



CABINET

7.30 pm	Wednesday 16 September 2020	Council Chamber - Town Hall
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Members 7: Quorum 3

Councillor Damian White (Leader of the Council), Chairman

Cabinet Member responsibility:

Councillor Robert Benham

Cabinet Member for Education, Children & Families

Councillor Osman Dervish

Cabinet Member for Environment

Councillor Joshua Chapman

Cabinet Member for Housing

Councillor Jason Frost

Cabinet Member for Health & Adult Care Services

Councillor Roger Ramsey

Cabinet Member for Finance & Property

Councillor Viddy Persaud

Cabinet Member for Public Protection and Safety

Andrew Beesley
Head of Democratic Services

For information about the meeting please contact:

Debra Marlow tel: 01708 433091

e-mail: debra.marlow@onesource.co.uk



**Please note that this meeting will be webcast.
Members of the public who do not wish to appear
in the webcast will be able to sit in the balcony,
which is not in camera range.**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

1 ANNOUNCEMENTS

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE

(if any) - receive

3 DISCLOSURES OF INTEREST

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

4 PROTOCOL ON THE OPERATION OF CABINET MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS (Pages 1 - 2)

5 MINUTES

To approve as a correct record the minutes of the meeting held on 5 August 2020, and to authorise the Chairman to sign them.

6 CORPORATE PARENTING STRATEGY (Pages 3 - 42)

7 HOMELESS PREVENTION AND ROUGH SLEEPER STRATEGY 2020-2025 (Pages 43 - 70)

8 DISPOSAL OF LAND AT HALL LANE PITCH & PUTT COURSE, UPMINSTER FOLLOWING ITS APPROPRIATION FOR PLANNING PURPOSES. (Pages 71 - 120)

9 EXCLUSION OF THE PRESS AND PUBLIC

The reports included in the agenda items 10 to 12 contain exempt aspects. Cabinet to consider whether the public should now be excluded from the remainder of the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972; and, if it is decided to exclude the public on those grounds, the Committee to resolve accordingly on the motion of the Chairman.

10 PUBLIC REALM TRANSFORMATION - PROCUREMENT UPDATE AND AMENDED STRATEGY (Pages 121 - 164)

Appendix 1,2 and 4 to this report are exempt papers.

11 PURCHASE OF AFFORDABLE HOUSING UNITS AT ST. GEORGES HOSPITAL SITE (Pages 165 - 184)

Appendices A and B to this report are exempt documents.

12 BRIDGE CLOSE REGENERATION DELIVERY ARRANGEMENTS (Pages 185 - 280)

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LONDON BOROUGH OF HAVERING

PROTOCOL ON THE OPERATION OF CABINET MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS

1. Introduction

In accordance with the Local Authority and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings (England and Wales) Regulations 2020, all Cabinet Meetings held during the Covid-19 restrictions will take place using a 'virtual' format. This document aims to give details on how the meetings will take place and establish some rules of procedure to ensure that all parties find the meetings productive.

2. Prior to the Meeting

Once the date for a meeting has been set, an electronic appointment will be sent to all relevant parties. This will include a link to access the virtual meeting as well as guidance on the use of the technology involved.

3. Format

For the duration of the Covid-19 restrictions period, all Cabinet meetings will be delivered through conference call, using Zoom software. This can be accessed using a PC, laptop or mobile/landline telephone etc. and the instructions sent with meeting appointments will cover how to do this.

4. Structure of the Meeting

Although held in a virtual format, Cabinet Meetings will follow the usual procedure.

5. Technology Issues

An agenda setting out the items for the meeting will be issued in advance, to all parties in accordance with statutory timetables. This will include details of reports to be considered and any other relevant documents. The agenda will also be published on the Council's website – www.havering.gov.uk in the normal way.

All parties should be aware that the sheer volume of virtual meetings now taking place across the country has placed considerable strain upon broadband network infrastructure. As a result, Zoom meetings may experience intermittent faults whereby participants lose contact for short periods of time before reconnecting to the call. The guidance below explains how the meeting is to be conducted, including advice on what to do if participants cannot hear the speaker and etiquette of participants during the call.

Members and the public will be encouraged to use any Zoom video conferencing facilities provided by the Council to attend a meeting remotely. If this is not possible, attendance may be through an audio link or by other electronic means.

Remote access for members of the public and Members who are not attending to participate in the meeting, together with access for the Press, will be provided via a webcast of the meeting at www.havering.gov.uk.

If the Chairman is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall temporarily adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next scheduled ordinary meeting of Cabinet.

6. Management of Remote Meetings for Members

The Chairman will normally confirm at the outset and at any reconvening of an Cabinet meeting that they can see and hear all participating members. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.

The attendance of Members at the meeting will be recorded by the Democratic Services Officer. The normal quorum requirements for meetings as set out in the Council's Constitution will also apply to a remote meeting.

If a connection to a Member is lost during a meeting of the Board, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion given that they would not have heard all the discussion.

Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. The Democratic Services Officer or meeting facilitator, will confirm the departure and will also invite the relevant Member by link, email or telephone to re-join the meeting at the appropriate time, using the original meeting invitation,

7. After the Meeting - Public Access to Meeting Documentation following the meeting

Members of the public may access minutes, decisions and other relevant documents through the Council's website. www.havering.gov.uk



CABINET

Subject Heading:

Havering Corporate Parenting Strategy

Cabinet Member:

Councillor Robert Benham, Deputy Leader, Lead Member for Children and Learning.

SLT Lead:

Robert South, Director, Children's Services

Report Author and contact details:

Ian Elliott, Programme Manager, Children's Services
ian.elliott@havering.gov.uk

Policy context:

To support our community of children Looked After by the local authority and those leaving care.

Financial summary:

The Corporate Parenting strategy will be implemented from existing resources.

Is this a Key Decision?

This is a Key Decision.

When should this matter be reviewed?

The Havering Corporate Parenting Panel should oversee the implementation of the strategy and provide an annual update to the Children and Learning Overview and Scrutiny Sub-Committee.

Reviewing OSC:

Havering Children and Learning Overview and Scrutiny Sub-Committee.

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

Communities making Havering
Places making Havering

[X]
[]

Opportunities making Havering
Connections making Havering

[X]
[X]

SUMMARY

This report presents the Havering Corporate Parenting Strategy for approval by Cabinet.

RECOMMENDATIONS

That Cabinet:

- approves the Havering Corporate Parenting Strategy 2020-2023;
- agrees for the Havering Corporate Parenting Panel to oversee implementation of the strategy; and
- that an annual update should be provided to the Children and Learning Overview and Scrutiny Sub-Committee.

REPORT DETAIL

1. Havering Council has a duty to seek out every opportunity to support children and young people in our care. This strategy, informed by views of children and young people and presenting to Havering's Cabinet for approval, will deliver our ambition to support children in care and care leavers who (for whatever reason) are not able to live with their birth parents.

REASONS AND OPTIONS

Reasons for the decision:

2. Corporate parenting refers to the shared responsibility across the Council to ensure that children and young people in our care or leaving care are supported to thrive. Young people in care and care leavers are vulnerable individuals who often have difficult and traumatic experiences in some of the most formative years of their lives.
3. The Children and Social Work Act 2017 guides the actions of corporate parents towards children in care and care leavers. These are covered in detail in Havering's Corporate Parenting Strategy.

Other options considered:

4. It is good practice to state our ambition across the Council in relation to children in our care. Havering has the option of not producing a Corporate Parenting Strategy. This option has been discounted on the basis that it does not meet good practice standards. In addition the local authority would not be in a position to articulate its strategy in relation to children in our care, to regulators such as Ofsted when necessary.

IMPLICATIONS AND RISKS

Financial implications and risks:

5. The Havering Corporate Parenting Strategy will be implemented within existing resources.

Legal implications and risks:

6. The Council has various duties under the Children Act 1989 to children its care and to children and young people who leave its care. It also has a duty under s 1 Children and Social Work Act 2017, in carrying out functions in relation to the children and young people in its care and formerly in its care who meet statutory criteria to have regard to the need—
 - (a) to act in the best interests, and promote the physical and mental health and well-being, of those children and young people;
 - (b) to encourage those children and young people to express their views, wishes and feelings;
 - (c) to take into account the views, wishes and feelings of those children and young people;
 - (d) to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
 - (e) to promote high aspirations, and seek to secure the best outcomes, for those children and young people;
 - (f) for those children and young people to be safe, and for stability in their home lives, relationships and education or work;
 - (g) to prepare those children and young people for adulthood and independent living.

7. In achieving these obligations it must have regard to the statutory guidance. This states amongst other things:

“The critical question that local authorities should ask ... is: ‘would this be good enough for my child?’ Local authorities that have a strong corporate parenting ethos recognise that the care system is not just about keeping children safe, but also to promote recovery, resilience and well-being.

Strong corporate parenting means strong leadership, challenge and accountability at every level. The quality of support can be measured in how the child or young person experiences the support they receive and the extent to which they feel listened to and taken seriously.

To that end, many top tier local authorities have established Corporate Parenting Boards or Panels to look strategically at the way in which their looked-after children and care leavers experience services.”

Human Resources implications and risks:

8. The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Equalities implications and risks:

9. An Equality and Health Impact Assessment (EqHIA) has been carried out in relation to the Corporate Parenting Strategy and is included as Appendix One to this report.

Health and Wellbeing implications and Risks

10. The health and wellbeing of children in our care are central to our safeguarding duty. The Havering Corporate Parenting Strategy makes clear our priorities to safeguard young people, specifically including a priority on health (both mental health and physical wellbeing).
11. All services of the council have a role to play as corporate parents. We have a commitment to ensure good access to quality of education and training opportunities for those in our care. We want them to be safe in our green spaces, sports facilities and be able to interact socially with other people safely.
12. The strategy, to be delivered across the Council, is informed by an Equality Health Impact Assessment and will secure better health and wellbeing of children, young people and young adults leaving care.

BACKGROUND PAPERS

None

Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	<i>Havering Corporate Parenting Strategy</i>
Lead officer:	<i>Ian Elliott, Programme Manager, Children's Services ian.elliott@haverling.gov.uk</i>
Approved by:	<i>Robert South, Director, Children's Services</i>
Date completed:	<i>13/07/2020</i>
Scheduled date for review:	<i>The strategy runs for three years and a further review will take place once when drafting the new strategy, if relevant.</i>

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	Yes
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

Please submit the completed form via e-mail to EqHIA@haverling.gov.uk thank you.

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@haverling.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	<i>Haverling Corporate Parenting Strategy</i>		
2	Type of activity	<i>Strategy approval.</i>		
3	Scope of activity	<i>The scope of activity is the Corporate Parenting Strategy, which summarised our vision and priorities for children in our care and care leavers for the next three years.</i>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	<i>N/A</i>		

Completed by:	<i>Ian Elliott, Programme Manager, Children's Services ian.elliott@haverling.gov.uk</i>
Date:	<i>13/07/2020</i>

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p>Havering Council has a duty to seek out every opportunity to support children and young people in our care. The Corporate Parenting Strategy, informed by views of children and young people and presented to Havering's Cabinet for approval, will deliver our ambition to support children in care and care leavers who (for whatever reason) are not able to live with their birth parents.</p>
<i>*Expand box as required</i>

Who will be affected by the activity?
<p>The Corporate Parenting Strategy affects children in our care and care leavers. The strategy does not seek service change but does indicate our priorities and actions to improve the lives and life chances of the c450 children in our care.</p> <p>Children in care and care leavers typically achieve poorer outcomes in terms of education, health and employment when compared with their peers. This is a situation reflected nationally, hence children in care and care leavers are a vulnerable group for which inequality exists.</p>
<i>*Expand box as required</i>

Protected Characteristic - Age: Consider the full range of age groups		
Please tick (✓) the relevant box:		Overall impact: The Corporate Parenting Strategy will lead to improvement for all ages. The largest age group in our care is consistent with the national average. 14% are aged 16 years and over. Only 7% are aged 5-9 years. Over the last 5 years the average age of children in care has increased slightly above the national average.
Positive	(✓)	
Neutral		
Negative		

Evidence:

Local data and statutory returns to the Department of Education are the main evidence bases used in

Sources used:

Department for Education Children Looked After Statistics 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85

A guide to looked after children statistics in England, May 2020

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/88

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions

Please tick (✓)
the relevant box:

Positive

(✓)

Neutral

Negative

Overall impact:

Disability can be a reason to become “looked after” although in Havering only a small number of children in our care are disabled. As with the national picture, this represents fewer than 5% of the cohort but their needs are complex and their outcomes lower than their peers.

The Havering Corporate Parenting Strategy outlines how we intend to be a good corporate parent, irrespective of disability, particularly how we will better hear the voice of all children in our care.

**Expand box as required*

Evidence:

Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment.

**Expand box as required*

Sources used:	<i>*Expand box as required</i>
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Protected Characteristic - Sex/gender: Consider both men and women		
Please tick (✓) the relevant box:		Overall impact: The Havering Corporate Parenting Strategy outlines how we are working to improve outcomes for young people irrespective of gender and sexuality. Children in our care are around three quarters of the cohort when care leavers are in the strategy and our vision seek to improve outcomes for young people. Children in care are vulnerable group and within this group are lower still. For example within the looked after group of children, we have outperformed looked after boys by 12 and 18 percentage points in reading and writing, with similar patterns in the gender attainment difference for non-looked after children. The strategy carries a clear aim to ensure our children in care (in line with Ofsted terms).
Positive	(✓)	
Neutral		
Negative		
Evidence: Local data and statutory returns to the Department of Education are the main evidence bases used in the strategy. Outcomes for children looked after by local authorities in England, 31 March 2018.		
Sources used: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794535/Main		

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities	
Please tick (✓) the relevant box:	Overall impact:

Positive	(✓)	<p>Data is recorded locally and as such we are aware that half of our children in care / care leavers are of BAME background, which is disproportionate when compared with the wider borough population (84% white British).</p> <p>The strategy as proposed intends to reflect this difference and provide opportunities for those in our care to learn about and celebrate their cultural heritage. It is intended for children in care and care leavers to participate fully in the borough's race relations review.</p>
Neutral		
Negative		

*Expand box as required

Evidence:
Locally held data is the main evidence bases used in this assessment.

*Expand box as required

Sources used:

*Expand box as required

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief		
<i>Please tick (✓) the relevant box:</i>		<p>Overall impact:</p> <p>The impact of the strategy on religion and faith is not fully know because this information is not always provided and / or recorded on local or national systems.</p> <p>The strategy as proposed intends to provide opportunities for those in our care to learn about and celebrate their cultural heritage which incorporates religion and faith where relevant and appropriate.</p>
Positive		
Neutral	(✓)	
Negative		

*Expand box as required

Evidence:
Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment. Local and national data is limited in this regard.

**Expand box as required*

Sources used:

N/A

**Expand box as required*

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓)
the relevant box:

Positive

Neutral

Negative

(✓)

Overall impact:

The impact of the strategy on sexual orientation is not fully know because this information is not always provided and / or recorded, locally or nationally.

**Expand box as required*

Evidence:

Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment and data is not routinely collected to assess this characteristic.

**Expand box as required*

Sources used:

N/A

**Expand box as required*

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

Please tick (✓)
the relevant box:

Overall impact:

Positive		The impact of the strategy on sexual orientation is not fully know because this information is not always provided and / or recorded, locally or nationally.
Neutral	(✓)	
Negative		
<i>*Expand box as required</i>		
Evidence: Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment and gender reassignment is not one of the statutory reporting data lines.		
<i>*Expand box as required</i>		
Sources used: N/A		
<i>*Expand box as required</i>		

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership		
<i>Please tick (✓) the relevant box:</i>		Overall impact: This characteristic only potentially applies to a small number of the cohort covered by the Corporate Parenting Strategy, given the age phases concerned. <i>*Expand box as required</i>
Positive		
Neutral	(✓)	
Negative		
Evidence: Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment. Data on marriage and civil partnerships is not recorded.		
<i>*Expand box as required</i>		
Sources used: N/A		
<i>*Expand box as required</i>		

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
Please tick (✓) the relevant box:		Overall impact: Whilst females over 16 years represent a smaller percentage of the cohort covered by the strategy, there is a clear priority in it to support the health (and mental health) of all. The borough already supports young mothers (including those pregnant) and the strategy reinforces our ambition to continue to improve.
Positive	(✓)	
Neutral		
Negative		
Evidence: Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment but this does not routinely record pregnancy or maternity.		
Sources used: N/A		

*Expand box as required

Socio-economic status: Consider those who are from low income or financially excluded backgrounds		
Please tick (✓) the relevant box:		Overall impact: Children in care and care leavers account for less than 1% of the general population, yet over 25% of the adult prison population has been in care. Care leavers are more likely to reoffend after offending for the first time. Care leavers are less likely to have achieved 5 A*-C GCSEs than their peers. The Corporate Parenting Strategy carries clear priorities to address this locally, by ensuring a good education; providing opportunities for training and employment; and referring to the Council's Social Values strategy to provide opportunities for children in our care.
Positive	(✓)	
Neutral		
Negative		

*Expand box as required

Evidence:	<p>Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>
Sources used:	<p>N/A</p>

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.								
<i>Please tick (✓) all the relevant boxes that apply:</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px;">Positive</td> <td style="width: 10%; padding: 5px; text-align: center;">(✓)</td> <td rowspan="3" style="padding: 10px; vertical-align: top;"> Overall impact: The cohort of children in care and care leavers is disproportionality male, from BAME heritage and suffering potentially lower outcomes than children not in care in relation to criminal exploitation and education. This situation locally reflects a national picture and is the reason why the borough has raised aspirations via the Corporate Parenting Strategy. The strategy, if fully implemented, will have a positive intervention for the protected characteristics as outlined above, specifically relating to poor outcomes for health, education and employment for a group of children and young adults for whom life presents significant challenges. </td> </tr> <tr> <td style="padding: 5px;">Neutral</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Negative</td> <td style="padding: 5px;"></td> </tr> </table> <p style="text-align: right;"><i>*Expand box as required</i></p> <p> Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box <div style="text-align: right;"> Yes <input type="checkbox"/> No (✓) </div> </p>	Positive	(✓)	Overall impact: The cohort of children in care and care leavers is disproportionality male, from BAME heritage and suffering potentially lower outcomes than children not in care in relation to criminal exploitation and education. This situation locally reflects a national picture and is the reason why the borough has raised aspirations via the Corporate Parenting Strategy. The strategy, if fully implemented, will have a positive intervention for the protected characteristics as outlined above, specifically relating to poor outcomes for health, education and employment for a group of children and young adults for whom life presents significant challenges.	Neutral		Negative	
Positive	(✓)	Overall impact: The cohort of children in care and care leavers is disproportionality male, from BAME heritage and suffering potentially lower outcomes than children not in care in relation to criminal exploitation and education. This situation locally reflects a national picture and is the reason why the borough has raised aspirations via the Corporate Parenting Strategy. The strategy, if fully implemented, will have a positive intervention for the protected characteristics as outlined above, specifically relating to poor outcomes for health, education and employment for a group of children and young adults for whom life presents significant challenges.						
Neutral								
Negative								
Evidence:	<p>Local data and statutory returns to the Department of Education are the main evidence bases used in this assessment.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>							

Sources used:

As listed above relating to each characteristic.

**Expand box as required*

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	➔	Proceed with implementation of your activity (✓)
	2. The EqHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u>	➔	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	➔	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer
	No negative impacts were identified in this assessment.		N/A	N/A	N/A

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

This assessment should be reviewed consistent with the review of the Corporate Parenting Strategy as agreed by the Council's Cabinet. The strategy is anticipated to run for three years from 2020-2023 and a full review should take place as planning begins for a revised strategy.

Scheduled date of review: August 2023.

Lead Officer conducting the review: Ian Elliott, Programme Manager, Children's Services.

**Expand box as required*

Please submit the completed form via e-mail to EqHIA@havering.gov.uk thank you.

Havering's Corporate Parenting Strategy



Havering
LONDON BOROUGH

Foreword - Care experienced young person

I came into care when I was seven years old with my older brother. I remember feeling scared and not knowing what was happening or why. This experience is something that many of us have when we come into care. What is happening and why it is happening are not usually explained in a way that we can understand. However, Havering, my Corporate Parents, found us carers who are kind, caring and patient—instantly making me feel like I was part of their family, which made a world of difference. My brother and I could stay together, which was not only important to us but, was also a big help to support me to understand what was happening. It's essential to have people around you that know what you are going through.

My Carer's, Social Worker and opportunities provided by Havering have not only supported my journey and personal growth but, have also helped me to make friends with other children who share similar experiences. Being treated with respect and care is vital to us – it's often the little things that make a difference. Listening to the views, wishes and feelings of people in care, who all have very different experiences, good and bad, is something Havering as a Corporate Parent should continue.

Havering celebrate our achievements in several creative ways – please do not underestimate how great this is and how positive it makes us feel. The fact that we get to perform and share other talents is great! It's nice to see people who are older than me (Care Leavers) who may have had a hard background, overcome obstacles.

Knowing our rights and entitlements is crucial and also helps create understanding. My message to you all would be, please remember we are children who need to feel safe, cared for and listened too. Please be patient when you are trying to explain something to us – you may need to find a different way to help us understand. And lastly, some of our behaviours may be seen as challenging – we are trying to tell you something, that we are struggling to articulate verbally.

I'm looking forward to updating our Pledge/Promises over the next six weeks, supported by the Children in Care Council, which is now a Children in Care Youth Club. Gaining the thoughts and feelings of as many care experienced children and young people as possible will support the delivery of the Corporate Parenting Strategy.

Ashwina Sobrun
Young person in care

Foreword – Cllr Robert Benham

Both members and officers at Havering council aspire to be the best “corporate parent.” We have a duty to seek out every opportunity to support children and young people in our care. This strategy, informed by views of children and young people and approved by the council’s Cabinet, will deliver our ambition to support children in care and care leavers who (for whatever reason) are not able to live with their birth parents.

Children in our care and young adults who are care leavers are the most disadvantaged in our society, and it is the role of the local authority (supported by carers and our partners) to provide stability, support and care they need to achieve their ambitions in life.

We want to be the best corporate parent that we can be. But what does that mean?

It means a step-change in our ambition for the children in our care. It involves them being supported by all of us, across the council. It means providing them with the many opportunities our borough has to offer. Above all, it means hearing their voice (and acting on it), support their aspirations, recognising and celebrating their diversity, celebrating their success and taking pride just as any birth parent or grandparent would with their children.

Everyone can play their part. This strategy sets out our vision and priorities about things that matter to young people. They tell us they want to feel safe and live in a home where they feel safe. They want a good education and for us to be ambitious for them. They, like many young people, have been affected by the COVID pandemic and may have significant mental health challenges in the months and years ahead.

Children in our care need us to support them, to push them and to be on their side when things are tough. Between us, we can deliver the ambition in this strategy and be proud parents to the 400 plus children in our care and those leaving our care.

Robert Benham, Cabinet Member for Education, Children & Families and Deputy Leader of the Council




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Introduction



The role that the council plays in looking after children is one of the most important things we do. The local authority has a unique responsibility to the children we care for and also to our care leavers. This makes us a Corporate Parent to over 400 children and young adults in our care.

A good corporate parent should have the same aspirations for a child in care or care leaver, as a good parent would have for their child. It means providing them with the stability and support they need to make progress; and helping them to access new opportunities and experiences that inspire them to set ambitious goals for themselves. It means celebrating their successes, but also recognising that they will sometimes make mistakes and need help to get back on track. It also means supporting them to gain the skills and confidence to live independent lives, while letting them know that they have someone to call on for help if the going gets tough.

This document has been produced to set out how we intend to challenge ourselves as corporate parents over the next three years. It provides the legal and local context in which we operate, our vision for children in our care and how we intend to deliver on the priorities which are set out in legislation.

Our duty to children

Corporate parenting refers to the shared responsibility across the council to ensure that children and young people in our care or leaving care are supported to thrive. Young people in care and care leavers are individuals who often have had difficult experiences in some of the most formative years of their lives. As good corporate parents we must ensure, as any good parent would for their child, that we listen to our young people, care for them, keep them safe, celebrate their success, cultivate their talents, support them when things go wrong, and prepare them to live successful independent lives.

There are seven principles set out in the Children and Social Work Act 2017, which must guide the actions of corporate parents towards children in care and care leavers.

1

To act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people.

2

To encourage those children and young people to express their views, wishes and feelings.

3

To take into account the views, wishes and feelings of those children and young people.

4

To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.

5

To promote high aspirations, and seek to secure the best outcomes, for those children and young people.

6

For those children and young people to be safe, and for stability in their home lives, relationships and education or work.

7

To prepare children and young people for adulthood and independent living.

Our duty to children cont'd

These duties should not be understood as seven separate entities but as interlinked components that are all required, to ensure we act as a good corporate parent.

This strategy sets out how we will deliver on these principles to be the best corporate parent we can, as we would want to be for our children.

Havering's vision

Our vision to be the best corporate parent aligns with the council's vision of creating a borough that is **cleaner, safer, and prouder together**.

➤ We want all our young people to feel they are **safe** at home, at school, and in all manner of public spaces. Overwhelmingly, when talking to young people about this strategy, this is what they told us was most important to them.

➤ We want our borough to be a **clean** area with accessible services and spaces for our young people that feel like their own. Where possible we want young people to live in their borough, not some distance away, so they can benefit from these spaces.

➤ We want our young people to know that we take **pride** in them and to feel **proud** of themselves and the communities they are from. As a corporate parent, we should acknowledge and celebrate their successes and ensure their voices are heard in the borough's independent review into racism.

➤ We want to support young people to stay **together** with their families whenever it is safe to do so, and when it is not, we will work better **together** to meet their needs and aspirations.

This strategy sets out the commitment of Havering Council, and explains how we will be a competent and trustworthy corporate parent for any child or young person who is in our care irrespective of their age, gender, sexuality, ethnicity, faith or disability.

Our vision and our strategy extends to those leaving care. We shall also ensure our young people receive quality advice and support as they leave care at 25 years old and become independent members of society.

Local context

To achieve our vision, we must fully understand the position of the current service so that our actions are targeted at the areas of most need and that we predict future challenges, proactively preparing for them to establish a resilient offer for our young people.

We have seen an increase of young people for whom Havering had a corporate parental responsibility from 433 in March 2019 to 469 in March 2020 (239 of which are care leavers). Nationally, the number of children in the care of local authorities rose 28% over the last ten years.

Profile of our children in care

Children who cannot be placed with a parent or someone with parental responsibility must be placed with an approved foster carer, with preference given to someone who is a family member, friend or other person connected with the child who is also an approved foster carer. The diagram below shows that most of the children in our care live with foster carers or family/friends placement.

Where do our young people live

As of 31st March 2020 we have corporate parenting responsibility for 469 children and young people.



26% live in semi-independent or supported accommodation



44% are female and 56% are male



37% live with foster families (inc. Staying Put arrangements)



51% identify as Black, Asian, Mixed Race or from Minority Ethnic backgrounds

Local context cont'd

We have an army of treasured carers who provide stability, support and care for our most vulnerable children. The council provides financial, social and personal support to foster carers to ensure they offer children the best possible care and opportunities to our children and young people.

A significant number of children live in residential or “semi-independent” accommodation which for young adults means bridging the gap between childhood and adulthood, so they are prepared for the challenges of living independently. There has been a continuous change in the ethnic makeup of children in our care. While Havering has an 84% White British population, half of the children in our care are from ethnic minority groups. We must recognise this by offering space for young people to learn and celebrate their cultural heritage.

Changes to legislation and funding arrangements for local authorities has meant that we have to do more with less. The coronavirus pandemic has also presented challenges to local authorities and its partners and, at the time of drafting the strategy, the impact on the mental wellbeing and long term prospects of young people in our care are not fully known.

