

Minutes of the meeting of the Cabinet

Date: Tuesday, 14 February 2017

Time: 19:00

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

Attendees:

Councillor Jasbir Anand, Councillor Julian Bell, Councillor Ranjit Dheer, Councillor Yoel Gordon, Councillor Yvonne Johnson, Councillor Bassam Mahfouz, Councillor Peter Mason, Councillor Binda Rai, Councillor Hitesh Tailor

Apologies for Absence:

0 Also Present

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

Item 09 - Budget Strategy 2017/18 (Councillors Malcolm and Stafford)

Item 12 - Commercial Waste Service Options (Councillors Malcolm and Stafford)

1 Apologies for Absence

Councillor Tailor gave apologies for lateness.

2 Urgent Matters

Cabinet accepted an addendum to item 10 on the agenda, which had been circulated and published on 10 February 2017.

3 Matters to be Considered in Private

Items 11, 12 and 13 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 Mahfouz declared a personal interest in item 12 by virtue of him representing London Councils on the London Waste and Recycling Board.

5 Minutes

Resolved:

That the minutes of the Cabinet meeting held on 17 January 2017 be agreed and signed as a true and correct record.

6 Appointments to Sub Committees and Outside Bodies

There were none.

7 Ealing Town Hall Development and Refurbishment final.pdf

Resolved

That Cabinet:

i) notes that no proposal had been received from Ealing Voice and the Council would proceed with Mastcraft as the preferred bidder.

Reasons for Decisions and Options Considered

The purpose of this report was to set out the process that the Council would follow if it received a proposal from Ealing Voice for development of Ealing Town Hall. At the time of this meeting, no proposals had been received by Ealing Council with regard to Ealing Town Hall following the listing of the building as an Asset of Community Value.

8 Approval to Award Entry to Providers - Homecare Adults DPS

Resolved

That Cabinet:

i) authorises the Director of Adults Services to appoint Providers (detailed in Appendix 1 of the report, who meet the entry criteria) on to the Homecare Services Dynamic Purchasing System (known as the DPS) for the first round of the scheme due to commence on 1 April 2017.

ii) delegates authority to the Director of Adults Services to add additional Providers on to the DPS throughout the 4-year term of the DPS in accordance with its rules and selection criteria following its establishment.

iii) authorises entering into individual or block agreements with the Providers on the DPS as and when the service needs arise, within the Adults departmental budget for Homecare Services, following the specified procedures within the DPS for awarding contracts.

iv) approves that in order to meet statutory need requirements, the direct award of packages of care for vulnerable adults on a spot contract basis may be necessary where suitable arrangements cannot be made via the DPS; or where crisis or emergency circumstances dictate this is not possible to do so via the DPS; and authorises the Director of Adults Services to award such spot contracts through a competitive process (where possible) or through the direct award to a provider deemed best placed to provide services required to meet a vulnerable adult's eligible care and support needs.

Reasons for Decisions and Options Considered

Ealing Council has a statutory duty to meet the care and support needs of vulnerable adults and carers in the borough based on an assessment of need and where the national eligibility criteria are met. As a result, Adults Services will source community based services to meet a range of individual care and support needs. Changes to the

statutory framework for social care were introduced in April 2015 following the introduction of the Care Act 2014. In addition to the duty to meet eligible needs, the Care Act 2014 requires that Councils have strategies in place for:

- promoting the general wellbeing of residents
- preventing the development of ill health and social care needs
- delaying people's need for personal care services by enabling them to live independently for as long as possible.
- a person-centred approach, focusing on the needs of the individual rather than the demands of the service
- Take steps to support market sustainability and promote quality

The DPS method was chosen as the preferred model, following a service review during the commercial strategy stage of the process. Framework and block contracts were considered at the time but did not offer suitable vehicles for the contracting of Homecare Services, as neither model allows for new providers to join the scheme during the term of the contract – resulting in an increase in the level of spot purchasing by the Council outside of its Contract Procedure Rules (CPRs), and counter to Adults Services aims to increase capacity and build a diverse and sustainable 'managed' local care market.

