



Havering

LONDON BOROUGH

TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE AGENDA

7.30 pm

Monday
14 November 2011

Town Hall, Main Road,
Romford

Members 9: Quorum 3

COUNCILLORS:

Conservative Group
(5)

Residents' Group
(2)

Labour Group
(1)

**Independent
Residents' Group**
(1)

Frederick Osborne
(Chairman)
Wendy Brice-
Thompson
Osman Dervish
Garry Pain
Keith Wells

Linda Hawthorn
(Vice-Chair)
Ray Morgon

Paul McGeary

Michael Deon Burton

**For information about the meeting please contact:
Richard Cursons (01708 432430)
E-mail: richard.cursons@havering.gov.uk**

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

They have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns of the public.

The committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations.

Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research and site visits. Once the topic group has finished its work it will send a report to the Committee that created it and it will often suggest recommendations to the executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Regulatory Services
- Planning and Building Control
- Town Centre Strategy
- Licensing
- Leisure, arts, culture
- Housing Retained Services
- Community Safety
- Social and economic regeneration
- Parks
- Social inclusion

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REQUISITION OF CABINET DECISION - REVIEW OF COMMUNITY HALLS - 26 OCTOBER 2011 (Pages 1 - 22)

5 REQUISITION OF CABINET DECISION - APPROVAL OF PREFERRED DEVELOPMENT PARTNER FOR THE BRIAR ROAD ESTATE - 26 OCTOBER 2011 (Pages 23 - 38)

There is also an exempt appendix (Appendix C) which is not available to the Press or members of the public.

**Ian Buckmaster
Committee Administration and
Member Support Manager**

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**TOWNS &
COMMUNITIES
OVERVIEW &
SCRUTINY
COMMITTEE**

14 November 2011

REPORT**Subject Heading:****Requisition of Cabinet Decision -
Review of Community Halls - 26
October 2011****CMT Lead:****Cynthia Griffin
Group Director – Culture & Community
01708 432260****Report Author and contact details:****Richard Cursons
Committee Officer
Committee Administration
01708 432430**

In accordance with paragraph 17 of the Overview and Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Clarence Barrett and Keith Darvill) have called in the decision of the Cabinet dated 26 October 2011. The text of the requisition appears at the end of this report (as Appendix A):

CABINET DECISION

At its meeting on 26 October 2011, Cabinet considered a report concerning a review of Community Hall provision within the borough. (A copy of the Cabinet report is attached as Appendix B. A copy of the draft Cabinet minute will follow)

Cabinet RESOLVED:

1. To the closure of Dukes Hall, as from April 1st 2012 and to delegate to the Lead Members for Value and the Lead Member for Culture, Towns and Communities authority to agree terms for its disposal.
2. To agree to demolish Old Windmill Hall now, to be initially funded from Capital Contingency, which will be reimbursed from the Dukes Hall receipt
3. In principle, to a proportion of the capital receipt arising from the disposal of Dukes Hall being utilised to deal with urgent repair and maintenance issues at the New Windmill Hall and Tweed Way Hall, assuming that these two halls transfer to a community organisation under a Lease Agreement. To delegate the decision on the level of capital spend from the Dukes Hall receipt on alternative community halls managed by Culture and Leisure Services, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.
4. In principle, to the transfer of the management of the New Windmill Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
5. In principle, to the transfer of the management of the Tweed Way Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
6. To delegate decisions on all property matters associated with the transfer of New Windmill Hall and / or Tweed Way Hall, including the criteria for selecting the preferred voluntary group if more than one group expresses an interest in managing one of the halls, the selection of the preferred community group (s) and finalising lease terms, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.
7. In principle, to protecting existing bookings at those community halls that transfer to a community group, to be set out in relevant agreements;
8. To the demolition of the Old Windmill Hall building given the danger it poses to people who might try to enter the site, subject to the Dukes Hall site being disposed of and to be funded from the associated capital receipt
9. To receive a further report on the option of disposing of the Old Windmill Hall site and adjoining land, to secure further investment in the New Windmill Hall facility for the purposes of leasing the building to a community group and surrounding facilities, in the context of

improving the local environment and taking account of the setting of nearby listed buildings.

10. In principle to Cottons Hall being reopened when a Lease can be agreed with a suitable community organisation or, if this does not prove possible, to receive a further report on the future of the site.

REASONS FOR REQUISITION

- A) That the Cabinet Report dated 26th October 2011 did not provide adequate and detailed information to facilitate an informed opinion on the proposals for the future of Community Halls referred to in the report. The report should have set out in detail inter alia the following:
 - 1) the capital cost of refurbishing each hall (paragraph 1.5 of the Report alludes to this but fails to explain);
 - 2) the current income and expenditure budgets for running each of the halls;
 - 3) the breakdown as to how the proposed revenue budget savings (£60k in 2012/13 and £107k in 2013/14) will be achieved;
 - 4) the approximate market value of capital receipt should Dukes Hall be sold and information as to whether the proposed sale includes the adjoining car park;
 - 5) the future plans for the Old Windmill site and the approximate resale value of the land upon which it is sited;
 - 6) the future of Cottons Hall should a lessee not be found;
- B) There is an absence of information about the consideration given (if any) to an alternative strategy of refurbishing the Halls without having to sell Dukes Hall.
- C) There is an absence of information about the past and possible improved/alternative marketing strategy that could be adopted to promote the use of Community Halls.
- D) There appears to be little or no consultation with the existing users regarding the proposals and a lack of information about the timescales involved.
- E) There remains uncertainty about the future of New Windmill and Tweed Way if lessees are not identified and contractual arrangements entered into. Recommendations 4 and 5 of the Report state that a further report will come back to Cabinet if lessees are not found, but paragraph 4.1 states that the halls will close if no lessees are found.

- F) There appears to be inadequate support and planning and an absence of assurances provided to the existing user groups at Dukes Hall who may have to relocate.
- G) Recommendation 7 in the Report indicates that existing bookings will be protected –however it does not state whether this protection extends to regular bookings as well as one-off bookings.

RECOMMENDATION

That the Committee considers the requisition of the decision of Cabinet and determines whether to uphold it.

