



CABINET

7.30 pm	Wednesday 17 March 2021	Virtual Meeting
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Members 9: 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:

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**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.**

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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.

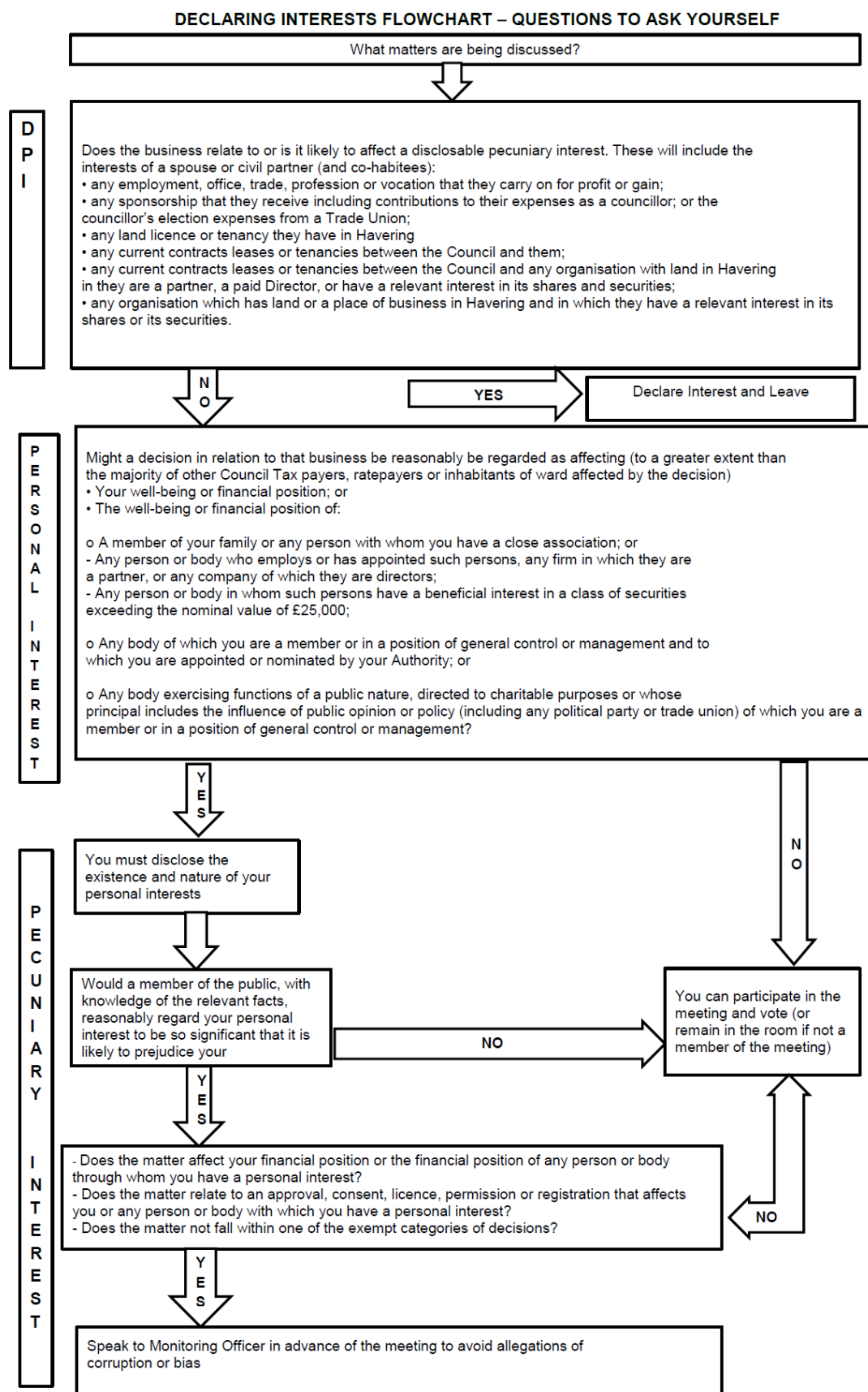
Reporting means:-

- 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.



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 MINUTES (Pages 1 - 28)

To approve as a correct record the minutes of the meeting held on 17 February and to authorise the Chairman to sign them.

5 ADOPTION OF THE STATEMENT OF LICENSING POLICY 2021 - 2026 (Pages 29 - 168)

6 EXCLUSION OF THE PRESS AND PUBLIC

The reports included in agenda items 7 and 8 contain exempt documents. Cabinet will consider whether the public and press should be excluded from 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 that item 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 and press on those grounds, Discussion of public papers can be transacted in public. Cabinet to resolve accordingly on the motion of the Chairman in relation to discuss on exempt matters.

7 HAVERING & WATES JOINT VENTURE BUSINESS PLAN UPDATE - 2021/22 (Pages 169 - 274)

8 TO AGREE THE DELIVERY METHOD FOR THE REGENERATION OF THE HILLdene, FARNHAM, CHIPPENHAM AND HOSTEL SITE (Pages 275 - 404)



MINUTES OF A CABINET MEETING
Council Chamber - Town Hall
Wednesday, 17 February 2021
(7.30 - 9.24 pm)

Present:

Councillor Damian White (Leader of the Council), Chairman

Councillor Robert Benham

Councillor Osman Dervish

Councillor Joshua Chapman

Councillor Jason Frost

Councillor Roger Ramsey

Councillor Viddy Persaud

Cabinet Member responsibility:

Cabinet Member for Education,
Children & Families

Cabinet Member for Environment

Cabinet Member for Housing

Cabinet Member for Health & Adult
Care Services

Cabinet Member for Finance &
Property

Cabinet Member for Public
Protection and Safety

Apologies were received for the absence of Councillors .

9 DISCLOSURES OF INTEREST

There were no declarations of interest.

10 MINUTES

The minutes of the Cabinet meeting held on 27 January 2021 were agreed and the Chairman signed these as a true copy of the same.

11 REFERENCE TO CABINET FROM THE OVERVIEW AND SCRUTINY BOARD

A reference to Cabinet in respect of the Budget reports was received from the Overview and Scrutiny Board by way of a supplementary agenda. This document was considered by Cabinet in relation to those matters considered later on the agenda.

12 VIRTUAL PERMITS

Cabinet considered the Virtual Permits report presented by Councillor Osman Dervish.

Highways traffic and Parking (HTP) services proposed paper permits are replaced by virtual permits (MiPermit) provided by the Council's contracted Notice Processing System supplier – Chipside.

Changing permits to a virtual system will make savings and improve efficiencies for HTP, Customer Services and Corporate Support and improve the customer journey, which in part delivers on the Council's corporate plan for digital improvements to enhance the customer experience and enable self-service.

Chipside also offer a telephony service which manages all calls received relating to MiPermit. This would make further efficiencies by directing calls to a dedicated service able to provide specialist advice and reduce call volumes and email enquiries for the Contact Centre.

During the pandemic due to the closure of the PASC around 70% of the permits are generated virtually and it is expected that this may increase.

Steve Halsey, Project Manager, gave further detail and indicated that there would be no upfront costs and the introduction of Virtual Permits would generate savings and drive efficiencies, which represents excellent value for money for Havering. The current printing costs of paper permits is £2.03 and the virtual permits will cost around £1.50 per permit.

Anyone needing assistance to generate a virtual permit will be able to access support through the PASC and libraries.

The Leader of the Council commended the increased efficiencies of this recommendation and noted that Havering is adjudicated to be the fifth most efficient Council in the country of which he is very proud. The recommendations here adds to the efficiencies of the Council which is becoming digital by design.

After discussion,

Cabinet agreed:

1. To implement Chipside's virtual permit (MiPermit) solution for new permit applications for all types listed below from May 2021.
 - Business
 - Carer
 - Car park season tickets
 - Critical duty
 - Havering clinical commissioning group
 - Havering hero

- Health and homecare
 - Members
 - Parking waiver
 - Resident
 - Staff car park season tickets
 - School streets exemption
 - Voucher
2. To migrate all existing permit holders to the MiPermit solution from their date of expiry after May 2021;
 3. To offer a virtual visitor permit option from May 2021 to run concurrently with paper visitor scratch cards.
 4. To transfer the responsibility for answering all calls relating to parking permits handled by the Contact Centre and other Havering services to Chipside's MiPermit helpline.