The West London Alliance (WLA) Homecare Services Framework Agreement commenced in 2014 and will expire in October 2018. This Framework Agreement was procured on a collaborative basis with a number of WLA boroughs. It comprises of 6 lots, with providers ranked according to price and quality. Despite this Framework Agreement being in place, local capacity pressures have arisen in the homecare market that require additional actions to be taken by Ealing, especially in meeting future NHS integration and winter-readiness requirements.

Cabinet gave prior approval for the development of the DPS for Homecare Services on 24 November 2015. The DPS tender documents were advertised via the London Tenders Portal on 15 December 2016 (with the application process closing on 16 January 2017).

Cabinet were also asked to note that additional inflationary pressures pertaining to the prices of home care packages will also feature each year up to 2020 due to increasing overheads driven by higher remuneration to retain staff, annual national living wage increases, and pension reforms. The prices proposed in the DPS have been based on extensive modelling and benchmarking, and are subject to annual review. This review will inform the corporate budget setting and inflation adjustment processes.

9 Budget Strategy 2017-18

Resolved

That Cabinet:

Budget Review: Revenue savings and growth proposals

i) approves an additional £25.209m of centrally held growth items for 2017/18 – 2020/21 (including £20.509m for 2017/18) since 15 November 2016 Cabinet meeting (para 5.2.3 of the report) and notes the growth proposals already submitted and approved by Cabinet on 15 November 2016 (para 5.2.1 and Appendix 3a of the report).

ii) notes the repurposing of corporate budgets (para 5.2.4 of the report) and notes that no further savings proposals for 2017/18 have been made since 15 November 2016 Cabinet meeting.

iii) notes the allowed increases in the social care precept and the referendum limit of the council (4.2.3 and 4.4.2 of the report) and recommend to Full Council the taking of the Social Care Precept of 2% on council tax.

iv) notes that the council is in a position to agree a balanced budget for 2017/18 and that any remaining budget gap following the council tax decision by Council on 21 February 2017 will be closed using reserves.

v) notes the requirement for additional savings and/or income in future years as set out in para 3.1.6 of the report.

vi) notes that where information comes to light which indicates that particular savings proposals have significant and important implications not set out in this report, for example relevant to the council's equalities duties or other legal responsibilities, or where consultation is required because of the significant likely impact of proposals upon service users or providers, then those implications will be fully explored and, if necessary, a further report will be considered by Cabinet or the relevant officer or portfolio holder for finance, performance and customer services before a final decision is taken on whether or not to proceed to implementation. Where a decision is taken not to proceed with any savings proposal then alternative proposals will be brought forward for consideration.

vii) authorises the director or executive director with responsibility for each proposal to carry out any steps required in relation to those proposals, including carrying out any appropriate consultation, considering consultation outcomes and any other detailed implications before taking the final decision on whether or not to proceed to implement such a proposal, and amending any proposal prior to implementation as appropriate following consideration as above.

viii) notes in relation to the authorisation given in para vii) above that where it is reasonably practicable to do so, any key decisions should be brought back to Cabinet.

Fees and Charges

ix) notes that there are no changes to fees and charges which require Cabinet approval.

Budget Review: Capital

x) notes the capital proposals already approved by Cabinet on 15 November 2016 and to be approved on 14 February 2017 bringing the total of all capital proposals to £30.210m (para 5.17 and Appendix 7 of the report, schemes 4, 5 and 9). Cabinet also approves the removal of the Children's Extended Nursery Provision scheme previously agreed by Cabinet on 15 November 2016 (para 5.17 of the report).

xi) notes the capital proposals to the HRA (Appendix 8 of the report, scheme 27 within HRA programme) to be considered as part of the HRA Business plan by Cabinet on 14 February 2017.

Business Rates

xii) a) Makes a decision that pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988, for 2017/18, the Council will offer a discount in National Non-Domestic Rates (NNDR) of two times the cost of accreditation to the first 100 businesses in Ealing which are, or which become accredited with the Living Wage Foundation and who meet the criteria as set out in the February 2016 Cabinet report: Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation (para 5.23.9 of the report).