REQUISITION OF CABINET DECISIONS (Item 11, 26.10.11)

Review of Community Halls

We the undersigned, Cllrs' Clarence Barrett and Keith Darvill, hereby requisition the Cabinet Decision made on 26th October 2011 in respect of the 'Review of Community Halls' on the following grounds:-

A) That the Cabinet Report dated 26th October 2011 did not provide adequate and detailed information to facilitate an informed opinion on the proposals for the future of Community Halls referred to in the report. The report should have set out in detail inter alia the following:

- 1) the capital cost of refurbishing each hall (paragraph 1.5 of the Report alludes to this but fails to explain);
- 2) the current income and expenditure budgets for running each of the halls;
- 3) the breakdown as to how the proposed revenue budget savings (£60k in 2012/13 and £107k in 2013/14) will be achieved;
- 4) the approximate market value of capital receipt should Dukes Hall be sold and information as to whether the proposed sale includes the adjoining car park;
- 5) the future plans for the Old Windmill site and the approximate resale value of the land upon which it is sited;
- 6) the future of Cottons Hall should a lessee not be found;

B) There is an absence of information about the consideration given (if any) to an alternative strategy of refurbishing the Halls without having to sell Dukes Hall.

C) There is an absence of information about the past and possible improved/alternative marketing strategy that could be adopted to promote the use of Community Halls.

D) There appears to be little or no consultation with the existing users regarding the proposals and a lack of information about the timescales involved.

E) There remains uncertainty about the future of New Windmill and Tweed Way if lessees are not identified and contractual arrangements entered into. Recommendations 4 and 5 of the Report state that a further report will come back to

Cabinet if lessees are not found, but paragraph 4.1 states that the halls will close if no lessees are found.

F) There appears to be inadequate support and planning and an absence of assurances provided to the existing user groups at Dukes Hall who may have to relocate.

G) Recommendation 7 in the Report indicates that existing bookings will be protected –however it does not state whether this protection extends to regular bookings as well as one-off bookings.

Cllr Clarence Barrett
Leader of the Opposition
Residents' Association

Cllr Keith Darvill
Leader of the Labour Group



CABINET

26 October 2011

Subject Heading:

Cabinet Member:

CMT Lead:

Report Author and contact details:

Policy context:

Financial summary:

Is this a Key Decision?

REPORT

Community Halls managed by Culture and Leisure Services

Cllr Roger Ramsey
Cllr Andrew Curtin

Andrew Blake-Herbert

Mark Butler, Head of Asset Management
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Corporate Asset Management Plan

The four community halls directly managed by Culture and Leisure Services require significant investment in the region to enhance their current condition and to bring the buildings up to a standard that will encourage usage and help the Council achieve the centres' income targets. There is also a need to demolish the Old Windmill Hall. There is currently no provision in the Council's capital programme and very little prospect that the Council could secure external funding to address these investment needs. This report recommends the disposal of Dukes Hall which will reduce the capital investment requirement in that specific site and a proportion of the receipt realised from the disposal could be used to invest in other community facilities.

The recommendations included in this report will also help Culture and Leisure services achieve the Medium Term Financial Savings for Community Halls, as agreed by Cabinet in July 2011.

Yes

Is this a Strategic Decision? Yes
When should this matter be reviewed? October 2012
Reviewing OSC: Towns and Communities

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

The Council retains four community halls which are under the direct management of Culture and Leisure Services, with the majority of other community halls having been transferred to community associations under a leasehold arrangement.

This report reviews the current condition, usage and distribution of the remaining facilities in order to make recommendations about their future retention, transfer or closure.

RECOMMENDATIONS

Members are asked to agree:

1. To the closure of Dukes Hall, as from April 1st 2012 and to delegate to the Lead Members for Value and the Lead Member for Culture, Towns and Communities authority to agree terms for its disposal.
2. To agree to demolish Old Windmill Hall now, to be initially funded from Capital Contingency, which will be reimbursed from the Dukes Hall receipt
3. In principle to a proportion of the capital receipt arising from the disposal of Dukes Hall being utilised to deal with urgent repair and maintenance issues at the New Windmill Hall and Tweed Way Hall, assuming that these two halls transfer to a community organisation under a Lease Agreement. To delegate the decision on the level of capital spend from the Dukes Hall receipt on alternative community halls managed by Culture and Leisure Services, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.

4. In principle to the transfer of the management of the New Windmill Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
5. In principle to the transfer of the management of the Tweed Way Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
6. To delegate decisions on all property matters associated with the transfer of New Windmill Hall and / or Tweed Way Hall, including the criteria for selecting the preferred voluntary group if more than one group expresses an interest in managing one of the halls, the selection of the preferred community group (s) and finalising lease terms, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.
7. In principle to protecting existing bookings at those community halls that transfer to a community group, to be set out in relevant agreements;
8. To the demolition of the Old Windmill Hall building given the danger it poses to people who might try to enter the site, subject to the Dukes Hall site being disposed of and to be funded from the associated capital receipt
9. To receive a further report on the option of disposing of the Old Windmill Hall site and adjoining land, to secure further investment in the New Windmill Hall facility for the purposes of leasing the building to a community group and surrounding facilities, in the context of improving the local environment and taking account of the setting of nearby listed buildings.
10. In principle to Cottons Hall being reopened when a Lease can be agreed with a suitable community organisation or, if this does not prove possible, to receive a further report on the future of the site.

REPORT DETAIL

1. Background and strategic context

- 1.1 As part of the Council's Asset Management Plan, strategic reviews are periodically undertaken for individual asset groups to challenge whether the existing asset base should be retained, or alternatively whether the opportunity can be taken to rationalise and/or release assets where Council ownership is no longer optimal.
- 1.2 This approach aligns to current government policy to streamline the public sector estate as promoted in the publication 'Leaner and Greener – Delivering Effective Estate Management' launched by the Secretary of State for Communities and Local Government.
- 1.3 The Council completed a review of all of its community halls in 2009. A decision on the future of the halls managed by Culture and Leisure was deferred pending a review of the Council's capital programme and consideration of any Medium Term

Financial Strategy (MTFS) proposals that might impact on the future of the community halls.