13 HOUSING REVENUE ACCOUNT BUDGET 2021/22

Councilor Joshua Chapman, the Cabinet Member for Housing was delighted to bring this report to Cabinet for discussion. The report details the HRA budget and the HRA Capital Works Programme.

The HRA is a ring-fenced account that is used to manage and maintain the Council's own housing stock. The proposed budget will enable the Council to manage and maintain the housing to a good standard and provide funding for a significant acquisition, new build and estate regeneration programme. It further sets rents, service charges and other charges for Council tenants and leaseholders for the year 2021/22.

As part of the new regulatory framework for local government housing services, councils are now subject to the Regulator of Social Housing's (RSH) Rent Standard. This has ended the annual 1% reduction that has applied for the past 4 years and re-established the CPI + 1% increase.

At the heart of this report is a desire to provide an excellent stock of high quality homes for local people. A Stock Condition Survey has been carried out using a sample of homes in the Borough to take account of properties currently available. This piece of work has been carried out by Savills, experts in this kind of survey.

Rents in Havering will increase in line with inflation and those on benefits will have the increase catered for in the benefit calculation. Generally rents in Havering are some of the lowest in London and are very competitive.

Money has been held to accommodate for any Health and Safety needs and any obligations placed on the Council through the Fires and Safety Bill. There is also environmental investment to ensure Havering tenants have cost effective heating.

During the course of this year Havering has acquired 35 previously Council owned units for use by Havering residents immediately. It is proposed that next year up to 70 further homes will be acquired through £20 million set aside for this purpose.

Investment has been increased and the proposals for the new Welcome and Assessment Centre were recently discussed in an all Member Briefing, generating a high quality offer to residents of Havering at their most vulnerable. In addition, the current hostel provision has been refurbished to a very high standard.

The Leader of the Council stated his pride in the Council's direction of travel over the past 5 years starting from almost a standing position to now being the Council with the most ambitious social housing offer and proposals in London. This demonstrates how much the council cares and is passionate in their provision and investment in social housing stock.

It was agreed that Councillor Chapman would meet with Councillor Tucker to discuss further parking provision and the possible use of unused sheds to cover this. However, it was acknowledged that there could be no promises in this regard.

It was noted there was still some unmet need but this would be worked on with the same drive and passion shown over the past years.

Cabinet agreed that this report and the investment coming through as a result, was something to be proud of, demonstrating an amazing amount of additional, high quality affordable homes for the Borough.

Following discussion,

Cabinet:

- 1 **Approved** the Housing Revenue Account Budget as detailed in paragraph **Error! Reference source not found..**
- 2 **Agreed** that the rents chargeable for tenants in general needs Council properties owned by the London Borough of Havering be increased by 1.5% from the week commencing 5th April 2021.
- 3 **Agreed** that the rents chargeable for tenants in supported housing Council properties, such as sheltered housing and hostels, owned by the London Borough of Havering, are increased by 1.5% from the week commencing 5th April 2021
- 4 **Agreed** the four rent-free weeks for 2021/22 are: week commencing 23rd August 2021, the two weeks commencing 20th and 27th December 2021, and the week commencing 28th March 2022.

- 5 **Agreed** that service charges and heating and hot water charges for 2021/22 are as detailed in paragraph **Error! Reference source not found.** of this report.
- 6 **Agreed** that charges for Houses in Multiple Occupation (HMO) leased and managed by the Council (General Fund) are set at the LHA applicable on the 5th April 2021.
- 7 **Agreed** that charges for garages should be increased by 1.5% in 2021/22 as detailed in paragraph **Error! Reference source not found.** of this report.
- 8 **Agreed** that the service charge for the provision of intensive housing management support in sheltered housing for 2021/22 shall be as detailed in paragraph 2.20 of this report.
- 9 **Agreed** the Supporting Housing Charge for HRA Hostels as set out in the report.
- 10 **Agreed** that the Careline and Telecare support charge should be increased by 1.5% for 2021/22 as detailed in paragraph 2.22 of this report.
- 11 **Approved** the HRA Major Works Capital Programme, detailed in Appendix 1a of this report and refer it to full Council for final ratification.
- 12 **Approved** the HRA Capital expenditure and financing for the 12 Sites Joint Venture and other acquisition and regeneration opportunities detailed in section **Error! Reference source not found.** and Appendix 1b of this report and refer it to full Council for final ratification.

14 **CAPITAL PROGRAMME AND STRATEGY 2021/2022**

Cabinet decided that all three main budget reports would be dealt with together and Jane West the s151 Chief Finance Officer, gave a presentation in respect of all three reports.

This presentation is attached in full to the minutes.

In respect of the Capital programme and Strategy for 2021/22, following discussion:

Cabinet:

1. **Will Recommend to Council for consideration and approval** the 2021/22 and ongoing Capital Programme noting the changes in accessing new borrowing set out in section 1.3
2. **Agreed** that the Chief Financial Officer be authorised to allocate funding from the Capital Contingency included within the draft Capital Programme.
3. **Agreed** that externally funded schemes can be added to the capital programme up to £500k as and when funding is confirmed. Any external funding over £500k will be subject to approval by the Chief Financial Officer.
4. **Agreed** that the relevant Cabinet Member, together with the Cabinet Member for Finance and Property be delegated authority to commence tender processes and accept tenders for capital schemes included within the approved programme.
5. **Approved** the capital strategy contained within this report noting its impact on both the capital programme and overall contribution to the setting of the revenue budget for 2021/22 and beyond
6. **Noted** the capital prudential indicators included within the capital strategy when approving the capital programme to ensure affordability.
7. **Agreed** that the Chief Financial Officer be authorised to re-profile capital budgets mid-year based on the updated forecasts provided by services and reported to the Senior Leadership Team as part of the capital monitoring process. This will assist in producing more accurate information for treasury management purposes.

15 **2021/22 TREASURY MANAGEMENT STRATEGY STATEMENT (TMSS)**

Jane West, s151 Finance Officer gave a presentation attached to these minutes.

Following discussion,

Cabinet:

1. **Approved** the TMSS 2021/22.
2. **Approved** the Prudential and Treasury Indicators set out in Appendices 2 and 3 respectively of this report.

3. **Approved** the Annual MRP Policy Statement for 2021/22 set out in Appendix 8 of this report.
4. **Recommended** the annual TMSS and MRP statements 2021/22 to Council for approval.
5. **Delegated** future changes required to this Strategy to the Chief Financial Officer after consultation with the Cabinet Member for Finance and Property. This will provide the additional flexibility to swiftly respond to changing circumstances.

16 **BUDGET 2021/22 AND MEDIUM TERM FINANCIAL STRATEGY**

Jane West, s151 Finance Officer gave a presentation attached to these minutes.

Following discussion,

Cabinet:

1. Agreed the Council Tax requirement for 2021/22 to be set at £134.980m as set out in paragraph 7.5 and Appendix G of the report;
2. Agreed the Delegated Schools' draft budget set out in section 5.13 of this report;
3. Agreed a 1.50% increase in Council Tax for 2021/22 as set out in paragraph 7.1;
4. Agreed an additional 3% Adult Social Care Precept as in paragraph 7.1;
5. Noted the Medium Term Financial Strategy position as set out in Section 8
6. Agreed the fees and charges schedule as set out in Section 9 and Appendix C
7. Noted the risks to the 2021/22 budget as set out in Section 10
8. Noted the requirements of S106 of the LGA 1992 Act as set out in Section 1
9. Agreed that to facilitate the usage of un-ringfenced resources, the Chief Financial Officer in consultation with Service Directors will review any such new funds allocated to Havering; make proposals for their use; and obtain approval by the Leader and the Cabinet Member for Finance and Property.

10. Delegated to the Chief Financial Officer in consultation with Service Directors the authority to make any necessary changes to service and the associated budgets relating to any subsequent specific grant funding announcements, where delays may otherwise adversely impact on service delivery and/or budgetary control, subject to consultation with Cabinet Members as appropriate.
11. Delegated authority to the Cabinet Member for Adult Social Services and Health and the Leader to approve an annual spend plan for the Public Health grant.
12. Delegated to the Directors of Children's and Adults authority to agree inflation rates with social care providers for 2021/22.
13. Read the Equalities Impact Assessment in respect of the CTS Scheme as set out in Appendix E to this report.
14. Read the summary version of the Council Tax Support Scheme for 2021/22 as set out in Appendix F to this report (unchanged from 2020/21).