(b) Authorises the Strategic Finance Partner – Local Tax and Accounts Receivable to make determinations in relation to applications for such discounts.

xiii) **Cabinet endorses and approves the following recommendations and recommends to the Council that on 21 February 2017 it:**

Revenue Budget and Medium Term Financial Strategy

xiv) considers and approves the revenue budget for 2017/18 as summarised in Appendix 2 of the report.

xv) considers and approves the refreshed Medium Term Financial Strategy (MTFS) for 2017/18 – 2020/21 (para 4.9.4 and Appendix 1 of the report).

xvi) considers the advice of the Executive Director of Corporate Resources on the levels of reserves and robustness of estimates in setting the budget as required by Section 25 of the Local Government Act 2003 (para 5.11 of the report).

xvii) notes the financial risks and pressures set out in section 4 and in particular para 4.9 of the report.

xviii) notes the total savings of £28.896m, total growth of £3.524m and £25.209m of additional centrally held growth items approved by Cabinet on 15 November 2016 and 14 February 2017 through the budget review processes for the period of the refreshed MTFS, 2017/18 – 2020/21 (para 5.2 and 5.4 and Appendices 3a and 3b of the report).

xix) approves the draft Schools budget of £314.095m and agrees that any changes to the budget reasonably required as a result of the final 2017/18 DSG settlement are delegated for decision to the Executive Director of Children, Adults & Public Health following consultation with the Executive Director of Corporate Resources (see para 5.8.12 and Appendix 5 of the report).

xx) notes the MTFS financial projections for 2018/19 to 2020/21 (para 4.9.4 and Appendix 1 of the report).

xxi) notes that the General Fund balance is scheduled to remain the same at £15.473m for 2017/18 and notes the forecast levels of earmarked reserves (see para 5.13 and Appendix 6 of the report).

xxii) approves the Parking Account 2017/18 (see para 5.6 and Appendix 4 of the report).

Capital Programme 2017/18 - 2020/21

xxiii) approves the new capital projects, totalling £30.210m and the removal of a capital project totalling £1.600m (see para 5.17 and Appendix 7 of the report).

xxiv) approves the revised capital programme of £761.206m, as set out in (para 5.18 and Appendix 8 of the report).

xxv) approves the use of underspends from 2016/17 to part fund new capital schemes as set out in paragraph 5.16.2 and 5.17 of the report.

xxvi) approves the revised Capital Strategy set out in Appendix 9 of the report.

Treasury Management and Pension Fund Update based on TM Strategy

xxvii) approves the Treasury Management Strategy including the associated Prudential Indicators and Annual Investment Strategy and as set out in (para 5.21, Appendix 10, Annexes 3 and 5 of the report).

xxviii) approves the Treasury Management Policy Statement attached to Appendix 10 as Annex 1 of the report;

xxix) notes the Director of Finance will implement the Treasury Management Strategy under existing officer delegated powers set out in Appendix 10 as Annex 2 of the report;

xxx) approves the Minimum Revenue Provision (MRP) policy and in particular notes the revision to the policy changing the MRP Option 1 (pre 2008 debt) provision from reducing balance to straight line basis to achieve a more prudent provision for debt repayment; set out in Appendix 10 as Annex 4 of the report.

xxxi) notes that the Pension Fund cash (where held in house) and West London Waste Authority cash is also managed in accordance with the Treasury Management Strategy (2.9 to 2.13 of Appendix 10 of the report).

Council Tax and Business Rates

xxxii) notes the GLA Band D precept of £280.02 for 2017/18, a 1.46% increase compared to the 2016/17 GLA precept (para 5.9 of the report);

xxxiii) notes that the Executive Director of Corporate Resources calculated under delegated authority on 24 January 2017 the amount of 111,132.37 as the Council Tax Base, (the number of properties in Bands A-H in the Borough, expressed as an equivalent number of Band D units for the year 2017/18) in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 33(5) and 34(4) of the Local Government Finance Act 1992 (para 5.22.1 of the report);

xxxiv) notes the collection fund position as set out in para 5.22.2 of the report;

xxxv) notes the council's share of the business rates income forecast for 2017/18 at £46.910m agreed under delegated authority by the Executive Director of Corporate Resources (see para 5.23.4 of the report).