Within this context, we recognise that we must provide our young people with the best possible care by being innovative, hearing their thoughts, wishes and feelings and finding new ways to meet their needs while providing excellent value. Ensuring support is personalised and allowing young people the opportunity to have control can improve outcomes while also reducing costs. This will require co-operation across services and partners, clear evaluations of projects to ensure that products are resulting in the outcomes expected, and rethinking how we provide services for our young people.



Care experienced young people celebrating the anniversary of The Cocoon.

Priorities



Care experienced young people celebrating the anniversary of The Cocoon.

Based on what we know of our children in care, using data and listening to their thoughts and feelings we have prioritised a number of areas which this strategy will deliver. These priorities will also deliver the government's seven principles as outlined above.

In order to achieve our vision to be a good corporate parent we have identified six main priority areas that this strategy will deliver:

- 1** Every young person should feel safe in their homes, schools, and public spaces.
- 2** Hear the voice of young people more, to better develop our services and the care young people receive.
- 3** For every child to have a caring home.
- 4** To provide aspiration, an excellent education, and opportunities for employment and learning for life.
- 5** A clear and shared picture of our service.
- 6** Excellent health outcomes for our children (explicitly mental health).

Priority 1 - Keeping our children safe

Every young person should feel safe in their homes, schools, and public spaces



How we will deliver this priority:

- ✓ We will work with schools to ensure that children in care are not permanently excluded from mainstream education or if exclusion is necessary to ensure a smooth transition to a school that is Good or Outstanding.
- ✓ Ensure children in care, and care leavers are at the forefront of the development of our contextual approach to safeguarding young people, to protect them from exploitation.
- ✓ Provide training to all Councillors and bespoke training for members of the corporate parenting panel, to specifically include adolescent safeguarding and exploitation.
- ✓ When anti-social and/or criminal activity involves children or young people, we will seek to understand and tackle the root causes and explore restorative approaches.



Feeling safe isn't just a physical thing, it's emotional too.

Quote from one of our young people



Priority 2 - Hear young people

Hear the voice of young people to better develop our services and the care young people receive



Roti making demonstration from charity trip to India for children in care.

How we will deliver this priority:

- ✓ Involve our young people in the design and commissioning of services as well as assessing the quality of care they receive.
- ✓ Work with children and young people to create a “pledge” of commitments, from us to them.
- ✓ Co-produce a children in care and care leavers “offer” with our young people, for our young people.
- ✓ Ensure a children in care ‘takeover’ of at least one corporate parenting board per year, ensuring that senior leaders hear their perspective.
- ✓ Work with our young people to co-produce ‘top tips’ on corporate parenting, involving young people delivering to staff across the organisation and senior leaders.
- ✓ Give our black, asian and minority ethnic (BAME) care experienced children a voice in services we develop and the care we offer, which reflects and celebrates their culture and heritage.

Priority 3 – Caring home for all

Every child to have a caring home

How we will deliver this priority:

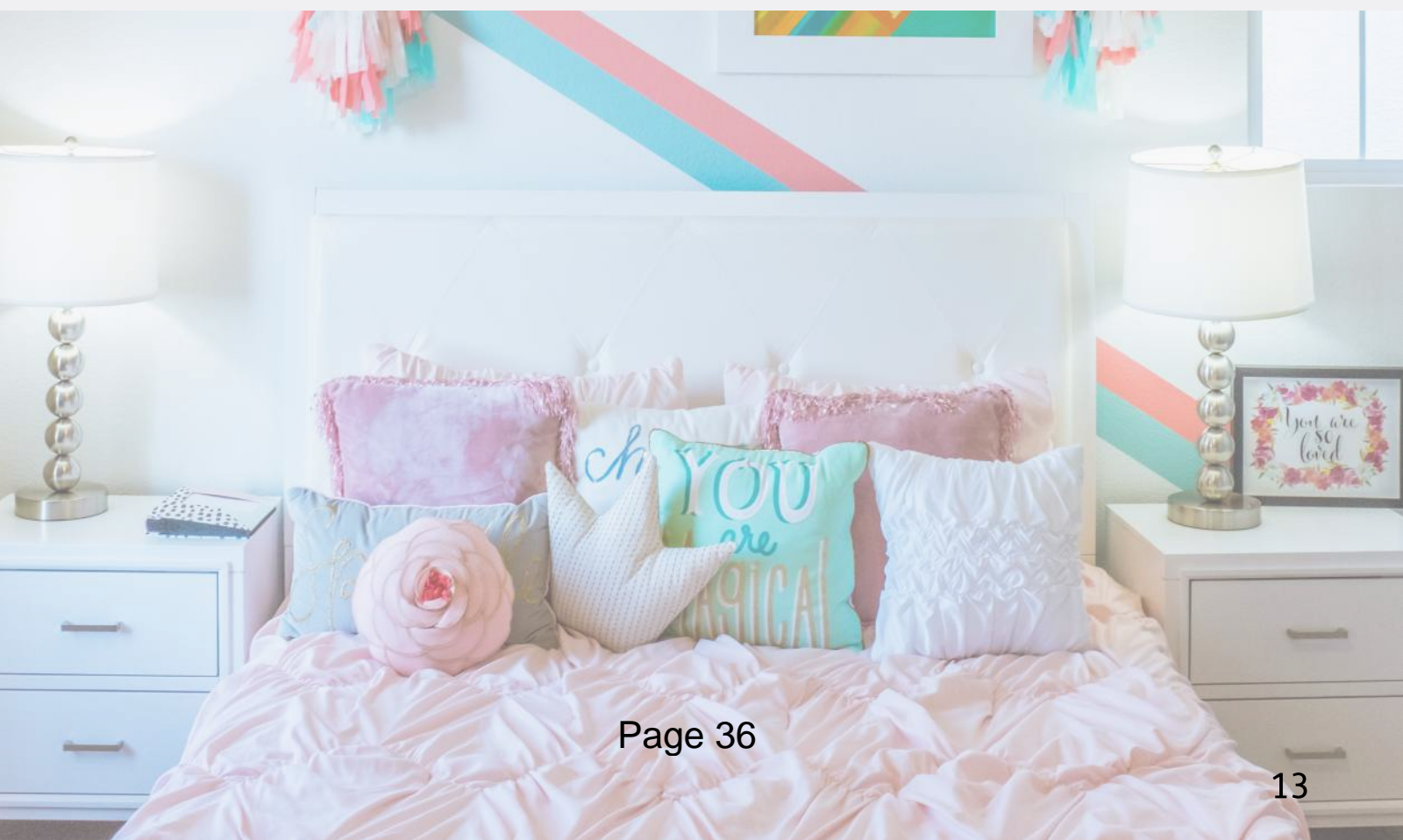
- ✓ We will offer every care leaver the option of a council property or private rental.
- ✓ Develop a robust quality monitoring and accountability process to ensure commissioned providers are working in accordance with the seven principles of corporate parenting.
- ✓ House young people in borough whenever it is possible.
- ✓ Increase local options for alternative homes by increasing the number of Havering foster carers.
- ✓ Work with birth families who (with the right support) can be united with and care for their own children.



I remember when I first saw my bed at my carer's house – I'd never had my own bed, I always shared a bed with my sister.



Quote from one of our young people



Priority 4 - Aspiration, education and opportunity

To provide aspiration, an excellent education, and opportunities for employment and learning for life



Young people receiving their awards.

How we will deliver this priority:

- ✓ Ensure all our children attend a 'Good' or 'Outstanding' school, and if not, they should only remain at the school because it is in their best interests.
- ✓ We will celebrate success by holding a virtual school graduation and other celebratory events.
- ✓ Develop a mentoring program to offer support, foster aspiration and promote best interest of children in our care.
- ✓ Ensure the right support is in place during transition periods between primary and secondary school, and between secondary school and sixth form, or college.
- ✓ When special educational needs are identified, we will ensure an education, health, and care plan is in place within 20 weeks.
- ✓ To contribute to the council's Social Values Strategy by supporting all our young people to build social capital through apprenticeships and work experience with the council and our partners.

Priority 5 - Understanding our service

A clear and shared picture of our service



We really like the way you have kept in touch during lockdown – we can't wait to make biscuits at the Virtual Youth Club! And the fact that we are asked what activities we would like to do, means a lot, especially as we know we have been listened too, because what we say, happens.



Quote from one of our young people

How we will deliver this priority:

- ✓ Develop clear data sharing procedures to ensure information is shared between relevant partners such as schools, local healthcare providers, and the police.
- ✓ Ensure information is regularly shared with other departments to inform their planning and sufficiency strategies.
- ✓ Robust recording process for a wide range of outcomes including health, criminality, education, and housing.
- ✓ Record feedback from young people, clearly showing how we responded to it; holding an annual, 'you said we did session' with the children in care council.
- ✓ Increase the variety of services represented at the corporate parenting board to create a multi-agency panel support.
- ✓ Engage the council and its partners to deliver the priorities in this strategy via working groups, including officers from the borough's Regeneration team and Joint Venture partner Wates Residential to deliver social value.

Priority 6 - Excellent health outcomes

Excellent health outcomes for our children



Children In Care preparing for their trip to India, taken outside Havering Town Hall.

How we will deliver this priority:

- ✓ Ensure timely and appropriate access to mental health and wellbeing services for children and young people, especially those with specific health needs.
- ✓ All young people to have regular and timely health and dental checks.
- ✓ All those working with children in our care to act as advocates and promote their best interests in relation to physical and mental health, including up to date and timely health records.
- ✓ Health passport for young people to be up to date and timely.

Making it happen

Havering's corporate parenting strategy will be formally agreed by the Council's Cabinet and responsibility for its implementation will be delegated to the corporate parenting panel. To ensure it is fully equipped to deliver our ambition the panel will contain representatives from a variety of service areas alongside children's services. Four working groups will be established, terms of reference formed and action plans agreed to deliver the principles and priorities in this strategy, along the following themes:

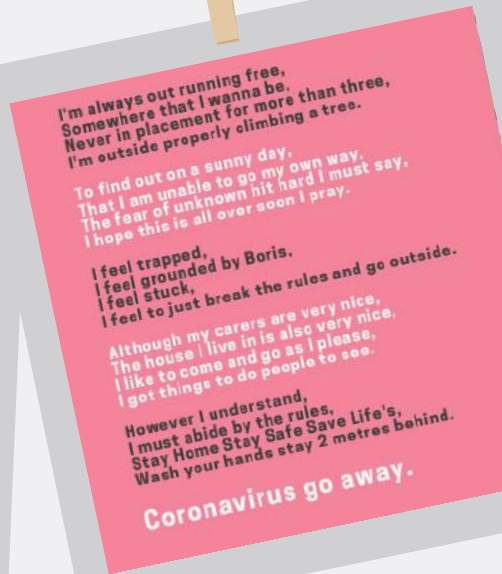
- Health (incorporating mental health and emotional wellbeing)
- Accommodation
- Aspiration, education, employment and learning for life
- Participation and involvement of young people.

The voice of children and young adults will be paramount to the delivery of the strategy and the borough's two Children In Care Councils, the borough's Youth Management Team and Youth Councils will all guide our engagement.

The strategy will be agreed by the local authority's senior leadership team, to ensure that all departments of the council are aware of their duty towards our young people and that the strategy is deployed strategically across all services.

A key initial task will be for a pledge to be agreed, whereby children in care and care leavers work with the local authority and its partners to summarise and agree the expectations of the local authority in delivering its vision to be the best corporate parent.

This strategy will be reviewed in early 2023 to measure its success and to develop a new set of priorities that are relevant at that time.





"I remember being told about the carer that I was going to stay with – her patience and care made the world of difference to me."

Quote from one of our young people



"After coming into care my confidence grew and I made more friends."

Quote from one of our young people



"I worry that all the people that have been supporting me, will suddenly not be there."

Quote from one of our young people



Havering
LONDON BOROUGH



CABINET

Subject Heading:

Prevention of Homelessness & Rough Sleeping Strategy 2020 - 2025

Cabinet Member:

Joshua Chapman, Lead Member for Housing

SLT Lead:

Patrick Odling-Smee, Director of Housing

Report Author and contact details:

Darren Alexander, Assistant Director, 01708 433751

Policy context:

(a) With the introduction of the Homelessness Reduction Act (HRA) 2017, the Council is required to have a separate, stand-alone strategy dedicated to tackling homelessness and rough sleeping.

(b) Impact of COVID 19 on households and staff.

Financial summary:

There are minimal financial implications arising from publishing a statutory proposal. However, the implementation of this proposal will have significant financial implications.

Is this a Key Decision?

Yes

When should this matter be reviewed?

16 September 2020

Reviewing OSC:

15 September 2020

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[x]
[]
[x]
[]

SUMMARY

The Prevention of Homelessness and Rough Sleeping Strategy 2020-2025 sets out the London Borough of Havering's commitment to tackling all forms of homelessness in the borough.

We will seek to further help those who do become homeless into stable, long-term homes, whilst intervening early to prevent residents becoming homeless.

We have a clear and genuine aspiration to end long-term rough sleeping by 2022, whilst meeting the Government's objective to eliminate it altogether by 2024.

The strategy sets out a number of measurable priorities, through a dedicated action plan, to support some of the most vulnerable people in our borough who are at risk of homelessness.

RECOMMENDATIONS

To agree the Prevention of Homelessness and Rough Sleeping Strategy 2020-2025.

REPORT DETAIL

The Council recognises the importance of working with partners and industry experts to tackle homelessness and develop a truly bespoke pathway for each person that needs support, advice or housing. The Strategy has four over-arching objectives:

- Objective 1 – End long-term rough sleeping
- Objective 2 – Reducing the number of people in temporary accommodation
- Objective 3 – Supporting people who become homeless
- Objective 4 – Provide good value, integrated services that deliver excellent customer care

The draft strategy went out to consultation in December 2019 with the voluntary sector, housing associations, other public sector agencies, internal and external partners as well as Havering residents.

The resulting Action Plan reflects our response, highlighting how Havering and its partners will tackle homelessness in future years and deliver its strategic objectives. The delivery of the Action Plan will be monitored by the Homelessness Strategy and Rough Sleeping Steering Group made up of Council, statutory and voluntary sector partners.

Following the Covid-19 outbreak, the Government has taken unprecedented steps to limit the impact of the virus by announcing a number of measures to prevent and reduce the risk of homelessness.

Guidance was issued to local authorities on social distancing, self-isolation, necessary travel and the closure of all but essential retailers. Housing authorities were asked to close night-shelters and further guidance was issued on managing people in supported housing. Additionally, the Government implemented a blanket ban on private sector evictions.

People experiencing homelessness are especially vulnerable to contracting COVID-19 and the risks of those sleeping on the streets are even greater. We anticipate the pandemic to cause a rise in reports of domestic abuse and relationship breakdowns, as well as an increase in parental, family and friend evictions; we will actively monitor these scenarios to provide early intervention from the moment of contact.

We expect to see an increase in the demand for homelessness services and a reduction in the supply of affordable housing in the private sector. This strategy will therefore be monitored and reviewed in 12 months to ensure we respond to the changing circumstances of homelessness in the borough.

The development of new, affordable, social housing is critical to the success of the Prevention of Homelessness and Rough Sleeping Strategy. The Council's ambition to double the number of social homes in the borough through our Regeneration Programme demonstrates our commitment to reducing the levels of homelessness and supporting those most in need of housing.

REASONS AND OPTIONS

Reasons for the decision:

As a local housing authority, Havering Council has a statutory duty to publish a Homelessness strategy.

With the introduction of the Homelessness Reduction Act (HRA) 2017, the Council is now required to have a separate, stand-alone strategy dedicated to tackling homelessness and rough sleeping. The HRA 2017 presents the biggest change to homelessness legislation in 40 years including new duties to prevent and relieve homelessness.

Havering Council's Prevention of Homelessness & Rough Sleeping Strategy 2020-2025 aims to ensure the provision of support to people who were previously not entitled to help. It also seeks to help prevent people from becoming homeless in the first place by intervening earlier and encouraging other public sector bodies to actively assist in identifying and referring those who are at risk of becoming homeless.

Other options considered:

To not develop a standalone Prevention of Homelessness & Rough Sleeping Strategy

This was not a feasible option. We have a statutory duty to deliver a standalone Homelessness strategy.

IMPLICATIONS AND RISKS

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

- Section 2 of the Homelessness Act 2002 (“HA 2002) requires local housing authorities to review homelessness in their district and to formulate and publish a strategy based on the results of the review. It is accordingly a statutory requirement for the Council to have a published homelessness strategy.
- Local housing authorities have discretion to carry out a homelessness review and republish a homelessness strategy as often as they wish to, providing they do so at least every five years. The proposed Strategy is clearly compliant with this, being the Strategy effective from 2020 – 2025.
- The Homelessness Strategy and results of the Homelessness Review are to be made available to the public. It is recommended that these are published on the council’s website.
- Housing and social services authorities must take the homelessness strategy into account when exercising their functions.
- Local housing and social services authorities are obligated to have regard for the Secretary of State for the Ministry of Housing, Communities and Local Government’s Homelessness Code of Guidance (“the Code”) in exercising their functions relating to homelessness and the prevention of homelessness.
- A chapter of the code sets out provisions for homelessness strategies and reviews. This includes that the homelessness strategy should take account of the additional duties introduced through Homelessness Reduction Act 2017. The proposed Strategy does this.
- The Code states that housing authorities “must” consult public or local authorities, voluntary organisations or other persons as they consider appropriate before adopting or modifying a homelessness strategy. This paper sets out that a wide range of organisations have been consulted with regard to the Strategy.
- Local authorities are under a statutory obligation to take such steps as it considers appropriate for improving the health of people in the area, including those who are homeless or at risk of homelessness. The Code focuses on having a multifaceted approach to homelessness and threatened homelessness with involvement of relevant departments and partner agencies. The Strategy proposes a multi-agency approach and references new protocols to be set up with NHS partners amongst other things.
- The challenges for homelessness as a result of the COVID 19 pandemic are set out in both this report and the Strategy. It is noted that as part of the Government’s ‘Everyone In’ policy, that the Council may be accommodating individuals who usually would not be entitled to assistance under Part 6 or 7 Housing Act 1996 (for example those with no recourse to public funds). This is currently acceptable as it is in line with

government policy in response to the pandemic. The Council would need to keep the situation under review as government guidance evolves.

FINANCIAL IMPLICATIONS AND RISKS

There are minimal financial implication arising from publishing a statutory proposal. However, the implementation of this proposal will have significant financial implications. Grant funding of £3.4m exists within Housing Demand. The grant funding which is administered by the MHCLG is made up of the Flexible Homelessness Support Grant, Rough Sleeping Strategy (Pathways & Initiative) Prevention Fund, New Burdens and the Private Rented Sector Access Fund. £1.1m of this funding was brought forward from 2019/20 and £2.3m awarded for the year 2020/21. There has been no grant funding agreed to date for 2021/22. There is a risk that if unable to secure future grant aid for the years 2021/22-2024/25, the Authority will have to meet this funding deficit from its own budget.

The Government has committed to halving rough sleeping by 2022 and eliminating it altogether by 2027. This will only be possible for Havering to achieve 5 years ahead of the target deadline, if sufficient funding and resources are allocated by the Government.

The change to the Local Housing Allowance (LHA) rate to the lowest 30th percentile due to COVID-19 will enable more homeless individuals to afford private sector accommodation, however, the details of the duration of this change is still not known, which puts at risk their ability to sustain this type of accommodation as it may only be affordable in the short term.

Havering Council's regeneration scheme, which includes the redevelopment of 12 Estates across the borough has created the availability of short term temporary accommodation that are vacant, subject to delays in each phase of the redevelopment. It also creates a short-term rise in demand on housing stock as a result of the need to house existing tenants that are temporarily displaced by the programme.

HUMAN RESOURCES IMPLICATIONS AND RISKS

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

A full EIA has been completed as part of the Prevention of Homelessness & Rough Sleeping Strategy 2020 – 2025 and is available as Appendix 2.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

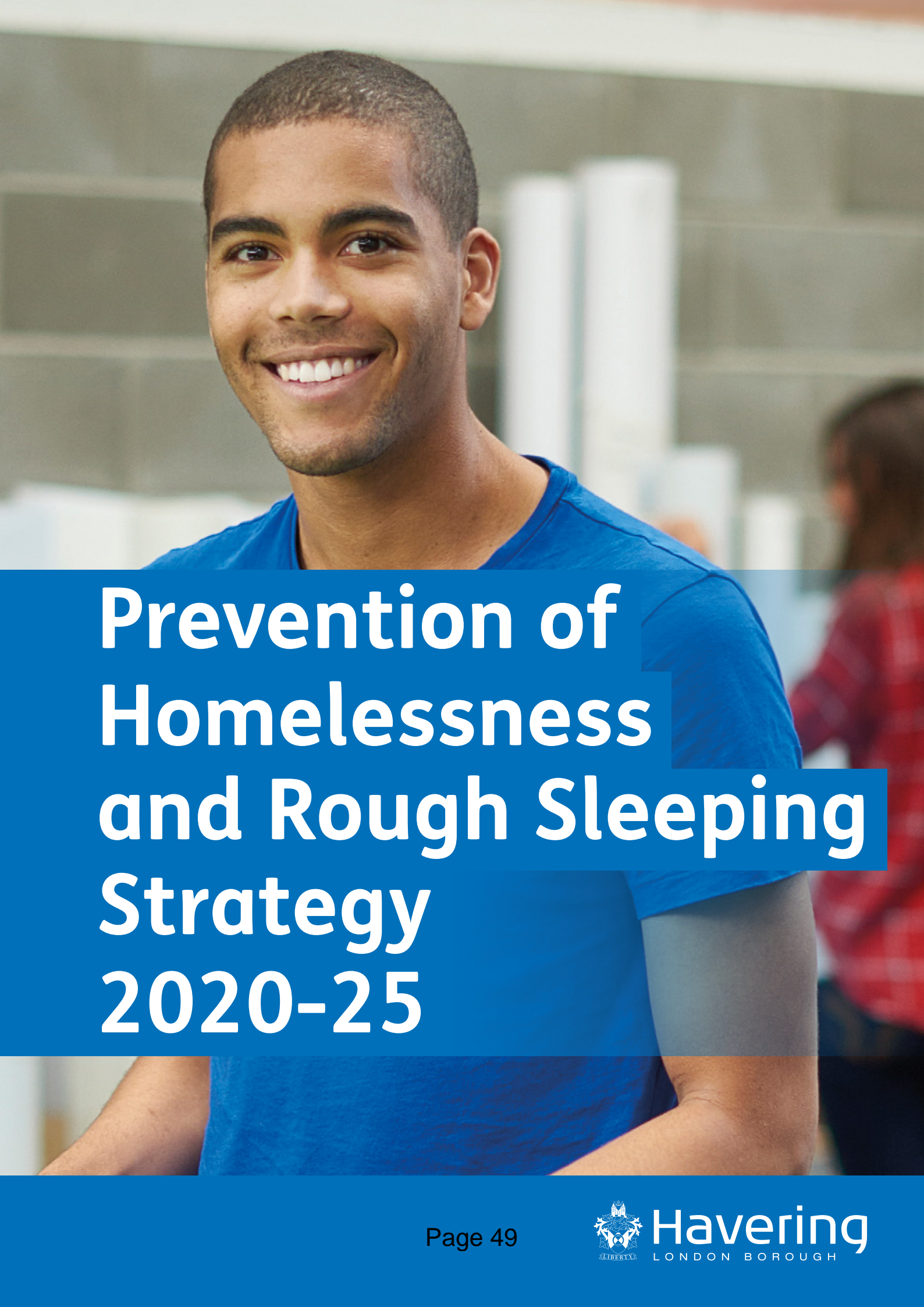
The strategy captures the profound impacts of homelessness in all its forms on physical and mental health.

The implementation of this strategy will generate significant benefits to the health and wellbeing of vulnerable residents. Significant decisions entailed in implementing aspects of the strategy will be informed by EqHIAs which will serve to identify opportunities to maximise health benefits and mitigate potential harms arising from the specific actions proposed.

BACKGROUND PAPERS

Preventing Homelessness & Rough Sleeping Strategy 2020 – 2025

Preventing Homelessness & Rough Sleeping Strategy 2020 – 2025 - Equality and Health Impact Assessment

A young man with short dark hair, smiling broadly, wearing a blue t-shirt. He is in the foreground, slightly off-center to the left. The background is blurred, showing what appears to be an indoor setting with other people and structural elements.

Prevention of Homelessness and Rough Sleeping Strategy 2020-25

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Foreword

To ensure Havering is able to continue looking after some of the most vulnerable people in our care, we have created this new homelessness and rough sleeping strategy. Homelessness presents itself in many different ways. Championing early intervention and increasing support for mental health and wellbeing will drive our clear and genuine aspiration to eliminate rough sleeping in Havering by 2022.

However, the Council cannot do this alone. It must work with its partners and those with experience of rough sleeping to drive change and align agendas across our public, voluntary and community sectors. We will provide strategic leadership to undertake this cross-sector challenge so that our partnership is committed to the principles identified in this strategy.

Whilst a person sleeping on the street is the most noticeable face of homelessness, many people are living in hostels or temporary accommodation provided by the Council, or 'sofa-surfers' relying on help from friends or relatives.

Addressing homelessness is particularly challenging due to a lack of good quality, affordable housing in the private rented sector, and a limited stock of social rented homes. This is particularly prevalent in London boroughs. In a bid to address this, we are undertaking one of the most ambitious council home building programmes in London, which will double our existing social housing stock, creating affordable homes for local people.

We have made great progress in helping people out of homelessness and into accommodation, but there is more to do. It is vital that we recognise the need for a broad approach to tackling homelessness, which includes understanding barriers to long-term stability and supporting people through their journey into a permanent home.

This strategy continues our commitment to improving the lives of those threatened with homelessness and provides a great opportunity to develop an effective and collaborative approach to tackling homelessness within Havering. Our strategy signals a move towards a culture where homelessness is everyone's responsibility so that all residents have a safe, stable place to live, now and in the future.

Thank you,



Councillor Joshua Chapman

Cabinet Member for Housing



Introduction

What is homelessness?

The Homelessness Reduction Act 2017 defines someone (a 'household', i.e. an individual, couple or family) to be homeless if they do not have accommodation that they have a legal right to occupy. This should be accessible and physically available to them, and in which it would be reasonable for them to continue to live.

People sleeping on the streets

People sleeping on the street, or 'rough-sleeping', is probably the most visible form of homelessness and also describes people who sleep outside, in disused buildings or in places that are unfit for human habitation - for example, in car parks, walkways, cars, public transport, stations, and doorways.

It is a dangerous and isolating experience, with significantly reduced life expectancy compared to the general population. People sleeping rough are almost 17 times more likely to become a victim of violence or assault, according to a report from Crisis.

Many people who have experienced sleeping on the streets for long periods may be exploited by drug suppliers, exacerbating addictions to drugs and alcohol, often leading to greater anti-social behaviour on our streets and a corresponding rise in the fear of crime for residents.

In our public consultation with people with lived experience, it was established that people who beg are often assumed to be people who are sleeping rough, which is not always the case. However, they may be just as vulnerable as people living on the streets as they may have been coerced into begging by drug suppliers to pay off outstanding debts.

Hidden homelessness

Many single, homeless people are not visibly homeless. They may live in overcrowded accommodation, in squats, or sleep on someone's floor. They may 'sofa-surf' with friends or sleep outdoors in concealed locations. If they have not approached a local housing authority for help with finding accommodation, they are unrecorded and, effectively, 'hidden', and will not have had the chance to receive housing support.