Cabinet will recommend to Council for consideration and approval:

1. Agree the Council Tax requirement for 2021/22 to be set at £134.980m as set out in paragraph 7.5 and Appendix G of the report;
2. The Delegated Schools' draft budget set out in section 5.13 of this report;
3. A 1.5% increase in Council Tax for 2021/22 as set out in paragraph 7.1;
4. An additional 3% Adult Social Care Precept as in paragraph 7.1;
5. That it pass a resolution as set out in section 14 of this report to enable Council Tax discounts for early payment to be given at the 2020/21 level of 1.5%.
6. Recommend to Full Council that the Council Tax Support Scheme for 2021/22 is adopted as set out in Section 15 of this report (unchanged from 2020/21).

Chairman

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Haverling

LONDON BOROUGH

Cabinet
Reports on the budget
17th February 2021
Jane West, Chief Operating Officer

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The Cabinet is presented with 3 reports to approve

- The 2021/22 Budget and 2021/24 Medium Term Financial Strategy
- The Capital Programme and strategy
- The treasury management strategy statement and annual investment strategy

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The budget report is the annual report to Cabinet and Council which agrees the general fund budget for 2021/22 and Council Tax levels for that year.

The report recommends:

- A general Council Tax increase of 1.5%
- A further increase of 3.0% in Council Tax to fund the Social Care precept in accordance with central government policy on funding this area
- That savings of £17.1m are agreed for 2021/22 as set out in Appendix B in order to balance the 21/22 budget
- The proposed fees and charges for 21/22 (Appendix C)
- The proposed Council Tax Support scheme for 21/22 (Appendices E and F)

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The Budget Setting Report

The report also contains sections explaining the following areas:

1. A summary of the Council's response to the COVID pandemic
2. The Outcome of the Local Government Finance Settlement for 2021/22
3. The process undertaken to balance the 2021/22 budget
4. The 2021/22 budget consultation process and outcomes
5. The 3 year medium term financial strategy to 2024
6. The financial risks facing the Council moving forward
7. A statement of robustness completed by the S151 officer in accordance with Section 25 of the Local Government Finance Act 2003

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Gap at November Cabinet

The November Cabinet received the following financial position

Medium Term Financial Strategy	2021/22	2022/23	2023/24	TOTAL
	£m	£m	£m	£m
Corporate pressures	13.685	14.602	2.596	30.883
Demographic pressures	3.131	5.026	4.923	13.080
Inflationary pressures	2.950	2.007	2.027	6.984
Unachieved MTFS savings 2020/21	7.207	0.000	0.000	7.207
Revised gap	26.973	21.635	9.546	58.154
2020/21 savings back on the table	-2.537	0.000	0.000	-2.537
2021/22 savings back on the table	-7.152	-1.300	-0.500	-8.952
New savings	-9.293	-2.027	-0.727	-12.047
Total savings to date	-18.982	-3.327	-1.227	-23.536
Remaining gap	7.991	18.308	8.319	34.618

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Summary Update	2021/22	2022/23	2023/24	3 Year Plan
	£m	£m	£m	£m
November Cabinet Position	7.991	18.308	8.319	34.618
Settlement Updates (further breakdown below)	(1.278)	3.220	0.000	1.942
Other Corporate Updates (further breakdown below)	2.715	(1.014)	0.350	2.051
Delays to the Capital Programme	(3.578)	(1.567)	4.315	(0.830)
Impact of 3% Social Care Precept	(3.900)	0.000	0.000	(3.900)
Proposal to increase Council Tax by 1.5%	(1.950)	0.000	0.000	(1.950)
Revised Position	0.000	18.947	12.984	31.931

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Adjustments to MTFS following the settlement	2021/22	2022/23	2023/24	3 Year Plan
	£m	£m	£m	£m
Reduce Business Rates yield to Safety Net	1.780			1.780
Use of Business Rates Provision set aside	(1.331)			(1.331)
Provision for loss of central grant (Funding reform)		2.000		2.000
Take out Business Rate Pool Growth as pool discontinued	0.300			0.300
New £670m general allocation to cover increased CTS (assume one off)	(2.222)	2.222		0.000
Loss of Council Tax yield due to increased CTS and Single Person Discounts	1.630			1.630
Troubled Families Grant to continue for a further year	(0.545)	0.545		0.000
New Adult Social Care Grant (300m)	(0.594)			(0.594)
Assume existing Adult Social Care Grant is ongoing		(1.700)		(1.700)
New Collection fund deficit grant	(0.500)			(0.500)
Updated New Homes Bonus Assumptions	0.204	0.153		0.357
TOTAL SETTLEMENT FINANCIAL IMPACT	(1.278)	3.220	0.000	1.942

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Corporate Updates	2021/22	2022/23	2023/24	3 Year Plan
	£m	£m	£m	£m
Reduction in Interest from Cash balances	1.000	0.000	0.000	1.000
Increase in tax base yield for new properties	(0.630)	0.000	0.000	(0.630)
Provision for non achievement of savings (10%)	1.700	0.000	0.000	1.700
Provision for underlying budget issues in 20/21	1.000	0.000	0.000	1.000
Updated position on concessionary fares	(0.282)	(0.570)	(0.270)	(1.122)
Updated reduction in income Inflation and other corporate assumptions	(0.073)	(0.444)	0.620	0.103
TOTAL CORPORATE UPDATES	2.715	(1.014)	0.350	2.051

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There have also been other recent grant announcements. The COVID grant and new lower tier grant are one off and so should not be used to balance the budget. The homeless prevention grant is a replacement merging the flexible homelessness support grant and the homeless reduction grant.

OTHER GRANTS	2021/22	DESCRIPTION
	£m	
One off COVID funding tranche 5 (£1.55bn Nationally)	6.599	This fund will need to be set aside to meet future pressures and burdens which will continue through the spring
One off grant for lower tier authorities (£111m nationally)	0.279	This is a one off grant funded by unused New Homes Bonus. This grant will be set aside to fund future COVID Pressures
Homeless Prevention Grant	2.344	This grant replaces the flexible homelessness support grant and the homeless reduction grant and will be earmarked for housing use as was the case with the grants it replaces

The main risks to the budget relate to the continuing impact of the pandemic:

- Additional demand on adult social care
- Potential demand on children's services from the lockdown
- Scale of savings required even after allowing for provision for non achievement
- Lower income collection through businesses and individuals experiencing financial difficulty and hardship
- Long lasting effect of the current Covid-19 Lockdowns and Tier arrangements on local businesses and leisure centres
- The national economic situation impacting on house prices and the viability of regeneration schemes
- Future of local government financing

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The Capital Programme sets out the Council's capital plans over the medium term

The Capital Strategy sets out how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial stability

Page 21 The Capital Programme & Strategy is underpinned by the strategic aims of the Council

After taking into consideration the existing approved capital programme, new bids and the capital investment plans the full proposed capital programme is developed for Members to approve

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The Capital Programme

	2021/22 £m	2022/23 £m	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m	Total £m
Adults Services	2.132	0.023	0.000	0.000	0.000	0.000	2.154
Customer, Communication & Culture							
Art & Culture	0.050	0.000	0.000	0.000	0.000	0.000	0.050
Leisure - Other	7.540	3.125	0.000	0.000	0.000	0.000	10.665
Leisure - SLM	0.764	0.100	4.721	0.000	0.000	0.000	5.585
Libraries	0.223	0.010	0.000	0.000	0.000	0.000	0.233
Customer, Communication & Culture Total	8.577	3.235	4.721	0.000	0.000	0.000	16.534
Childrens Services Total	0.042	0.005	0.000	0.000	0.000	0.000	0.047
Environment							
Environment - Highways	12.206	12.300	0.300	0.000	0.000	0.000	24.806
Environment - Parks	1.600	0.500	0.500	0.000	0.000	0.000	2.600
Environment - Street Lighting	0.200	0.000	0.000	0.000	0.000	0.000	0.200
Environment - TFL	1.957	0.000	0.000	0.000	0.000	0.000	1.957
Environment - Parking	1.000	1.000	1.000	1.000	0.000	0.000	4.000
Environment - Public Protection	3.500	0.000	0.000	0.000	0.000	0.000	3.500
Environment Total	20.463	13.800	1.800	1.000	0.000	0.000	37.063
Registration & Bereavement Services	5.850	0.000	0.000	0.000	0.000	0.000	5.850
Asset Management Total	11.220	6.128	0.007	0.000	0.000	0.000	17.355
Finance Total	7.000	0.000	0.000	0.000	0.000	0.000	7.000
ICT Infrastructure	11.142	8.044	8.242	4.930	3.630	2.830	38.818
Regeneration Programme	141.957	153.067	82.470	21.305	15.779	20.737	435.315
Total GF Capital Expenditure	208.382	184.302	97.241	27.235	19.409	23.567	560.136

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The Capital Programme

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£m	£m	£m	£m	£m	£m	£m
Existing GF Service Spending	34.472	11.891	5.228	0.000	0.000	0.000	51.591
New GF Capital Bids	36.091	19.344	9.542	5.930	3.630	2.830	77.367
HRA Programme	142.970	174.740	167.649	205.093	185.994	0.000	876.446
Regeneration Programme	137.819	153.067	82.470	21.305	15.779	20.737	431.178
Total Proposed Capital Programme	351.352	359.042	264.889	232.328	205.403	23.567	1,436.582

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Financing the Capital Programme

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and private finance initiatives).