Reasons for Decisions and Options Considered

This report is the latest in a series of reports to Cabinet on developing budget proposals for 2017/18. This report updates the position since the last budget strategy report to Cabinet on 15 November 2016, and it brings together a number of significant issues for Cabinet decision. The main purpose of this report is to enable Cabinet to consider further budget proposals and make recommendations to Council for when it finalises the budget and sets the council tax on 21 February 2017.

Housing Revenue Account (HRA) Business Plan

Resolved

That Cabinet:

i) approves the HRA 5 year capital programme for 2017/18 to 2021/22, total £379.119m. This includes:

- 2016-17 capital programme slippage of £25.842m into future years.
- Indicative additions on schemes to the value of £143.425m over the 5 year programme, subject to future Cabinet approval of the detailed business case

ii) approves the HRA 5 year revenue budgets for 2017/18 to 2021/22 (table1 of the report)

iii) notes the HRA 30 year revenue budgets for 2017/18 to 2046/47 (appendix 3 of the report)

iv) notes the HRA 30 year capital programme for 2017/18 to 2046/47 (appendix 2 of the report)

v) notes the HRA reserves and balances for the 5 year Medium Term Financial Strategy (MTFS), including the use of right to buy (RTB) capital receipts, as outlined in section 3.8 of the report.

vi) notes the update to the additional borrowing headroom approved by the Secretary of State under the Governments Local Growth Fund. This permits the HRA borrowing for a programme to build new affordable homes as detailed in section 3.1.5 to 3.1.6 of the report.

vii) notes the addendum to the report.

viii) approves the use of 1-4-1 capital receipts to be applied for the provision of replacement social housing to 2015/16 spend against the existing 'Improving Temporary Accommodation Capital Programme' up to the value of £1.862m (subject to audit).

ix) approves the use of 1-4-1 capital receipts for the provision of replacement social housing against the existing 'Improving Temporary Accommodation Provision Capital Programme' in the General Fund from 2016/17–2018/19 to the value of £2.075m.

x) notes the change of capital financing against the currently existing approved mainstream borrowing funded programme. The total existing approved budget for 'Improving Temporary Accommodation Provision' from 2016/17-2018/19 of £6.916m will now be funded by 70% borrowing and 30% 1-4-1 receipts as outlined below:

- 2016/17 £0.600m

- 2017/18 £0.900m

- 2018/19 £0.575m

Total £2.075m

Further information can be found in the financial implications Table 3 of the report.

xi) notes that from 2016/17 onwards, in line with the HRA business plan assumptions, the HRA will receive preferential call on usage of the 1-4-1 receipts.

xii) notes that the capital programme as set out in the Budget Strategy 2017/18 Cabinet report will be amended to reflect the above financing changes.

xiii) notes that the HRA Business Plan as set out in the Cabinet report will be updated to reflect the above changes.

Reasons for Decisions and Options Considered

This report is required in order to:

- Set the 5 year capital programme 2017/18 to 2021/22;
- Set the HRA 5 year MTFS;

- Note the HRA 30 year business plan;
- For this Cabinet to agree the 2017/18 budget and the MTFS for 2017 to 2022 and the impact on the longer term 5/30 year HRA financial model.

In order to utilise 1-4-1 capital receipts there has been a review of the existing Capital Programme and officers have identified opportunities for which it can be used retrospectively and in current plus future years. The use of 1-4-1 receipts must be for social housing which is defined as low cost rental accommodation.

So long as the accommodation falls within the legal definition, then expenditure on providing it may constitute 1-4-1 expenditure.

Under the terms of the Right to Buy Retention Agreement entered into with the DCLG in 2012/13, the Council is able to retain Right To Buy receipts from sales received on or after 1 April 2012 provided those receipts are: (i) used for the provision of social housing; (ii) the receipts are used within three years; and (iii) the retained sum does not constitute more than 30% of the total development costs of the social housing investment. The remaining 70% of costs must be match funded. The Council has spent during 2015/16 and 2016/17 approximately £6.140m of receipts to support the provision of new social and affordable rent units in the borough as set out in Table 1 of the addendum to the report

There is a constraint on the HRA, the fact that Right to Buy receipts can only be used to fund 30% of capital schemes, the remaining 70% must be match funded. The HRA is constrained in the amount of borrowing it can utilise (the borrowing "headroom"), hence the use of TA spend by the general fund will alleviate the level of expenditure and borrowing headroom limits within the use of 1-4-1 capital receipts requirements.

