance the scheme in relation to target hardening to support the Simple 2 Start project in reducing the number of residential burglaries.

27. Date of the Next Meeting

The next meeting of Cabinet will be held on Tuesday 17 September 2013 at 7pm.

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of this Committee.

Councillor Julian Bell, Chair

Date

The meeting concluded at 9:10pm having completed its business.

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