We know that hidden homelessness exists. In a recent December 2019 Crisis article, the number of hidden homeless in the UK was estimated to be around 79,000 people.



Introduction

Why do people become homeless?

The reasons why people become homeless are numerous and often the result of a combination of factors coming together.

Sometimes it can arise from personal circumstances and start as a child or young adult who has experienced trauma. For instance, a person leaving care is at greater risk of homelessness. A relationship breakdown, issues with substance abuse, or mental health issues can also result in poverty and homelessness.

People leaving care, the armed forces or prison with insufficient resettlement advice and support are at particular risk of homelessness and often struggle to sustain their tenancies.

Long-term unemployment (a particular risk at this time of economic uncertainty following COVID-19), not being in education and employment, or a lack of qualifications or in-demand skills can all lead to homelessness.

Homeless households may:

- have lost their assured shorthold tenancy (AST). There are various reasons used by landlords to issue a section 21 (eviction) notice
- have lost their home due to rent/mortgage arrears
- be living in poor conditions that affect the health and wellbeing of their household
- be living apart from their family because changed circumstances mean they do not have a place to live together.

However, every homeless person has a different journey and the key to effectively tackling homelessness for the long-term lies in intervening from the earliest possible point, and taking a personalised, holistic approach to each individual.



Introduction



Homelessness in Havering

Havering Council is proud of its record in offering assistance to homeless people within our borough. As demand for housing in the borough has outstripped growth in our housing stock, we have worked in partnership with housing associations and within the private sector to find housing solutions. Although this has provided much needed housing, the number of properties is insufficient to meet current and projected housing demand.

Private Sector Leasing (PSL) has been our major source of temporary accommodation (TA) for many years, with approximately 800 properties sourced in this way. Over 70% are from property owners who supply one or two properties. Although this demonstrates the commitment of the Havering community to supporting households experiencing homelessness, TA costs have risen by over 50% in the past four years, making temporary accommodation an expensive and ineffective long-term solution.

The difficulty of acquiring secure, long-term affordable housing is a fundamental cause of homelessness, and remains a significant barrier to reducing the wider problem.

Our 2020 – 25 Homelessness and Rough Sleeping Strategy builds on our shared, collective experience gained internally and through collaborative work alongside local partners. It sets out how we will work closely with these partners to both prevent and resolve the problems faced by households at risk of homelessness, and the long-term, sustainable and affordable solutions we will develop to meet these challenges.

This strategy also sets out actions we are taking to end long-term rough sleeping, and the solutions we will put in place to provide residents with early advice and intervention to avoid the destructive consequences of homelessness.

This strategy marks Havering Council's continuing commitment to improving the life opportunities for households threatened with homelessness and the most vulnerable residents in our borough.

The strategy has now become more challenging to deliver due to the COVID-19 pandemic and the risks of a resulting rise in homelessness. However, developing the strategy during the initial stages of the pandemic has allowed us to incorporate current guidelines and protocols into our action plan to ensure that the safety of our staff, partners and residents is maximised whilst maintaining the quality and promptness of support offered.

This is Havering Council's plan to tackle homelessness, and end long-term rough sleeping.



Objectives

1. End long-term rough sleeping
2. Reducing the number of people in temporary accommodation
3. Supporting people who become homeless
4. Provide good value, integrated services that deliver excellent customer care

Objective 1



1. End long-term rough sleeping

The Government has committed to halving rough sleeping by 2022 and eliminating it altogether by 2024.

Havering has a relatively low number of rough sleepers compared with many other London authorities, and we are committed to supporting each person off of the streets into secure accommodation.

The Homeless Reduction Act (HRA) 2017 highlights a clear, increased emphasis on early intervention and prevention of homelessness, mirroring the three key themes of **prevention, intervention and recovery** identified within the national Rough Sleeping Strategy. These ideals form the basis of our own ambitions for this strategy.

Integrated, early intervention outreach teams have been created to work with partners in mental health services, the NHS, and discharge teams. We are fully supporting a holistic approach to preventing, intervening and supporting the recovery of homeless people. Considering the emotional and psychological needs of the individuals under our care, we will develop resilient relationships and provide tailored support to keep them off the streets.

Despite the prevention and relief duties introduced in the HRA 2017, single people remain at particular risk of homelessness due to the limited number of affordable options available to them. Our supply of supported accommodation for single residents with additional needs is strong, but residents sometimes struggle to move on into their own home.

Objective 2

2. Reducing the number of people in temporary accommodation

Simply placing families and households into temporary and emergency accommodation does not provide a suitable, long-term solution for communities.

Where we have used temporary accommodation, extensive work has been undertaken to ensure that it provides a safe and comfortable environment that supports the emotional and psychological needs of those using it.

We are proud to have been one of the few local authorities not to use high-cost and low-quality bed and breakfast hotels and nightly charged temporary accommodation as part of our approach to tackle the national shortage in housing supply.

We have also seen significant progress with the implementation of the Homelessness Reduction Act, which has supported over one thousand households each year in Havering to live independently in the private sector through our Find Your Own (FYO) Scheme.



Objective 3



3. Supporting people who become homeless

Whilst the main goal is to prevent homelessness, there is sometimes a need to provide temporary accommodation to residents who have become homeless. For Havering, this means ensuring that temporary accommodation is more sustainable and better value for money, and provides residents with a foundation to move towards long-term, permanent accommodation.

It is our vision to deliver a Housing-Led service to ensure we make the right accommodation available with suitable support very early on in the process.

Secure housing is seen as the first necessary step, not a final reward, and a foundation from which other issues can be addressed.

We want for our residents to have access to suitable, affordable accommodation. As well as increasing the supply of new affordable homes in the borough, we will protect existing social housing and focus on bringing the small number of empty homes we have back into use.

We will also work with Mercury Land Holdings (MLH), a wholly-owned subsidiary of Havering Council, to purchase properties for a 5-year tenure, giving us high-quality and good value temporary accommodation as we work to reduce homelessness.

Objective 4

4. Provide good value, integrated services that deliver excellent customer care

The Homelessness Reduction Act 2017 came into force in April 2018. This represents a major change in how we work to prevent and relieve homelessness and shifts the focus toward a cohesive, multi-agency response.

We want to ensure our most vulnerable residents get the help they need at the optimal time, avoiding the need for costly and complex interventions that have a more disruptive effect at a later stage.

We will develop new relationships with our community, and work together to help them play a part in addressing local homelessness, making sure everyone knows about the support and services we offer.

As part of the Homelessness Charter being developed with the third sector to bring together hardworking organisations, charities and individuals dedicated to supporting people who experience homelessness, we will look to share skills and resources to tackle priority issues in Havering such as entrenched rough sleeping, on-street begging and mental health engagement. This Charter will be used where possible to seek and secure external funding opportunities.

Along with our partner organisations, our relationship with those who are homeless needs to evolve to ensure we are finding lasting solutions to help prevent the devastating effect of homelessness. We will continue to nurture and grow our relationships with housing providers, third sector partners and statutory bodies to better integrate the help we provide and develop an evidence base to share best practice and ensure consistency across the sector.

We will develop new protocols in partnership with the NHS and other Council teams to ensure that support is integrated, delivered when required and nobody falls through any cracks between our services, with a particular focus on groups most vulnerable to homelessness. These groups include those discharged from hospitals, residents who misuse drugs and alcohol, and released prisoners.

Our vision is to remove the institutional burden of repeat evictions and support the principle that accommodation for our most vulnerable residents is unconditional.



A photograph of a person sleeping on a concrete surface, huddled in a fetal position. They are wearing a dark jacket with a light-colored hood and dark pants. A white disposable cup sits on the ground next to their feet. The entire image is overlaid with a semi-transparent blue filter.

Challenges

Risks and Potential Solutions

Challenges – Risks and Potential Solutions

Housing availability

Since the early 1980s, house building has been sustained almost exclusively by private sector companies and housing associations. Development within the borough has slowed down, with housing stock calculated to have grown by just 6.1% over the last 10 years, a rate insufficient to meet current and projected housing demand.

In addition, the supply of housing is likely to slow further following the downturn in the housing market after Covid-19.

To counteract this, Havering Council has recently embarked on an ambitious regeneration scheme, part of which will see the complete redevelopment of 12 Council estates across the borough. The scheme will deliver around 3,500 new homes in the next 12 to 15 years.

The £1bn scheme is delivered through a joint venture with national developer, Wates Residential, and will seek to double the amount of council rented accommodation and more than double the number of affordable properties.

As part of the project, Havering Council has developed a social value initiative, which is committed to ensuring the regeneration scheme creates a lasting legacy by investing in education, training and skills opportunities, and employing local businesses to work on the scheme. This is valued at £100m of contracts, ensuring money flows back into the local area.

The regeneration scheme has created a short-term rise in demand for our housing stock as a result of the need to house existing tenants that are temporarily displaced by the programme.



Challenges – Risks and Potential Solutions

Unaffordable rents

For residents in receipt of benefit, rises in local property prices have significantly reduced the number of properties within affordable reach.

We know that the inability to afford, or sustain, an assured shorthold tenancy (AST) in the private rented sector is a key cause of homelessness. This is not just an issue for people receiving benefits, but also for many in low-paid employment.

Though average market rents in Havering have slightly reduced, there remains a sizable gap between average market rent levels for different bedroom sizes in the private sector and the level of rent that housing benefit will cover. The change to the Local Housing Allowance (LHA) rate to the lowest 30th percentile due to COVID-19 will enable many more households to afford private sector accommodation, however, the details and the duration of this change is still not known, potentially giving a temporary and unrealistic sense of affordability.

Gap between local housing allowance and lowest percentile of market rents

from internal data and Zoopla.

2019	1 bed	2 bed	3 bed	4 bed
Average monthly rent	£874	£1,111	£1,338	£1,716
Housing Benefit entitlement	£694	£858	£1,082	£1,396
GAP individuals and families need to find each month (average monthly rent – housing benefit entitlement)	£180	£253	£256	£320
Percentage gaps	20%	22%	19%	19%
2020	1 bed	2 bed	3 bed	4 bed
Average monthly rent	£896	£1,189	£1,377	£1,802
Housing Benefit entitlement	£694	£858	£1,082	£1,396
GAP individuals and families need to find each month (average monthly rent – housing benefit entitlement)	£180	£253	£256	£320
Percentage gaps	20%	22%	19%	19%
2020 post COVID-19 16 March 2020	1 bed	2 bed	3 bed	4 bed
Average monthly rent	£896	£1,189	£1,377	£1,802
Housing Benefit entitlement	£898	£1,147	£1,371	£1,725
GAP individuals and families need to find each month (average monthly rent – housing benefit entitlement)	+£2	-£42	-£6	-£77
Percentage gaps	0	1%	1%	1%

Taken across the London region, the disparity between monthly rent levels and housing benefit entitlement was greater, resulting in unprecedented affordability issues for inner London authorities. However, the uplift in LHA rates during the COVID-19 period has significantly reduced this deficit in line with the current market rents. This makes Havering more attractive to other boroughs as an option to house residents, as it has become a more affordable rental area compared to their own boroughs, and provides an unrealistic view of affordability long-term when the LHA returns to its previous position.

Challenges – Risks and Potential Solutions

Impact of COVID-19 on government spending plans

Nationally, over 1.5 million households have applied for Universal Credit since the 16 March 2020. For those in receipt of work-related benefits, an additional 250,000 job seekers allowance claims have been made.

Government has raised the Local Housing Allowance rates to the 30th percentile of market rents, which has improved affordability.

Despite these efforts, COVID-19 has had a tremendous effect on livelihoods of all in our society. Businesses have resorted to furloughing their staff on 80% wages paid by

the Government, while their premises remain closed.

The self-employed, who have been included in the Government relief package, will also face uncertainty over the plans for how the economy is allowed to restart. Whilst it is too early to assess the long-term impact, we expect the resurfacing of mortgage repossessions for the remainder of 2020, as well as the processing of all private rented possession orders that created a backlog of casework when the courts suspended all landlord notices.

COVID-19

The COVID-19 pandemic came with a whole host of ongoing challenges, including the need to balance preventing the risk of transmission by practising social distancing and hygiene protocols, whilst ensuring we are able to engage, interact and build relationships with people who have become homeless during this time.

The Government has provided guidance to people and groups helping those sleeping on the streets, in night shelters and hostels to access accommodation and to keep them and others safe during the pandemic. Information has been given to local authority staff to assess clinical risk and follow instruction from NHS professionals either in-person or remotely.

The Government identifies three groups to consider and recommends a simple approach to triaging, assessing and accommodating people:

1. The symptomatic group would include anyone with a new persistent dry cough and fever/temperature over 37.8 degrees Celsius. This group should be placed in COVID-CARE sites
2. The asymptomatic high clinical risk group would include people who are eligible for the flu vaccination, and those who are extremely vulnerable. This group should be placed in COVID-PROTECT sites
3. The asymptomatic and low-risk group would include people not included in either of the groups above. This group should continue to use current service provisions or be placed in accommodation to meet current guidance on self-isolation.

Existing risk-management protocols for accommodation for specific client groups (for example, people with substance dependency, mental health issues, a history of violent behaviour, and women) is currently being used.

To tackle this greater challenge, all partners need to work together in a coordinated and strategic way including:

- Local Authorities – to lead on securing funding for accommodation, commissioned drug and alcohol treatment services, social care and support
- NHS – commissioning and provision of primary care, community services, urgent and emergency care, hospital discharge and mental health services
- Voluntary Sector – providing shelters, hostels, outreach support and food banks.

The multi-agency response should be organised and coordinated through local emergency response arrangements, specifically with:

- Local Resilience Forums to support those in our communities who are at the highest risk of severe illness

Challenges – Risks and Potential Solutions

- NHS priority - leadership for people in COVID-Care (symptomatic) and COVID-Protect (asymptomatic, high clinical risk) using the COVID-19 emergency response structures
- Local Government priority - leadership for people in the asymptomatic and low-risk group.

One of the biggest daily challenges is the need to balance our safeguarding responsibilities with the need to protect families and workers by minimising the risk of transmission of COVID-19 and to ensure that we prioritise support for the most vulnerable, including undertaking necessary visits and contacts, whilst taking appropriate infection control measures. Staff across all teams must agree a coordinated plan for the effective distribution of appropriate Personal Protective Equipment (PPE) following updated Havering risk assessment protocols.

Outreach staff do not routinely need PPE unless they are in close contact with symptomatic or confirmed cases of COVID-19, in which case surgical masks, gloves, aprons, and goggles/visors are recommended.

Future funding

On 23 December 2019, the Government announced an injection of £263 million homelessness funding citing that: “It cannot be right in the 21st century that people are homeless or having to sleep on our streets, and this Government will work tirelessly to bring this to an end.”

The first £200 million will come from the Flexible Homelessness Support Grant that replaced the Temporary Accommodation Management Fee in 2017, and the remaining £63 million will be delivered to local authorities through the Homelessness Reduction Grant.

Working with local landlords

The Government announced a further delay in February 2020 to the full rollout of Universal Credit pushing this back to the end of 2024.

Lettings agents and private landlords remain reluctant to enter into new AST arrangements with benefit-dependent tenants without a rent guarantor or credit checks being carried out, however, will rent the same properties as temporary accommodation on a nightly basis, given that the greater rent premium covers the risks of damage and non-payment of rent.

This has created competition in the market place with landlords and agents offering their properties to the highest local authority bidder willing to pay incentives. As market rents remain up to 25% above the local housing allowance, it is still far more attractive to offer tenancies to private tenants.





Action Plan

1. End long-term rough sleeping
2. Reducing the number of people in temporary accommodation
3. Supporting people who become homeless
4. Provide good value, integrated services that deliver excellent customer care

Action Plan – Objective 1

1. End long-term rough sleeping

We will achieve this by:

Coordinating services for rough sleepers	• Provide an integrated outreach team to engage and build relationships with rough sleepers with mental health and psychological support needs
	• Provide safe environments supporting the emotional and psychological needs of the individuals using them
	• Provide healthcare and pathway navigators to plan appropriate services
	• Work with NHS to improve the hospital discharge process
	• Empower staff to build effective relationships with rough sleepers
Developing specialised support and housing solutions	• Develop a long-term housing solution for Havering's long-term rough sleepers as part of the COVID-19 restart and recovery plans
	• Develop a flexible tenure scheme to allow housing flexibility those who are at risk of homelessness
	• Enhance our cold weather provision
	• Commission supported housing for rough sleepers who have mental health and substance misuse issues
Bringing together all community support	• Promote volunteering and support schemes
	• Discourage begging through CPN and alternative donation schemes
	• Support EU nationals to obtain settled status
	• Develop a homeless charter for local businesses



Action Plan – Objective 2

2. Reducing the number of people in temporary accommodation

We will achieve this by:

Reviewing the Housing Allocation Scheme to ensure that it supports the prevention of homelessness	• Utilise under-occupations to free up family size properties
	• Developing an enhanced tenant incentive scheme to support tenants who may be under-occupying their property to move
	• Incentivise households to remain in private sector accommodation
Providing clear pathways into affordable housing, council properties or supported housing	• Offer long-term, sustainable alternatives to those in temporary accommodation
	• Provide housing, training flats and second chances for care leavers
	• Offer pre-tenancy training for tenants, both face-to-face and online
Improving relations with landlords	• Work with landlords to ensure more high-quality homes are available to rent
	• Improve energy efficiency and reduce costs for tenants
	• Develop a landlords' forum to improve the quality of housing management in the private sector and reduce evictions
Improving homelessness prevention by:	• Work with schools to identify families at risk of homelessness and educate teenagers about their housing options
	• Provide free Wi-Fi in temporary accommodation
	• Enhance the "Find Your Own" scheme
	• Develop Tenancy forums to develop support networks and inform those in temporary accommodation of relevant changes to legislation
	• Support prevention through outreach with health services, community hubs and landlord liaison services
	• Develop an evictions protocol with social landlords and offer early financial assistance
Building and buying more affordable housing	• Develop more affordable build-to-rent homes to support our temporary and permanent accommodation provision as part of our country-leading regeneration programme
	• Make sure we are getting our full allocation of nominations from Housing Associations, and more, to maximise the number of homes available to residents
	• Lobby for changes to LHA rates and a level playing field between private sector and TA subsidy
	• Negotiate better and earlier on S106 affordable housing agreements

Action Plan – Objective 3

3. Supporting people who become homeless

We will achieve this by:

Developing & providing specialist supported housing options.	• Build a high-quality new welcome and assessment centre for families, whilst phasing out our existing hostel provision
	• Provide on-site, specialist support & suitable accommodation to meet all needs
	• Work with hospital discharge teams to help people move into appropriate accommodation
Improving the quality of existing temporary accommodation	• Support Children and Adults services to provide higher quality and better value accommodation for some of the most vulnerable in society
Increasing the supply of quality accommodation	• Develop a sophisticated and nuanced supply and demand model to better predict and provide appropriate temporary accommodation where necessary
	• Procure accommodation of a higher quality and value standard to meet variations in need



Action Plan – Objective 4

4. Provide good value, integrated services that deliver excellent customer care

We will achieve this by:

Intelligent business practices and better coordinated working with partners	• Enhance the protocols for joint working with colleagues in children's services, adult social care, mental health, and the learning disabilities services
	• Utilise a comprehensive 360-degree customer feedback process to develop services for people with lived experience of homelessness
	• Implement systems that support intelligence-led practices to help us to know what is happening across Havering
	• Enable enhanced system functionality to support online access and case monitoring
Ensuring we have well-trained, knowledgeable housing staff building valuable relationships with rough sleepers	• Staff provide trauma-informed care using motivational interviewing techniques and strength-based approaches
	• Staff should be curious, compassionate, creative and constructive in providing solutions
	• Propose our duty to refer scheme to ensure people get an effective response
Ensuring we fully receive and utilise income streams	• Disabled Facilities Grants (DFG), and better care funds to prevent homelessness
	• Ensure that we collect all income due in temporary accommodation
	• Review recharges to tenants and landlords post property inspection.
	• Review the standard lease agreement to make it fit for the future
Providing high-quality properties	• Drive up the standard and quality of private sector leased homes
	• Develop incentives for residents who care for their property
	• Enhance the management of maintenance contractors to improve their performance
	• Fully utilise income streams such as the Disabled Facilities Grant (DFG) and better care funds to improve the standard of properties

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CABINET

Subject Heading:

Disposal of land at Hall Lane Pitch & Putt Course, Upminster following its appropriation for planning purposes.

Cabinet Member:

Councillor Roger Ramsey, Cabinet Member for Finance and Property

SLT Lead:

Simon Pollock, Executive Director for OneSource

Report Author and contact details:

**Simeon Nnyombi, Strategic Asset Manager
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Policy context:

The report deals with a statutory process

Financial summary:

There is no significant financial impact from the statutory processes as these are being met by existing budgets.

Is this a Key Decision?

Yes

Expenditure or saving (including anticipated income) of £500,000 or more

When should this matter be reviewed? **Not applicable**

Reviewing OSC: **Overview and Scrutiny Board**

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

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]

SUMMARY

- 1.1 On 13 March 2019, Cabinet authority was given to consider any objections to the intended appropriation and disposal of the Council-owned land at Hall Lane Pitch and Putt, Upminster. Cabinet also agreed to the principle of disposing of the land following its appropriation for planning purposes, subject to the required statutory processes being undertaken.
- 1.2 The statutory process governing these activities requires the proposal to be publicly advertised and for any objections to be duly considered. Therefore in connection with the appropriation and disposal of the land, authority was also given by Cabinet to formally advertise the proposed intentions.
- 1.3 This report describes the background to these proposals, sets out the responses received to the relevant public notices and provides an analysis of these responses for consideration by Members. Inevitably, a large number of representations relate to the planning application for which resolution to grant permission has been obtained.

RECOMMENDATIONS

- 2.1 That, having considered the responses received as a result of the public notices, and pursuant to the Cabinet decision of 13 March 2019, Cabinet approval is given to proceed with:
 - (a) The appropriation for planning purposes of the land at Hall Lane Pitch and Putt, Upminster.
 - (b) The disposal of the land at Hall Lane Pitch and Putt, pursuant to section 233 of the Town and Country Planning Act 1990. A Plan of the site is attached as Appendix 1 of this report.
- 2.2 That the Head of Property Services - in consultation with the Cabinet Member for Finance and Property - will as a result of this decision deal with all matters arising including the appropriation for planning purposes and thereafter the completion of the disposal of the land.

REPORT DETAIL

- 3.1 The Council owns the freehold interest in the land at Hall Lane Pitch and Putt, Upminster. The site has been identified for disposal following its appropriation for planning purposes.
- 3.2 The principle of disposal of the site was approved by Cabinet on 13 March 2019. The approval authorised the commencement of the relevant disposal and appropriation processes. A Plan showing the extent of the site referred to in the Recommendations at 2.1 is attached to this report at Appendix 1.
- 3.3 The Council is authorised to dispose of any land that it owns but where such land can be regarded as open space (defined under section 336(1) of the Town and Country Planning Act 1990 as “any land laid out as a public garden or used for the purposes of public recreation...”) the Council must advertise its intention to dispose of the land for two consecutive weeks in a newspaper circulating in the area in which the land is situated and consider any objections which may be made to them.
- 3.4 Furthermore, all Council-owned land is held for a particular purpose as the Council has the power to acquire and hold land for various statutory purposes to perform its functions. In order to hold land for a purpose other than one at the time it was acquired the land must be appropriated for a different purpose. Appropriation is a statutory process that allows the Council, following consultation, to change the purpose for which it holds property in its ownership from one purpose to another. As an in principle decision has been made by Cabinet to dispose of the land for development (subject to obtaining the usual development consents) the relevant purpose for holding the land is now required to be changed to that for planning purposes pending disposal.
- 3.5 The Council is authorised to appropriate land that it owns for planning purposes under Section 122 of the Local Government Act 1972 which, subject to a number of provisions, allows “a principal Council to appropriate land which belongs to the Council and is no longer required for the purpose for which it was held immediately before the appropriation....”
- 3.6 When the appropriation is in respect of open space the Council is required under Section 122 (2A) of the Local Government Act 1972 to advertise its intention to do so for two consecutive weeks in a newspaper circulating in the area in which the land is situated and consider any objections which may be made to them.

- 3.7 By formally appropriating the land for planning purposes the Council or any other person may – subject to Section 241 of the Town & Country Planning Act 1990 – develop the land in accordance with a planning permission.
- 3.8 The Council should only propose to appropriate land for planning purposes if it has an intention to see the land used for development which promotes or improves the economic, social or environmental wellbeing of its area and believes that the appropriation is needed in order to facilitate or achieve any of these aims. In this case, the Council does intend to see the land used for development. There has been a resolution to grant planning permission under planning reference PO248.19-outline planning application for the demolition of all buildings and structures on site, and redevelopment of the site providing up to 37 residential dwellings, creation of a new highway access, public open space and landscaping and related infrastructure. The reasons for this proposed disposal were set out in the 13 March 2019 Cabinet report including the continuing need to generate capital receipts from the disposal of assets in order to pursue capital projects. The review and identification of new disposal and capital receipt opportunities makes an essential contribution to the funding of the Council's capital programme.
- 3.9 The decision to initiate the process of proposed appropriation and disposal of open space was confirmed on 13 March 2019. Public notices were placed in the Romford Recorder on 5th and 12th July 2019. Copies of the notices are shown in Appendix 2. The final date for submission of any responses was 5th August 2019.
- 3.10 If representations are made to the Council in response to notices of this type, it is necessary for the Council to consider these representations and to take them into account in deciding whether to proceed with the appropriation and disposal of the open land. It should be stressed that the consideration in this report is whether the proposed appropriation of the disposal site for planning purposes and the proposed disposal of the land should proceed and the representations need to be considered in that context.
- 3.11 Representations of objection were received in response to the site notices. An analysis and commentary on the issues raised within the representations is set out in Appendix 3.
- 3.12 In summary, the consultation resulted in 868 responses being received. The majority of these representations represented objections to the Council's proposals and most contained multiple reasons for making these objections. In terms of the number of individual grounds for objection, recurring themes included the loss of open space/biodiversity/trees and their deleterious effects on health & wellbeing, congestion & pollution, pressure on local infrastructure & services and the inappropriate form of development.
- 3.13 It is now necessary for Cabinet to formally consider the responses and to decide whether the proposed actions within this report should be authorised.

REASONS AND OPTIONS

Reasons for the decision:

- 4.1 This decision is required as a result of the statutory process involved in dealing with the proposed disposal of and appropriation of the subject land for planning purposes

Other options considered:

- 5.1 Having placed the notices, it is necessary for the Council to formally consider the responses received. As this report only concerns the consideration of these responses, no other options are available.

IMPLICATIONS AND RISKS

Financial implications and risks:

- 6.1 There are no direct financial implications in considering the responses received to a public notice dealing with the disposal and appropriation of land for planning purposes.
- 6.2 If the appropriation and disposal go ahead, presale expenses up to the allowable maximum of 4% of sale proceeds will be offset against the capital receipts. Any costs over and above this, or of a revenue nature will be met through the prioritisation of existing resources. The net capital receipts from the future disposal can be utilised to fund capital projects approved as part of the Medium Term Financial Strategy and Capital Strategy. This may involve the flexible use of receipts to fund transformation costs of a revenue nature.

Legal implications and risks:

- 7.1 The Council is seeking to appropriate land for planning purposes under section 122 of the Local Government Act 1972 and then dispose of the same pursuant to section 233 Town and Country Planning Act 1990.