11 **Broadway Living - 301 Ruislip Road - Approval**

Resolved

That Cabinet:

i) notes that Cabinet has previously authorised the disposal by the Council of 32 units at 301 Ruislip Road to Broadway Living by way of a long lease on the basis set out in paragraph 1.4 of the report.

ii) authorises the Executive Director of Corporate Resources to negotiate and enter into funding arrangements with Broadway Living including a funding agreement to fund Broadway Living to purchase 32 homes at 301 Ruislip Road, Greenford UB6 9SE, on the basis of the proposed terms which are explained in the draft report attached at Confidential Appendix 1 of the report.

iii) notes the Council will be funding Broadway Living for this purchase via:

- A loan of £6.829m from the Council, which the Council will be funding through borrowing; and
- Share issue from Broadway Living to the Council valued on the basis of the attributable net assets, taking into account the market value of the properties less the debt finance

iv) notes the loan of £6.829m comprises of:

- £6.500m for purchase of 32 units at Ruislip Road
- £0.329m for associated on costs incurred by Broadway Living

v) approves the capital receipt for HRA purposes, through a capital contribution to the HRA capital programme from the General Fund to the value of £6.500m.

Reasons for Decisions and Options Considered

Since the Housing Commission report approved at Cabinet on April 24 2012, the council has been developing and refining its plans for regeneration and new development. The Council wishes to build more new homes over a range of tenures,

including affordable and private rent, to assist in meeting the housing demand in the borough, and the commitment is to provide at least 500 new Council homes in the next 5 years.

Following approval from Cabinet in October 2013, the council has incorporated a wholly owned subsidiary called Broadway Living (BL) whose objectives are to offer a complementary delivery vehicle for new council owned homes outside the Housing Revenue Account (HRA). BL is a wholly owned subsidiary of the council and the council is therefore the sole shareholder. One of the key objectives of the council is to offer a diverse range of housing tenures to meet housing demand.

As part of the council's objective to build more homes for a variety of tenures it entered into an innovative contract with Hill Partnerships (Hill's) in March 2014. The council provided land (mainly disused sites and garage courts) and the agreement was for Hill to build out a mixture of private and affordable homes for rent, using the sales profit on the sales homes to pay for the construction of the affordable homes. Ruislip Road was one of these sites that were included in the Hill's agreement with the council.

The development at Ruislip Road has a total of 50 homes, 18 are for open market sale by Hills and the remaining 32 are currently retained by the council. In March 2016 Cabinet authorised the disposal of the 32 homes to Broadway Living under a long lease for intermediate rent subject to Broadway Living securing funding. As Broadway Living has the majority share of the new homes, it has been agreed that Broadway Living will take responsibility for the external management and maintenance of the shared roads, car parking and landscaping areas within the development. The occupiers of the Hill's sale homes and Broadway Living homes will be separately responsible for any services internally in their respective homes, for example communal cleaning. See site plan at Appendix 3 of the report.

At the March 2016 Cabinet meeting members also agreed the recommendation below: To note the principle of the Council lending Broadway Living approximately £7m on a commercial basis through prudential borrowing, to enable Broadway Living to pay the HRA a proportion of the market value of the 32 intermediate properties to be transferred; and issue shares in the company to reflect the proportion of the market value of the properties that is not covered by the cash payment. A further report will be brought back to Cabinet to approve the final terms of the funding agreement with Broadway Living.

The viability of the intermediate rent homes at Ruislip Road has been assessed using the same appraisal criteria used for Eastcote Lane, Copley Close and Abbots Road, as set out in the October 2013 and April 2016 cabinet report that approved the transfer of land for 76 homes to Broadway Living for the Copley Close development.