- 1.4 The Council's MTFS Financial Strategy, agreed by Cabinet on 13th July 2011, outlined a variety of savings proposals, including a projected saving of £60k in 2012/13, rising to £107k in 2013/14, resulting from a review of management arrangements for the community halls operated by Culture and Leisure services. A Culture and Leisure Services restructure report which will help secure the identified savings is currently out to consultation with affected staff and their trade union representatives. The consultation period does not come to an end until mid December 2011 and any alternative proposals will need to be fully considered. This means that the proposals included in this report are subject to the outcome of the consultation exercise that is currently under way.
- 1.5 The most recent Condition Surveys for the community halls managed by Culture and Leisure Services were conducted in 2007. Since then a lack of capital resources has meant that little work has been carried out to the halls and, in addition to outstanding works, there are now additional works that need to be undertaken. The table in 2.5 below sets out the investment needs for the four halls considered in this report.
- 1.6 It is the Council's experience in recent years that transferring the management of community halls cannot easily be achieved unless outstanding urgent investment needs are addressed prior to transfer. Therefore to achieve a successful transfer, in a timescale that ensures the MTFS revenue savings are achieved, it is considered essential to have capital funds available to deal with such urgent works. However, there are currently no capital funds available and little likelihood that the Council could secure external funding for this purpose; so there seems to be no alternative but to dispose of one of the halls to realise a receipt and use a proportion of that receipt to invest in the halls that are to remain open. If this strategy is not progressed there is a danger that Culture and Leisure's MTFS savings may not be achieved and, worse, levels of income would reduce further as a result of the buildings deteriorating further.
- 1.7 The Old Windmill Hall was closed in August 2007 due the very poor state of the building. Since then the building has been kept secure and no use has been made of the site. There is now a need to urgently demolish the building as it is beyond repair and posing a danger to anyone breaking in to the site. The building also contains asbestos in the roof which needs to be removed. The total cost of demolishing the building and dealing with associated issues is estimated to be £80k. There is no current budget provision available to cover these costs.

2. Current management arrangements

- 2.1 Management arrangements for Culture and Leisure managed community halls currently fall into two categories:

Category 1 - Community/Social Halls that are managed and controlled by the Council (including Culture and Leisure Services managed Halls);

Category 2 – Community/Social Halls that are leased to community groups at equitable rents.

2.2 A summary of community halls within Category 1 is set out in Appendix A. Council policy in recent years has been to transfer the management of many of the halls to local management committees by way of a leasehold agreement. In addition to empowering community ownership of these facilities, local management committees are able to seek charitable status, offering financial benefits in the form of business rate relief, plus the scope to bid for external funding (e.g. Big Lottery, Future Builders Fund) which the Council itself would be unable to access.

2.3 By retaining the freehold interest, the Council is able to retain control over the type of activities that can be offered to the local community, whilst protecting Council assets for future strategic decisions.

2.4 Culture and Leisure Services retains the direct management of four community halls; namely:

- Tweed Way Hall
- Dukes Hall
- Cottons Hall (currently closed for general community use)
- New Windmill Hall

2.5 The table below highlights the income performance vs. budget (2010/11).

	2010/11 Income Budget (£000)	2010/11 Actual Income (£000)
Tweed Way Hall	32	28
Dukes Hall	57	45
New Windmill Hall	59	49
Demolish Old Windmill Hall	N/A	N/A
Total	148	122

(Please note that the income figures are gross; in fact, there is currently a net spend at each of the three halls presently open).

Enhancing the condition of the three remaining halls (i.e. excluding Old Windmill) to an optimal condition for use by community organisations is likely to require a total investment in the order of £0.4m, for which no financial provision exists.

2.6 The existing users of the halls can be split into two broad categories – regular hirers and one off hirers. Regular hirers include pre-school provision through nursery provision at Tweed Way Hall and Dukes Hall, a Montessori school setting at Dukes Hall, dance clubs, over 50's clubs, flower arranging clubs, martial arts clubs and social societies. One-off hirers predominantly include weddings, parties and performances. A full list of all the regular hirers at each hall is included in appendix B.

2.7 Given the significant financial pressures facing the Council it will become increasingly difficult to invest in Council owned assets, whether it be to deal with urgent repair and maintenance issues or keep buildings up to a certain standard so that people want to continue to use them. One of the reasons why income levels at community halls have reduced in recent years and income targets have not been achieved is as a result of the declining state of the buildings. At the same time the Council needs to generate a level of capital receipts to be able to invest in high priority capital projects, which will be of benefit to the local community.

3. Spatial provision of community facilities

3.1 As part of the 2009 community halls review, the geographical spread of all community facilities in Council ownership across the borough was mapped, to give a spatial view of provision in different communities. Appendix C maps the coverage of community halls (Council managed and those let to community associations). The map identifies a concentration in the central and northern area of the borough whilst facilities for the south of the borough are more limited, although these will be enhanced by the new Rainham Library scheme which includes community facilities. Whilst there is generally a good spread of community/social halls across the borough, a number of these facilities cover similar catchment areas.

3.2 Beyond community halls themselves, there are numerous other leisure and recreational facilities which provide hall space, including churches, schools, sport centres and halls owned by voluntary bodies (eg the scouts).

3.3 In the light of the spatial review and the financial constraints facing the Council (limited capital funding to invest in the community halls), it is proposed that an overall strategy is developed that retains the majority of the Culture and Leisure managed community halls and includes the disposal of the site that is least needed in terms of spatial provision (ie Dukes Hall), to reduce the requirements for investment and results in a capital receipt to the Council that can be partly utilised to address the investment needs at the remaining halls.

4. Proposals

4.1 The following measures are proposed for the halls managed by Culture and Leisure Services.

New Windmill Hall

The building requires significant capital investment. It is proposed that the management of the hall is transferred to a community organisation, to achieve efficiency savings, or if this is not achievable then the hall should close. Either way, if the hall remains open a further report should be produced on options to develop the Old Windmill hall site, incorporating a small area of adjacent land, in order to provide a viable development site.

Cottons Hall

This hall is in extremely poor condition and has already closed pending a refurbishment or redevelopment proposal. The building is adjacent to another Council owned building which is leased to the rugby club, who also have access to the ground floor changing facilities with other football clubs. Discussions are ongoing with the Rugby Club and the Friends of Cottons Park regarding them potentially taking over management of the Hall under a leasehold agreement, in order to raise sufficient funding for investment in the facility, whilst retaining scope for broader community use. Possible commercial uses of the site have been explored, including discussions with the Primary Care Trust, but no viable proposition has been put to the Council at this point.

Tweed Way Hall

The building requires significant capital investment. It is proposed that the management of the hall is transferred to a community organisation, to achieve efficiency savings, or if this is not achievable then the hall should close.