It should be noted that debt is only a temporary source of finance since loans and leases must be repaid, and is therefore replaced over time by other financing. This is usually from revenue which is known as the minimum revenue provision (MRP).

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	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
Sources of Finance	£m	£m	£m	£m	£m	£m	£m
Capital Receipts	95.079	88.558	47.084	7.089	5.442	0.000	243.252
Revenue & Reserve Contributions	18.143	12.533	14.584	11.534	24.309	0.000	81.103
Grants & Other Contributions	22.335	41.580	26.961	62.706	66.845	0.000	220.427
GF Debt (Borrowing)	102.110	97.326	56.876	27.235	19.409	23.567	326.523
HRA Debt (Borrowing)	113.685	119.045	119.384	123.764	89.398	0.000	565.277
Total Proposed Capital Programme	351.352	359.042	264.889	232.328	205.403	23.567	1,436.582

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The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR).

The CFR increases with new debt-financed capital expenditure and reduces with MRP.

Based on the financing figures of the capital programme the CFR (outstanding debt of the Council) is expected to increase by £206m during 2021/22

The debt has to be repaid, normally from setting aside the MRP. In addition to MRP however is the borrowing costs associated with the additional debt

Whilst the Council has access to cheap borrowing through the Public Works Loan Board (PWLB) there is still a cost to the Council of borrowing this money.

Further information on the Council's debt and access to loans is found in the Treasury Management Strategy Statement (TMSS)

This report links to both the Capital Strategy Report and the Medium Term Financial Strategy Report to ensure the authority has an affordable and sustainable capital programme.

The report reflects the authority's appetite for risk and view of interest rates going forward.

The report sets out the risks associated with the approved financial instruments that are used for investing and borrowing

The report covers:

- a) the governance for managing the authority's treasury activities
- b) borrowing for the capital programme
- c) how we place security and liquidity above maximising returns
- d) the investment of its surplus cash .

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PWLB Interest Rates Outlook

The table below shows the latest PWLB forecast interest rates

	Mar-21	Jun-21	Sep-21	Dec-21	Jun-22	Dec-22	Jun-23	Dec-23
Bank Rate	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
5 Yr PWLB	0.90	0.90	0.90	0.90	1.00	1.10	1.20	1.20
10 Yr PWLB	1.30	1.30	1.30	1.30	1.40	1.50	1.60	1.60
25 Yr PWLB	1.90	1.90	1.90	1.90	2.00	2.10	2.20	2.20
50 Yr PWLB	1.70	1.70	1.70	1.70	1.80	1.90	2.00	2.00

“We’re doing our bit for Havering”

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CABINET	17th March 2021
Subject Heading:	Havering and Wates Regeneration LLP Business Plan and Budget 2021/2022
Cabinet Member:	Councillor Damian White - Leader of the Council and Portfolio Holder for Regeneration.
SLT Lead:	Neil Stubbings - Director of Regeneration
Report Author and contact details:	Maria Faheem - Regeneration Maria.Faheem@havering.gov.uk 01708 434 379 Martin Fahy- Regeneration Martin.Fahy@havering.gov.uk
Policy context:	Havering Housing Strategy 2014-2017 National Planning Policy Framework 2012 Draft London Plan 2017 Emerging Havering Local Plan 2017 HRA Business Plan 2017-2047
Financial summary:	<p>The report seeks Cabinet approval to invest a maximum of £102.3m of capital expenditure gross of repayments of equity into a Limited Liability Partnership to deliver the regeneration of 12 Housing Revenue Account (HRA) sites.</p> <p>The report also seeks Cabinet approval to increase the forward funding to be advanced from the Council by £9.7m (from £45.4m to £55.1m). The report also seeks approval to a budget of £58.7m in respect of the remaining land assembly / CPO costs</p>

to enable the Council to provide vacant possession.

A total revenue surplus for the HRA of £38.5m is forecast as a result of this regeneration scheme after meeting capital financing costs of borrowing. An estimated capital receipt of £102.3m is expected to be realised at the end of the scheme.

Is this a Key Decision?

This is a key decision

When should this matter be reviewed?

Autumn 2021

Reviewing OSC:

Towns and Communities OSC

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

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	

SUMMARY

This Cabinet Report is an annual update of the Havering and Wates Joint Venture Business Plan as required by Cabinet. When Cabinet agreed to establish the Joint Venture (JV), this was on the basis that there would be regular (annual) reviews and Cabinet would be asked to agree material changes to the business plan on an annual basis, in line with the annual budget setting process. This is the third review following establishment of the JV in April 2018.

The Council's overarching vision for setting up the Havering and Wates Joint Venture (HWR) was to facilitate the regeneration of key areas of the borough; to kick-start renewal of key town centres and estates; and deliver truly affordable homes for local people. In addition, it would ensure good quality design of buildings and places by being a joint owner of the development company, thus giving greater control over the planning process and ensure delivery of key infrastructure requirements. Any returns to the Council are being identified to fund future regeneration programmes across the borough and help fund renewal of our cherished town centres across the borough at a time when the traditional high streets are under significant threat from changing consumer habits.

Through the significant development value generated by this initiative, (approximately £1.5bn) many local businesses and residents will see economic benefits as there will be a focus on maximising the number of contracts awarded to those local companies. A secondary impact of the schemes will also be to support local businesses on those high streets where the developments take place by creating greater "spending power" for those businesses to take advantage of.

For Work Package One and Chippenham Road, the key inputs into the financial models have been reviewed and externally validated. The key inputs are construction costs, expected sales revenues, land values plus other costs such as expectation on s106 and CIL payments. Areas of non-residential use have been updated as the design and planning process proceeds.

Since the approval of the 2020-21 Business Plan, there have been two key changes. On 5 August 2020 in response to the economic downturn linked to the COVID-19 pandemic, Cabinet approved the conversion of the Napier New Plymouth scheme to a 100 per cent Council owned scheme.

Elsewhere on the Cabinet agenda, the outcome of the review of the delivery options for both Chippenham Road and Farnham and Hilldene schemes have recommended proceeding with the development of both sites under an overarching master planning single design approach. However, due to the complexity and projected cost of development of Farnham and Hilldene, it is recommended that the development is undertaken directly by the Council. As a result, this site would no longer fall within the scope of the HWR programme.

The resulting increase in affordable housing from the bid stage remains significant, rising from 1,186 at the bid stage of the JV to 1,552 as part of this annual review. This is an increase of 368 affordable homes at truly affordable prices for local people within the 12 Estates programme.

The Council, through its involvement in the JV is committed to the delivery of the highest quality homes and places for our residents to live in. The goal is to set a high standard for other developers to follow.

The increase in affordable housing and good quality design is being achieved in a Covid-19 landscape when most developers would halt work or would reduce affordable housing and family housing to protect profits. However, with the Council's support the joint venture has continued with the programme dedicated to providing good quality affordable family housing with enhanced design. The additional forward funding identified within the report shows how these changes are being delivered.

The updating of these numbers in the viability models and then into the Council's financial dashboards means that this report is able to inform Cabinet of any changes to the expected outputs from the JV as well as informing Cabinet of any changes in the financial position of the JV and our financial commitments to the JV as an investor. This report not only informs Cabinet of changes but also seeks approval of the new Business Plan and the expected financial commitments.