12 Commercial Waste Service Options

Resolved

That Cabinet:

- i) approves in principle for the council to enter into a joint venture agreement with London Business Waste and Recycling Limited to create a Special Purpose Vehicle Company (SPV) for the purpose of providing a commercial waste collection service.
- ii) notes that the name of the SPV will be Ealing Business Waste and Recycling Limited.
- iii) notes that the Executive Director of Environment and Customer Services is appointed or nominates an Ealing Council employee as Director of the Board of the SPV representing Ealing Council.
- iv) delegates authority to the Executive Director of Environment and Customer Services, following consultation with the Portfolio Holder to finalise, agree and sign off the following:
 - a) The final business case
 - b) The Joint Venture Agreement specifying the terms and conditions of the operation of the SPV
 - c) The fulfilment contract specifying the terms and conditions of the provision of operational services by the Council to the SPV should this be required
 - d) The brand licence agreement authorising the use of the Ealing name and logo in accordance with specified terms and conditions

- e) The memorandum and articles of association for the SPV
- f) Any necessary variations of the Contract with the Council's current waste and recycling collection contractor
- v) authorises the Director of Finance to enter into a funding agreement to fund the SPV if required, subject to the business case.

Reasons for Decisions and Options Considered

Businesses are required to make their own arrangements for the collection and disposal of commercial waste. They can make these arrangements through their local waste collection authority or they can use private commercial waste collection companies.

Ealing Council is a waste collection authority and has a duty to provide or arrange for the collection of commercial waste where a request for this service is received from a business located within the borough. This duty is set out in section 45 (1) (b) of the Environmental Protection Act, 1990. A reasonable charge can be made for providing this service.

Ealing Council operates the commercial waste collection service through the Environmental Services contract with current Contractor Amey.

The provision of commercial waste collections by waste collection authorities provides a number of benefits including:

- An income stream that supports the budget.
- Businesses producing low waste volumes, or that are in isolated locations of little commercial interest to private collectors, have an alternative, so discouraging fly-tipping which is a cost to the council.
- Provides the means to implement measures that control when and where commercial waste is left out for collection, such as through a timed collection scheme.

Ealing Council commissioned Eunomia Research & Consulting to undertake a high level analysis of the options available to deliver best value from its commercial waste operation. The report sets out the findings of the initial stage of the analysis, looking at a broad range of options and assessing them against largely qualitative criteria in order to identify the most promising choices. The key points are summarised below and the full report is available in Confidential Appendix A of the report.

Six options for the future development of the council's commercial waste service were identified and assessed:

1. Do nothing;
2. Enhance service within current model;
3. Revise arrangements with Amey to include additional incentives;
4. Outsource commercial waste recycling through a new contract;
5. Work with London Business Waste Recycling Ltd; and
6. Sell service.

The options were evaluated against five criteria:

Criterion 1: Feasibility

Criterion 2: Impact on overall income from commercial waste

Criterion 3: Impact on commercial waste recycling rate

Criterion 4: Impact on street cleansing and fly-tipping

Criterion 5: Implementation and ongoing costs/effort

The best option is number 5, working with London Business Waste Recycling Ltd due to scoring well particularly around increasing income from commercial waste, and introducing a range of recycling services having a positive impact on the commercial waste recycling rate.

In June 2015, LWaRB provided outline proposals to London boroughs setting out a concept for establishing a company to work with boroughs to develop commercial waste collection services for the purpose of raising income. The council expressed an interest in this concept and responded accordingly. A number of other London boroughs

similarly expressed an interest.

With a number of boroughs having expressed an interest in the concept LWaRB committed funds to set-up a new venture, London Business Waste and Recycling Limited Ltd (LBWR). LBWR has been established to undertake sales, development, marketing and administrative functions that are required to operate commercial waste collection services driven by two principal objectives:

- To assist London boroughs to generate new revenues from waste services.
- To promote good business waste management across London and increase recycling.

The first of these objectives aligns with the council's revenue budget strategy for raising new income. The second objective links to the council's priority to maintain the quality and cleanliness of the public realm and supporting citizens to play an active role in enhancing their neighbourhoods by establishing a comprehensive, reliable and cost effective commercial waste collection service, so that all businesses can dispose of their waste responsibly and recycle as much as possible. This will reduce the temptation for businesses to fly-tip, increase compliance with duty of care obligations and ensure that the council is paid for collecting and disposing of waste.