Dukes Hall

Given the evidence of potential overlap with other facilities, combined with the need to secure capital receipts to invest in other Council priorities (including other halls); it is proposed that Dukes Hall is closed and the asset released for disposal. The opportunity can be taken to rationalise the site boundary to provide a more viable development site, although the impact on the adjoining park needs to be taken fully in to account. The decommissioning of Dukes Hall needs to be carefully managed to ensure the meals on wheels service continues to operate and existing users are given help to find alternative premises. Although the Council will provide as much support to groups as possible, there is no guarantee that suitable alternative facilities will be found for the groups that will have to vacate Dukes Hall.

By way of background, the Council acquired Dukes Hall in the late 1980s when an opportunity to purchase the land at a reasonable cost occurred, linked to the adjoining development of a retail store.

Old Windmill Hall

The building could potentially pose a health and safety risk at some point and ideally should be demolished as soon as possible.

Langtons Hall

There are no proposals in this report that impact on the management or usage of Langtons Hall, so the current arrangements will be retained.

- 4.2 Assuming agreement to the recommendations in this report the Council will need to manage a process which seeks to transfer the management of one or more halls to a voluntary organisation. There will be a need to establish a selection process which will need to include consultation with existing hirers / users, the advertising of the opportunity to take over the management of the Hall(s), the evaluation

criteria for selecting the preferred partner and the transfer arrangement that needs to be put in place should a transfer proceed.

REASONS AND OPTIONS

Reasons for the decision:

To provide a sustainable community halls infrastructure, ensure retained assets receive adequate investment and ensure that Culture and Leisure Services achieves its MTFs savings targets.

Other options considered:

Options have been considered for each of the four community halls that currently remain in the direct management of Culture and Leisure Services. The decision to retain, close or transfer management has, in each case, been based on a number of factors including condition, investment needs and proximity to other community facilities.

Retention of all four facilities within the Council's direct management is not considered to be a sustainable option, resulting in the decision to rationalise these assets, recycling the receipt from the disposal of some for the benefit of investment in others.

IMPLICATIONS AND RISKS

Financial implications and risks:

The proposals contained in this report will address the indicative investment needs that have been identified for the three halls directly managed by Culture and Leisure Services (excluding Cottons Park) and will also ensure that the Old Windmill hall is demolished. There is currently no provision in the Council's capital programme to address these investment needs.

It is proposed to close Dukes Hall (after 1st April 2012) and dispose of the site. It is proposed to demolish Old Windmill Hall now, in advance of the Dukes Hall receipt; funding will be via Capital Contingency, which be subsequently "reimbursed" from the Dukes Hall receipt.

The proposed disposal of Dukes Hall will reduce the overall investment need, The aim is to achieve the transfer of management of Tweedway and new Windmill Halls, and to aid this, to invest to a level to be agreed by Lead Members Value, and Culture, Towns & Communities – funded again by the Dukes Hall receipt, which is estimated to be in excess of the assumed spend.

For information, it is not general policy to ring fence receipts for specific purposes. This is because this will not necessarily reflect the Council's overall spending priorities, and also there may well be timing issues. Any additions to the Capital Budget currently require the approval of Cabinet and full Council.

The recommendations included in this report will also help ensure that Culture and Leisure Services achieves its MTFS savings targets of £60k in 2012/13, rising to £107k in 2013/14, as agreed by Cabinet in July 2011.

The main financial risk relates to a decision on the future of the halls being deferred, which will result in Culture and Leisure Services not being able to achieve its MTFS savings targets.

Legal implications and risks:

The operation of community halls by the Council is a discretionary activity which the Council can cease, but it needs to take account of the impact that any closure will have on users, particularly those with protected characteristics under the Council's equality obligations, in reaching a final decision on closure if it does not prove possible to find community groups to run the halls.

Negotiation of leases with community groups tends to be a protracted matter, in part because the groups are understandably wary of taking on liabilities, particularly repairing obligations and partially because of the decision making processes of voluntary groups. Completion of such leases by the 1st April 2012 would be unusual given past experience. However allowing groups to commence management without the lease in place is likely to result in the lease negotiation being even more protracted or possibly it never being completed which leads to future problems with the site.

Human Resources implications and risks:

The Human Resource implications directly associated with this report have been covered separately in a Culture and Leisure Services Restructure report that is currently out to consultation with affected staff and their trade union representatives. T

Equalities implications and risks:

A number of local community groups will be affected by the proposals contained in this report. The Council will be seeking to protect usage by existing user groups where a transfer takes place and, where a closure results the Council will help the groups affected to find alternative premises. All affected groups will be dealt with as equitably as possible in this regard.

An Equality and Fairness Assessment has been completed for the restructure report that is linked to Culture and Leisure Services' MTFS proposals, which includes an assessment of the impact on transferring or closing the Culture and Leisure community halls on staff and the local community. A further Equality Impact Assessment will be produced to ensure that the impact on current Dukes Hall users is minimised as far as possible.

No consultation has taken place with the users of the Culture and Leisure managed community halls as this could not be progressed until the recommendations in this report had been considered and decided upon.

An Equality Assessment has been completed for the proposed closure of Dukes Hall. This Assessment shows that parents and carers with children and older people will be particularly affected by the proposal. These affected groups, as well as all other groups currently using Dukes Hall, will be supported in trying to find alternative accommodation.

BACKGROUND PAPERS

Equality Impact Assessment

Appendix A – Schedule of Community/Social Halls managed by Culture and Leisure, Customer Services and Housing (Category 1 Halls)

Plan Ref	Property_Name	Leaseholder	Existing Management Responsibility
1	Cottons Social Hall	Not Applicable	Culture and Leisure
2	Tweed Way Social Hall	Not Applicable	Culture and Leisure
3	Dukes Hall	Not Applicable	Culture and Leisure
4	New Windmill Hall	Not Applicable	Culture and Leisure
5	Langtons Gardens	Not Applicable	Customer Services
6	Betty Strathern Centre	Not Applicable	Housing
7	Betty Whiting Centre	Not Applicable	Housing
8	Haydock Close Social Hall	Not Applicable	Housing

Appendix B – Existing Use of the Culture and Leisure managed halls

<u>Dukes Hall</u>	
Weekly	Time
Parklane play group (Mon/Tues/Wed/Thurs/Fri)	09:15 – 12:15
Hylands Senior Citizens (Mon)	13:45 – 15:45
Upminster old time modern (Wed)	13:30 – 16:00
Tap Dancing club (Wed)	20:00 – 23:00
Emery school of dance (Thurs)	20:00 – 23:00
Funky Voices (Mon)	20:00 - 22:30
Kaizen Ryu Karate (Sat)	10:30 – 12:30
40 + club (Tues/Wed/Fri.)	various times
Slimming world (Mon)	18:30 – 20:30
Slimming World (Tues)	09:00 – 11:00
Montessori (Mon - Fri.)	09:00 – 16:00
Once a month	
Keyboard society (Thurs)	19:00 – 23:00
National blood service (Fri)	12:30 – 21:00