The original decision to set up the JV was informed by key indicators on the viability and outputs. Those key indicators were: overall % return, overall financial return, initial stake (Equity: borrowing and land value), impact on the MTFs from the cost of borrowing in the early years, total number of units, number of affordable housing units. These metrics are considered to be the key indicators to identify the viability, outputs and potential financial risks.

The 12 Estates programme is currently forecast to receive £48 million development return in revenue to the HRA from year 5 to 15. This figure is built into the HRA Business Plan and rent setting report that has been presented to Cabinet and is not included within the calculations for the average cost of an affordable housing unit within this report.

The table below details those key metrics as reported to Cabinet in the 2021/22 Business Plan and Budget Review and compares them with the numbers in this Business Plan. The table also provides a brief explanation for any changes.

Movement Schedule (HWR Programme, excludes Farnham and Hilldene)

Indicator	2020/21 Review	21/22 Review	Movement 20/21 – 21/22	Commentary
% return (profit on cost)	11.6%	10.9%	-0.7%	Higher proportion of affordable

				units (45% from 38% at bid)
Peak Equity stake (£)	£36.0m	£28.6m	-£7.4m	Conversion of NNP to 100 per cent Council.
Equity stake (Land value)	£4.7m	£8.6m	+£3.9m	Bringing forward affordable into Block 1 & 2 WQS, reducing number of affordable in later stages
MTFS Revenue Impact Equity 2018-2030 (£)	£6.5m	£6.5m	NIL	No material change
Total affordable units	1,624	1,551	-73	Removal of Farnham - 145 units, + 71 units NNP, +1 WQS
Total Open Market Sale	2,094	1,629	-465	Removal of Farnham - 395 units, - 71 units NNP, +1 WQS
Total units	3,718	3,180	-538	Removal of Farnham - 540 units, +2 WQS
% Affordable	44%	45%	+1%	Conversion of NNP to 100 per cent Council.

RECOMMENDATIONS

That Cabinet:

1. **Agree** to the inclusion of a budget of up to £102.3m equity for the 12 Sites and Chippenham Road scheme together with a budget of £58.7m for potential land acquisition/CPO costs within the proposed HRA capital programme, noting that the HRA capital programme recommended by Cabinet on 17 February 2021, and approved by Full Council on 3 March 2021 includes the necessary capital funding to progress the regeneration.
2. Subject to the approval of the required budget and funding referred to at recommendation 1 **approve** the Havering and Wates Regeneration Joint Venture Business Plan dated January 2021, as attached as Appendix 3.
3. Subject to the approval of the required budget and funding referred to at recommendation 1 **agree** to further forward funding for the remainder of phase 1 of the 12 Site Programme up to £9.7 million; for the development of Solar, Serena and Sunrise Courts (£1.6 million [to total £17.5m]) and the Waterloo and Queen Street Estate (£8.1 million [to total £22.7m]) **and delegate authority to** the Director of Regeneration to enter into the necessary forward funding agreements.
4. **Approve** the removal of the Farnham and Hildene estate from the 12 site regeneration programme, **noting** that the scheme would be subject to a future approval by Cabinet to be taken forward under a Council-led approach.
5. **Approve** the budget of up to £0.6 million to fund the remediation works on the Solar Serena Sunrise Estate and **delegate authority to** the Director of Regeneration in consultation with the Director of Legal and Governance to enter into contract with the Havering and Wates JVLLP to carry out the remediation works on the site, **noting** that the HRA capital programme recommended by Cabinet on 17 February 2021, and approved by Full Council on 3 March 2021 includes the necessary capital funding to progress the works.
6. **Delegate authority to** the Director of Regeneration in consultation with the Director of Housing and Director of Legal and Governance to enter into a contract with the Havering and Wates JVLLP to provide a longstop arrangement, where the Council would acquire any open market units on the Solar Serena Sunrise estate, which remain unsold after 18 months from practical completion of the development for a value equivalent to 75.0 per cent of open market value for units earmarked for private sale and 61.6% per cent of open market value for units earmarked for shared ownership, **noting** that any acquisitions would be funded from the existing affordable housing HRA capital budget set aside for the scheme.

7. **Approve** the budget of up to £7.0 million to fund the offer to purchase family homes (3 bed or larger) from prospective buyers on the Solar Serena Sunrise Estate, **noting** that the HRA capital programme recommended by Cabinet on 17 February 2021, and approved by Full Council on 3 March 2021 includes the necessary capital funding to fund the acquisitions.
8. **Delegate authority to** the Director of Regeneration to enter into variations of any of the existing joint venture documentation which is required to implement any of the recommendations contained in this report.
9. **Delegate authority to** the Director of Regeneration to consider the appropriation of land at the appropriate time at Waterloo and Queen Street Estate from the Housing Revenue Account (HRA) to the General Fund, for planning purposes and to consider the appropriation of land at the appropriate time at Waterloo and Queen Street Estate back to the HRA.
10. **Approve** the budget of up to £5.0 million to fund the cost of compensation of Appropriation linked to the Waterloo and Queen Street Estate, noting that the HRA capital programme recommended by Cabinet on 17 February 2021, and approved by Full Council on 3 March 2021 includes the necessary capital funding to fund the compensation.
11. **Delegate authority to** the Director of Regeneration to make all further changes to the documentation consequent on the recommendations in this report that the Director considers necessary or in his opinion appropriate from time to time

REPORT DETAIL

1.0 Background

- 1.1 HWR has been established as a long-term development partnership to facilitate a programme of residential-led regeneration and estate renewal across an initial tranche of 12 Council-owned housing sites. The joint venture partnership enables both partners to share costs and long-term financial risk associated with development whilst retaining a degree of control, ensuring that social and economic benefits remain a focus.
- 1.2 The Council has the right to acquire any affordable housing at a pre-agreed value and allocate those properties via the Council's Housing Register in accordance with its Allocation Policy.
- 1.3 The Council's objectives for this programme have been enshrined into the Members Agreement between the JV partners as objectives for HWR. As a development company HWR will procure design, obtain planning permission, develop, market and sell/let each scheme for the best value achievable.
- 1.4 On 12th February 2020, the second review on the JV's Business Plan was reported to and approved by Cabinet. The review was reported on the basis of updated assumptions which were reflected, scrutinised and verified via updated site development appraisals and the JV's employer's agent.
- 1.5 In particular, the report focussed on the progress made on the schemes within Work Package One (**WP1**) of the 12 Site Programme, which includes Napier and New Plymouth House, Solar, Serena and Sunrise Courts and the Waterloo and Queen Street Estate. Since the last business plan, work has continued to maximise the level of affordable, family sized housing across these schemes as part of the pre-application planning process and expedite the delivery of new homes where possible.
- 1.6 The last business plan also introduced the development prospects identified in Harold Hill, including the redevelopment of the Chippenham Office site as a potential precursor to the wholesale development of the Farnham and Hilddene and Hostel site. It is recommended that the Farnham and Hilddene estate is removed from the 12 site regeneration programme. A separate report is included on the agenda, encapsulating the masterplan combined design strategy for Farnham, Hilddene and Chippenham Rd for consideration by the Cabinet.
- 1.7 The Development Agreement provides that, following the satisfaction of the pre-conditions for a site, the Council will grant and the LLP will accept a building licence unless the parties agree that the Council will grant a building lease because it is a requirement of a lender, it would mitigate any tax liability or the parties agree it would be beneficial or preferable in the circumstances. Whether

a building licence or a building lease should be granted will need to be considered by the Council and the LLP each time the conditions are satisfied.

2.0 Progress

2.1 Planning and Design Development

Design development as part of the pre-application planning process has continued for the sites in WP1. A hybrid planning application has been submitted for The Waterloo and Queen Street Estate and has been validated by the Local Planning Authority. Good design has been a key aspect in the evolution of the schemes since establishing the JV, ensuring that each scheme acts as an exemplar housing development within the borough.

2.2 As part of the pre-application planning process, consultation has continued with the Local Planning Authority, Strategic Planning Committee, Independent Quality Review Panel and other key stakeholders. Residents have also had the opportunity in the summer of 2020 to offer any comments regarding the hybrid planning application of the Waterloo and Queen Street Estate. Whilst consultation with residents has been challenging due to the COVID-19 pandemic, measures are in place to provide updates via a COVID-19 secure platform.

2.3 As always, place making is a key objective of the Council and each site in WP1 is being developed to meet this objective. Each scheme has evolved to design quality environments and homes where residents want to live in and public realm that support community living.