LBWR is recruiting London boroughs as partner authorities. The London Boroughs of Hounslow, Lambeth and Southwark entered into a joint venture agreement with LBWR in late 2016. Other boroughs are currently undertaking a process of due diligence to determine whether these arrangements are suitable for their needs.

13 Children's Services Capital Approvals

Resolved

That Cabinet:

i) notes the list of proposed High Priority Condition Works as set out in Confidential Appendix A of the report, and that further work will take place to finalise detailed schemes.

ii) authorises the Assistant Director: Schools Planning & Resources to finalise the schemes set out in Confidential Appendix A of the report, and to invite and evaluate tenders for the works for these schemes.

iii) for contracts with values exceeding Director authorisation, delegates authority to the Assistant Director: Schools Planning & Resources, to award contracts if suitable tenders, affordable within the £5.081m budget allocated, are received pursuant to tender exercises referred to in recommendation 1.2 in the report.

iv) authorises the Assistant Director: Schools Planning & Resources to seek all necessary Planning and Statutory Approvals for the schemes described in this report.

Reasons for Decisions and Options Considered

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

Under the council's constitution Cabinet approval is required to proceed with schemes over £1m in value, Portfolio Holder approval is required in order to proceed with schemes between £0.500m and £1m, and the schemes up to £0.500m per annum fall within Director delegated powers. However, as all of the schemes are to be undertaken during the same time period it is considered better practice to obtain authority for all in this report being submitted to Cabinet rather than submitting a separate report for a smaller number of projects to Cabinet, the Portfolio holder and Director.

14 Update on School Places and Capital Approvals

Resolved

That Cabinet:

- i) notes section 3.1 of the report, which sets out the updated projections in relation to demand for primary and secondary school provision across the borough and current proposals to address rising demand.
- ii) approves the addition £0.600m of Big Lottery New Opportunity Fund and Building Research Establishment grants for school works to the Schools Service Capital Programme.
- iii) authorises the Executive Director for Children, Adults and Public Health to invite and evaluate tenders, and award contracts for all necessary contracts required for the accommodation for the replacement of life-expired accommodation at Redwood College up to a value of £0.600m.
- iv) authorises the Executive Director for Children, Adults and Public Health to seek all necessary Planning and Statutory Approvals for the schemes described in this report;
- v) approves the adjustment of the budget for the Ark Byron Primary Academy to reflect the increased costs of the scheme, noting that these costs are to be met by the Education Funding Agency.
- vi) agrees in principle that, if the site identified for the proposed North Twyford School as described in paragraph 3.1 of the report cannot be acquired by the Education Funding Agency by agreement, the site be acquired by means of a compulsory purchase order pursuant to section 530 (1) of the Education Act 1996 if necessary and that a further report will be brought back to cabinet for approval.

Reasons for Decisions and Options Considered

Under the council's constitution Cabinet approval is required to proceed with schemes over £0.1m in value, Portfolio Holder approval is required in order to proceed with schemes between £0.500m and £1m, and the schemes up to £0.500m per annum fall within Director delegated powers. Details of the schemes and reasons for the recommendations are set out in the report.

15 Procurement of Ealing Parent Partnership Service

Resolved

That Cabinet:

- i) authorises the Executive Director for Children, Adults and Public Health to invite and evaluate tenders for a local Impartial Information, Advice and Support (IIAS) contract for a period of three years from January 2018 with the option to extend for two 12 month periods expiring 31/12/2022, or alternatively, if the Council procures in collaboration with other Boroughs, authorises Ealing Council to act as the lead council in the procurement of a local Impartial Information, Advice and Support (IIAS) contract on behalf of itself and partner boroughs with Ealing Council entering into a contract with the provider and the other councils either having access agreements in relation to this contract or entering into individual contracts with the successful provider.
- ii) delegates authority to the Executive Director for Children, Adults and Public Health to award a contract to the most economically advantageous tender, following consultation with the Portfolio Holder for Children and Young People.
- iii) approves the council's participation in a joint procurement and tendering exercise of the parent partnership services with neighbouring Boroughs, if following detailed review and options appraisals with the neighbouring boroughs of Brent, Harrow, and Hillingdon, it is considered to be a financially viable and beneficial to the service for Ealing.