- 7.2 Section 122 of the Local Government Act 1972 (“the Local Government Act”) enables the Council to appropriate land which belongs to the Council for any statutory purpose for which it is authorised to acquire land and which is no longer required for the purpose for which it is held immediately before the appropriation. The Council must, therefore, consider whether the land is no longer needed for the purpose for which it is so held if it is to be appropriated for planning purposes.
- 7.3 The meaning of the words “no longer required for the purpose for which it was held immediately before the appropriation” was considered by the Courts in the context of the predecessor to section 122. In that instance “not required” was held to mean “not needed in the public interest of the locality”.
- 7.4 Appropriation of the land for “planning purposes” (in order to engage the provisions of sections 203 – 205 Housing and Planning Act 2016 (“the 2016 Act”)) requires the Council to consider the following factors whether;
- a. the appropriation will facilitate the carrying out of development, re-development or improvement on or in relation to the land or is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated;
 - b. the proposed development, re-development or improvement will contribute to the promotion or improvement of the economic, social and/or environmental well-being of the area;
 - c. it is in the public interest that the proposed development should be carried out, having regard to the provisions of the development plan, whether planning permission is in force and any other considerations that would be material to the determination of a planning application for development of the land;
 - d. as noted above, the land is no longer required for the original purpose for which it was acquired
 - e. rights capable of being overridden by sections 203 - 205 of the 2016 Act exist and whether interference with such rights is necessary
- 7.5 “Planning purposes” is defined in section 246(1) of the 1990 Act and acquisition for such purposes includes acquisition under section 226 or 227 of the 1990 Act.
- 7.6 Where land is appropriated for planning purposes, it is then held by the Council under the statutory provisions of Part 9 of the 1990 Act. The consequence (by virtue of section 203 - 205 of the 2016 Act) is that the erection, construction or carrying out of any maintenance or any building or work on the land and subsequent use of the land is authorised under those planning powers, if the works are carried out in accordance with planning permission, even if they interfere with third party rights.

- 7.7 The purpose of section 203 - 205 of the 2016 Act is to ensure that where land has been appropriated for planning purposes, and provided that work is carried out in accordance with planning permission, then existing rights, which could prevent the development of that land from proceeding, can be overridden. The rights are overridden whether the Local Authority or a person deriving title from it undertakes the development. Persons who would otherwise benefit from those rights are entitled to claim compensation for the interference with them.
- 7.8 Section 122(2A) of the Local Government Act requires that before appropriating and disposing of any land consisting of or forming part of open space the Council must advertise the proposed appropriation in two consecutive editions of a local newspaper and consider any objections received in response. It is considered that the consulting requirements of section 122(2A) and the site notices and objections have been correctly considered.
- 7.9 It is considered reasonable for the Council to use its powers in this case to appropriate and dispose of the land, within the red line areas as on the Plan attached at Appendix 1 for planning purposes as the appropriation will facilitate the carrying out of development and improvement to the land and contribute to the promotion of the economic, environmental or social well-being of the Borough.
- 7.10 The Human Rights Act 1998 ("the 1998 Act") prevents public authorities from acting in a way that is incompatible with rights protected by the 1998 Act. Of particular relevance to the acquisition of interests in land or overriding of interests/rights in land are Article 8 of the European Convention regarding respect for privacy and family life and Article 1 of the First Protocol which concerns the protection of property.
- 7.11 Such rights are qualified rights and may therefore be overridden where it is considered that the interference with these rights are proportionate and that the interference is necessary in the interests of, amongst other things, national economic wellbeing.
- 7.12 It is acknowledged that the appropriation of land for planning purposes may result in interference with property rights. However, compensation will be payable in accordance with statute. The assessment undertaken by the Council has taken into account the social, economic and environmental wellbeing of the locality. Moreover, in considering this appropriation, the Council has carefully considered the balance to be struck between individual rights and the wider public interest and considers that there are no such rights to be considered in this assessment that are likely give rise to compensation.

- 7.13 The disposal of the land will be pursuant to section 233 of the Town and Country Planning Act 1990. The Council has, in addition to advertising the intended appropriation of the land (pursuant to section 122 Local Government Act 1972) advertised the intended disposal (on the same basis) in accordance with section 233(4) of the Town and Country Planning Act 1990.
- 7.14 In considering representations made following the advertising of the intended appropriation and the subsequent intended disposal, the Council is required to take these into account in reaching their decision to appropriate and dispose. This involves the exercise of a discretion and the duty to act reasonably in a “Wednesbury” sense. In practice this will involve balancing the benefits of appropriating and then disposing of the land as against the loss suffered by those landowners that benefit from rights affecting the land and those members of the public that use and enjoy the land for open space purposes. Adjoining landowners will have their rights overridden (in exchange for compensation) by the appropriation process, for example, this would include landowners that have acquired rights to light or have the benefit of restrictive covenants that affect the land. Members of the public that use the open space for recreational purposes will have their ability to use the open space land for these purposes taken away.
- 7.15 In exercising the authority recommended at 2.2 of this report, the Head of Property will need to dispose of the land in accordance with Section 233 Town and Country Planning Act 1990 which requires that the Council on disposing of the land must secure the best consideration on the disposal that can be reasonably be obtained.

Human Resources implications and risks:

- 8.1 There are no Human Resources implications or risks in considering the responses received to a public notice dealing with the disposal and appropriation of land for planning purposes.

Equalities implications and risks:

- 9.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
 - (iii) foster good relations between those who have protected characteristics and those who do not. .

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

- 9.2 Following a consultation exercise, to ascertain the views of residents impacted by the potential loss of open space, there were responses around the deleterious effects on the health and wellbeing of our residents. All comments on health can be mitigated through the alternative open spaces nearby. There were comments around socio-economic status (more expensive membership at nearby golf course).
- 9.3 It is considered that there are no communities falling under the list of "protected characteristics" that would be significantly or unduly harmed by the proposals, which is outlined in the Equality and Health Impact Assessment.

Health and Wellbeing Implications and Risks

- 10.1 Without the mitigation measures, the disposal and re-appropriation of the land at Hall Lane Pitch & Putt Course, Upminster could have a net negative impact on health. The effect is due to the loss of 75% of the green space, access to a sports facility, the threat to biodiversity, net increase in private vehicle movement and the loss of a local community group. The new development might create a few jobs for local subcontractors although the new properties will not be affordable to those who need most.
- 10.2 However, the negative impacts could be mitigated. Some of the measures are seen in the proposal. The proposal includes the provision of at least 25% of the site area allocated as public open space accessible free by all residents. Besides, environmental impacts can be mitigated by retaining most of the existing significant trees, planting more trees in the open space area, protect the trees inhabited by rare species if they happen to be on the development site, and containing a wildlife area. A standard wildlife assessment must be carried out. Moreover, in the public open space area, cycle racks, green gym, walking paths, benches and children play areas should be installed to allow physical activity and community activities and to make the best use of the space. Revenue from the sale of the land could be used to invest in affordable housing or converting empty offices.

BACKGROUND PAPERS

Redacted Representations received



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**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 233(1), (4)
DISPOSAL OF LAND AT GOOSHAYS GARDENS, HAROLD HILL,
ROMFORD, ESSEX**

NOTICE is hereby given that the London Borough of Havering intends, following its appropriation to planning purposes, to dispose of an area of approximately 1.99 acres (0.81 hectares) of open space land at Gooshays gardens, Harold Hill, Romford, Essex

A plan reference SPS11 showing the land at Gooshays Gardens, Harold Hill, Romford, Essex edged red is available for inspection between 9.30am and 4.30pm on normal working days at the offices of London Borough of Havering, PASC (Public Advice Service Centres) Liberty Shopping Centre, Romford RM1 3RL

In accordance with the provisions of section 233(4) of the Town and Country Planning Act 1990, any person wishing to object to the proposed disposal should write setting out the details of such objection to: Ms Sarah Chaudhry - Director of Asset Management Services, 2 River Chambers, High Street, Romford, RM1 1HR or by email to propertyservices@onesource.co.uk quoting reference 'Gooshays Gardens Disposal' and must be received no later than 4.00pm on 5th of August 2019.

Dated 5 July 2019

Anne Brown
Interim Director of Legal and Governance
London Borough of Havering

London Borough of Havering

Town and Country Planning Act 1990 Section 233(1), (4)

Disposal of land at Hall Lane, Upminster, Essex

NOTICE is hereby given that the London Borough of Havering intends, following its appropriation to planning purposes, to dispose of land having an area of approximately 8.5 acres (3.4 hectares) at Hall Lane, Upminster, Essex comprising Hall Lane Pitch and Putt Course, Upminster which consists or forms part of an open space.

A plan with reference SPS23 showing the land at Hall Lane, Upminster, Essex edged red is available for inspection between 9.30am and 4.30pm on normal working days at the offices of London Borough of Havering, PASC (Public Advice Service Centres) Liberty Shopping Centre, Romford RM1 3RL

In accordance with the provisions of section 233(4) of the Town and Country Planning Act 1990, any person wishing to object to the intended disposal should write setting out the details of such objection to: Ms Sarah Chaudhry - Director of Asset Management Services, 2 River Chambers, High Street, Romford, RM1 1HR or by email to propertyservices@onesource.co.uk quoting reference 'Hall Lane Disposal' and must be received no later than 4.00pm on 5th of August 2019.

Dated 5 July 2019

Anne Brown
Interim Director of Legal and Governance
London Borough of Havering

	Lane 7 / Park Farm Road and Warwick Lane / Upminster Road North Contact: Bryn.jellis@haverling.gov.uk				directions) to 17:00 daily, 22nd July to 23rd July 2019, 08:00 to 17:00 daily, 31st July 2019 to 1st August 2019, 08:00 to 17:00 daily or upon completion of the works whichever is the sooner
1246	Road Closure Church Lane Closed at its junction with Ockendon Road Contact: Bryn.jellis@haverling.gov.uk	Carriageway Surface Dressing	No permissible diversion		13th July 2019 08:00 to 17:00 daily 20th July 2019, 08:00 to 17:00 daily, 29th July 2019, 08:00 to 17:00 daily or upon completion of the works whichever is the sooner
PART 2 – MADE NOTICE (CONFIRMED RESTRICTIONS)					
1134	Road Closure Links Avenue Temporary road closure of Links Avenue, between the northern kerb line of Hockley Drive and its northern most extremity, Contact: jain.hardy@haverling.gov.uk	Street Party Event	None, access only		Between noon and 20:00 hours on the 6th July 2019 or upon completion of the event whichever is the sooner
1227	Road Closure Tudor Gardens, Upminster Closed between its junction of St Marys Lane and Sunnyside Gardens. Suspension of parking restrictions in Tudor Gardens Contact: Bryn.jellis@haverling.gov.uk	Carriageway resurfacing	St Marys Lane, Sunnyside Gardens (in both directions) Sunnyside Gardens, Argyle Gardens, St Marys Lane (in both directions)		Between 08:00 to 17:00 daily on the 10th July 2019 to 12th July 2019 or upon completion of the works whichever is the sooner
1230	Road Closure Mount Pleasant Road, Collier Row Closed between its junction of Highfield Road and Chase Cross Road. Contact: Bryn.jellis@haverling.gov.uk	Carriageway resurfacing	Highfield Road, Avelon Road, Chase Cross Road (in both directions) Highfield Road, Bellevue Road, Chase Cross Road (in both directions)		Between 08:00 to 17:00 daily on the 11th July 2019 to 12th July 2019 or upon completion of the works whichever is the sooner
1233	Road Closure Stanley Road South, Rainham Closed between its junction of Cherry Tree Lane and Stanley Road North/ Philip Road. Hubert Road and Nelson Road closed at its junction with Stanley Road South. Contact: Bryn.jellis@haverling.gov.uk	Carriageway resurfacing	Cherry Tree Lane, Rainham Road, Stanley Road North (in both directions) Cherry Tree Lane, Edmund Road, Philip Road (in both directions)		Between 09:30 to 15:00 daily on the 8th July 2019 to 11th July 2019 or upon completion of the works whichever is the sooner
1241	Road Closure Cowper Road, Rainham Closed outside No 115 Cowper Road Contact: Dean.martin@haverling.gov.uk	Essex and Suffolk Water – reinstatement works	No diversion route		Between 09:00 to 15:00 on the 10th July 2019 or upon completion of the works whichever is the sooner
YOU CAN GET MORE INFORMATION AND MAKE COMMENTS ABOUT THE PROPOSED RESTRICTIONS BY CONTACTING THE APPROPRIATE EMAIL ADDRESS					

Servicing shown are stocked in participating stores and subject to availability. Varies as stocked.

378 - 392 Brentwood Road, Grdea Park, Romford RM2 5TD,
7am - 11pm, 7 days a week

Your new Gidea Park Co-op is now open
and part of your community



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Friday, 5 July 2019 romfordrecorder.co.uk

Legal and Public Notices

LONDON BOROUGH OF HAVERING LOCAL GOVERNMENT ACT 1972 SECTION 122(1),(2A) APPROPRIATION OF LAND AT HALL LANE, UPMINSTER, ESSEX

NOTICE is hereby given that the London Borough of Havering intends to appropriate land held for recreational purposes which consists of an open space to planning purposes having an approximate area of 8.5 acres (3.4 hectares) at Hall Lane, Uppminster, Essex comprising Hall Lane Pitch and Putt Course.

A plan reference SP523 showing the land at Hall Lane, Uppminster, Essex edged red is available for inspection between 9.30am and 4.30pm on normal working days at the offices of London Borough of Havering, PASC (Public Advice Service Centres) Liberty Shopping Centre, Romford RM1 3RL

In accordance with the provisions of section 122(2A) of the Local Government Act 1972, any person wishing to object to the proposed appropriation should write setting out the details of such objection to: Ms Sarah Chaudhry - Director of Asset Management Services, 2 River Chambers, High Street, Romford, RM1 1HF or by email to: propertyservices@onesource.co.uk quoting reference 'Hall Lane Appropriation' and must be received no later than 4.00pm on 5th day of August 2019.

Dated 5 July 2019

Anne Brown
Interim Director of Legal and Governance
London Borough of Havering

PUBLIC NOTICES



LONDON BOROUGH OF HAVERING

ROAD TRAFFIC REGULATION ACT 1984 SECTION 14(1) AND 16, PROPOSED AND MADE ORDER NOTICES
WE THE LONDON BOROUGH OF HAVERING GIVE NOTICE THAT WE PROPOSE TO MAKE THOSE RESTRICTIONS REFERRED TO IN PART 1 TO THIS NOTICE AND HAVE MADE THE RESTRICTIONS REFERRED TO IN PART 2 TO THIS NOTICE, IN EACH CASE FOR THE REASONS AND DURATION STATED (OR UNTIL THE COMPLETION OF THE WORKS - WHICHEVER IS THE SOONER) AND WITH DIVERSION ROUTES AVAILABLE.

DIPTI PATEL, ASSISTANT DIRECTOR OF ENVIRONMENT (PUBLISHED IN THE ROMFORD RECORDER 5TH JULY 2019)

PART 1 - PROPOSED NOTICE (PROPOSED RESTRICTIONS)

TT No	Road Name and Restriction(s)	Reason	Diversion Route	Duration of Works - Between:
1228	Road Closure Bevan Way, Hornchurch Closed between its junction of Alma Avenue and Newmarket Way. Haydock Close closed at its junction with Bevan Way. Contact: Bryn.jellis@havering.gov.uk	Carriageway resurfacing	Phase 1 - Alma Avenue, Kempston Avenue, Newmarket Way (in both directions) Phase 2 - Hacton Lane, Uppminster Road, Station Lane, Vaughan Avenue, Ascot Gardens, Newmarket Way	15th July 2019 to 18th July 2019, 09:30 to 15:00 daily or upon completion of the works whichever is the sooner
1231	Road Closure Hillview Avenue, Hornchurch Closed between its junction of Alma Avenue and Newmarket Way. Lewis Road closed at its junction with Hillview Avenue Contact: Bryn.jellis@havering.gov.uk	Carriageway resurfacing	Staverton Road, Fanshawe Crescent, Maiden Way, Slewins Lane, Kirtauns Avenue (in both directions).	18th July 2019 to 23rd July 2019, 08:00 to 17:00 daily (Excluding weekend of 20th and 21st July) or upon completion of the works whichever is the sooner

Order/Advertisement or any response to any of them We receive (including passing on Your details):

- that We may record and use Your details to perform Our obligations under these Conditions and publish Your Advertisement (including by passing them to other group companies and/or subcontractors as reasonably necessary to do so);
- if You are an agency acting for a client, that We may provide a proof of the Advertisement direct to the client for approval by whatever means We deem appropriate;
- that We may hold Your details on record for a reasonable period and contact You about future advertising opportunities which We believe may be of interest to You;
- that any material submitted by You is held by Us at Your own risk and should be insured by You against loss or damage from what ever cause. We reserve the right to destroy without notice all such property after the date of its last appearance in an advertisement unless You have given written instructions to the contrary;
- that You acknowledge that We shall have no liability for any variation of up to 10% in the final published size of any advertisement.

5. Cancellation

- 5.1 We are not obliged to accept a cancellation request (which We may require to be made in writing). All magazine cancellations must be made in writing a least one calendar month prior to the publication date. All other cancellations should be made within four working days of publication.
- 5.2 If We accept a cancellation for part of a series of Advertisements, We may substitute You (or any insertions in that series which are not cancelled).

6. Advertisements

- 6.1 We retain copyright (and any other intellectual property rights) in all Our artwork, copy and other materials in any Advertisement (even if combined with any of Your copyright materials). In addition, You agree that We own the copyright in the typographical arrangement of all Advertisements. No copy in any form will be returned unless agreed in writing by Us at the time of placing the Order.
- 6.2 We will not be liable for accidental loss or damage to Your copy, including artwork and photographs, in any format. Accordingly, Our liability for non-accidental damage to Your copy will be limited to the value of the medium in which they are embodied.

7. Errors, omissions or inaccuracies in Advertisements

- 7.1 We will not be liable for:
 - any error (including but not limited to spelling and text errors), misprint, inaccuracy or omission in Advertisements; a proof of which has been agreed by You;
 - any error (including but not limited to spelling and text errors), misprint, inaccuracy or omission in an Advertisement, if that error is notified to Us more than one week after its publication;
 - any error (including but not limited to spelling and text errors), misprint, inaccuracy or omission in a second or subsequent Advertisement in a series;
 - any error (including but not limited to spelling and text errors), misprint, inaccuracy or omission in an Advertisement which does not detract from the essence of that Advertisement;
- 7.2 Where We acknowledge an error (including but not limited to spelling and text errors), misprint, inaccuracy or omission We will, at Our choice, either publish the corrected Advertisement, or issue You a credit note to a value not exceeding the price of the Advertisement and this will be the limit of Our liability in respect of the error, misprint, inaccuracy or omission.

8. Payment

- 8.1 Except where We state otherwise, all prices are exclusive of VAT.
- 8.2 You will pay for an Advertisement on placing an Order, unless credit terms have been agreed. You will be sent an invoice unless You have pre-paid for a direct debit arrangement (in place), in which case You will only be sent an invoice if You request one.

8.3 Credit terms are that payment is due seven days from the date of invoice, unless You apply for, and

We grant, a monthly account.

- 8.4 A query on an item on an invoice issued by Us will not affect the time at which You are liable to pay the rest of that or any other invoice issued by Us.

9.5 If You do not pay a sum due to Us by the due date, all sums due by You to Us become payable on the due date for the sum not paid and We may suspend further advertising for You and charge You compensation and interest according to the Late Payment of Commercial Debts (Interest) Act 1998.

9. Applicable Law

- 9.1 Nothing in these conditions shall exclude or limit Our liability for death or personal injury caused by Our negligence, for Our fraud or otherwise to the extent it would be illegal to do so.
- 9.2 These Conditions shall be governed by and construed in accordance with the laws of England and Wales.

ARCHANT Regional Ltd, Reg. No. 00019300 ENGLAND
Registered Office: PROSPECT HOUSE, ROUEN ROAD, NORWICH NR1 1RE

or buildings where the floor space to be created by the development is 1000 square metres or more.

The application does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated

Application details, including the plans, can be viewed online at www.havering.gov.uk/planning or at the Planning reception, located in the Public Advice and Service Centre (PASC), accessed via the Liberty Shopping Centre, Romford, between 9am and 11am, Monday to Friday, except for the last Wednesday of each month when the reception is closed. If you wish to comment on an application, please use the online comment form available on the Council's web site or alternatively write to Development, 5th Floor, Mercury House, Mercury Gardens, Romford, RM1 3SL quoting the application number and location. Comments must be received within 21 days from the date on this notice. Please note that members of the public are entitled to see and take copies of any comments you make and your comments may also be available to view on the internet. Development & Building Control-Published in the Romford Recorder on 5th July 2019

London Borough of Havering

Local Government Act 1972 Section 122(1), (2A)

Appropriation of land at Gooshays Gardens, Harold Hill, Romford, Essex

NOTICE is hereby given that the London Borough of Havering intends to appropriate an area of approximately 1.99 acres (0.81 hectares) of open space land at Gooshays Gardens, Harold Hill, Romford, Essex for planning purposes.

A plan reference SPS11 showing the land at Gooshays Gardens, Harold Hill, Romford, Essex edged red is available for inspection between 9.30am and 4.30pm on normal working days at the offices of London Borough of Havering, PASC (Public Advice Service Centres) Liberty Shopping Centre, Romford RM1 3RL

In accordance with the provisions of section 122(2A) of the Local Government Act 1972, any person wishing to object to the proposed appropriation should write setting out the details of such objection to: Ms Sarah Chaudhry - Director of Asset Management Services, 2 River Chambers, High Street, Romford, RM1 1HR or by email to property/services@onesource.co.uk quoting reference 'Gooshays Gardens Appropriation' and must be received no later than 4.00pm on 5th day of August 2019.

Dated 5 July 2019

Anne Brown
Interim Director of Legal and Governance
London Borough of Havering

time for which a person is liable on summary conviction for the offence is unlimited.

NOTICE OF APPLICATION FOR A CLUB PREMISES CERTIFICATE UNDER SECTION 17 OF THE LICENSING ACT 2003

Notice is hereby given that UK's Caffé Ltd has applied for a premises licence in relation to UK's Caffé Ltd, 154 Balgones Lane, Romford, RM2 6BP.

To permit the provision of the following licensable activities:

Time: Monday to Sunday 08:00am To 23:00pm
Supply of Alcohol

Full details of the application can be inspected at the address noted below during normal business hours. A representation by any person or a responsible authority regarding this application can be made to The Licensing Authority Town Hall Main Road Romford RM1 3BD www.havering.gov.uk

Such representation must be received in writing by 5th July 2019 clearly stating the grounds upon which the representation is made in relation to the four objectives of the Licensing Act 2003.

It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is unlimited.

Goods Vehicle Operator's Licence

Onsite Ready/mix Ltd of 26 Waddington Street, Stratford, London E15 1PJ is applying to change an existing licence as follows: To add an operating centre to keep 3 goods vehicles and 0 trailers at Springvale Farm, Goatswood Lane, Navestock, Romford, Essex RM14 1HE

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

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APPENDIX 3

ANALYSIS OF REPRESENTATIONS/OBJECTIONS

INTRODUCTION

In total, 868 representations were received by letter and e-mail in response to the public notices placed in the Romford Recorder on 5th and 12th July 2019.

Of these, 426 representations were made in respect of the proposed Appropriation and 442 in respect of the proposed Disposal and, in the main, the same comments were made in respect of both activities.

These representations were received between 5th July and 8th August 2019.

It is important to note that the development proposals for the site at the time of this consultation exercise were for a 48 unit residential scheme comprising 42 houses and six flats, the latter being located towards the Hall Lane entrance to the site. Subsequent revisions to the development proposal included a reduction in the total number of units. The revised planning application description for the site is "Outline planning application for the demolition of all buildings and structures on site, redevelopment of the site providing up to 37 residential units, creation of a new highway access, public open space and landscaping and related infrastructure".

The indicative mix accompanying the revised application shows 37 house units with no flats. It is this development for which a resolution to grant planning permission has been made subject to final agreement of the terms of the accompanying Section 106 Agreement.

Almost all representations constituted objections to the Council's proposals to both appropriate the site and dispose of it. Many of the grounds of objection were repeated and related to each of these proposed actions. Most of the respondents objected on more than one ground and, in many cases, these grounds echoed the substance of the objections previously made in respect of the planning application. The grounds for objection have been aggregated and are set out below and accompanied by (A) where the objections apply to the proposed appropriation and (D) where they apply to the proposed disposal:

1.1 Objection: The proposed development will have an adverse impact on traffic both during and post development – increased congestion, pollution, littering, noise, health impact, danger from construction vehicles. Particular health and danger impacts on children. The proposal is in contravention of Council Policy DC32 – The Road Network (A)(D):

1.2 Comment: Policy DC32 states that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed. The Council will require the submission of a transport assessment to ensure this requirement is met.

In terms of congestion and pollution caused by additional cars, the Transport Statement (supporting the original larger 48 unit development) prepared by TPP concludes that the development would generate an increase of 2.5% of the two way traffic flow on Hall Lane in the AM peak and 2.0% in the PM peak, thus there is expected to be a minimal impact on the local road network. The subsequent addendum to this report concludes that this anticipated impact would be lower with a 37 unit development.

In terms of danger from construction vehicles, prior to development of the site, the developer will be required to draw up a Construction Management Plan (CMP) and to commit to signing up to the Considerate Constructors Scheme. Within the CMP, the developer will have to address, amongst other things, details of neighbour consultation, hours of working, a traffic management plan, dust, noise & vibration, health & safety, waste & material management and environmental issues.

2.1 Objections: The proposed development is in contravention of the following policies contained within the Council's LDF Core Strategy and Development Control Policies (A)(D):

Policy DC3 – Housing Design and Layout. The proposed new development is not in keeping with/will change the character of the area, including flats on Hall Road frontage

2.2 Comment: Paragraph 127 of the National Planning Policy Framework (NPPF) states that decisions should ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting. Policy 3.5 of the London Plan requires all new housing to enhance the quality of local places, taking account of character. Policy DC 61 seeks to maintain the character and appearance of a local area, including retention of existing trees and landscape, respond to local building forms and respect the scale, massing and height of the surrounding physical context.

The site is surrounded by, although not contained within, the Hall Lane Policy Area which has its own Supplementary Planning Document (SPD) including specific guidance on maintaining and enhancing the character of this area. Following discussions with Council officers, this guidance was reflected, resulting in a reduction in the number of proposed units (48 to 37), retention of most of the existing important trees and retention of the existing open aspect to the Hall Lane frontage. No flat units are contained within these revised proposals.

The Design Code sets out a number of mandatory elements of any reserved matters and is a comprehensive code. Compliance with this mandatory code would ensure that any development coming forward would respect the character of the site and the wider Hall Lane area. Adherence to the code will be secured through planning condition plus some other conditions, particularly concerning restricting permitted development rights which could particularly adversely affect character and landscape.

These objections are essentially town planning related and it is considered that the proposal, in outline form, is considered to demonstrate that a satisfactorily high quality residential and landscape quality can be achieved in accordance with national, London Plan and local planning policy. Resolution to grant planning permission has been obtained.

3.1 Policy DC18 – Protection of Public Open Space, Recreation, Sports and Leisure Facilities. Development of this site represents the removal of a “green lung” for the area; and

Policy DC20 – Access to Recreation and Leisure including Open Space

3.2 Comment: The site is currently open, undeveloped land, used as a pitch & putt facility, open to customers at selected times throughout the year. It is not readily accessible by the general public so cannot be described as public open space but it provides a facility used by local residents of the borough and those from elsewhere. The site contains mature planting, particularly around its perimeter and several high quality trees. The proposal includes the provision of at least 25% of the site area allocated as public open space so approximately 75% of the existing open space area will be lost.