2.4 Napier New Plymouth

Napier New Plymouth started construction in November 2020. This development will set the standard for new homes in Rainham, being a marker of quality apartment living. A place with a green heart – a public open space for meeting, resting, playing or just passing through. New housing with a community spirit – bringing new and existing neighbours together, reaching out to connect to the wider neighbourhood and network of public spaces. The homes will be bright and warm with sunlit courtyards for residents to enjoy the outdoors. The central park will bring people together, through the careful design of bike and pedestrian paths and children's play spaces. This development will provide 100 per cent affordable homes for local people. First completions are anticipated for June 2022.

2.5 Solar Serena and Sunrise

Solar Serena and Sunrise achieved resolution to grant planning permission in July 2020 and construction is due to start in Spring 2021. This scheme is the first of its kind to be developed in London by a Local Authority and is a testament to the JV's commitment to providing local homes for local people.

This scheme will be a flagship retirement village with facilities that are designed to encourage a wide breadth of activities, ranging from a gentle stroll through the central landscaping, to a cycle through Harrow Lodge Park. The development will also aspire to adopt dementia friendly design principles, through careful consideration of colour schemes and way finding throughout the development. The new neighbourhood has been meticulously designed to create an inclusive and fully accessible environment for residents and visitors. Communal, social, and open spaces help to achieve this purpose, with the scheme also offering a central landscaped garden. The scheme is committed to generating enhanced flexible areas, therefore the ground floor of block C has been dedicated entirely to a new flexible communal space. The COVID-19 pandemic has further demonstrated the benefits of independent living within a secure environment such as Solar, Serena and Sunrise.

2.6 The Waterloo and Queen Street Estate

The Waterloo and Queen Street Estate wholesale demolition is set to begin imminently with the installation of perimeter hoarding around the site. Once demolition is complete, areas will be assigned for meanwhile uses from pocket parks to bee gardens that will help soften the landscape during construction. Waterloo and Queen Street Estate will be a destination where everyone is welcome. Residents and the community will feel safe and at home with front doors lining the streets in a clean and tidy local environment. Biodiversity will return to the town centre. Residents will feel in touch with nature, with ample tree planting and garden beds. Local businesses will thrive in the commercial space fronting Waterloo road and adaptable community space will be a focal point for all.

2.7 Cross Rail

The Waterloo and Queen Street Estate development is strategically well located within the heart of Romford. Romford is a significant commuter town which connects Essex's peaceful countryside with the UK's bustling capital city. For over a century, existing transport connections have made Romford an excellent location for those desiring to live in the London area, whilst simultaneously being able to reap the benefits of its surrounding rural expanse. With Romford rail station undergoing improvements to accommodate the much-anticipated arrival of Cross Rail's Elizabeth line in 2022, the area's transport links will become even stronger. As a result of this, Romford is expected to see a surge in property prices.

Property prices across most areas where the Elizabeth line will operate are expected to rise, and Property Partner, a crowdfunding platform, found that all areas surrounding the 40 Cross Rail stations have already seen an average growth of more than 41% over the past 10 years. CBRE Residential has predicted that the residential property sector in the areas surrounding Cross Rail stations will experience an estimated increase of £35bn when the service is fully up-and-running. By the time the first blocks of Waterloo and Queen

Street Estate are forecasted to be developed the negative impact on the housing market from the pandemic should have subsided.

- 2.8 The JV is obliged to deliver each scheme in accordance with the Key Requirements set out in the Development Agreement. These requirements set out the parameters for a planning application and include:

- The number of units to be delivered across the development
- The housing bed size and tenure mix
- A requirement for non-residential uses such as commercial and retail.

The key requirements for each site may vary as a result of stakeholder consultation and planning policy but will always be required to meet the Council's objectives for the Regeneration Programme.

- 2.9 As part of the review of the key requirements for each scheme in WP1, officers underwent a review of the level of affordable housing and bed sizes of the homes being delivered across the sites.
- 2.10 As evidenced below, in comparison to the information extracted from the Local Planning Authority, each site in WP1 is delivering above the average level of affordable housing on major development sites (above 10 units) approved from 2014-18.

Affordable Rent	282	6%
Intermediate	366	8%
Market	4041	85%
Not Known	60	1%
Total	4749	100%

- 2.11 Since bid stage, levels of affordable housing has increased in line with the Council's objectives to maximise the delivery of affordable housing across each site.

Site	Affordable Housing – Bid Stage	Affordable Housing – Year 2 review	Affordable Housing- Year 3 review
Napier and New Plymouth	77.7%	64%	100.0%
Solar, Serena, Sunrise	25.8%	76.6%	76.6%
Waterloo and Queen Street Estate	38.5%	40.4%	40.4%
WP1 Total	41.3%	46.4%	50.7%

- 2.12 The introduction of more affordable housing across WP1 and the provision of private rented housing on the Waterloo and Queen Street Estate has removed significant cross-subsidy from the development. As a result, the development

of the retirement village and Waterloo stages one to four will be funded through forward funding from the Council, instead of external debt funding.

- 2.13 In addition to the review of the level of affordable housing, the bed size mix of affordable homes has also been a part of the review process. The Draft Local Plan requires affordable housing to be delivered according to the bed-size mix in the table below. Amongst other sources, this mix has been influenced by the Strategic Housing Market Assessment, which was carried out in 2016, and provides a longer-term assessment of housing need, from 2011 – 2033.

Bed-size	1-bed	2-bed	3-bed	4-bed +	Total
	10%	40%	40%	10%	100%

- 2.14 A key requirement for each site within the 12 site programme is that new homes not only meet a demonstrable housing need, but also facilitates the Right to Return for Council tenants that have been rehoused away from a regeneration site. The table below demonstrates that across WP1, the highest level of demand, derived from the Right to Return, is for one bedroom homes.

Right to return requirement	1-bed	2-bed	3-bed	4-bed	Total	
	%	%	%	%	No.	%
Waterloo and Queen Street Estate	32%	32%	35%	1%	171*	100%
Napier and New Plymouth House	64%	30%	6%	0%	87	100%
Total	43%	31%	25%	<1%	258	100%

*no re-provision of Sheltered Housing provision at Queen Street

- 2.15 In addition to the Right to Return, the Council's housing register provides a reference to identify an immediate need for affordable housing provision in the borough, based on those households that present themselves to the local authority. Data from August 2020 shows that in comparison to the Local Plan prescription, a higher proportion of one-bedroom affordable units are required to meet the demand of Havering households. The table below shows bed-size need for the people on the housing register:

Housing Register demand by bed-size	1-bed	2-bed	3-bed	4-bed	5-bed	Total	
	%	%	%	%	%	No.	%
	23%	38%	34%	4%	<1%	1996	100%

- 2.16 The affordable housing demand emanating from the Right to Return and the Housing Register have been imperative in determining the bed-size mix of the affordable homes that will be delivered across WP1. Changes to the proposed housing mix as a result of the data above, are demonstrated below.

- 2.17 Whilst this data supports the delivery of one-bedroom affordable homes across General Needs sites, the provision of affordable and oversized one-bedroom homes at the Solar, Serena Sunrise retirement village continues to be deemed the most appropriate solution to meet the housing needs of the over 55's, by providing an affordable home with the flexibility of extra care provision where required.

	Affordable bed size mix – Bid Stage				Affordable bed size mix – Year 3 review			
Bed size	1	2	3	4	1	2	3	4
Napier and New Plymouth	35%	50%	15%	0	44%	42%	14%	0
Solar, Serena, Sunrise	61%	39%	0	0	86%	14%	0	0
Waterloo and Queen Street Estate	43%	50%	7%	0	45%	35%	20%	0
WP1 Total	43%	49%	8%	0	51%	33%	16%	0

- 2.18 In October 2019 the planning application for the redevelopment of Napier and New Plymouth House was approved by the Council's Strategic Planning Committee. This scheme will deliver 197 new homes. In response to the economic downturn consequent of the COVID-19 pandemic, and the impact on viability across the 12 Estates Programme, NNP will now be taken forward as a 100% Council owned development.
- 2.19 The planning application for the redevelopment of Solar, Serena Sunrise Courts was submitted in November 2019 and received resolution to grant in June 2020. Following market research and refined design principles, greater provision has been made for flexible communal areas to meet the needs of residents and facilitate social inclusion within the local community as well as dementia friendly design principles.
- 2.20 In addition to this, a greater provision of affordable housing has been attained, increasing the affordable provision from 55 homes for affordable rent to a total of 134 affordable homes amounting to an affordable provision of 77%; 80 homes for affordable rent and 54 homes for low cost home ownership.