Reasons for Decisions and Options Considered

The Local Authority has a statutory duty to provide IIAS services for children and young people aged 0-25 with additional needs in the borough as laid out in the Special Educational Needs and Disability (SEND) Reforms and Children and Families Act 2014. IIAS are required to be independent and provide impartial advice and information on all aspects of Education, Health and Care Plans.

The current parent partnership contract was commissioned in 2009 on a three year term

with the ability to extend the contract. The contract extension facility has now been exhausted and the current contract term comes to an end in December 2017.

The Special Educational Needs Code of Practice, 0 to 25 years (January 2015) sets out the minimum standards for this statutory service:

a. The provision of impartial advice, information and support to all parents/carers of children with SEN and/or disability.

b. Information and advice must be free, accurate, and confidential and in formats which are accessible and responsive to the needs of users.

c. To work with the Parent Carer Forum and other user groups to ensure that parents/carers and young people's views are heard, understood and inform and influence the development of local SEN policy, practice and decision making.

d. Children are consulted and their views are taken into account in decision making

e. To work with schools, the Local Authority (LA), Clinical Commissioning Groups (CCGs) and commissioning officers and others to help them develop positive relationships with parents/carers and young

The current Parent Partnership service is provided by Family Action for £158,000 per annum and is joint funded by LBE (£108,000) and Ealing CCG (£50,000). Ealing Council holds the contract and manages the contract.

Procurement Options Considered

- Option 1 (a) – re commissioning service going out to tender, for one provider, on the open market– preferred option as it meets all procurement regulations and need to for service to be provided by an independent organisation to Ealing Council
- Option 1 (b) – as above, but in conjunction with one or more other Council
- Option 2 – decommission service and not re procure –not recommended as it is a statutory duty of the Council
- Option 3 – deliver In house – Not recommended as it is a requirement of service to be independent

16 **Permission to Tender for Child Health Services - Health Visiting and School Nursing**

Resolved

That Cabinet:

i) authorises the Executive Director, Children, Adults and Public Health to invite and evaluate tenders for a contract (which is likely to be in the region of £6 million per annum) for the provision of health visiting and school nursing services for a period of three years from October 2018 with the option to extend for a further four years (extendable at two yearly intervals).

ii) delegates authority to the Executive Director, Children, Adults and Public Health, following consultation with the two relevant portfolio holders, to award the contract following the evaluation of tenders on the basis that it is the most advantageous tender based on quality and cost.

Reasons for Decisions and Options Considered

Local Authorities commission school nursing and health visiting services as part of their public health responsibilities.

In Ealing, there are currently separate contracts for each of these two services, both of which come to an end on 30 September 2018. Both services are provided by London North West Healthcare NHS Trust.

There are five nationally mandated items relating to health visiting although these are

subject to national consultation and may change. Health visitors offer a universal contact to families from late pregnancy, in the new birth period, at 6 to 8 weeks, at 1 year and at two to two and a half years. In addition they provide a more intensive service to families who have particular needs as well as playing a key role in safeguarding young children. The five mandated items are under review nationally and the specification for the service may need to change to reflect any changes in the mandate. The health visiting contract in Ealing includes the delivery of a Family Nurse Partnership service. This service provides a health visiting service to vulnerable young women in conjunction with an intensive intervention from pre-birth until the child is two years old. This is a licensed programme which has been in place in Ealing for 7 years. The school nursing service works in the Borough's state funded schools. It delivers the following key functions: identification of health care needs at reception stage; support to schools to help them develop and deliver health care plans for targeted children; national child measurement programme; safeguarding; training for school staff; support and advice to schools and others relating to healthcare needs of school aged children. As the contracts expire on 30 September 2018, a procurement process is required and the following options have been considered:

Option one – dynamic purchasing system. This would not work for this service which needs to operate as a whole service and to achieve economies of scale through shared premises, management structures and skills mix.

Option two – commission with other local authorities. No other local authority has been identified that are currently going out to the market for the same range of services.

Option three – tender for a block contract from one provider. This is the preferred option and would provide stability and continuity to the service.

17 Date of Next Meeting

Resolved

The next meeting of Cabinet will be held on 14 March 2017 at 7pm