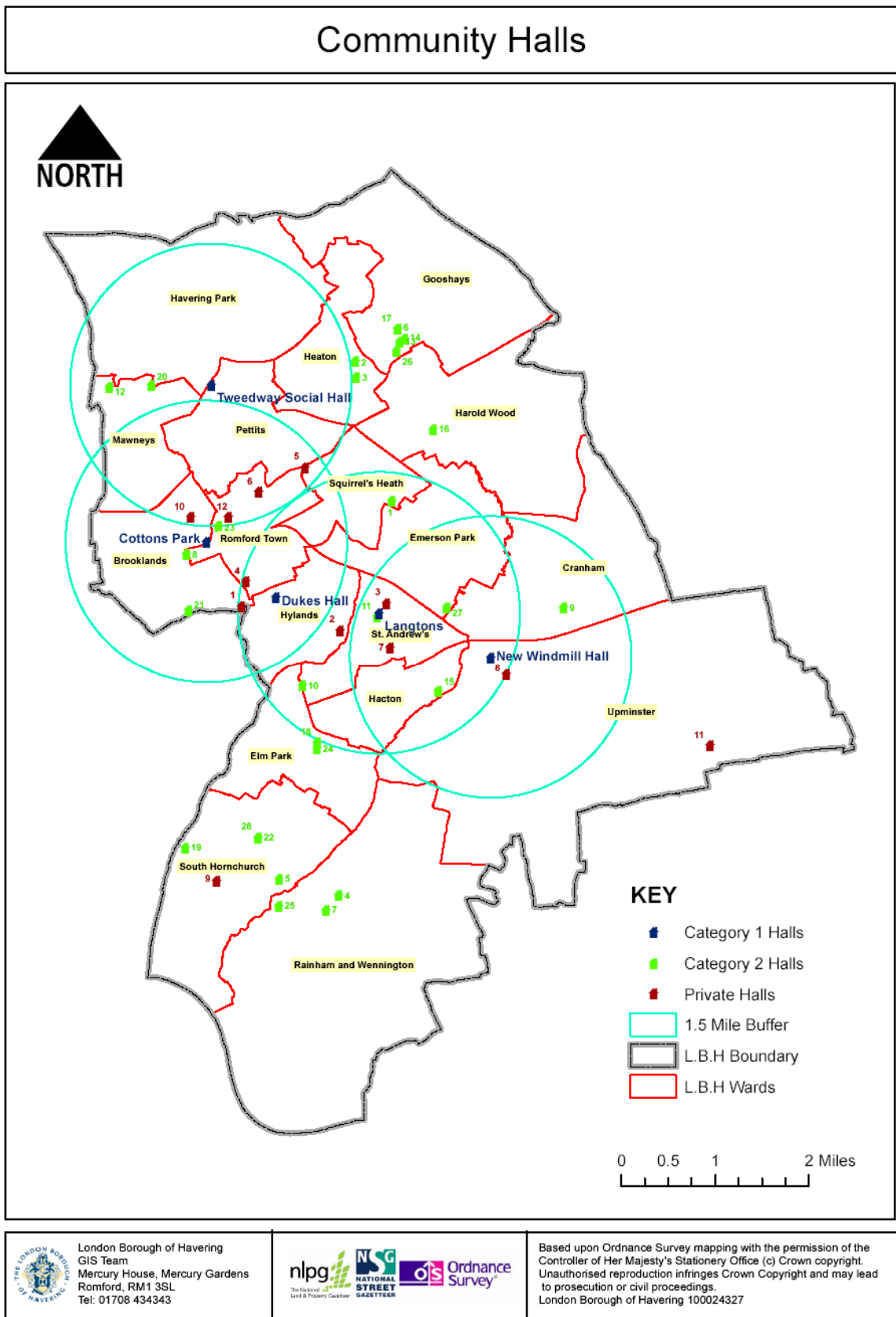
<u>New Windmill Hall</u>	
Weekly	Time
New Horizons (Mon)	19:30 – 23:00
Pilates (Wed/Thurs)	09:00 – 12:00
Tea Dance (Thurs)	13:00 – 15:30
Ballet (Thurs)	16:00 – 19:00
Upminster old time modern dance (Thurs)	19:30 - 22:30

Church of God (Sun)	10:00 – 11:00
Tumble Tots (Fri)	09:00 – 12:30
Once a month	
Scrabble Club (Tues)	19:00 – 22:30
Fine Arts (Tues)	09:30 – 12:30
Dance classes (term time)	13:00 – 15:00 and 19:30 – 22:30
Upminster Horticultural society (Tues)	19:15 – 22:15
Upminster Floral Art (Wed)	18:30 – 23:00
Bubbles (Sat)	20:00 – midnight
National Blood Service (Fri)	12:30 – 21:00
East Anglian Railway (Wed)	19:00 – 22:00
Three times per year	
Options (Sat)	19:00 – midnight

<u>Tweed Way</u>	
Weekly	
Pilates	09:15 – 10:45
Lisa Glead (Mon/Tues/Thurs/Sat)	Various
Per-school (daily)	09:00 – 15:00
Weight Watchers (Mon)	18:30 – 20:30
Weight Watchers (Tues)	09:00 – 11:00
Wynne School of Dance (Wed)	15:30 – 20:00
Towns Women Guild (Wed/Thurs/Fri)	Various
Modern Sequence (Thurs)	19:45 – 22:15
Royal Ambassadors Church (Sat)	11:00 – 13:30

Three times per month	
50+ sports club (Tues)	19:30 – 22:30

APPENDIX C – Distribution of Community Halls and other community facilities.



Appendix C Notes

In the map included as Appendix C, the circles are 3 miles in diameter. This means approximate travel times from the edge of the circle to the hall (1.5 miles) of approximately:

- 6 minutes by car travelling at an average speed of 15 mph.
- 30 minutes by foot at an average walking speed of 3 mph

The map shows that two halls fall individually within the 1.5 mile radius of two other category 1 halls. These are:

1. Dukes Hall (Langtons and Cottons Park Hall)
2. Langtons (Dukes Hall and New Windmill Hall)

Cottons Park Hall falls just outside of the “influence” of Tweed Way Social Hall and Langtons. However, it is within Dukes Hall’s area of “influence”.