Low-cost home ownership was deemed to be a necessary tenure for the over 55's, enabling a current homeowner to downsize as well as providing an opportunity for them to gain financial flexibility. In line with the GLA Capital funding guide, the shared owners' maximum equity share will be 75% of the property's value.

- 2.21 The Council has secured affordable housing grant for Solar Serena Sunrise estate, which is at risk should it not be possible to satisfy the outstanding conditions precedent to grant a building lease of the site to HWR by April 2021. However, the COVID-19 pandemic has impacted on the programme resulting in delays in the completion of the demolition and enabling works contract. Two

key elements of works remain outstanding, (MOLA and remediation work packages). The combined value of the outstanding works is £0.800 million. However, it is not possible to append these works to the existing direct award arrangements as they are beyond the scope and cost of the works that were intended to be within the original contract.

- 2.22 To ensure a start on site can be achieved by April 2021 and secure the grant, it is proposed for the Council to enter into an Early Development Agreement with HWR for the remaining work packages mentioned above, whilst the parties continue to satisfy the conditions precedent which remain outstanding in order that the building lease can be granted to HWR. This approach is consistent with the original contractual arrangements, under which HWR would have undertaken and funded the demolition of the site. Cabinet approved the direct award of the demolition and enabling works contract on SSS on 13 February 2019 on the basis that it would expedite the delivery of SSS.
- 2.23 A letter of intent was issued by the Council to HWR by the 10-03-2021 [assuming Non-Key ED is progressed prior to Cabinet] to progress a limited scope of works, with a value of £0.200m, with the final package of works, valued at £0.600m to be commissioned upon the completion of the first package in accordance with the terms of the Early Development Agreement.
- 2.24 HWR would oversee the completion of the remaining elements of the demolition and enabling works contract before starting the main works contract (anticipated August 2021).
- 2.25 Solar Serena Sunrise is a dedicated older person scheme, which offers a mixed tenure product, including 41 dwellings for private sale. Market analysis indicated that disposals of private sale units on older person schemes take longer than a conventional housing scheme. Furthermore, the product is being marketed alongside 54 older persons shared ownership dwellings. To further mitigate against the risk of unsold units, a longstop arrangement would be put in place for the Council to acquire any unsold units once the longstop period has expired. The proposal is for the Council to acquire any unsold units after 18 months from practical completion, at a discount to open market value.
- 2.26 The Council are proposing to offer an added incentive to promote downsizing from family homes to the Solar Serena Sunrise estate. The Council would offer to acquire the homes (3 bed or larger) from prospective buyers to encourage the freeing of much needed family housing in the borough. The Council would benefit from additional family homes to make available to qualifying households on the housing waiting list on a secure tenancy basis.
- 2.27 As reported previously, the Waterloo and Queen Street Estate will be developed in a phased approach due to the quantum of homes on the new development. In total, the redeveloped scheme will deliver 1,380 new homes. Stage one (Blocks 1 and 2) of the development will include the delivery of 372 homes.

- 2.28 Some cost increases have crystallised linked to external factors, such as changes made in response to planning and building regulations, Community Infrastructure Levies, delays linked to the COVID-19 pandemic. The cost of construction has also increased, driven mainly by to the increased preliminary costs on Solar Serena Sunrise estate, linked to the logistical and site setup issues on the site.
- 2.29 The planning processes for Work Package One sites will continue through the business plan period until an implementable planning consent is achieved. The table below shows planning and development milestones for the sites that have been progressed since the last business plan as well as a forecast for the remaining sites in the 12 site programme.

	Submission of Planning Application	Resolution to Grant	1st Completions	Site Completions
Work Package One				
Napier and New Plymouth House	May-2019	Nov-2019	June-2022	Dec-2022
Solar, Serena, Sunrise	Dec-2019	June-2020	May-2023	Dec-2023
Waterloo and Queen Street Estate	Jun-2020	Mar-2021	Jul-2024	Mar-2030
Work Package Two, Three and Four				
Chippenham Rd	Feb-2022	May-2022	July-24	July-2025
Farnham and Hilldene	Outline Feb 2022 Detailed Aug 2023	Jan-2024	Nov 2026	Feb 2035
Brunswick Court	Feb-2024	May-2024	Aug- 2026	Aug-2026
Maygreen Crescent	Oct-2025	Jan-2026	Jun 2028	Sep- 2029
Delderfield House	Oct-2025	Jan-2026	Dec- 2027	
Dell Court	Oct-2025	Mar-28	Mar-2028	
Oldchurch Gardens	Oct-27	Jan-28	Jun-2030	Summer 2029
Royal Jubilee Court	Jul-27	Jan-28	Sep- 2030	Mar- 2031
Napier and New Plymouth Blue Line	Jan-28	Mar-2028	Jun-2030	Jun 2031
Direct Council delivery				

Farnham and Hilldene	Outline Feb 2022 Detailed Aug 2023	Jan-2024	Nov 2026	Feb 2035
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2.30 Vacant Possession

Vacant possession has been achieved for all three sites of work package one within the red line boundary. The 12 estate regeneration program continues to move forward with the requirements of the existing residents being paramount. Vacant possession across regeneration sites has been aligned with the strategy to reduce the homelessness pressure on the General Fund. Properties vacated by secure tenants and leaseholders across the regeneration programme have been used as temporary housing for homeless households.

A significant effort has been made to ensure those people moving out of their homes find suitable alternative homes that meet their needs and that they are supported through the moving process. Council tenants, leaseholders and freeholders have all received the appropriate support to assist with moves. Council Officers have continued to work with residents to either move them to a new home or purchase their property.

3.0 Scheme Review

The current scheme design and development financial model anticipates that 1,750 new homes will be delivered in Work Package One as per the Feb 2020 update.

- 3.1 The increase in affordable housing has resulted in the reduction of the number of homes for open market sale, and therefore the financial subsidy that those units provide for the delivery of affordable homes. The movement schedules contained within the exempt report demonstrates how the financial model has been affected by the increased proportion of affordable homes.

	Demolitions		Proposed					
Site	Social Rent	Leasehold/ Freehold	Affordable Rent	LCHO	PRS	Open Market Sale	Total	% affordable Housing
Work Package One								
Napier and New Plymouth House	87	10	126	71	0	0	197	100%
Solar, Serena, Sunrise	55	0	80	54	0	41	175	77%
Waterloo	202	71	410	147	0	823	1,380	40%

Estate (and Queen Street)								
Work Package Two								
Chippenham Road	20	12	115	25	0	66	206	68%
Brunswick Court	47	0	54	0	0	0	54	100%
Work Package Three								
Maygreen Crescent	88	23	94	24	0	177	295	40%
Delderfield House	14	0	22	0	0	0	22	100%
Dell Court	29	0	29	0	0	51	80	36%
Work Package Four								
Oldchurch Gardens	64	22	122	0	0	184	306	40%
Royal Jubilee Court	79	0	53	0	0	99	152	35%
Napier and New Plymouth Blue Line	0	51	63	62	0	188	313	40%
Subtotals	775	216	1,168	383	0	1,629	3180	49%
Total	991		3,180					

- 3.2 Based on the 3,180 model, the 12 site programme would deliver 49% affordable housing, whilst more than doubling the number of occupied affordable homes across the sites. These figures are summarised for comparison in the table below:

	Now	Future	Change
Total number of homes	991	3,180	+220%
Occupied General Needs homes	551	981	+78%
Occupied Sheltered rented homes	224	187	-17%
Low-Cost Home Ownership	0	383	+383
RTB losses	217	0	-100%
Total occupied affordable homes	775	1,551	+100%

- 3.3 In February 2019, Chippenham Road was identified as an opportunity site for regeneration, given its close proximity to the proposed Farnham and Hilldene Estate development and the closure of the Council Housing Office.