Paragraph 97 of the NPPF states that existing open space and sports land should not be built on unless:

- a. an assessment has been undertaken which has clearly shown the open space....to be surplus to requirements; or
- b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy 7.18 of the London Plan states that the loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area.

Policy CP7 of the Havering Core Strategy and Development Control Policies DPD states that the Council will seek to retain access to recreation and leisure opportunities by retaining existing facilities where a need exists. Policy DC18 states that the Council will seek retention of all open public space and recreation, sports and leisure facilities. Alternative uses will be allowed where the land is surplus to requirements because other facilities exist in the locality and/or there is no need for other recreation/leisure uses (by reference to Policy DC20 – Access to Recreation and Leisure Including Open Space). Any loss of open space must be accompanied by an improvement to the quality of open space in the vicinity.

The planning application was accompanied by an Open Space Assessment (OSA) and a Golf Facilities Needs Assessment (GFNA). The GFNA concludes that the current pitch & putt facility is surplus to requirements due to the following factors:

- a. the facility is loss making with every round of golf in effect being subsidised
- b. the facility is not of a high standard
- c. there is a good choice of golfing facilities in the local area
- d. even though the price charged is affordable, the facility is not well used

The OSA concludes that although there are some deficiencies in some open space provision in the vicinity of the area, overall the existing level of provision is good and the current facility offers little in terms of publically accessible open space (as per the GFNA conclusions). In particular, the shortfalls in existing open space provision in the area identified include:

- a. access to parks and gardens (although improvements to nearby facilities may address this)
- b. allotment space (although the area is characterised by mainly large gardens that may fulfil some of this function)
- c. natural and semi-natural greenspace within 800m of the site (although the actual quantity available in the ward as a whole is exceeded)
- d. small gaps in the quantum of children's play space (although the quality standard of that existing is exceeded)

The planning permission will include an obligation on the part of the developer to pay a contribution of £120K to improve facilities to the nearest public open space at Upminster Hall Playing Fields, some 240m north of the subject site. This is a public park containing car park, sports pitches, Skate Park, play facilities, large open space and trees. Improvements to this park would go some way to addressing the loss of up to 75% of the existing open space on the subject site.

In assessing the loss of open space against national planning policy:

- a. It is considered that the proposal meets the requirement of paragraph 97(a) of the NPPF – the submitted assessments satisfactorily demonstrate that the current facility is surplus to requirements and that alternative golfing facilities exist in the area. There is no evidence that the facility has been deliberately run down for the purposes of redevelopment nor is there evidence that substantial investment would make the facility more viable. The evidence is that the facility, whilst well regarded, is not frequented enough to viably continue.
- b. The proposal does not meet criteria (b) of paragraph 97, in that a similar quantity open space is not being provided, given that up to 75% of open space is to be lost. However, the NPPF does not require all criteria to be met.
- c. In respect of criteria (c) of paragraph 97, it is not clear whether this criteria is met. Given the low use of the current facility, its benefits are largely visual due to the open aspect and quality of some of the trees and landscape, as well as providing an attractive backdrop for residents who live in houses adjoining the site or who travel past it. The development proposals do provide for alternative recreational provision through the proposed public open space to the front and

rear of the site – not restricted access as presently exists. In respect of public access and facilities that may appeal to a wider range of the population, the proposed development does provide benefits compared to existing, but it is considered that this does not “clearly outweigh” the loss given that much of the site would be given over to residential development. However, as for criteria (b), the NPPF does not require all criteria to be met.

- d. In conclusion, it is considered that the proposal does accord with paragraph 97 of the NPPF as the current facility has been demonstrated to be surplus to requirements.

In assessing the loss of open space against London Plan policy:

- a. Policy 7.18 of the London Plan requires that equivalent or better quality provision be provided in the catchment area. In respect of this there would be improvements to open space provision in that unrestricted public open space and play facilities would be provided on site as part of the proposal. Improvements to Upminster Hall Playing Fields would also be made.
- b. It is a matter of judgement as to whether the replacement provision and improvements could be considered to represent equivalent or better quality provision. The policy and associated commentary give no further guidance on how equivalency or quality should be assessed other than to say that one open space should not be replaced by another without an up to date needs assessment. This development proposal includes a detailed needs assessment showing that the current pitch & putt is not viable and is surplus to requirements, so it is considered that re-provision is not necessary.
- c. In conclusion, it is considered that the proposal is partially compliant with policy 7.18 of the London Plan.

In assessing the proposal against Havering Development Plan policy:

- a. Similar to paragraph 97 (a) of the NPPF, Policy DC18 allows for loss of open space where it is surplus to requirements with an additional requirement that any loss be accompanied by improvements in the vicinity.
- b. The assessments submitted with the planning application are considered to adequately demonstrate that the current facility is surplus to requirements.
- c. There is some shortfall in the area of some public open space (as set out in Policy DC20), but these are minor in nature with good standards overall of open space provision in the vicinity of the site.
- d. The provision of public open space, including children’s play space, on the subject site plus improvements to Upminster Hall Playing Fields are considered to be sufficient to satisfy the requirements of Policy DC18 and Core Policy CP7.

In conclusion, the proposed loss of open space could be considered to be in accordance with national and Havering planning policies, although it is a matter of judgement as to whether the London Plan policy expectation is met.

If the loss of open space is considered to be acceptable in this case, then residential redevelopment is considered acceptable in principle, meeting the objectives of planning policy, including paragraph 117 of the NPPF – “Planning decisions should promote an effective use of land in meeting the need for homes”. Policies within the London Plan seek to increase and optimise housing in London, in particular Policy 3.3 on “Increasing Housing Supply” and Policy 3.4 on “Optimising Housing Potential”. Policy CP1 of the LDF on “Housing Supply” expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supercedes this target and increases it to a minimum ten year target for Havering (2015 – 2025) of 11,701 new homes or 1,170 new homes each year. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper.

4.1 Objection: Loss of open space and existing facility takes away facilities from youngsters that encourage fitness and combat both obesity and mental health issues.

4.2 Comment: The Golf Facility needs assessment concludes that the current facility is not well used. Under the terms of this proposal, at least 25% of the current site will comprise public open space and a contribution of £120K will be made to improve facilities to the nearest public open space at Upminster Hall Playing Fields, some 240m north of the subject site. This is a public park containing car park, sports pitches, skate park, play facilities, large open space and trees.

5.1 Objection: The proposals are contrary to Havering Local Plan 2016-2031 3.2.1xv – to maintain and enhance biodiversity and geodiversity (A)(D)

5.2 Comment: Clause 3.2.1 xv (with proposed amendments) states “Increase the quantity, quality and accessibility of Havering’s public open spaces and maintain and enhance biodiversity and geodiversity”

Whilst the development proposals do result in a loss of open space, at least 25% of the site area will be given over to full access public open space. Policy DC59 seeks enhancements to biodiversity as an integral part of new development and ecological reports and surveys supporting the planning application have not identified the presence of any protected species, although there is evidence of use of some of the trees by bats. These trees, located on the western part of the site, would be retained under the development proposals. The ecological reports recommend a range of enhancements, the provision of which would be sought by planning condition.

It was considered that the impact on biodiversity is acceptable, in accordance with both clause 3.2.1 xv of the HLP and Policy DC59 of the DPD.

6.1 Objection: The development would result in a loss of valuable trees and to date no Tree Survey has been undertaken. The proposals are contrary to Policy DC60 – Trees and Woodlands (A) (D)

6.2 Comment: Two Arboricultural Impact Assessments (February 2019 & November 2019) were commissioned and form part of the suite of documents supporting the planning application. The submitted parameter plans and Design Code indicate the retention of the majority of significant and high quality trees that currently exist on the site. A Tree Preservation Order will add protection to the trees from the issuing of any decision and a condition attached to any planning consent will include an obligation to establish tree root protection zones amongst other protection measures.

7.1 Objection: Development of this site will degrade air quality. Proposals contrary to Policy DC 52 (Air Quality), HLP Policies 33 (Air Quality) & 34 (Managing Pollution) (A)(D)

7.2 Comment: DC52 states that planning permission will only be granted where new development...does not cause significant harm to air quality and does not cause a breach of the targets set in Havering's Air Quality Management Area Action Plan.

The Outline Sustainability Statement prepared by XCO2 (accompanying the planning application) includes an outline of the sustainability measures that have been adopted to address the relevant planning policies and concludes that the proposed development meets the targets set out by the Council.

In terms of pollution caused by additional cars, the Transport Statement (supporting the original larger 48 unit development) prepared by TPP concludes that the development would generate an increase of 2.5% of the two way traffic flow on Hall Lane in the AM peak and 2.0% in the PM peak, thus expects there to be a minimal impact on the local road network. The addendum to this report concludes that this anticipated impact would be lower with a 37 unit development.

8.1 Objection: The proposed development will have an adverse impact on already overstretched local infrastructure – schools, hospital, doctors' surgeries, dentists, bus and rail transport systems, utilities. The proposals are not in line with Policy DC29 – Educational Premises nor Policy DC30 – Contribution of Community Facilities (A)(D)

8.2 Comment: TPP were commissioned to undertake a Transport Statement to support the planning application. It was prepared in accordance with TFL's "Transport Assessment Best Practice" guidance document and its findings were that the then proposed (48 unit) development would have a minimal impact on the local road network, the local bus network, train services and underground services.

The subsequent Transport Statement Addendum (again prepared by TPP) concluded that the revised, lower density 37 unit development would further minimise the impact on these networks and services.

Under Policy DC 29, the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of

residents. One of the means of meeting this goal is by seeking payments from residential developers for the capital infrastructure of schools required to meet the demands generated by the residential development. There are three primary schools within a kilometre of the site and a secondary school 1.6km distant.

The pre-planning consultees included the Council's School Organisation which observed that the development would generate additional children and this should result in CIL or section 106 contribution for additional school places.

Under Policy DC30, the Council will, where appropriate in major new development, seek contributions towards the provision of essential new community facilities.

There are three medical centres within a kilometre of the site.

In respect of utilities, it has been established that, due to the site topography and surface/foul water network limitations, it is likely that a pumping station would be required on the site. Details would be required as part of any reserved matters but there are no significant concerns in respect of flooding or drainage issues.

9.1 Objection: Loss of this facility could result in an increase in anti-social behaviour (A)(D)

9.2 Comment: The Metropolitan Police Designing Out Crime Officer was consulted as part of the application process. No objection to the proposed development was raised. A suitable condition is recommended and further consideration of crime and design will be undertaken at the reserved matters stage.

10.1 Objection: The Transport Statement fails to recognise new Council policy to introduce CPZs. Adverse impact on parking in the area (A)(D)

10.2 Comment: The Transport Statement confirms that the site is not located within a CPZ. Policy DC32 requires development to have no significant adverse impact on the road network, whilst Policy DC33 requires sufficient provision for parking to be made in new developments.

Approval of access is sought through this application with all other matters being reserved. The access arrangements have been reviewed by the Highways Engineer who has raised no objections. The Design Code specifies two parking spaces per dwelling which is considered to be acceptable. The final layout of the streets will be subject to reserved matters application(s) with consideration being given at that time to the provision of visitor spaces.

There are no significant concerns with regard to highway or parking issues at this stage given the outline nature of the application and a resolution to grant planning permission was granted on this basis.

11.1 Objection: Appropriation/disposal of the site is not in line with Havering Local Plan (2016 – 2031) Policy 28 – Heritage Asset. The site was bequeathed to the Council many years ago. Heritage site - LDP 2016-2031 xiv states that preserving Havering's heritage is a key issue (A)(D)

11.2 Comment: The site is not designated as a heritage asset, nor is it immediately adjacent to any heritage asset. The nearest designated heritage assets to the site are:

- a. Upminster Hall (Grade II* listed) and the Tythe Barn (Scheduled Ancient Monument) – some 240m to the north and separated by properties in The Fairway and the Upminster Golf Club car park.
- b. Upminster Court (Grade II* listed) and Gardens (Registered Park and Gardens) some 380m north of the site

It is considered that, given the nature of the proposed development, (low density, low scale development) and the presence of intervening development, there is no harm to the setting of these heritage assets.

The site is recognised as one of potential archaeological significance and Historic England have recommended a suitable condition to ensure further investigation prior to commencement of development.

12.1 Objection: The proposals are not in line with Policy DC34 – Walking/Policy DC35 – Cycling/Policy DC38 – Park & Ride

12.2 Comment: Policy DC34 essentially aims to encourage walking within the borough and, in appropriate circumstances, contributions will be sought towards initiatives to support this aim. The subject site lies approximately 650m (so, easy walking distance) from Station Road with its local shops, restaurants, cafes, banks, Post Office and library. Three medical centres are located within a kilometre of the site. In addition, the site has excellent access to bus services and also Upminster Railway and Underground Station, located some 700m from the site.

Policy DC35 aims to encourage cycling. The development will provide cycle parking in accordance with the London Plan as per this Council policy. The local area is covered by TFL Cycle Map 5 and Hall Lane is identified as a road recommended by cyclists.

Policy DC38 is concerned with park and ride provision serving Romford Town Centre. It is therefore not clear how this objection can be said to be relevant to this proposal.

13.1 Objection: Development of the site will cause flooding and drainage problems. Proposals contrary to Policy DC51 (Water Supply, Drainage and Quality) (A)(D)

13.2 Comment: DC51 states, inter alia, that developers must demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to problems for existing users.

The Flood Risk Assessment prepared by Weetwood concludes that flood risk from all sources is generally regarded as low. The risk of flooding from surface water and residual risk of flooding from groundwater will be mitigated by finished floor levels being set at a minimum of 0.15m above adjacent ground levels following reprofiling of the site. Surface water run off from the developed site can be sustainably managed in accordance with planning policy. However it will be necessary to pump surface water

from the site to facilitate a connection to the public sewer network located along Hall Lane.

It is therefore considered that there are no significant concerns in respect of drainage and flooding issues.

14.1 Objection: The Council has not justified the need for more housing provision (A)(D)

14.2 Comment: The Council's Core Strategy recognises the need for additional housing and, in respect of suburban sites, its vision is "Outside the town centres the borough's suburban character will be maintained and enhanced by sympathetic residential development.....All groups within the community will have good affordable access to the housing they need, including those needing larger, family sized accommodation"

The Havering Local Plan 2016 – 2031 (PSV) contains, as one of its strategic objectives, an increase in the supply of high quality housing in Havering by a minimum of 17,550 dwellings over the Plan period.

15.1 Objection: Proposed new development represents an overdevelopment of the site. Expensive houses to be constructed, not affordable. Properties will be bought by investors leading to overcrowded tenanted houses. Proposals contrary to Policy DC2 (Housing Mix and Density) (A)(D)

15.2 Comment: Since these objections were received, the planning application has been revised, resulting in a reduction in the number of proposed units from 48 to 37.

Policy DC2 states that the Hall Lane Special Policy Area is subject to a special policy formulated to ensure that its existing special character of large units in generous landscaped plots is retained and to ensure that an adequate stock of this type of housing is maintained to attract high earning private and public sector professionals in the borough. It is considered that the revised development proposal meets this policy aim.

Affordable housing (the equivalent of 50% provision) is provided off site as part of this proposal. The nature of the potential buyers for the completed units (owner occupiers versus investors) is neither a town planning nor appropriation/disposal matter.

16.1 Objection: Adverse effect on neighbouring properties, including noise, overlooking, loss of privacy, loss of view, reduction in property values (A)(D)

16.2 Comment: Policy DC61 of the DPD requires that development should not result in unacceptable overshadowing, loss of daylight/sunlight or loss of privacy to existing and new properties nor have adverse impact by reason of noise impact.

Noise – the developer will be required to agree a Construction Management Plan with the planning authority prior to commencement of works. A key element of this plan is concerned with the minimisation of disruption to neighbours in terms of noise, dust, road safety and hours of operation during the construction phase. Subject to suitable

attenuation of any plant proposed, it is not considered that noise potential from the pumping station will be a major issue.

Overlooking/Loss of Privacy –the submitted plan of development is of very low density and includes generous plot sizes. The application has been submitted in outline with siting, appearance and layout as reserved matters however the parameter plans and Design Code would mean all proposed dwellings are set at least 10m away from the site's boundaries thus preserving the residential amenity of neighbours. Loss of View/Property Prices – it is considered that the low density of the proposed development, together with the emphasis on retention of existing important trees, will not result in a materially poorer view for neighbouring properties. Nor is it considered that the development will have a deleterious effect on neighbouring house prices.

17.1 Objection: Other brownfield development sites should be considered first/repair of existing run down housing stock/conversion of empty offices should be given priority (A)(D)

17.2 Comment: National planning policy does seek to maximise the use of previously developed land, particularly for housing, but there are no planning policies that require any non-previously developed land to be considered suitable for development only if there is no brownfield land.

18.1 Objection: The Council has deliberately let the existing pitch and putt facility run down (A)(D)

18.2 Comment: There is no evidence that the facility has been deliberately run down for the purposes of redevelopment.

19.1 Objection: The materials used in the construction of the housing units will seriously impact the environment (D)

19.2 Comment: The Outline Sustainability Statement prepared by XCO2 (accompanying the planning application) includes an outline of the sustainability measures that have been adopted to address the relevant planning policies and concludes that the proposed development meets the targets set out by the Council.

XCO2 have also prepared an Outline Energy Statement that assesses the predicted energy performance and carbon dioxide emissions of the proposed development. It concludes that the proposed development complies with the London Plan CO2 savings target of 35% to be achieved on site. To achieve “zero carbon” as required for major residential developments, approximately 69 tonnes per annum of regulated CO2, equivalent to approximately 2,070 tonnes over 30 years, should be offset offsite.

Prior to the grant of planning permission, a legal agreement is to be entered into to secure, inter alia, the following planning obligations: carbon offset payment, any boilers to be ultra-low NOx units and water efficient dwellings.

20.1 Objection: Appropriation/disposal is in contravention of “The Hall Lane Policy Area” Zone B provisions – resist large scale development. The Hall Lane Policy Area planning document concerns an area that entirely surrounds the

course. Contravention of Policy DC69 – Other Areas of Special Townscape or Landscape Character (A)(D)

20.2 Comment: The observation that the subject site sits outside the boundary of the Hall Lane Policy Area is correct. It follows that the site is not bound by the Zone B provisions of that policy, however, Council officers have advised that any development should follow the principles set out within this policy. This has resulted in the reduction in the proposed number of dwellings (48 to 37), retention of the majority of mature trees on site and retention of the existing open character to the Hall Lane frontage to the site. (The policies in respect of the surrounding area are contained within a Supplementary Planning Document that seeks to provide further detail on the implementation of Development Control Policy DC69 (Other Areas of Special Townscape or Landscape character). In summary, the policies seek to resist large scale development that would detract from the existing character of the area, particularly those above existing densities or resulting in a loss of existing landscape features or open areas).

It is considered that the proposed development meets these objectives.

21.1 Objection: The Council has undertaken no wildlife surveys (A)(D)

21.2 Comment: Surveys in respect of bats, badgers, reptiles and great crested newts have been undertaken post consultation and form part of the suite of documents supporting the planning application.

22.1 Objection: Sale of land at below residential land value to Mercury Land Holdings Limited. Reference to Council's obligations on best consideration under Local Government Act 1972 s123 (A)(D)

22.2 Comment: The Council is aware of its obligations under the above Act and will proceed with any disposal in accordance with its provisions. There has been no sale to Mercury Land Holdings.

23.1 Objection: No public consultation has been undertaken in respect of the proposed change of land use, including during Local Plan consultations (A)(D)

23.2 Comment: For proposals such as this, there is no requirement to undertake pre-submission consultation.

24.1 Objection: The pitch and putt facility is the only one of its kind in the area/available to those who cannot afford golf club fees or membership. Loss of a valuable community facility/sporting amenity providing an opportunity for youngsters to learn golf without joining a golf club (A)(D)

24.2 Comment: A Golf Facilities Needs Assessment (Final Report) was undertaken by Continuum Sport & Leisure Ltd in November 2018. The report sought to establish whether the current facility remains surplus to the needs for golf facilities in the borough and whether there are any shortfalls to meet likely future golf demand.

This report concludes that the current facility is very outdated, and whilst it offers a low cost point of entry to the sport, it offers poor availability and requires a substantial subsidy to operate. Moreover, the site offers no potential to be enhanced to become

financially viable. On the basis of their research and consultation, the report's authors conclude that facility supply and demand for golf within the borough is broadly in balance with no gaps in provision and some spare capacity to cater for population growth.

25.1 Objection: No detail on sustainability issues –energy efficiency, car charging points, solar panels etc (A)(D)

25.2 Comment: This is an outline planning application. More detailed information relating to the above would accompany a subsequent full planning application. Accompanying this application is an Outline Sustainability Statement prepared by XCO2 that confirms the proposed development meets the sustainability targets set out by the Council.

26.1 Objection: Friends of Upminster Mini Golf Course have undertaken fundraising which has been used to improve the current facilities. The development would eradicate the Friends Group (A)(D)

26.2 Comment: Closure of the golf facility would inevitably result in the activities of the Friends group ceasing however the Golf Facilities Needs Assessment concludes that supply and demand for golf facilities within the borough is broadly in balance with no gaps in provision and some spare capacity to cater for population growth.

27.1 Objection: Proposals not in line with Council's Core Strategy six major objectives: a more prosperous community, improved lifelong learning, better health & welfare, increased community participation, protect & improve the environment, a safer community (A)(D)

27.2 Comment: The proposal will provide high quality housing provision (prosperous community), at least 25% of the site will be public open space as opposed to the current restricted access (better health & welfare/increased community participation) and the submitted plans indicate the retention of many of the significant and high quality trees and planning conditions will ensure biodiversity (protect & improve the environment).

28.1 Objection: The site is within the Green Belt. Proposals contrary to Policy DC45 (Appropriate Development in the Green Belt) (A)(D)

28.2 Comment: The site does not lie within the Green Belt

29.1 Objection: Three neighbouring householders claim rights of way/access over the site (two supported by statutory declarations) (D)

29.2 Comment:. Any disposal of the site will respect any such rights over the land should they exist.

30.1 Objection: This consultation is being rushed through at a time when many are on holiday (A)(D)

30.2 Comment: The Council has complied with its statutory obligations.

31.1 Objection: Concern from neighbour over noise and smells generated by adjacent pumping station (A)(D)

31.2 Comment: A future detailed planning consent will be accompanied by an obligation upon the developer to include sound attenuation/rating analysis in respect of all external plant & machinery including the proposed pumping station. The pump exists to push waste water/matter through an enclosed pipework system so should not give rise to foul smells.

Subject to details to be submitted at reserved matters stage, it is considered that this element of the proposal would not significantly impact upon existing residential amenity.

32.1 Objection: Concern from neighbours regarding the impact of the development on family members with asthma (A)(D)

32.2 Comment: Prior to development of the site, the developer will be required to draw up a Construction Management Plan (CMP) and to commit to signing up to the Considerate Constructors Scheme. Within the CMP, the developer will have to address, amongst other things, details of neighbour consultation, hours of working, dust mitigation and air quality issues.

33.1 Objection: The Council has not commissioned an independent assessment of the Open Space value of the site (A)(D)

33.2 Comment: Such an assessment is not necessary in respect of appropriation and is not material to the determination of the planning application.

34.1 Objection: Proposal contradicts the Mayor of London's strategy to make London the greenest global city (A)(D)

34.2 Comment: The Mayor's policy centres upon planning and managing London's green places and features as an integrated green infrastructure to provide more benefits to Londoners as the city grows, its climate changes and poor air quality is tackled. One of the aims, within the new London Plan, is to ensure new developments include enough urban greening. It is considered that the proposed development, being low density, containing public open spaces, retaining most of the existing significant trees and containing a wildlife area, substantially if not wholly meets the Mayor's objectives in this respect.

35.1 Objection: The site is protected by the provisions of the Wildlife & Country Act [sic] (A)(D)

35.2 Comment: The Wildlife and Countryside Act 1981 is an Act of Parliament implemented to comply with a European Council directive that relates to the conservation of wild birds. Policy DC59 seeks enhancements to biodiversity as an integral part of new development and ecological reports and surveys supporting the planning application have not identified the presence of any protected species, although there is evidence of use of some of the trees by bats. These trees, located on the western part of the site, would be retained under the development proposals.

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Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	<i>Hall Lane Pitch & Putt Course, Upminster Appropriation to Planning Powers and Disposal</i>
Lead officer:	<i>Mark Leeson Principal Asset Surveyor Strategic Asset Management Property Services</i>
Approved by:	<i>Simeon Nnyombi Strategic Asset Manager Strategic Asset Management Property Services</i>
Date completed:	<i>04/09/2020</i>
Scheduled date for review:	<i>Not applicable. The site is to be sold for development.</i>

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	Yes
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality & Health Impact Assessment Checklist

About your activity

1	Title of activity	<i>Disposal of land at Hall Lane Pitch & Putt Course, Upminster following its appropriation for planning purposes.</i>		
2	Type of activity	<i>This project concerns the appropriation of this Council owned site to planning powers prior to its future disposal for residential development.</i>		
3	Scope of activity	<i>This proposal involves the closure of the existing pitch & putt facility to enable the site to be sold for the purposes of creating a 37 unit residential development on the site.</i>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:			

Completed by:	<i>Mark Leeson Principal Asset Surveyor Strategic Asset Management Property Services</i>
Date:	<i>04/09/2020</i>

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:

On 13 March 2019, Cabinet authority was given to consider any objections to the intended appropriation and disposal of the Council-owned land at Hall Lane Pitch and Putt, Upminster. Cabinet also agreed to the principle of disposing of the land following its appropriation for planning purposes, subject to the required statutory processes being undertaken.

The statutory process governing these activities requires the proposal to be publicly advertised and for any objections to be duly considered. Therefore in connection with the appropriation and disposal of the land, authority was also given by Cabinet to formally advertise the proposed intentions.

Following 868 responses being received amendments to the proposal has been put in place and Cabinet approval is now being sought for the disposal of the land, which will result in the closure of a pitch and putt golf facility, currently (although presently closed due to Covid) owned and operated by the Council on a pay and play basis.

**Expand box as required*

Who will be affected by the activity?

- Those who pay to use the existing facility,
- Neighbouring householders.

**Expand box as required*

Protected Characteristic - Age: Consider the full range of age groups

Please tick (✓) the relevant box:

Positive

Neutral

Negative

✓

Overall impact:

The proposal involves the withdrawal of a facility with limited users. Following a consultation exercise, to ascertain the views of residents impacted by the potential loss of space, it was identified that families with small children would be those impacted the most, but this can be mitigated by the alternative public open space (which includes a children's play area) plus a developer contribution to enhance the facilities provided at the nearby Upminster Hall Playing Fields.