The Category 1 Hall provision falls primarily in the west and north-west of the borough with southern and north-east areas particularly far from the current provision.



TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE

14 November 2011

Subject Heading:

**Requisition of Cabinet Decision -
Approval of preferred development
partner for the Briar Road Estate - 26
October 2011**

CMT Lead:

**Cynthia Griffin
Group Director – Culture & Community
01708 432260**

Report Author and contact details:

**Richard Cursons
Committee Officer
Committee Administration
01708 432430**

In accordance with paragraph 17 of the Overview and Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Clarence Barrett and Keith Darvill) have called in the decision of the Cabinet dated 26 October 2011. The text of the requisition appears at the end of this report (as Appendix A):

CABINET DECISION

At its meeting on 26 October 2011, Cabinet considered a report concerning the approval of a preferred development partner for the Briar Road Estate. (A copy of the Cabinet report is attached as Appendix B. A copy of the draft Cabinet minute will follow)

Cabinet RESOLVED

1. To approve Notting Hill Housing Group, as the Preferred Development Partner for the Briar Estate, subject to the final agreement of terms and the satisfactory conclusion of legal agreements;
2. To approve Notting Hill Housing Group's Variant offer as set out in the Exempt Appendix to the report.
3. To request the Preferred Development Partner to proceed with the development of their design proposals, including consultation with residents, in order to submit a planning application(s);
4. To authorise the Property Strategy Manager, the Head of Housing & Public Protection and the Assistant Chief Executive Legal and Democratic Services to provisionally agree Heads of Terms, deal with all matters arising and prepare the appropriate legal agreements with the Preferred Development Partner for the disposal and development of land in accordance with the principles of the Briar Development Brief and Improvement Proposals and subject to final approval of the terms by the Lead Members of Housing and Public Protection and Value;
5. To authorise the Head of Housing and Public Protection under section 167 (2E) of the Housing Act 1996 to consult on the development of a local lettings scheme for the Briar developments;
6. To authorise the Head of Housing and Public Protection to consult stakeholders on amendments to the Lettings Policy to enable specific local lettings policies to be developed for specific developments.
7. To subject to all the above, approve £2.0 million be used to fund the schedule of Briar environmental improvements set out in para 3.13 of this report.
8. To note that the £2m Capital Budget, as referred to in 2.6., will be an addition to the Council' Capital Programme, and therefore to Resolve that this addition be referred to Council, at the next appropriate opportunity – as reported in para 5.3.

REASONS FOR REQUISITION

- 1) The decision to proceed with the preferred partner should not be made without a general understanding of the design and location proposals relating to the development of 164 new homes within Briar Road Estate;
- 2) To give greater consideration to the impact on the public services infrastructure of increasing the population of the Briar Road Estate by an

estimated 500 people (12.5%) including the implications for education and health services.

3) The Cabinet Report and initial consultation has not identified the location within the estate of:-

- a) the development proposals;
- b) the number of garage/parking spaces to be lost and the consequent implications of the displacement of vehicles on the estate roads; and
- c) the amount of green space to be lost as a result of the development proposals

RECOMMENDATION

That the Committee considers the requisition of the decision of Cabinet and determines whether to uphold it.

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Appendix A

Call in of Cabinet Decision – Wednesday 26th October 2011

Approval of preferred development partner for the Briar Road Estate

Call in (Requisition) pursuant to Part 4, Section 8, Paragraph 16 of the Constitution

We the undersigned non-executive members of the Council call in the above referred to decision for the following reasons:-

- 1) The decision to proceed with the preferred partner should not be made without a

 general understanding of the design and location proposals relating to the

 development of 164 new homes within Briar Road Estate;
- 2) To give greater consideration to the impact on the public services infrastructure of increasing the population of the Briar Road Estate by an estimated 500 people (12.5%) including the implications for education and health services.
- 3) The Cabinet Report and initial consultation has not identified the location within the estate of:-
 - a) the development proposals;
 - b) the number of garage/parking spaces to be lost and the consequent implications of the displacement of vehicles on the estate roads;
and
 - c) the amount of green space to be lost as a result of the development proposals

Signed.....

Councillor Keith Darvill

Date 2nd November 2011

Signed.....

Councillor Clarence Barrett

Date 2nd November 2011



CABINET

26 October 2011

REPORT

Subject Heading:

APPROVAL OF THE PREFERRED DEVELOPMENT PARTNER FOR THE BRIAR ESTATE

Cabinet Member:

Councillor Lesley Kelly

CMT Lead:

Cynthia Griffin

Report Author and contact details:

Mark Adams
01708 43 4100

mark.adams@havering.gov.uk

Policy context:

Implementation of Housing Strategy and Harold Hill Ambitions Programme

Financial summary:

The recommended development partner offers the best value to the Council and will enable an associated programme of environmental improvements for the Briar, to a value of £2m.

Is this a Key Decision?

Yes

Is this a Strategic Decision?

Yes

When should this matter be reviewed?

In 6 months

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

- 1.1 In November 2008 Cabinet approved the Harold Hill Ambitions Plan, with the improvement of the Briar Road Estate as a priority. This report sets out the procurement process for the selection of a Development Partner for the Briar Estate to provide new homes on small sites and redevelop the shops area; it recommends the approval of Notting Hill Housing Group as the Council's preferred partner. The report also sets out the background to the development of the Briar Improvements Action Plan, including the consultation to date with residents and key partners, and a summary of the environmental improvements essential for the Briar's successful renewal, to be funded primarily through the receipts from the disposal of sites to the development partner.
- 1.2 Further information on the evaluation of tenders submitted is included in an exempt appendix.

RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 **Approve Notting Hill Housing Group, as the Preferred Development Partner for the Briar Estate, subject to the final agreement of terms and the satisfactory conclusion of legal agreements;**
- 2.2 **Approve Notting Hill Housing Group's Variant offer as set out in the Exempt Appendix;**
- 2.3 **Request the Preferred Development Partner to proceed with the development of their design proposals, including consultation with residents, in order to submit a planning application(s);**
- 2.4 **Authorise the Property Strategy Manager, the Head of Housing & Public Protection and the Assistant Chief Executive Legal and Democratic Services to provisionally agree Heads of Terms, deal with all matters arising and prepare the appropriate legal agreements with the Preferred Development Partner for the disposal and development of land in accordance with the principles of the Briar Development Brief and Improvement Proposals and subject to final approval of the terms by the Lead Members of Housing and Public Protection and Value;**
- 2.5 **Authorise the Head of Housing and Public Protection under section 167 (2E) of the Housing Act 1996 to consult on the development of a local lettings scheme for the Briar developments;**

- 2.6 Authorise the Head of Housing and Public Protection to consult stakeholders on amendments to the Lettings Policy to enable specific local lettings policies to be developed for specific developments.**
- 2.7 Subject to all the above, approve £2.0 million be used to fund the schedule of Briar environmental improvements set out in para 3.13 of this report.**
- 2.8 To note that the £2m Capital Budget, as referred to in 2.6., will be an addition to the Council' Capital Programme, and therefore to Resolve that this addition be referred to Council, at the next appropriate opportunity – as reported in para 5.3.**

REPORT DETAIL

3.0 BACKGROUND

The Briar Road Estate

- 3.1** The Briar Road estate (The Briar) is located in Heaton ward of the Harold Hill area and covers an area of 25 hectares. It is made up of 1,200 homes and has more than 4,000 residents, tenants and owners. The estate has a real community spirit and a range of positive activities going on, including participation in developing proposals to improve the estate, vibrant community groups including the Briar Residents' Action Group (BRAG) and the Briar Community Association (BCA), local schools, a church and some useful local shops, including an award winning bakers.
- 3.2** The Briar also has some particular design issues relating to the quality of some of the housing, the layout of the streets and alleyways and parking, and the use of green spaces. The Briar has some attractive and quiet quarters with mature trees and a green space at Bosworth Field, as well as a superb community centre at the Betty Strathern centre.
- 3.3** In contrast, parts of the estate are in a run down condition with homes in need of investment and the typical problems of restricted access, lack of surveillance and poor use of communal areas and spaces. This has contributed to a decline in the quality of the public realm, with many garages disused for example, and some crime and anti social behaviour.
- 3.4** The layout of the estate has resulted in poor connections through the site, with limited pedestrian access in places, insecure surroundings and a general lack of recreational and play facilities. The Radburn layout with poorly overlooked parking areas creates more difficulties. The open spaces throughout the estate are not well connected to each other, and the estate is set back behind Straight Road and to some extent 'on its own'

Harold Hill Ambitions Plan (HHAP)

- 3.5 In November 2008 Cabinet agreed the HHAP which aims to transform Harold Hill and open up new and exciting opportunities for local people to improve their lives. HHA accords with the Council's wider 'Living Ambition' agenda and is a key priority for the Council.
- 3.6 In the Plan, Cabinet approved some 31 recommendations relating to the overall Harold Hill Ambitions programme, including prioritising improvements for the Briar Road estate and the following recommendation,
- “ That the Head of Housing and Public Protection be authorised to bring forward proposals for the improvement of Briar Road Estate in line with the preferences and aspirations expressed following consultation with local residents and that project management arrangements be made to take forward this recommendation” .
- 3.7 The Council successfully secured support from the Mayor of London's Targeted Funding Stream for the development of estate renewal proposals for the Briar.

The Briar and consultation to date

- 3.8 The Council has worked with all residents on the Briar estate, tenants and owners recognising that it is one community, and that improvements can benefit everyone.

Phase 1 – Initial Consultation

- 3.9 Initial consultation (Phase 1) with residents commenced in October 2008 and generated a high level of interest amongst the community in three public meetings. This was followed by a residents survey in 2009 carried out by an independent company, for the Council and the Briar Community Association. Nearly 900 households responded, more than 70% of those living on the estate. The survey found that more than 70% of residents did have an appetite for more consultation on regeneration.
- 3.10 These results were applicable across the whole estate, with no particular parts dissenting. Also the sample interviewed was representative of the ethnic diversity and age of the estate's population. These results therefore provided a very strong mandate for further detailed consultation on regeneration.

Phase 2 – The Briar Improvements Action Plan

- 3.11 Phase 2 consultation commenced with the development of the **Briar Improvements Action Plan**, published in the Briar Bulletin delivered door to door to all residents and shopkeepers. The Plan was presented to residents at a series of public meetings in March 2010 and at the Harold Hill Area Committee and was received positively.

The Briar Improvements Action Plan has ten points:

- Retention of the vast majority of the estate with Decent Homes for tenants and advice and assistance to homeowners to make essential improvements and repairs;
- Better use of green spaces;
- Better parking closer to where people live;
- Improved street lighting;
- Improved pavements, kerbs and roads;
- Making narrow and unsafe pathways safe;
- Improved and redeveloped shopping area, possible 'village square';
- New recreational and play facilities on Bosworth Field and Faringdon Avenue;
- Discussions with residents on redevelopment of small areas of underused land with new homes;
- Improvements to Betty Strathern Centre.

3.12 Implementation of the Plan has begun with an extensive Decent Homes programme for tenants which has been underway since March 2010. A limited number of homeowners have also taken up the opportunity of financial support from the London Rebuilding Society to carry out improvements to their homes. The improvements to the Betty Strathern Centre were completed in July 2010 and have resulted in an increasing use of the centre which is managed by the Briar Community Association.

Phase 3 – Detailed Consultation

3.13 The Council engaged consultants PRP to work with residents, Homes In Havering and partners, to turn the Improvements Plan into detailed proposals through a series of 'round table' workshops with residents during June and July 2010, followed by officers discussions during the autumn. The result was the **Briar Development Brief and Improvement Proposals** setting out the proposed physical improvements to the estate. This work designed a range of detailed environmental improvements and estimated the costs at £2.0 million, as set out in table 1 below:

Table 1:

ENVIRONMENTAL IMPROVEMENT	ESTIMATED COST £S
Replacement and re-siting of street lighting	650,000

Removal of existing road and paving surfaces	200,000
Resurfacing of roads (tarmac)	300,000
Resurfacing (paving)	140,000
Kerb replacements	12,000
Removal of garages	24,000
Refurbishment of garages	30,000
Traffic calming measures	75,000
Closing and reallocation of unsafe pathways	50,000
Snowdrop Path play area	17,000
Tree planting and landscaping	164,000
Bosworth Field Recreational and play facilities	185,000
New signage	10,000
TOTAL WORKS COSTS	1857000
Fees @ 7.7%	143,000
TOTAL	2,000,000

3.14 Final and detailed consultation on this with residents is awaited following the appointment of a development partner.

A Development Partner for the Briar – The Procurement Process

3.15 A development partner for the Briar is required for two reasons. Firstly, to build the new homes on small sites identified around the estate and to redevelop the shops and square area with a new ‘village square’. Secondly, to provide a mechanism for funding the estate wide environmental improvements, through a proportion of the receipts from the disposal of sites. The Council does not have sufficient capital resources for the above.

3.16 All the Council’s Preferred Housing Association providers were invited to tender at the end of March 2011, recognised in this report as tenders A,B.C and D. Tenderers were invited to:

- i) develop a series of sites across the Briar identified as potentially suitable for residential development with an estimated combined capacity of up to 138 new homes;

- ii) submit proposals to demolish and redevelop the current shops area into a successful and lively 'village square' which would also include an estimated 20 new homes.

The timetable for submission was extended following discussion with the Homes and Communities Agency.

3.17 Four tenders were received. Tender D considered the scheme unviable and was therefore non compliant. The remaining three tenders, A,B & C, were then assessed, having each provided additional clarifying information. The assessment criteria were:

- i) the extent to which the submission met the requirements of the brief as set out in the letter of invitation and the Development Brief And Improvement proposals document;
- ii) ability to deliver the scheme;
- iii) value for money

Tender A was eliminated as its bid:

- a) lacked quality and clarity in certain areas;
- b) did not meet the requirements of the brief in relation to the Village Square;
- c) did not offer value for money and was significantly lower than the two other bids.

3.18 This assessment therefore produced a shortlist of the tenders , Tender B and Tender C from Notting Hill Housing Group. These were then interviewed by an Advisory Panel consisting of officers from Housing and Strategic Property and resident representatives from the Briar Residents Action Group (BRAG) and the Briar Community Association (BCA).

The results

3.20 The two shortlisted tenders were assessed against quality criteria (60%) and land offer (40%). The quality criteria, weighted equally, were:

- number of homes;
- space standards;
- village square proposals;
- commitment and ability to work with residents;
- commitment and ability to work with partners;
- ability to deliver.

3.21 The results out of maximum score of 100, were:

Table 2: Evaluation Results for shortlisted bids

TENDER B	59.0
TENDER C – (NOTTING HILL HOUSING GROUP)	89.5

3.22 In summary, both bids were of a high quality in relation to commitment and ability to work with residents and partners and ability to deliver. However, Notting Hill’s submission was superior in relation to space standards and proposals for the village square, and in value for money offering a higher receipt.

3.23 It should be noted that the offer is based on securing planning permission and a formal valuation by Notting Hill.

3.24 All bidders were invited to submit a variant offer. Notting Hill was the only bidder to submit such an offer.

The Notting Hill Variant offer

3.25 In addition to its principal offer Notting Hill are also offering a variant offer which reduces the number of homes for sale and increases the number of homes at Affordable Rent and Shared Ownership as set out in the table below

The Notting Hill Accommodation Schedule – Tenure Mix

Table 3: Comparison of Tenure Mix for Principal and Variant offers

	Principal Offer (Nos.)	Variant Offer (Nos.)	Variation (Nos.)
Affordable Rent	50	81	+31
Social Rent	16	17	+1
Shared Ownership	16	47	+31
Sale	82	19	- 63
TOTAL	164	164	

3.26 All the new homes, apart from new flats above the shops in the village square, would be houses with gardens, with the following size mix:

Table 4: Notting Hill Variant offer - size mix of new homes

Size	Nos. & %
1 bedroom	19 (11.5%)
2 bedroom	65 (39.6%)
3 bedroom	68 (41.4%)

4 bedroom	12 (7.3%)
TOTAL	164 (100%)

- 3.27 As the table above shows, in the variant offer more than 80% of the homes are 2 and 3 bedrooms.
- 3.28 The variant offer also includes a significantly higher receipt for the Council than the principal offer.

Recommendation for Variant Offer

- 3.29 The Variant Offer is recommended because it offers a significantly higher receipt to the Council and a more accessible form of homeownership for local residents.
- 3.30 It should be noted that the variant offer is also based on securing planning permission and a formal valuation by Notting Hill.

4.0 PROGRAMME TIMETABLE

- 4.1 The current outline project plan, subject to detailed discussion with the appointed Development Partner, is as follows:

Milestone	Date
Cabinet approves appointment of Development Partner	October 2011
Detailed consultation with residents on housing development proposals with Development Partner	November 2011
Phase 1 Planning Application submitted	February 2012
Phase 1 Planning Application approved	May 2012
Start on site	September 2012
Initial completions	January 2014

IMPLICATIONS AND RISKS

5.0 FINANCIAL IMPLICATIONS AND RISKS

Recommended Tenderer

- 5.1 The primary recommendation in this report is to appoint Notting Hill Housing Group as the Preferred Development Partner, subject to the provisos in paragraph 5.2 below.

- 5.2 Tenderers were asked to give a gross offer, not including section 106 costs or costs for remediation and demolition. As can be seen above Notting Hill scored significantly higher on quality and value for money and, as such, represents the best overall bid for the Council.

Investment

- 5.3 The Homes and Communities Agency, who have awarded Notting Hill HCA grant for 50 Affordable Rented units in this scheme, have indicated their support for environmental improvements. Therefore, a schedule has been prepared of Briar environmental improvements as set out in paragraph 3.13 of this report, to a value of £2m. For information, the investment is profiled to commence in the next financial year, 2012/13. This will be an addition to the Capital Programme, and therefore will require full Council approval – hence recommendation 2.7. to refer this onto Council at the next appropriate opportunity. For information, it is likely Council will consider the overall Capital Budget on 22nd February 2012.
- 5.4 The anticipated receipt is in excess of that £2m figure. There will be funds available to support the Council's wider capital programme.

6.0 LEGAL IMPLICATIONS AND RISKS:

- 6.1 An EU wide procurement was not considered appropriate as the initial assessment of the value of the development scheme proposed was below the EU threshold of £3.9 million.

7.0 HUMAN RESOURCES IMPLICATIONS AND RISKS:

- 7.1 There are no human resource implications arising from this report.

8.0 EQUALITIES IMPLICATIONS AND RISKS:

- 8.1 Members of Havering's more socially excluded communities, notably residents with low incomes and those from black and minority ethnic communities, are over-represented in the Harold Hill area. Thus, the implementation of the Briar Improvements Plan will have a positive impact on these communities' quality of life.

BACKGROUND PAPERS

None