		<i>*Expand box as required</i>
<p>Evidence:</p> <p>The estimated population of the London Borough of Havering is 256,039.</p> <ul style="list-style-type: none"> • It has the oldest population in London with a median age of approximately 40 years old, as recorded in the 2011 census. • As well as increases in the number of births in Havering, there has been an increase in the general fertility rate from 58 (per 1,000 women aged 15-44) in 2004 to 68 in 2017. This equates to an additional 10 births per 1,000 women aged 15-44 within the period. • From 2011 to 2016, Havering experienced the largest net inflow of children across all London boroughs. 4,580 children settled in the borough from another part of the United Kingdom during this six year period. • It is projected that the largest increases in population will occur in children (0-17 years) rising from 58,500 in 2018 to 72,100 in 2033 and older people age groups (65 years and above) from 46,900 in 2018 to 61,400 in 2033. <p>The current facility is only available at weekends, bank holidays and on weekdays in the school holidays between April and October. We haven't completed a survey into the age of users at the pitch and putt but the above opening times suggest that the users of the facility are families with a mix of young and older. It is likely that, as a pitch and putt operation with opening times that have regard to school holidays, the activity offered represents an entry level to the game of golf, suggesting a significant proportion of users are in the younger age bracket. Participation levels are well below the capacity of the site however.</p> <p>Within Cranham Ward, there are two alternative golf sites, Upminster Golf Course and Cranham Golf Course – the latter being a pay and play 18-hole course which is recognized as a good facility for beginners with good quality social facilities which are currently being extended and enhanced.</p>		
		<i>*Expand box as required</i>
<p>Sources used:</p> <p>Golf Facilities Needs Assessment Final Report – November 2018 Continuum Sport & Leisure Ltd</p>		
		<i>*Expand box as required</i>

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions		
Please tick (✓) the relevant box:		Overall impact: <i>In terms of people with physical disabilities, it should be noted that the existing facility has no on-site parking and the only structure is a small low grade brick pavilion including basic wc facilities. Of the proposed 37 residential units, 10% are required to be wheelchair accessible with the remaining 90% being wheelchair adaptable.</i> <i>In terms of mental/sensory/progressive conditions, the existing facility is restricted access and the proposed redevelopment of the site will incorporate at least 25% site area as public open space so increasing future public accessibility. A contribution of £120K (secured by planning condition) will also be allocated to upgrading the facilities at the nearby Upminster Hall Playing Fields which contains publicly accessible open space in addition to sports pitches.</i>
Positive		
Neutral	✓	
Negative		
<p style="text-align: right;">*Expand box as required</p>		
Evidence: <ul style="list-style-type: none"> According to the latest ONS Annual Population Survey (Jan 2015-Dec 2015), 19% of working age people living in Havering have disclosed that they have a disability or long term illness. This is a similar proportion to England (20%). The estimated number of people in Havering aged 18-64 living with moderate physical disabilities was 11,870 in 2017 – a rate of 7,865 per 100,000 population aged 18-64 years. This rate is one of the highest among London local authorities. It is statistically similar to England but significantly higher than the London average. 		
Mental Health Statistics <ul style="list-style-type: none"> At least one in four people will experience a mental health problem at some point in their life and one in six adults have a mental health problem at any one time One in ten children between 5 and 16 years has a mental health problem, and many continue to have mental health problems in adulthood. Half of those with lifetime mental health problems first experience symptoms by the age of 14, and three quarters before their mid-20's. Self-harming in young people is not un-common (10-13% of 15-16 year olds have self-harmed). Almost half of all adults will experience at least one episode of depression during their life-time. One in ten new mothers experience postnatal depression. About one in 100 people has a severe mental health problem. Some 60% of adults living in hostels have a personality disorder. Some 90% of all prisoners are estimated to have diagnosable mental health problem (including personality disorder) and / or substance misuse problem. 		

Sensory Impairment

Sight

- The estimated number of people living with sight **loss** in **England** is 1.7 million.
- Only 17 per cent of people experiencing sight loss are offered emotional support in response to their deteriorating vision.
- Only 27 per cent of blind and partially sighted people of working age are in employment – a fall from 33 per cent in employment in 2006.
- 39 per cent of blind and partially sighted people of working age say they have some or great difficulty in making ends meet.
- 35 per cent of blind and partially sighted people say that they sometimes, frequently or always experience negative attitudes from the public in relation to their sight loss.
- 31 per cent of people are rarely or never optimistic about the future.

Hearing

- There are 11 million people with hearing loss across the UK, that's around one in six of us.
- By 2035, we estimate there'll be around 15.6 million people with hearing loss across the UK - that's one in five.
- There are 50,000 children with hearing loss in the UK. Around half are born with hearing loss while the other half lose their hearing during childhood.
- An estimated 900,000 people in the UK have severe or profound hearing loss.
- We estimate that there are at least 24,000 people across the UK who use British Sign Language (BSL) as their main language (although there are likely to be more that we don't know about).
- More than 40% of people over 50 years old have hearing loss, rising to 71% of people over the age of 70.
- Around one in 10 UK adults has tinnitus.

**Expand box as required*

Sources used:

- Detail contained within Planning Application No. P0248.19
- Mental Health JSNA January 2015
- Royal National Institute for the Blind
- Action on Hearing Loss

**Expand box as required*

Protected Characteristic - Sex/gender: Consider both men and women		
Please tick (✓) the relevant box:		Overall impact: <i>A person's sex or gender will not be affected by the closure of the pitch and putt.</i> <div style="text-align: right;"><i>*Expand box as required</i></div>
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: No assessment of users has been undertaken to establish the relative proportion of male vs female participants. <div style="text-align: right;"><i>*Expand box as required</i></div>		
Sources used: <div style="text-align: right;"><i>*Expand box as required</i></div>		

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities		
Please tick (✓) the relevant box:		Overall impact: <i>A person's Ethnicity or race will not be affected by the closure of the pitch and putt.</i> <div style="text-align: right;"><i>*Expand box as required</i></div>
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: No assessment of users has been undertaken to establish the relative proportion different ethnic groups or nationalities. <div style="text-align: right;"><i>*Expand box as required</i></div>		

Sources used:	<i>*Expand box as required</i>
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Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief
--

Please tick (✓) the relevant box:		Overall impact: <i>A person's religion or faith will not be affected by the closure of the pitch and putt.</i>
Positive		
Neutral	✓	
Negative		
<i>*Expand box as required</i>		

Evidence: No assessment of users has been undertaken to establish the relative proportion of different or non-religious groups.
<i>*Expand box as required</i>

Sources used:	<i>*Expand box as required</i>
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Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual
--

Please tick (✓) the relevant box:		Overall impact: <i>A person's sexual orientation will not be affected by the closure of the pitch and putt.</i>
Positive		
Neutral	✓	
Negative		
<i>*Expand box as required</i>		

Evidence: No assessment of users has been undertaken to establish sexual orientation.	<i>*Expand box as required</i>
Sources used:	<i>*Expand box as required</i>

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth		
Please tick (✓) the relevant box:		Overall impact:
Positive		. <i>A person currently seeking, undergoing or have received gender reassignment surgery will not be affected by the closure of the pitch and putt.</i>
Neutral	✓	
Negative		
		<i>*Expand box as required</i>
Evidence: No assessment of users has been undertaken to identify gender reassignment issues		
<i>*Expand box as required</i>		
Sources used:		
<i>*Expand box as required</i>		

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership	
Please tick (✓) the relevant box:	Overall impact:

Positive		<i>A person's marital status will not be affected by the closure of the pitch and putt.</i>
Neutral	✓	
Negative		
<i>*Expand box as required</i>		
Evidence:		
<p>No assessment of users has been undertaken to establish the marriage or civil partnership status of users.</p>		
<i>*Expand box as required</i>		
Sources used:		
<i>*Expand box as required</i>		

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
Please tick (✓) the relevant box:		Overall impact:
Positive		
Neutral	✓	
Negative		
		<i>A person who is pregnant or who are undertaking maternity or paternity leave will not be affected by the closure of the pitch and putt.</i>
<i>*Expand box as required</i>		
Evidence:		
<p>No assessment of users has been undertaken to establish how many users are pregnant or who are undertaking maternity/paternity leave. The current facility is restricted access and the proposed redevelopment of the site will incorporate at least 25% of the site area as landscaped public open space to include a children's play area which could appeal to new mothers/fathers in the locality.</p>		
<i>*Expand box as required</i>		

Sources used:	<i>*Expand box as required</i>
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Socio-economic status: Consider those who are from low income or financially excluded backgrounds		
Please tick (✓) the relevant box:		Overall impact:
Positive		<i>Broadly neutral as this low cost facility is underutilised and there is alternative provision available at reasonable cost within the borough. This is not a deprived part of the borough.</i>
Neutral	✓	
Negative		
Evidence:		
<p>Ticket prices for the current facility are £5 per adult and £3 per junior/concession. It is therefore a low cost facility.</p> <p>However, the research undertaken for the GFNA reveals that there are a range of entry level golf facilities in the borough and its immediate catchment area where the prices to access these facilities are set at a reasonable level which bear comparison with the much poorer quality facilities at the Hall Lane site.</p> <p>Furthermore, this report notes that Havering is a relatively affluent borough based on an IMD 2015 ranking of 166 out of the 326 local authorities in England.</p> <p>Within Havering, Upminster Ward has the highest proportion of residents in groups 1 and 2 (40.7%). Cranham Ward's percentage is 36.3% so this is not an area experiencing high levels of deprivation.</p>		
<i>*Expand box as required</i>		
Sources used:		
<p>Golf Facilities Needs Assessment Final Report – November 2018 Continuum Sport & Leisure Ltd (GFNA)</p>		
<i>*Expand box as required</i>		

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use

the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.

Please tick (✓) all the relevant boxes that apply:

Positive

Neutral

Negative

✓

Overall impact:

The withdrawal of an existing leisure facility, however underutilised, could be said to have a negative impact on health and wellbeing.

**Expand box as required*

Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box

Yes

☐

No

☒

Evidence:

Despite its low level of usage, the closure of the existing pitch and putt facility could have a negative net impact on health.

The GFNA however concludes that while the Hall Lane facility is “nice to have” as a low cost entry to the game of golf, it offers little value as a site to deliver the Council’s health and wellbeing policies.

On the basis of the research and consultation undertaken in preparing the GFNA, the report concludes that facility supply and demand is broadly in balance with no gaps in provision and some spare capacity to cater for population growth.

Any negative impact on health resulting from the closure of this facility might be mitigated, for example:

The applicant (Planning Application P0248.19) has agreed to make a financial contribution of £120K towards the upgrading of the nearest public open space at Upminster Hall Playing Fields, some 240m north of the Hall Lane site. This is a public park containing car park, sports pitches, skate park, play facilities, large open space and trees.

The proposed residential redevelopment of the site will incorporate at least 25% of the site area as public open space (the current facility is restricted access to paying users) and this open space will be subject to agreed landscaping proposals and incorporate a children’s play area – secured by the relevant planning conditions attached to any approval.

In order to address environmental concerns and concerns from neighbouring property owners relating to density of development, disruption and increased congestion/pressure on local services, the planning application was amended to reduce the numbers of housing units from 48 to 37 units. The proposed development as revised is therefore low density, retains most of the existing trees and has reduced impact on local infrastructure and the amenity of neighbouring properties.

**Expand box as required*

Sources used:

Golf Facilities Needs Assessment Final Report – November 2018
Continuum Sport & Leisure Ltd (GFNA)

Planning Application No. P0248.19

**Expand box as required*

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	➔	Proceed with implementation of your activity
	2. The EqHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u>	➔	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	➔	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer
Health & Wellbeing	Negative - Closure of an existing leisure facility	Imposition of planning conditions to granting of consent for development.	<ol style="list-style-type: none"> 1. Provision of at least 25% public open land within the new development. 2. Developer contributions to upgrade Upminster Hall Playing fields 	Timing – in tandem with the redevelopment of the site	LBH Planning/Building Control
Age	Negative – closure of an existing leisure facility used by young people	Imposition of planning conditions to granting of consent for development.	<ol style="list-style-type: none"> 1. Provision of at least 25% public open land within the new development to include a children's play area. 	Timing – in tandem with the redevelopment of the site	LBH Planning/Building Control

			2. Developer contributions to upgrade Upminster Hall Playing fields which is within walking distance of the subject site		

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

5. Review

Review:

Subject to Cabinet approval, the site will be sold to a third party for redevelopment and therefore no further review of the EqHIA is envisaged.

Scheduled date of review: N/A

Lead Officer conducting the review: N/A

**Expand box as required*



CABINET

Subject Heading:

Public Realm Transformation - Procurement Update and Amended Strategy

Cabinet Member:

Cllr. Dervish

SLT Lead:

Barry Francis, Director of Neighbourhoods

Report Author and contact details:

Sue Harper, Interim Assistant Director of Environment.

01708434989

Sue.Harper@haverling.gov.uk

Policy context:

This decision supports the Corporate Plan, especially 'A Great Place to Live' as outlined in the Places theme

Financial summary:

The financial savings identified in the current MTFS (£500k over two years) are unlikely to be achieved. There will also be an added pressure required to fund the cost of the extension should Members agree this recommendation as outlined in exempt Appendix 1.

Is this a Key Decision?

Yes as:

Expenditure or saving (including anticipated income) of £500,000 or more

When should this matter be reviewed?

Reviewing OSC:

Environment

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

☐
☒
☐
☐

Appendix 1, 2 and 4 of this report are exempt from publication by virtue of paragraph 3 and 5 of the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended in that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information); and Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

SUMMARY

1. This report updates Members on the progress of the integrated Public Realm Services contract procurement as agreed by Cabinet (September 2019). Tendering had commenced but with the outbreak of the Covid-19 pandemic bidders needed to concentrate of service delivery and not new business during this period of uncertainty. Consequently tendering was paused in March 2020.
2. This delay has impact on the project plan. Initially the contract for the Integrated Public Realm Services, subject to Cabinet approval, was to begin in August 2021. However, with the delay the earliest the contract could start would be February 2022 due to the additional time needed to complete the procurement. There is also no guarantee that there will not be further delays due to the uncertainty over the continuing Covid-19 pandemic. Also, waste services are collecting significantly more household waste now than before the Covid-19 pandemic and waste compositions are likely to be different. When these tonnages will return to 'normal' is unknown. Further delays and continued increased tonnages of household waste may have serious consequences for future service delivery of Public Realm services.
3. This report summarises the impact and risk associated with the delayed programme and outlines an alternative medium term strategy to deliver Public Realm services. The report also outlines the need to extend the current waste and recycling contract with Serco for two years, the tree maintenance contract with City Suburban for six months and outlines costs and risk of these options.

RECOMMENDATIONS

For the reasons stated in this report and its appendices, Cabinet is asked to agree to:

1. Stop the integrated public realm services procurement;
2. extend the current waste and recycling contract with Serco for a period of two years commencing 1 August 2021; and
3. extend the tree maintenance contract with City Suburban for a period of six months commencing 1 April 2021.

REPORT DETAIL

1.0 Background

- 1.1 Cabinet agreed (September 2019) the Business Case for the operating model to deliver all Public Realm services within a single integrated contract. Services to be included in the 'new' Integrated Public Realm Services contract were waste and recycling collection, street and gully cleansing, grounds and tree maintenance, elements of parks development, weed control and winter maintenance (gritting). Waste and recycling collection, tree maintenance and weed control services are all outsourced functions. Street and gully cleansing, grounds maintenance, parks development and winter maintenance services are all in-house services. This outsourcing programme has a savings target of £500k as identified in the current MTFS (300K for 2021/22 and 200K for 2022/23).
- 1.2 Tendering began with viable and healthy competition, with the Integrated Public Realm Services contract to start in two phases, cleansing and waste collection operations in August 2021 and grounds and trees maintenance operations to start in November 2021. During the tendering phase, one bidder withdrew and another requested to delay tendering. This limited competition. Also, as all bidders would have struggled to undertake due diligence and the Council was unable to compete several tasks due to the Covid-19 restrictions and lockdown, procurement was halted in March 2020.
- 1.3 Continuing to tender for an Integrated Public Realm Services contract is no longer a viable option. As outlined in sections 2 and 9 of this report as there are now too many risks associated with the programme to be able to continue as previously planned. This was never the intention, but the Covid-19 pandemic has changed the procurement landscape, especially for waste services. This report outlines the strategy for all services that were to be included in the Integrated Public Realm Services contract to ensure the Council can continue to deliver high quality services with continued high standards.

2.0 Waste and Recycling Collection Contract and Services

- 2.1 The waste and recycling collection contract is currently delivered on behalf of the Council by Serco. This seven-year contract expires on 31 July 2021, and has scope to be extended for up to three years. Had the procurement of the 'new' Integrated Public Realm Services contract commenced as planned there would be no reason to have utilised the extension provision. As this is no longer the case, the waste contract needs to be extended. Since the Covid-19 pandemic, more household waste is being collected every week and waste compositions are likely to have significantly changed. When this situation is to return to 'normal' or the 'new normal' is unknown. A second Covid-19 spike or local lockdowns could exacerbate this situation, which may also reduce

potential bidders' capacity to tender for new business presenting a risk for any future short-term procurement exercise. If the Council was to re-tender a waste contract now there is a significant risk that contractors would base their bids on the high waste tonnages currently being collected and on the current waste composition. This could result in overpriced submissions and potentially the wrong type and number of vehicles being purchased. For these reasons, delaying tendering and extending the current waste contract for two years until the full effect of Covid-19 is better understood would be prudent.

2.2 Extending the waste and recycling contract for two years would also allow adequate time to research the full effect of Covid-19 on the waste industry, carry out market testing and enough time to pass for competitive tendering to be undertaken and future waste requirements to be understood both in terms of waste volume and composition.

2.3 Serco was awarded the current waste and recycling contract that started in 2014. This seven-year contract has scope, if both parties agree, to be extended for up to three years. Serco has indicated that they are willing to extend the contract, and a two-year extension has been negotiated. Serco will work with the Council to continue to deliver high service performance standards. Prior to the impact of Covid-19 residents' satisfaction rates with the waste collection service was 88% (Ipsos Mori 2018). In the event of poor performance, the Council retains mechanisms and 'levers' to manage the contract.

2.4 The cost to extend the waste contract is outlined in exempt Appendix 1, with Serco's 'LB Havering Environmental Services Contract Extension Proposal 2021 - 2023', included as exempt Appendix 2.

2.5 During 2021 research into waste composition and tonnage trends will continue and will be used to inform the procurement of the new contract following the period of extension. This procurement will take over one year to complete to ensure adequate time to tender, evaluate, award (by Cabinet) and mobilise (nine months required for the contractor to purchase appropriate specialised vehicles). Tendering will begin in 2022 with ample time to procure a high quality service for July 2023.

2.6 The Mayor of London agreed the waste tender specification for the integrated contract. As this is a statutory requirement for any waste procurement, any change in procurement options will require the Council to consult the Mayor's office again. This can take several weeks to complete, but can be achieved within this timeframe.

3.0 Tree Maintenance Contract

3.1 The tree maintenance contract is delivered on behalf of the Council by City Suburban. This contract was awarded for five years. This contract is for the maintenance of the borough's highways, housing and park trees. Contractual performance has been good, and the contract remains good value for money.

There is scope, if mutually agreed, to extend this contract for up to one year. City Suburban has indicated extending the contract for six months on the current terms is acceptable. This extended contract will end on 2 October 2021. The Council will seek to retender for the new contract to start on Sunday 3 October 2021.

- 3.2 There will be an additional cost for this extension to cover inflation that can be contained within budget, as outlined in exempt Appendix 1. Extending and retendering the tree maintenance contract is relatively straightforward. Procurement for a new tree maintenance contract will begin in early 2021 to ensure adequate time to tender, evaluate and mobilise the new contract.

4.0 Weed Control Contract

- 4.1 The current weed control contract delivered by S.H. Goss expires on 31 December 2020. Officers are reviewing the options available to the Council as to the future of this contractual arrangement. Any new contract is anticipated to commence in February 2021.

5.0 In-house Services: Grounds Maintenance, Parks Development, Street and Gully Cleansing and Winter Maintenance

- 5.1 Grounds maintenance, parks development, street and gully cleansing and winter maintenance (road gritting) services were to be included in the outsourced integrated Public Realm services contract, with appropriate staff transferred to the contractor. These services will now continue as in-house functions. The coronavirus pandemic has shown that the in-house Public Realm services were able to respond in a flexible manner, supporting one another and provide support to struggling contractors too at the height of the pandemic thus ensuring service continuity delivered at high standards. Although both the street cleansing and grounds maintenance services have recently been remodelled generating savings, the integration of these services with the parks development service is likely to generate further efficiencies and greater resilience for the council and its services to its residents.
- 5.2 The Grounds Maintenance, Parks Development and Street Cleansing services will be reviewed and integrated to improve delivery efficiencies. By integrating some parks development and grounds maintenance tasks more efficiencies are likely. This process will be in accordance with Council's Change Management policy. Careful modelling to deliver Members and residents expectations will be undertaken. Modelling would be a bottom up approach to ensure the delivery of high quality standards and outcomes. With this option, there will be a slight reduction in vehicle requirements (and costs). The remaining vehicles would continue to be serviced and repaired in the Council's workshops. Without frontline services standards deteriorating, it is unlikely all the savings required in the current MTFS linked to outsourcing

Public Realm (£300K in 2021/22 and £200K in 2022/23)) will be achieved, as outlined in exempt Appendix 1.

- 5.3 The winter maintenance and gully cleansing services will continue to be delivered by the Council's Highways department.

6.0 Indicative timetable

- 6.1 Subject to the recommendations in this report being approved by Cabinet, the indicative timetable for the programme (in consultation with the Lead Member for the Environment and appropriate approvals) is:

Measure	Timeframe
Waste and Recycling: <ul style="list-style-type: none">• Extend contract to 29 July 2023• Start waste collection from 7am• Retender contract• Anticipated Award (Cabinet)• New contract start	October 2020 February 2021* Early 2022 Late 2022 30 July 2023
Tree Maintenance Contract: <ul style="list-style-type: none">• Extend contract to 2 October 2021• Retender contract• Anticipated Award• New contract start	October 2020 Early 2021 Summer 2021 3 October 2021
Weed Control Contract <ul style="list-style-type: none">• Expires• Retender contract• Anticipated Award• New contract start	December 2020 Sept/Oct 2020 Nov/Dec 2020 February 2021
Grounds maintenance, parks development and street cleansing <ul style="list-style-type: none">• Service review• Implementation	October 2020 April 2021
Winter maintenance (gritting) and gully cleansing services <ul style="list-style-type: none">• Remain within the Highways Service	-

*Early implementation to assist with additional savings before extension commences

REASONS AND OPTIONS

7.0 Reasons for the decision: There are a range of statutory requirements the Council delivers in respect of public realm services to its residents and local businesses. Plans were in place to ensure the smooth transition of public realm services from several in-house and outsourced service providers to one single provider. With the development of the Covid-19 pandemic, procurement plans faltered and the Council has had to rely on its contingency plans to build a revised strategy that will ensure that the Council can continue to deliver its statutory responsibilities and meet Members, residents and local business expectations.

8.0 Other options considered

8.1 Several options were considered. These are:

1. Continue to tender for an Integrated Public Realm Services contract
The uncertainty of this approach was considered to contain too many risks.
Primarily these were:

- It was unknown when tendering could recommence, and the duration of the waste contract extension indefinable, limiting the ability to negotiate terms with the existing contractor
- High likelihood of bidders dropping out, especially if there is a second spike in Covid-19
- Procurement timetable unknown
- Need to restart procurement as companies may have become financially unviable due to the Covid-19 pandemic, increasing the time to undertake the procurement
- Waste volumes are not as specified in the original tender documents and when or if these are to return to normal is unknown
- The composition of waste specified in the original tender documents is likely to have changed significantly and when or if these are to return to normal is unknown
- Likelihood of poor participation from potential bidders, especially if there is a second spike in Covid-19
- Likelihood of due diligence not completed by bidders and the Council due to restrictions if there is a second spike in Covid-19

2. Consider a new operational models:

a) Retendering waste immediately for the new contract to start in August 2021 (no extension required)

The uncertainty of this approach was considered to contain too many risks. Primarily these were:

- Likelihood of poor participation from potential bidders, especially if there is a second spike in Covid-19
- Likelihood of due diligence not completed by bidders and the Council due to restrictions if there is a second spike in Covid-19

- Contractors unable to specify for vehicles for the start of the contract as the mobilisation period would be too short
- No time to undertake market testing to understand the markets' preferred requirements
- Not enough time to consult partners and undertake required consultations
- High probability that tendering would be delayed, and not starting on time
- Open tender process with no negotiation, little time for bidder clarification (that may lead to additional risks around liabilities and pricing) requiring the specification to be right first time for this high profile service to ensure it continues delivering high performance
- To shorten procurement timetable for the Council to hire refuse vehicles was considered, but this proved not to be good value for money and few vehicles with the correct specialist specification were available

b) Retendering waste contract for the new contract to start in August 2022 (one year waste extension contract required)

The uncertainty of this approach was considered to contain too many risks. Primarily these were:

- Likelihood of low participation, especially if there is a second spike in Covid-19
- Not enough time to research the impact of waste volumes and composition, leading to poor specification and likelihood of contractors
 - pricing for risk increasing the cost of the new contract
 - incorrect refuse vehicles leading to poor service delivery and/or overpriced bids
- Limited time to consult partners and undertake required consultations
- Limited time to undertake market testing
- Rushed procurement and probability of delays

c) Set up a Local Authority Trading Company (LATC)

As outlined in the Cabinet report September 2019, this option was dismissed as:

- Would leave all the operational and financial risks with the Council
- Requires significant investment and resources
- Additional skill input required from market, especially for waste services
- Required LATC governance and management structure to be established will create delays.

IMPLICATIONS AND RISKS

10.0 Financial implications and risks:

10.1 Savings

The financial savings identified in the current MTFS connected with outsourcing Public Realm (£300K in 2021/22 and £200K in 2022/23) are unlikely to be achieved. To extend the waste contract for two years, growth is required as outlined in Appendix 1 (exempt), required from August 2021 through to July 2023. This growth adds to the corporate financial burden. The cost to extend the tree maintenance contract can be contained within budget. It is expected, providing there is no significant increase costs, the weed control contract could be contained within the existing budgets too.

- 10.2 These costs have been identified as a pressure for 21/22, 22/23 and 23/24 and will be considered as part of the MTFS 21/22 process, as outlined in exempt Appendix1.

11.0 Legal implications and risks:

- 11.1 The Council is under a number a statutory duties to provide a lot of the services detailed within this report. Amongst these the Highways Act 1980 provides in s41 that a Highway Authority must maintain a public highway and that includes a requirement to keep it clean and free from obstructions. The Council is also a principal litter authority under the Environmental Protection Act 1990. Under the Landlord and Tenant Act 1985, the long leases it grants to long leaseholders and the Housing Act 1980 the Council has various obligations to its long leaseholders and secure tenants to maintain and clean estate blocks and common areas. Officers are mindful that future arrangements will require appropriate consultation during the procurement stages.
- 11.2 The Council as a contracting authority having broad discretion in assessing the factors it takes into account when deciding option to abandon a procurement. The exercise of discretion is not limited and there is no implied obligation under the Public Contracts Directive (the Directive) or the Public Contracts Regulations 2015 (the Regulations) to carry a procurement to an award. The overarching rationale for the abandonment is detailed in the body of the report. Officers will provide all bidders and candidates notification of the decision in compliance with treaty principles of transparency and equal treatment.
- 11.3 The waste contract was awarded to Serco in 2014 and allows for an extension for up to three years. The Council is exercising its right to extend the contract for two years. The tree maintenance contract with City Suburban includes provision for an extension. The recommendations in this report seek authority to extend these contracts to ensure service continuity in line with Regulation 72(1)(a) of the Regulations. Once contracts are to be retendered, the Council is required to procure within the Public Contract Regulations 2015 with appropriate governance decisions made at the relevant time.
- 11.4 Further exempt legal implications are appended to exempt Appendix 4 to this report.

12.0 Human Resources implications and risks:

- 12.1 The in-house services to be included in the internal review are grounds maintenance, parks development and street cleansing. These services employ over 160 staff directly, with additional seasonal agency workers as required. HR has been involved in this programme from an early stage, and they will continue to offer guidance on staffing matters.
- 12.2 It is intended to integrate the in-house services. Any changes to service delivery will follow the Council's Change Management procedures. Any restructure which becomes apparent following this programme will be managed through the Council's Change Management process.
- 12.3 This may be an unsettling time for staff. Managers have kept staff and Trade Unions updated, and will continue to keep them informed as the programme progresses. Support will continue to be offered to all staff through the Employee Assistance Programme. Formal consultation with Trade Unions and staff will commence at the appropriate time. Risks will be identified and managed with due diligence taken accordingly including relevant Equalities Impact Assessment (EqIA).

13. Equalities implications and risks:

- 13.1 Appendix 3 outlines the detail of the Equalities Impact Assessment (EqIA). As outlined above, 162 full-time staff directly in current in-house services. It is unlikely that there would be any specific individual impacts to any particular characteristic or group of staff.
- 13.2 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
 - (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not; and
 - (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, sexual orientation.

- 13.3 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

14.0 Health and Wellbeing implications and Risks

- 14.1 Neutral impact. There will be no changes to current services and where assisted services are required, these will continue. Therefore, there are no additional impact to residents or staff.

BACKGROUND PAPERS

None

Appendices:

- 1 Exempt – Finance
- 2 Exempt – ‘Environmental Services Contract Extension Proposal 2021 – 2023’ from Serco
3. Equalities Impact Assessment
4. Exempt - Legal

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

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Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Public Realm Transformation - Amended Strategy
Lead officer:	Peter Gay, Project Manager, Public Realm, Neighbourhoods.
Approved by:	Paul Ellis, Group Manager, Public Realm, Neighbourhoods
Date completed:	20/08/2020
Scheduled date for review:	26/09/2020

Did you seek advice from the Corporate Policy & Diversity team?	Yes / No
Did you seek advice from the Public Health team?	Yes / No
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	Yes / No

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@havering.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	Public Realm Transformation - Amended Strategy		
2	Type of activity	Delivery of Public Realm Services		
3	Scope of activity	<p>A business case was presented to Cabinet on 18 September 2019 outlining how the Council was to deliver the Public Realm services in one single contract.</p> <p>The aim is to amend this strategy and, through an internal change management programme, remodel the Grounds Maintenance, Parks Development and Street Cleansing, integrating the service to improve delivery efficiencies.</p> <p>This programme will affect approximately 162 posts in Grounds Maintenance, Parks Development and Street Cleansing. This programme will be governed by the Council's Change Management policy.</p>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes / No	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes / No		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes / No		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document.		

6	If you answered NO:	
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Completed by:	Peter Gay and Natalie Naor, Public Realm, Neighbourhoods
Date:	19/08/2020

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p>The purpose of this Equalities Impact Assessment (EIA) is to:</p> <ul style="list-style-type: none"> • Undertake a thorough and systematic analysis of the effect of implementation of the proposed integration of services on employees across the Council; • Determine the impact and what extent the Programme has on particular groups of staff; • Assess the impact that will occur to minority groups or individuals when the programme is implemented; • Propose measures to mitigate, eliminate or counterbalance that impact; • Promote equality of opportunity. <p>Reference will be made to the following nine protected characteristics:</p> <ul style="list-style-type: none"> • Age • Disability • Sex/Gender • Ethnicity/Race • Religion/Faith • Sexual Orientation • Gender Reassignment • Marriage/Civil Partnership • Pregnancy, Maternity and Paternity <p>The data for this exercise was collated in August 2019, but remains relevant. Staff and Trade Unions have been kept updated about the Public Realm Transformation Programme. The Council will continue to update Trade Unions and staff. If Cabinet agrees the new operating model for service delivery of Public Realm services, work on the programme will begin in late 2020.</p> <p>An EIA requires that consultation should be carried out with relevant interest groups. The proposed restructure is subject to consultation with the recognised Trade Unions and staff</p>

affected. The Council will ensure due diligence throughout the process and update and consult staff and Trade Unions appropriately.

Who will be affected by the activity?

The Programme may affect staff working in Public Realm, especially those working in Street Cleansing, Grounds Maintenance and Parks' Development. The Programme may lead to post reductions and will be managed through the Council's corporate change management process.

Reference is made to the following nine protected characteristics:

- Age
- Disability
- Sex/Gender
- Ethnicity/Race
- Religion/Faith
- Sexual Orientation
- Gender Reassignment
- Marriage/Civil Partnership
- Pregnancy, Maternity and Paternity

The tables below show the proportion of employees currently employed in the affected staff group and how this relates to the overall composition of the Council workforce.

There is no indication that the Programme will adversely affect any strand of equality set out above. Savings need to be achieved to find efficiency and to streamline working practices. However, consideration to equality issues will be reviewed following the consultation process to establish if any equality strand is adversely affected. Actions the Council will take to mitigate against any adverse impact include :

- All affected staff will have:
 - Regular updates
 - Access to one to one meeting throughout the consultation period with Council managers
 - Access to the Employees Assistance Programme
- Trade Unions will be updated and consulted as appropriate

Protected Characteristic - Age: Consider the full range of age groups

Please tick (✓) the relevant box:

Positive		Overall impact:		
Neutral	✓	Category	Havering Corporate %	Public Realm (Havering)
Negative		Age		
		Under 20	0.8%	0.0%
		20-30 years	8.8%	6.9%
		30-40 Years	18.9%	11.7%
		40-50 Years	23.4%	21.8%

		50-60 Years	32.1%	41.5%
		60+	16.0%	18.1%

Age Profile – The age profiles of the affected groups indicate that over 81% of staff are in the 40's age profile and above. The majority of those (41.5%) being aged between 50 and 60. Although this is an aging workforce (slightly higher percentage than the corporate average), the employees in this category should not be adversely affected.

Evidence:

Sources used:

Data was supplied the London Borough of Havering Human Resources department.

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions																						
Please tick (✓) the relevant box:		Overall impact:																				
Positive		<table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Disability</td> </tr> <tr> <td>Not Recorded</td> <td>78.2%</td> <td>85.1%</td> </tr> <tr> <td>No</td> <td>17.7%</td> <td>8.5%</td> </tr> <tr> <td>Yes</td> <td>3.0%</td> <td>3.7%</td> </tr> <tr> <td>Prefer not to say</td> <td>1.1%</td> <td>2.7%</td> </tr> </tbody> </table> <p>Disability Profile – Very few staff identify with a disability. Those that do (3.7%) will have these characteristics confidentially made know to managers. The Council will monitor this.</p>			Category	Havering Corporate %	Public Realm (Havering)	Disability			Not Recorded	78.2%	85.1%	No	17.7%	8.5%	Yes	3.0%	3.7%	Prefer not to say	1.1%	2.7%
Category	Havering Corporate %				Public Realm (Havering)																	
Disability																						
Not Recorded	78.2%				85.1%																	
No	17.7%				8.5%																	
Yes	3.0%				3.7%																	
Prefer not to say	1.1%	2.7%																				
Neutral	✓																					
Negative																						

Evidence:

Sources used:

Data was supplied the London Borough of Havering Human Resources department.

Protected Characteristic - Sex/gender: Consider both men and women													
Please tick (✓) the relevant box:		Overall impact:											
Positive		<table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Gender</td> </tr> <tr> <td>Female</td> <td>67.3%</td> <td>2.7%</td> </tr> </tbody> </table>			Category	Havering Corporate %	Public Realm (Havering)	Gender			Female	67.3%	2.7%
Category	Havering Corporate %				Public Realm (Havering)								
Gender													
Female	67.3%				2.7%								
Neutral	✓												
Negative													

		Male	32.7%	97.3%
<p>Gender Profile – This review effects 162 people, of those people 97.3% identify as male and the other 2.7% identify as female. This is significantly different to the corporate averages. Nonetheless, the employees in this category should not be adversely affected.</p>				
Evidence:				
Sources used:				
Data was supplied the London Borough of Havering Human Resources department.				

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities																						
Please tick (✓) the relevant box:		Overall impact:																				
Positive		<table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Ethnicity</td> </tr> <tr> <td>BME</td> <td>7.8%</td> <td>4.3%</td> </tr> <tr> <td>Non-BME</td> <td>47.3%</td> <td>72.9%</td> </tr> <tr> <td>Not Provided</td> <td>42.2%</td> <td>20.2%</td> </tr> <tr> <td>Prefer not to say</td> <td>2.7%</td> <td>2.7%</td> </tr> </tbody> </table> <p>Ethnicity Profile – The percentage of Non-BME staff affected by the proposal is significantly higher with the wider council average. Again, there is no particular impact to this group.</p>			Category	Havering Corporate %	Public Realm (Havering)	Ethnicity			BME	7.8%	4.3%	Non-BME	47.3%	72.9%	Not Provided	42.2%	20.2%	Prefer not to say	2.7%	2.7%
Category	Havering Corporate %				Public Realm (Havering)																	
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Neutral	✓																					
Negative																						
Evidence:																						
Sources used:																						
Data was supplied the London Borough of Havering Human Resources department.																						

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief																
Please tick (✓) the relevant box:		Overall impact:														
Positive		<table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Religion</td> </tr> <tr> <td>Buddhist</td> <td>0.1%</td> <td>0.5%</td> </tr> <tr> <td>Christian</td> <td>12.3%</td> <td>6.9%</td> </tr> </tbody> </table>			Category	Havering Corporate %	Public Realm (Havering)	Religion			Buddhist	0.1%	0.5%	Christian	12.3%	6.9%
Category	Havering Corporate %				Public Realm (Havering)											
Religion																
Buddhist	0.1%				0.5%											
Christian	12.3%				6.9%											
Neutral	✓															
Negative																

		<table> <tr><td>Hindu</td><td>0.2%</td><td>0.0%</td></tr> <tr><td>Jewish</td><td>0.1%</td><td>0.0%</td></tr> <tr><td>Muslim</td><td>0.2%</td><td>0.0%</td></tr> <tr><td>No Religion</td><td>5.8%</td><td>5.3%</td></tr> <tr><td>Not Recorded</td><td>79.5%</td><td>86.2%</td></tr> <tr><td>Other</td><td>1.4%</td><td>1.1%</td></tr> <tr><td>Prefer not to say</td><td>0.1%</td><td>0.0%</td></tr> <tr><td>Sikh</td><td>0.2%</td><td>0.0%</td></tr> </table> <p>Religion Profile – Records for this group are sparse with 86% of staff not recorded. The next highest group identified as 'Christian', at 7% and 5% with 'no religion'. These figures are similar to the corporate averages too.</p>	Hindu	0.2%	0.0%	Jewish	0.1%	0.0%	Muslim	0.2%	0.0%	No Religion	5.8%	5.3%	Not Recorded	79.5%	86.2%	Other	1.4%	1.1%	Prefer not to say	0.1%	0.0%	Sikh	0.2%	0.0%
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Evidence:																										
Sources used:																										
Data was supplied the London Borough of Havering Human Resources department.																										

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual																														
Please tick (✓) the relevant box:		Overall impact:																												
Positive		<table><tr><th>Category</th><th>Havering Corporate %</th><th>Public Realm (Havering)</th></tr><tr><td>Sexual Orientation</td><td></td><td></td></tr><tr><td>Bi-Sexual</td><td>0.1%</td><td>0.0%</td></tr><tr><td>Gay Man</td><td>0.2%</td><td>0.0%</td></tr><tr><td>Heterosexual/Straight</td><td>19.5%</td><td>12.8%</td></tr><tr><td>Gay Woman/Lesbian</td><td>0.0%</td><td>0.0%</td></tr><tr><td>Not Recorded</td><td>78.2%</td><td>85.1%</td></tr><tr><td>Other</td><td>0.5%</td><td>1.6%</td></tr><tr><td>Prefer not to say</td><td>1.4%</td><td>0.5%</td></tr></table>		Category	Havering Corporate %	Public Realm (Havering)	Sexual Orientation			Bi-Sexual	0.1%	0.0%	Gay Man	0.2%	0.0%	Heterosexual/Straight	19.5%	12.8%	Gay Woman/Lesbian	0.0%	0.0%	Not Recorded	78.2%	85.1%	Other	0.5%	1.6%	Prefer not to say	1.4%	0.5%
Category	Havering Corporate %			Public Realm (Havering)																										
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Other	0.5%			1.6%																										
Prefer not to say	1.4%	0.5%																												
Neutral	✓																													
Negative																														
		Sexual Orientation Profile – Records for this group are sparse with 85% of staff not recorded. The next highest group identified as ‘heterosexual/straight’, at 13%. These figures are similar to the corporate averages too.																												
Evidence:																														
Sources used:																														
Data was supplied the London Borough of Havering Human Resources department.																														

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth														
Please tick (✓) the relevant box:		Overall impact: <table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Gender</td> </tr> <tr> <td>Female</td> <td>67.3%</td> <td>2.7%</td> </tr> <tr> <td>Male</td> <td>32.7%</td> <td>97.3%</td> </tr> </tbody> </table>	Category	Havering Corporate %	Public Realm (Havering)	Gender			Female	67.3%	2.7%	Male	32.7%	97.3%
Category	Havering Corporate %		Public Realm (Havering)											
Gender														
Female	67.3%		2.7%											
Male	32.7%	97.3%												
Positive														
Neutral	✓													
Negative		<p>There is no data available regarding gender reassignment within this workforce. Therefore, we can only base this assessment on reported gender identities.</p> <p>Gender – This review effects 162 people, of those people 97.3% identify as male and the other 2.7% identify as female. This is significantly different to the corporate averages.</p>												
Evidence:														
Sources used: Data was supplied the London Borough of Havering Human Resources department.														

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership		
Please tick (✓) the relevant box:		Overall impact: There is no indication that the Programme will adversely affect any strand of equality set out in this impact assessment. Savings need to be achieved to find efficiency and to streamline working practices. However, consideration to equality issues will be reviewed following the consultation process to establish if any equality strand is adversely affected. Actions the Council will take to mitigate against any adverse impact include : <ul style="list-style-type: none"> All affected staff will have: <ul style="list-style-type: none"> Regular updates Access to one to one meeting throughout the consultation period with Council managers Access to the Employees Assistance Programme Trade Unions will be consulted and updated as appropriate
Positive		
Neutral	✓	
Negative		
Evidence:		
Sources used: Data was supplied the London Borough of Havering Human Resources department.		

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
Please tick (✓) the relevant box:		Overall impact: There is no indication that the programme will adversely affect any strand of equality set out in this impact assessment. Savings need to be achieved to find efficiency and to streamline working practices. However, consideration to equality issues will be reviewed following the consultation process to establish if any equality strand is adversely affected. Actions the Council will take to mitigate against any adverse impact include : <ul style="list-style-type: none"> All affected staff will have: <ul style="list-style-type: none"> Regular updates Access to one to one meeting throughout the consultation period with Council managers Access to the Employees Assistance Programme Trade Unions will be consulted and updated as appropriate
Positive		
Neutral	✓	
Negative		
Evidence:		
Sources used:		
Data was supplied the London Borough of Havering Human Resources department.		

Socio-economic status: Consider those who are from low income or financially excluded backgrounds														
Please tick (✓) the relevant box:		Overall impact: There is no indication that this programme will adversely affect any strand of equality set out in this impact assessment. Savings need to be achieved to find efficiency and to streamline working practices. However, consideration to equality issues will be reviewed following the consultation process to establish if any equality strand is adversely affected. Actions the Council will take to mitigate against any adverse impact include : <ul style="list-style-type: none"> All affected staff will have: <ul style="list-style-type: none"> Regular updates Access to one to one meeting throughout the consultation period with Council managers Access to the Employees Assistance Programme Trade Unions will be consulted and updated as appropriate Consideration has been made to part time workers who may fall within this category.												
Positive														
Neutral	✓													
Negative														
<table border="1"> <thead> <tr> <th>Category</th> <th>Havering Corporate %</th> <th>Public Realm (Havering)</th> </tr> </thead> <tbody> <tr> <td>Full time/Part Time</td> <td></td> <td></td> </tr> <tr> <td>Full Time</td> <td>53.0%</td> <td>98.4%</td> </tr> <tr> <td>Part Time</td> <td>47.0%</td> <td>1.6%</td> </tr> </tbody> </table>			Category	Havering Corporate %	Public Realm (Havering)	Full time/Part Time			Full Time	53.0%	98.4%	Part Time	47.0%	1.6%
Category	Havering Corporate %	Public Realm (Havering)												
Full time/Part Time														
Full Time	53.0%	98.4%												
Part Time	47.0%	1.6%												

		Full Time/Part Time Profile – The majority of staff work full-time (98%) with less than 2% working part-time. This is significantly lower than the corporate average.
Evidence:		
Sources used:		
Data was supplied the London Borough of Havering Human Resources department.		

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.		
Please tick (✓) all the relevant boxes that apply:		Overall impact: There is no indication that this programme will adversely affect any strand of equality set out in this impact assessment. Savings need to be achieved to find efficiency and to streamline working practices. However, consideration to equality issues will be reviewed following the consultation process to establish if any equality strand is adversely affected. Actions the Council will take to mitigate against any adverse impact include : <ul style="list-style-type: none"> All affected staff will have: <ul style="list-style-type: none"> Regular updates Access to one to one meeting throughout the consultation period with Council managers Access to the Employees Assistance Programme This may be an unsettling time for staff. Managers have kept staff and Trade Unions updated, and will continue to keep them informed as the programme progresses. Support will continue to be offered to all staff through the Employee Assistance Programme. Formal consultation with Trade Unions and staff will commence at the appropriate time. All standard HR processes will be followed in order to minimise any impact on staff health and wellbeing.
Positive		
Neutral	✓	
Negative		<p style="text-align: right;"><i>*Expand box as required</i></p> <p>Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box</p> <p style="text-align: right;">Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
Evidence:		
Sources used:		
Data was supplied the London Borough of Havering Human Resources department.		

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	→	Proceed with implementation of your activity
	2. The EqHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u>	→	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	→	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

A review of the programme will be undertaken once the programme has been implemented. The project plan has not yet been developed or agreed, but it is likely that the review will take place in the spring 2021.

Scheduled date of review: Spring 2021 (TBC)

Lead Officer conducting the review: Peter Gay and Natalie Naor, Public Realm, Neighbourhoods

Appendix 1. Guidance on Undertaking an EqHIA

What is it?

The Equality & Health Impact Assessment (EqHIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service, whilst at the same time ensuring a person's chance of leading a healthy life is the same wherever they live and whoever they are. We want to ensure that the activities of the Council are 'fit for purpose' and meet the needs of Havering's increasingly diverse communities and employees. This robust and systematic EqHIA process ensures that any potential detrimental effects or discrimination is identified, removed, or mitigated and positive impacts are enhanced.

When to Assess:

An EqHIA should be carried out when you are changing, removing or introducing a new service, policy, strategy or function; for simplicity, these are referred to as an "activity" throughout this document. It is best to conduct the assessment as early as possible in the decision-making process.

Guidance: Equality & Health Impact Assessment Checklist

The Checklist in Section 1 asks the key questions,

4a) Are you changing, introducing a new, or removing a service, policy, strategy or function?

4b) Does this activity (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?

4c) Does this activity (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?

- If the answer to ANY of the questions 4a, 4b or 4c of the Checklist is 'YES' then you must carry out an assessment. e.g. Proposed changes to Contact Centre Opening Hours
'YES' = you need to carry out an EqHIA
- If the answer to ALL of the questions, 4a or 4b of the Checklist is NO, then you do not need to carry out an EqHIA assessment. e.g. Quarterly Performance Report
'NO' = you DO NOT need to carry out an EqHIA. Please provide a clear explanation as to why you consider an EqHIA is not required for your activity.

Using the Checklist

The assessment should take into account all the potential impacts of the proposed activity, be it a major financial decision, or a seemingly simple policy change. Considering and completing this EqHIA will ensure that all Council plans, strategies, policies, procedures, services or other activity comply with relevant statutory obligations and responsibilities. In particular it helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#) and its public health duties under the [Health and Social Care Act 2012](#).

Having Due Regard

To have due regard means that in making decisions and in its other day-to-day activities, the Council must consciously consider the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups
- Reduce inequalities in health outcomes

Combining Equality and Health Impact Assessment:

[Equality Impact Assessments \(EIAs\)](#) provide a systematic way of ensuring that legal obligations are met. They assess whether a proposed policy, procedure, service change or plan will affect people different on the basis of their 'protected characteristics' and if it will affect their human rights. Currently there are **nine protected characteristics** (previously known as 'equality groups' or 'equality strands'): age, disability, sex/gender, ethnicity/race, religion/faith, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/ maternity/paternity.

An activity does not need to impact on all 9 protected characteristics – impacting on just one is sufficient justification to complete an EqHIA.

[Health Impact Assessments \(HIAs\)](#) consider the potential impact of any change or amendment to a policy, service, plan, procedure or programme on the health and wellbeing of the population. HIAs help identify how people may be affected differently on the basis of where they live and potential impacts on health inequalities and health equity by assessing the distribution of potential effects within the population, particularly within vulnerable groups. 'Health' is not restricted to medical conditions, or the provision of health services, but rather encompasses the wide range of influences on people's health and wellbeing. This includes, but is not limited to, experience of discrimination, access to transport, housing, education, employment - known as the 'wider determinants of health'.

This [Equality and Health Impact Assessment \(EqHIA\)](#) brings together both impact assessments into a single tool which will result in a set of recommendations to eliminate discrimination and inequality; enhance potential positive impacts and mitigate where possible for negative impacts. In conducting this EqHIA you will need to assess the impact (positive, neutral or negative) of your activity on individuals and groups with **protected characteristics** (this includes staff delivering your activity), **socio-economic status** and **health & wellbeing**. Guidance on what to include in each section is given on the next pages.

Guidance: What to include in background/context

In this section you will need to add the background/context of your activity, i.e. what is the activity intending to do, and why?

Make sure you include the scope and intended outcomes of the activity being assessed; and highlight any proposed changes. Please include a brief rationale for your activity and any supporting evidence for the proposal. Some questions to consider:

- What is the aim, objectives and intended outcomes?
- How does this activity meet the needs of the local population?
- Has this activity been implemented in another area? What were the outcomes?
- Is this activity being implemented as per best practice guidelines?
- Who were the key stakeholders in this activity?

*Note that the boxes will expand as required

Guidance: Who will be affected by the activity?

The people who will be affected may be

Residents: pay particular attention to vulnerable groups in the population who may be affected by this activity

Businesses/ manufacturing / developers / small, medium or large enterprises

Employees: e.g. Council staff for an internal activity, other statutory or voluntary sector employees, local businesses and services

*Note that the boxes will expand as required

Guidance: What to include in assessing a Protected Characteristic e.g. AGE

Please tick (✓) the relevant box:

Positive

Neutral

Negative

Overall impact: In this section you will need to consider and note what impact your activity will have on individuals and groups (including staff) with protected characteristics based on the data and information you have. You should note whether this is a positive, neutral or negative impact.

It is essential that you note all negative impacts. This will demonstrate that you have paid 'due regard' to the Public Sector Equality Duty if your activity is challenged under the Equality Act.

*Note that the boxes will expand as required

Evidence: In this section you will need to document the evidence that you have used to assess the impact of your activity.

When assessing the impact, please consider and note how your activity contributes to the three aims of the Public Sector Equality Duty (PSED) as stated in the section above.

It is essential that you note the full impact of your activity, so you can demonstrate that you have fully considered the equality implications and have paid 'due regard' to the PSED should the Council be challenged.

- If you have identified a **positive impact**, please note this.
- If you think there is a **neutral impact** or the impact is not known, please provide a full reason why this is the case.
- If you have identified a **negative impact**, please note what steps you will take to mitigate this impact. If you are unable to take any mitigating steps, please provide a full reason why. All negative impacts that have mitigating actions must be recorded in the **Action Plan**.
- **Please ensure that appropriate consultation with affected parties has been undertaken and evidenced**

Sources used: In this section you should list all sources of the evidence you used to assess the impact of your activity. This can include:

- Service specific data
- Population, demographic and socio-economic data. Suggested sources include:
 - o Service user monitoring data that your service collects
 - o [Havering Data Intelligence Hub](#)
 - o [Office for National Statistics \(ONS\)](#)

If you do not have any relevant data, please provide the reason why.

*Note that the boxes will expand as required

Guidance: What to include in assessing Health & Wellbeing Impact:

Please tick (✓) all the relevant boxes that apply:

Positive

Neutral

Negative

Overall impact: In this section you will need to consider and note whether the proposal could have an overall impact on, or implications for, people's health and wellbeing or any factors which determine people's health.

How will the activity help address inequalities in health?

Include here a brief outline of what could be done to enhance the positive impacts and, where possible, mitigate for the negative impacts.

*Note that the boxes will expand as required

Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box

Yes ☐ No ☐

Evidence: In this section you will need to outline in more detail how you came to your conclusions above:

- What is the nature of the impact?
- Is the impact **positive** or **negative**? It is possible for an activity to have **both positive and negative impacts**. Consider here whether people will be able to access the service being offered; improve or maintain healthy lifestyles; improve their opportunities for employment/income; whether and how it will affect the environment in which they live (housing, access to parks & green space); what the impact on the family, social support and community networks might be
- What can be done to mitigate the negative impacts and/or enhance the positive impacts?
- If you think there is a **neutral impact**, or the impact is not known, please provide a brief reason why this is the case.
- What is the likelihood of the impact? Will the impact(s) be in weeks, months or years? In some cases the short-term risks to health may be worth the longer term benefits.
- Will the proposal affect different groups of people in different ways? A proposal that is likely to benefit one section of the community may not benefit others and could lead to inequalities in health.

Please use the Health & Wellbeing Impact Tool in Appendix 2 as a guide/checklist to assess the potential wider determinants of health impacts.

This tool will help guide your thinking as to what factors affect people's health and wellbeing, such as social support, their housing conditions, access to transport, employment, education, crime and disorder and environmental factors. It is not an exhaustive list, merely a tool to guide your assessment; there may be other factors specific to your activity.

Some questions you may wish to ask include:

- Will the activity impact on people's ability to socialise, potentially leading to social isolation?
- Will the activity affect a person's income and/or have an effect on their housing status?
- Is the activity likely to cause the recipient of a service more or less stress?
- Will any change in the service take into account different needs, such as those with learning difficulties?
- Will the activity affect the health and wellbeing of persons not directly related to the service/activity, such as carers, family members, other residents living nearby?
- If there is a short-term negative effect, what will be done to minimise the impact as much as possible?

- Are the longer-term impacts positive or negative? What will be done to either promote the positive effects or minimise the negative effects?
- Do the longer term positive outcomes outweigh the short term impacts?

*Note that the boxes will expand as required

Sources used: In this section you should list all sources of the evidence you used to assess the impact of your activity. This could include, e.g.:

Information on the population affected

- Routinely collected local statistics (e.g. quality of life, health status, unemployment, crime, air quality, educational attainment, transport etc.)
- Local research/ Surveys of local conditions
- Community profiles

Wider Evidence

- Published Research, including evidence about similar proposals implemented elsewhere (e.g. Case Studies).
- Predictions from local or national models
- Locally commissioned research by statutory/voluntary/private organisations

Expert Opinion

- Views of residents and professionals with local knowledge and insight

*Note that the boxes will expand as required

Guidance: Outcome of the Assessment

On reflection, what is your overall assessment of the activity?

The purpose of conducting this assessment is to offer an opportunity to think, reflect and **improve** the proposed activity. It will make sure that the Council can evidence that it has considered its due regard to equality and health & wellbeing to its best ability.

It is not expected that all proposals will be immediately without negative impacts! However, where these arise, what actions can be taken to mitigate against potential negative effects, or further promote the positive impacts?

Please tick one of the 3 boxes in this section to indicate whether you think:

1. all equality and health impacts are adequately addressed in the activity – proceed with your activity pending all other relevant approval processes
2. the assessment identified some negative impacts which could be addressed – please complete the Action Plan in Section 4.
3. If the assessment reveals some significant concerns, this is the time to stop and re-think, making sure that we spend our Council resources wisely and fairly. There is no shame in stopping a proposal.

*Note that the boxes will expand as required

Guidance: Action Plan

For each protected characteristic/health & wellbeing impact where an impact on people or their lives has been identified, complete one row of the action plan. You can add as many further rows as required.

State whether the impact is Positive or Negative

Briefly outline the actions that can be taken to mitigate against the negative impact or further enhance a positive impact. These actions could be to make changes to the activity itself (service, proposal, strategy etc.) or to make contingencies/alterations in the setting/environment where the activity will take place.

For example, might staff need additional training in communicating effectively with people with learning difficulties, if a new service is opened specifically targeting those people? Is access to the service fair and equitable? What will the impact on other service users be? How can we ensure equity of access to the service by all users? Will any signage need changing? Does the building where the service being delivered comply with disability regulations?

Guidance: Review

Changes happen all the time! A service/strategy/policy/activity that is appropriate at one time, may no longer be appropriate as the environment around us changes. This may be changes in our population, growth and makeup, legislative changes, environmental changes or socio-political changes.

Although we can't predict what's going to happen in the future, a review is recommended to ensure that what we are delivering as a Council is still the best use of our limited resources. The timescale for review will be dependent on the scale of the activity.

A major financial investment may require a review every 2-3 years for a large scale regeneration project over 10-15 years.

A small policy change may require a review in 6 months to assess whether there are any unintended outcomes of such a change.

Please indicate here how frequently it is expected to review your activity and a brief justification as to why this timescale is recommended.

Appendix 2. Health & Wellbeing Impact Tool

Will the activity/service/policy/procedure affect any of the following characteristics? Please tick/check the boxes below

The following are a range of considerations that might help you to complete the assessment.

Lifestyle	YES <input type="checkbox"/> NO <input type="checkbox"/>	Personal circumstances	YES <input type="checkbox"/> NO <input type="checkbox"/>	Access to services/facilities/amenities	YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care		<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy		<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities	
Social Factors YES <input type="checkbox"/> NO <input type="checkbox"/>		Economic Factors YES <input type="checkbox"/> NO <input type="checkbox"/>		Environmental Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures		<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion		<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET

The appendices to this report are not available for public inspection as they contain or relates to exempt information within the meaning of paragraph 8 of Schedule 12A to the Local Government Act 1972.

These are in the exempt part of the agenda because they refer to the amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

CABINET	
Subject Heading:	Purchase of affordable housing units at St Georges Hospital Site
Cabinet Member:	Councillor Chapman Lead member for Housing
SLT Lead:	Patrick Olding-Smee Director of Housing
Report Author and contact details:	Garry Knights Assistant Director of Property Service 01708 432834 Garry.knights@havering.gov.uk
Policy context:	To increase the supply of affordable homes available in the district
Financial summary:	Total commitment of £9.928 million, part funded by £1.596 million in grant with the residual from borrowing
Is this a Key Decision?	Expenditure or saving (including anticipated income) of £500,000 or more

When should this matter be reviewed?

Reviewing OSC:

Town and Communities

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[x]
[x]
[]
[]

SUMMARY

This paper seeks to approve the purchase of 36 affordable housing units at St Georges Hospital, Hornchurch from Bellway Homes Limited.

This paper details the steps taken to date to secure this opportunity on behalf of the Council.

RECOMMENDATIONS

1. That the Council acquires the land and properties under a sale agreement (land) and separate building contract for 36 affordable housing units (14 affordable rent and 22 Low cost home ownership) at St Georges Hospital, Suttons Lane, Hornchurch on the basis of the heads of terms provided in Exempt Appendix A.
2. That the Council Housing Revenue Account (HRA), supported by GLA grants, funds the purchase of the homes based on the financial viability of the scheme as shown in Exempt Appendix B , be approved

3. That the additional expenditure for the procurement of relevant specialist external services including legal advisors and Employers Agents as set out at Exempt Appendix B is approved
4. That the Director of Housing acting in consultation with the Section 151 Officer, be authorised to enter into all necessary legal agreements, incorporating any associated minor adjustments to the heads of terms set out at Exempt Appendix A, to bring into effect the proposed arrangements in Recommendations 1 and 2 as soon as is practicable.

REPORT DETAIL

Bellway Homes Limited (Bellway) has been developing the St Georges site as a mixed development site of private sales and affordable homes in line with the approved planning and S106 agreement

This has been a phased development and on the first phases all affordable units were purchased by Home group

Mercury Land Holdings (MLH), acting on behalf of the LBH, has continued conversations with Bellway regarding the affordable elements on future phases and through continued dialogue LBH are now the preferred partner for the affordable units on the next phase of the development.

This amounts to 36 units, broken down into

Tenure	Number of units
Affordable rent	
1 Bed	3
2 Bed	11
LCHO	
1 bed	5
2 bed	17
Total	36

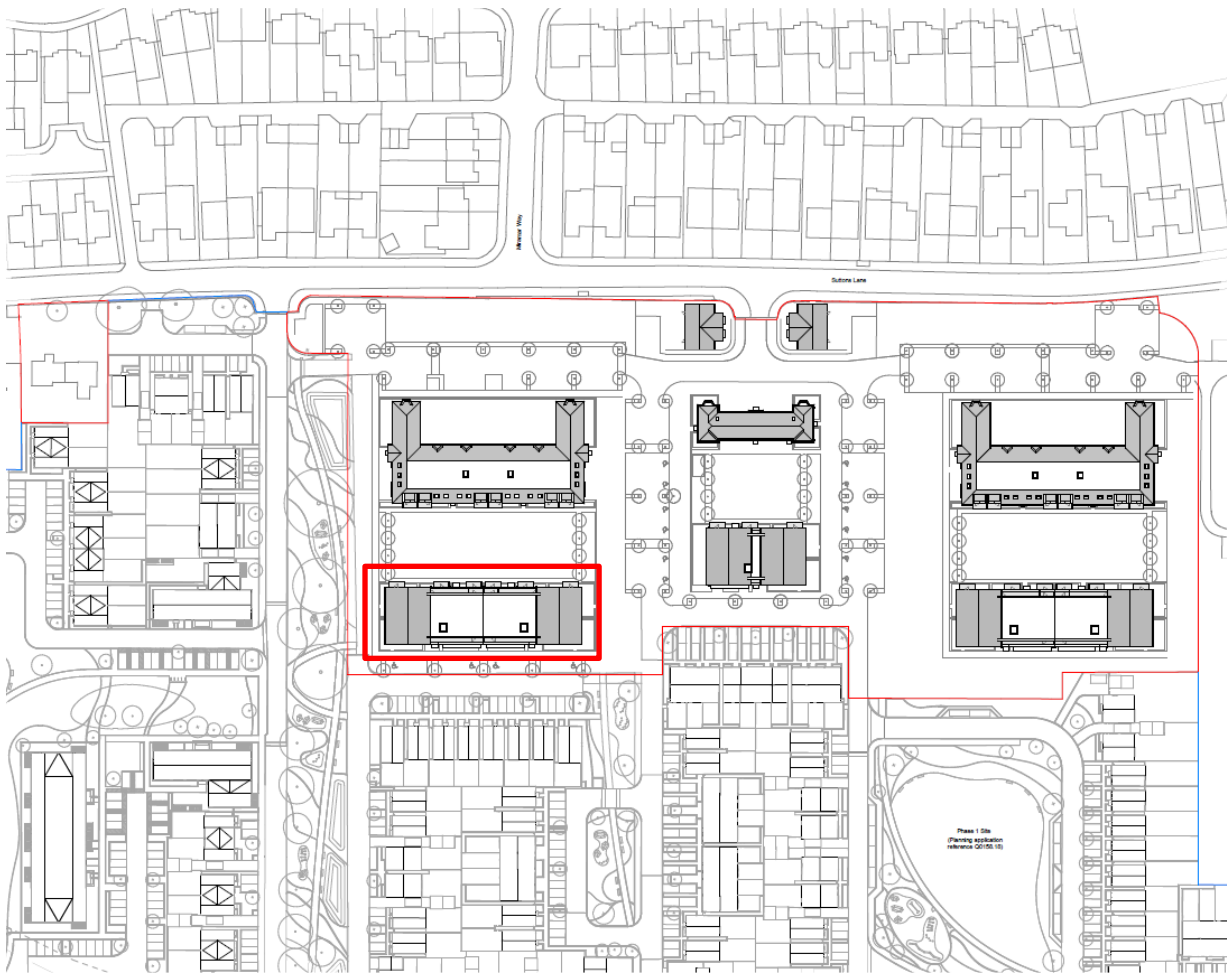
The mix and tenure type has been determined by the Section 106 agreement for the entire scheme.

All properties will be purchased on a freehold basis and LBH will manage these properties within the HRA using existing management mechanisms

Site location



Site plan



Demand

The housing register shows current demand for homes of this size are;

468 applicants waiting for 1 bedroom homes

788 applicants waiting for 2 bedroom homes

As can be seen there is significant demand for homes of this size and we therefore see no issues in letting these properties

Financial

The full financial appraisals and proposed cash flow of the scheme are shown in Appendix B.

The scheme has been modelled based on London affordable rents, the HRA has sufficient cash flow to purchase and manage the units as proposed and all management costs and ongoing maintenance costs form part of the financial appraisal in appendix B

LBH will acquire the freehold of the standalone block (Block A2) containing all 36 units and the associated car parking land.

LBH will be responsible for the internal and external management of this block and the land within its ownership. LBH will also be responsible for paying a fair and reasonable proportion of the estate service charge. Management of the estate will be through a management company to be set up by Bellway and LBH will be a member of this management company.

Grants

This scheme will be funded through the GLA grant programme, attracting grant of £70k per rented unit and £28k per LCHO unit. The remaining costs will be funded from the HRA and is included in the current business plan.

Contract

The contract will be structured as a a sale contract for the land and a separate build contract for the units themselves, both documents to be exchanged simultaneously. An initial deposit will be paid on exchange of the sale contract and once all of the units have reached at least two brick layers above damp proof course level the golden brick payment will be made and the units will be transferred to LBH giving LBH freehold title of the land.

A RICS red book valuation will be undertaken prior to exchange to ensure the land value at golden brick is in line with current market values.

The units will be delivered to a pre-agreed specification appended to the build contract.

The Heads of terms, as shown in appendix A, are subject to final negotiation and will include full details of specification and management responsibilities,

Initial share of Low Cost Home Ownership (LCHO) units

LCHO units are usually offered with an initial 40% share, however given the potential impact on the economy of Covid-19 we have also modelled based on both an initial share of 25% and converting all units to affordable rents, all appraisals are shown in Appendix B.

The final tenure mix and initial share offering will be determined by the Director of Housing and detailed as part of the scheme marketing strategy which will comply with LBH lettings and sales policies, both of which are being developed and will be in place before completion of this scheme.

Associated Workstreams

At this current time Housing does not have the capacity to act in the full client role to best represent LBH. MLH has been appointed to act in the client capacity leading on the full negotiation of the sale contract and build contract , liaising with relevant third parties etc to ensure the successful delivery of this project. Their fee proposal is detailed in Appendix B

In addition, it will be necessary to procure additional professional services to represent the council on legal and technical matters. The proposed additional expenditure is detailed in Appendix B.

Programme

The indicative programme provided by Bellway Homes at this time is;

Start on site	October 2020
Golden brick	June 2021
Practical completion	July 2022

This is an indicative programme at this time and may be impacted by any further Covid restrictions, we will however ensure that the legal agreements are flexible enough to deal with future issues and allow us to exit the scheme should significant delays arise

Risks

Please see Appendix B for key risks

REASONS AND OPTIONS

Reasons for the decision:

The scheme represents an opportunity to provide additional affordable housing for residents in the borough in line with the Havering plan.

The housing register shows clear demand for properties of this size and the scheme works to provide a positive financial return and works within the HRA business plan.

This phase of the development is now ready to proceed with planning having been secured start on site forecast for October 2020.

Other options considered:

The only other option therefore considered was to not proceed with this scheme, however given that the scheme is financially viable, it works as part of the overall HRA business plan, attracts GLA funding and meets current housing need this option was rejected.

Best value is demonstrated through the financial appraisal which is there to ensure the scheme meets our financial parameters, this is coupled with the assessment that this is affordable within the HRA and the demonstration of demand which show this to be an appropriate proposition.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial appraisal as per appendix B

Budget has been set aside for the purchase of these properties as approved by Council in February 2020

Legal implications and risks:

The Council has powers contained within section 120 Local Government Act 1972 to acquire land for the purposes of the performance of its function or for the benefit, improvement or development of its area. The delivery and promotion of housing and in particular affordable housing in a local authority's area is such a function. In this case, the Council's primary or main purpose in acquiring the freehold of the Site is

to secure the outcome of the development in progress being the 36 units. The Council also has powers under section 17 Housing Act 1985 to acquire land for housing purposes, pursuant to its housing function.

The Council will acquire the 36 units relying on funds provided by the Council's Housing Revenue Account supported by GLA grants. These units will then be subject to the provisions of the Housing Act 1985 and form part of the Council's council housing stock.

The Public Contracts Regulations 2015 provide that where the Council procures services, supplies or works they must follow the procedures set out in the Regulations. In the context of works the Regulations only apply to procurements where the estimated value exceeds £4,73m. Certain types of procurement are exempt under the Regulations in particular "*the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property*". Public works contracts are defined as having as their "object" the execution, or both the design and execution, of works related to one of the activities listed in the Regulations (i.e. construction, demolition, civil engineering works, plumbing and glazing); or the execution, or both the design and execution of a work; or the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work. In this instance the Council is purchasing a form of development designed and built to the Seller's requirements in advance of its completion rather than at completion, In the circumstances the main object of the arrangement is that of a land transaction and therefore it is exempt from the provisions of the Regulations.

From a Real Estate perspective the principal legal risks are any significant title issues. As part of the due diligence exercise being undertaken on behalf of the Council, there will be a full title report addressing any title issues.

Subject to the above, it is the case that in relation to the title this appears to be relatively clear and free of any significant issues such as restrictive covenants or rights which could potentially constrain development or occupation of the units for their intended purpose.

Sharpe Pritchard are advising on the transaction. They are in the process of completing their due diligence and appropriate warranties for the benefit of the Council will also be secured as part of the transaction

Human Resources implications and risks:

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

Properties will be let based on the normal lettings approach to residents on the housing register so there should not be any equalities issues

Health and Wellbeing implications and Risks

It is widely acknowledged that the provision of good quality homes, which are well insulated and free from damp and mould have a significant positive impact on the health and wellbeing of the residents of those homes.

The homes will be built to meet all current Building Control standards and level of insulation will ensure they help to address fuel poverty issues for residents.

The site has been designed to include significant amounts of green space which will be open and available for residents to use, and the scheme is of mixed tenure which will help in breaking down some of the social stigmas which can often be attached to social housing.

The site is within easy reach of public transport, both bus routes and mainline trains which open up employment opportunities and will help encourage residents away from using cars as their principle transport

The site is within walking distance of a number of schools, local shops and local amenities including the Ingrebourne Valley Visitor Centre

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of the Local Government Act 1972.

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CABINET

16th September, 2020

Subject Heading:

Bridge Close Regeneration - Delivery Arrangements

Cabinet Member:

Councillor Damian White

SLT Lead:

Neil Stubbings
Director of Regeneration

Report Author and contact details:

Nick Gyring-Nielsen
Senior Regeneration Manager
nick.gyring-nielsen@haverling.gov.uk

Policy context:

The Council has entered into a joint venture, Bridge Close Regeneration LLP ("BCR LLP"), to deliver the regeneration of Bridge Close, Romford pursuant to the Council's ambitions for regeneration as set out in the Local Plan, the Romford Area Action Plan (2008), the Romford Town Centre Development Framework (2015) and the emerging Romford Masterplan and new Local Plan (awaiting adoption). Decisions relating to the establishment and funding of BCR LLP are as follows:

Bridge Close Regeneration LLP Business Plan 2019/2020 (Cabinet, 13 February 2019)
Bridge Close, Finalisation of Legal Agreements to enter into a Limited Liability Partnership – Executive Decision March 2018
Bridge Close – Entering into a Limited Liability Partnership (Cabinet, 15 November 2017)

Financial summary:

The Council has made provision in the financial year 2020/2021 to provide funding for the Council's share of equity to meet financial commitments arising from the operation of Bridge Close LLP (BCR LLP) in accordance with the project documents and Business Plan 19/20 approved by Cabinet in February 2019.

This report outlines a revised approach to delivering and funding Bridge Close, including some options that are being considered along

with some associated enabling actions that need to be taken in the short term.

Is this a Key Decision?

This is a key decision because the expenditure exceeds £500,000.

When should this matter be reviewed? February 2021

Reviewing OSC: Overview & Scrutiny Board
Town & Communities OSC

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

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

- 1.0 The Council has entered into a joint venture, Bridge Close Regeneration LLP ('the Joint Venture or JV') with a private sector partner, FB BCR LLP ('Private Sector Partner' or 'PSP'), to bring forward the proposed regeneration of Bridge Close. This was approved by Cabinet on the 15th November 2017. In February 2018, the Council approved the capital budget and on 4th April 2018, the legal agreements were agreed for the establishment and operation of the Joint Venture with the Private Sector Partner. The Private Sector Partner, FB BCR LLP, is itself a joint venture between First Base Limited and Savills Investment Management Limited.
- 1.1 The Council's over-arching vision for setting up the Joint Venture was to facilitate the regeneration of a strategic area of Romford as part of a wider initiative to invest in the renewal of key town centres and estates in order to deliver truly affordable homes for local people and to benefit from the generation of social value, including jobs, apprenticeships and increased local spend. A further objective for setting up the Joint Venture was to facilitate the delivery of high-quality public realm, design and wider place-making, with the scale and quantum of development to serve as a beacon for wider development and regeneration activity within the town centre.
- 1.2 Recognising the strategic importance of Bridge Close, the Joint Venture was set up to transform an underutilised brownfield site (see Plan at Appendix A) into a vibrant new community, working in partnership with the Private Sector Partner to assemble the land, via private treaty negotiations wherever possible but using the Council's Compulsory Purchase Order ('CPO') powers if necessary and appropriate, and to develop a masterplan and design proposals for the following:
- 1,070 new homes (incl. a minimum of 30% affordable homes)
 - A 3 form entry primary school
 - A local health facility
 - Commercial floor space
 - Improved east-west links, including a new pedestrian and cycle bridge
 - Environmental improvements to the River Rom.
- 1.3 In February, 2019 Cabinet approved the revised Bridge Close Regeneration LLP Business Plan 2019-2020 ('the Business Plan'), noting the significant regeneration opportunity for Romford town centre, the contribution towards Havering's target for housing delivery, and the expected financial returns anticipated in the plan. At that time, the Joint Venture profit on cost was forecast at 8.5% across all phases, down from the 10.9% expected in 2018 on establishment which was due to a slowing of the housing market and increased forecast costs associated with design changes. Anticipating a profit on cost for phase one to accord with third party debt provider requirements on the back of improving housing market conditions over time, the Joint Venture partners agreed to continue investing in the regeneration of Bridge Close, progressing design proposals and the planning application whilst monitoring market conditions.
- 1.4 In light of continued stagnation in the housing market and increased costs, a number of strategies were proposed by the Development Manager, which were unable to overcome the challenges to viability or, without further intervention, to generate the returns necessary to meet the hurdle rates of the PSP as investor and the potential

requirements of third party funders. Given this, the Private Sector Partner, led by Savills Investment Management, have advised that it was unwilling to raise further funds beyond the present funding commitment set out in the approved Business Plan until viability was resolved.

- 1.5 This has created some issues in advancing the regeneration scheme in the way that Cabinet had previously agreed.
- 1.6 In view of the practical difficulties of implementing the JV Business Plan, and being mindful of the Council's commitment to bringing about a comprehensive redevelopment of Bridge Close, the Council has been considering potential options for moving forward. As part of this assessment, the Council has been examining the terms under which the interests held by the PSP could be bought out by the Council. These discussions have resulted 'in-principle' terms being agreed with the PSP. This arrangement could, if approved, enable the Council to obtain control of the JV and to benefit from the continuation of existing land assembly arrangements, existing contracts with the professional team, intellectual property rights and land interests. In circumstances where the interest held by the Development Manager in the PSP were to be acquired by the Council, the Development Manager would cease to provide services to the PSP.
- 1.7 The potential departure of the PSP would change current assumptions around how the regeneration scheme might best be funded and delivered in the future. In recognition of the strategic importance of Bridge Close to the Council's regeneration objectives, a number of options are being considered, which could support the continued regeneration of the site, including development through the Joint Venture with investment from the General Fund and the HRA, respectively, direct delivery by the Council and a combination of delivery by both Council and Joint Venture.
- 1.8 The Council is reviewing the relative merits of different potential funding and delivery options to ensure the continued regeneration of Bridge Close. The options being considered will ensure the delivery of a minimum of 30% affordable housing. The Council is also looking at the opportunity to increase the delivery of affordable housing from 30% to 50% across a mix of tenures to better meet the needs of local people and the Council's housing targets. A further report will be provided to Cabinet within the next three months seeking approval for the agreed funding and delivery option.
- 1.9 In progressing the development, the JV has been advancing a land assembly programme via private treaty discussions with a view to acquiring all of the land necessary for the proposed regeneration scheme. It is envisaged that the Council, should it acquire the PSP interest, would continue to take forward the acquisition of residential and commercial interests at Bridge Close in accordance with the Business Plan and the land acquisition strategy.
- 1.10 In light of the potential changes to the delivery of the regeneration scheme identified above, and having regard to the importance of not adversely impacting the Council's acquisitions programme, the Council needs to consider the option to ensure the completion of the purchase of a commercial property on Bridge Close, Romford as agreed by the JV. Any purchase would be in accordance with the agreed JV Business Plan and land assembly strategy previously approved by Cabinet.

- 1.11 By taking the necessary steps to take control of the Joint Venture through purchase of the PSP interest, the Council would maintain continuity the Bridge Close regeneration scheme in order to support the creation of a vibrant new community with much-needed housing and public infrastructure, serving as a beacon for regeneration in Romford town centre, whilst it is considering the most appropriate long-term funding and delivery option.

RECOMMENDATIONS

That:

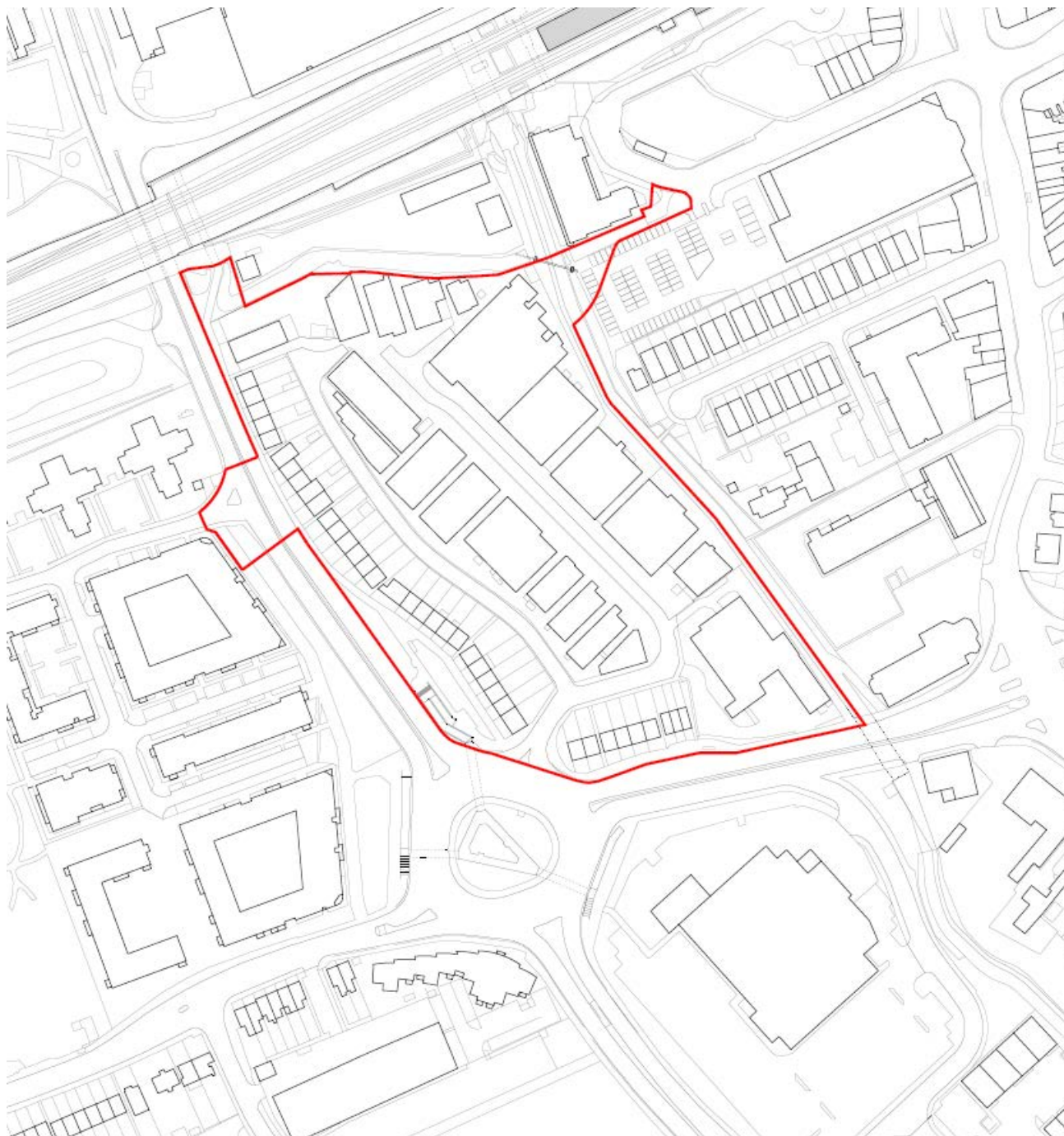
1. Approval be given for the Council to acquire FB BCR LLP's interests in BCR LLP, as set out in this report and summarised in the proposed terms at exempt Appendix E;
2. Approval be given for the termination by BCR LLP of the Development Management Agreement between BCR LLP and First Base Limited, as set out in this report and summarised in the proposed terms at exempt Appendix F;
3. Authority be given for the Director of Regeneration, acting in consultation with the Section 151 Officer and Monitoring Officer, to establish a new Nominee Company prior to the completion of the acquisition referred to in recommendation 1, in order to support the continuation of BCR LLP (such Nominee Company to be the second member in BCR LLP after the exit of FB BCR LLP);
4. Approval be given for the Council to provide funding to enable the completion of the purchase of a commercial property on Bridge Close, Romford, as set out in this report, subject to the Council being provided with an A- or C-Loan Note in its favour, as appropriate and as provided for in the exempt agenda report;
5. Authority be given for the Director of Regeneration, acting in consultation with the Monitoring Officer and Section 151 Officer, to finalise and enter into all necessary legal agreements, to bring into effect the proposed arrangements in Recommendations 1-4 inclusive.
6. Authority be given for the Director of Regeneration, acting in consultation with the Director of Housing, the Monitoring Officer and the Section 151 Officer, to complete the review of the options for the long-term funding and delivery of the regeneration of Bridge Close, and to produce a further report for Cabinet consideration.

REPORT DETAIL

The Council has identified a number of viable options for funding and delivery in order to ensure the continuation of the regeneration of Bridge Close and the delivery of the benefits identified in paragraphs 1.8 and 1.11 above.

In relation to the options being considered, further details are included in the exempt agenda report due to the commercial nature and sensitivity of this information.

The Council will continue discussions with current land owners and will be contacting all owners to advise them of the content of this report to ensure the continued progress of the development.



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