- 3.4 Since the decision to include Chippenham Road in the 12 site programme, consultation has been carried out with key stakeholder groups. Evident from this has been the necessity for strategic alignment between the Chippenham Road and Farnham and Hilldene sites in order to develop a vibrant district Town Centre in Harold Hill.
- 3.5 It is envisaged that a comprehensive Harold Hill town centre development would be a flagship, place-making community-led regeneration programme that supports the socio-economic aspirations of the local community. Investment in this area would seek to get the most out of local community assets, with the intention of creating public spaces that promote health, happiness, wellbeing of residents and opportunities for growth for local businesses.
- 3.6 The scheme has been earmarked to deliver 206 new homes, of which 140 would be affordable (68%). This represents an increase of 174 new homes, which would both increase the quantity of affordable housing and broaden the Council Tax base.
- 3.7 It is proposed to develop Chippenham Road in advance of Farnham and Hilldene, which when completed would create additional capacity to cater for the households decanted in advance of that regeneration.
- 3.8 The Farnham, Hilldene, Chippenham Road and Abercrombie Cabinet Report seeks approval to remove Farnham and Hilldene from the 12 Estates programme and deliver this as a Council-led funding via direct delivery.
- 3.9 Work has continued to develop the additional opportunity and “blue line” sites. Both Chippenham Road and Napier New Plymouth blue line opportunities have been incorporated into the programme. Based on the capacity studies carried out on the five remaining opportunity and blue line sites, an additional 774 new homes could be delivered, 40% of which would be affordable.
- 4.0 **Financial Review**
- 4.1 The business case assumptions have been updated to reflect anticipated economic conditions and design development including enhanced design features and the reduction in open market housing cross subsidy due to the increased provision of affordable housing.
- 4.2 Key changes are summarised in the following text and in the exempt report at paragraphs 6.1 to 6.21.
- 4.3 **Affordable Housing** – it is proposed that the development of 54 units of affordable housing is brought forward into block 1 of the Waterloo and Queen Street Estate development. The change is driven by the need to reduce the level of sale risk and delivers an overall more balanced scheme. 54 units of affordable housing would be converted to private sale in subsequent stages.

4.4 Price per Affordable Rented Unit – At bid stage an average offer price of £172,000 per plot for the affordable rented units. Forward funding has effectively increased this to £233,000 per plot because of build cost inflation, design and development enhancements, reduction in private sale cross subsidy and the impact of providing more affordable housing and more family sized accommodation.

4.5 Forward Funding

Key changes to the Solar, Serena, Sunrise and Waterloo and Queen Street Estate schemes mean that forward funding is also required in order to unlock the development of these sites:

- Solar, Serena, Sunrise retirement village –The requirement of forward funding from the Council for this site is now £17.5m, an increase of £1.6m from the approved business plan position. This is driven by the increased level of unavoidable costs linked to COVID-19 delays and the outcome of detailed market testing.
- Waterloo and Queen Street Estate - The requirement of forward funding from the Council for this site is £22.7m, up £8.1m from £14.6m. This is driven by the bringing forward of development of 54 affordable rented units and the additional costs linked to planning / building regulations.

The financial figures identified in this report represent a point in time, and it is anticipated that as the development progresses, the housing market will revert to a period of growth in house prices, which will enhance the value of the scheme. The blended average cost to the HRA including shared ownership units is £205k per unit. This represents good value is significantly below what can be delivered from the market, other development partners and delivery models.

REASONS AND OPTIONS

5.0 Reasons for the decision:

- 5.1 To incorporate revised assumptions and an updated programme into the Business Plan for the period 2021-22.
- 5.2 To continue to secure the Council's regeneration objectives for the 12 Site Regeneration Programme.

- 5.3 The optimisation of affordable housing provision to be purchased by the HRA, on advantageous terms via a Joint Venture vehicle, to help sustain the HRA long term.
- 5.4 To maximise the level of family housing and retirement provision in the borough.
- 5.5 **Other options considered:**
- 5.6 The adoption of the Business Plan is a consent matter. Without the Council's approval, as a Member of the LLP, the revised Business Plan could not be adopted, and the current approved Business Plan would be maintained. The Council is in contract with Wates as a commercial partner for the delivery of the regeneration of sites within work package one and share the associated costs. These commitments will need to be upheld.
- 5.7 Not approving the revised Business Plan may have a negative impact on the Council's ability to continue funding land acquisition which in turn will have implications with delivery targets including affordable housing delivery and achieving targets agreed with GLA in the Overarching Borough Intervention Agreements.
- 5.8 Not adopting the revised Business Plan would result in a pause to the scheme while the JV Partners reviewed their options. This would in effect delay the programme resulting in additional costs for both JV Partners. Suspending planned construction works at this time would adversely impact on jobs and growth in the local economy. It may also give rise to negative market sentiment with a consequential impact on the wider development market that this scheme would otherwise seek to stimulate
- 5.9 The Council could agree to reduce its ambitions for the level of affordable housing on the programme and convert some affordable units to private sale to improve overall scheme viability. This would go against the Council's stated policy aims by reducing the provision of affordable housing available to households in need. Reducing the level of affordable would have several indirect impacts, including an increase in the numbers on housing waiting lists and increased cost of homelessness prevention.
- 5.10 Also, given the current uncertainty in the market linked to the COVID-19 pandemic, it is not clear flipping units to private sale would achieve the desired impact. Increasing the quantity of private sale units in times of economic uncertainty could increase the levels of sale risk. As a result, this option has been discounted.
- 5.11 The Council could also consider withdrawing one or more sites from the programme and look to develop directly or with a new developer. Withdrawing the Phase 1 sites has been discounted based on the significant delays and disruption that would arise. It is unlikely that withdrawing the Phase 1 development and taking it via forward via a new delivery structure would yield

savings accounting for the significant investment and acknowledging the advanced stage the sites have reached in terms of planning and design. As a result, this option has been rejected.

- 5.12 However, given the WP234 sites are at an early stage (except for Chippenham Road), the Council retains the discretion to consider alternatives, should delivery by HWR not be possible in accordance with the existing terms and anticipated level of returns enshrined in the existing JV documents.

IMPLICATIONS AND RISKS

9.0 Financial risks & sensitivities

- 9.1 Detailed financial information (paras 6.0 to 9.3) is contained within the exempt report. The report seeks Cabinet approval in principle to invest a maximum of £102.3m of capital expenditure gross of repayments of equity into a Limited Liability Partnership to deliver the regeneration of 12 Housing Revenue Account (HRA) sites. The peak end of year equity exposure is forecast to reduce to £28.6 million from £36.0 million. Some of this investment would be in the form of HRA land, the net value of which is currently estimated at £8.6m (all sites), with the remaining £22.7m as cash funding.

Financial Risks

- 9.2 Scheme viability, the JV's Risk Register is included within the Business Plan attached at Appendix 2, which sets out some of the key financial risks. Mitigation measures are as set out in the business case attached to this report.
- 9.3 The build costs and revenues are derived from the latest analysis provided by the Wates Construction Limited and CBRE. Cost plans for the detailed designs for Phase 1 reflect extensive consultation with the local planning authority and Council stakeholders. Both NNP and SSS have progressed to a final stage, with the cost packages fully market tested and tendered. As a result, a relatively high degree of confidence can be placed on the numbers.
- 9.4 The designs for the Waterloo and Queen Street Estate development blocks 1 & 2 have reached a detailed design stage. However, until the work packages are fully market tested, it is possible there may be further escalations in cost. With the scheme starting in Q2 2022, the adverse impact of COVID-19 on the housing market may have abated, and revenues could increase to mitigate

against the impact of cost escalations. To manage risk on Phase 1, a 5% contingency has set aside (3% build contract, 2% developer contingency).

- 9.5 The other sites in the programme have not yet reached a detailed design stage. As a result, the projections are likely to continue to move as design work progresses and the general economic factors are considered. These sites are subject to a viability test, and if viability deteriorates could be put on hold.
- 9.6 The key sensitivities and the impacts are included in the table below. These sensitivities demonstrate the potential programme wide exposure. However, a site will only be brought forward for development once it meets the financial and viability hurdles. Each site is delivered via a dedicated SPV, to ensure development risk can be ring-fenced: -

RISK AREA	SENSITIVITY	JV	Council	Commentary
Financing	JVLLP borrowing rate + 1%	-£4.2m	-£2.1m	The JVLLP agreement is predicated on a 70/30 debt/equity funding arrangement.
Economic	Build costs + 1% per annum	-£43.0m	-£21.5m	In line with the long-term Bank of England projections, CPI has been modelling at 2% per annum. It is assumed that house price and construction inflation will align at 2% per annum. It is likely to some of the cost risk will be mitigated with the JVLLP entering into a series of fixed price forward construction contracts.
Economic	House Prices Reduction 10%	-£66.7m	-£33.4m	The base model has been predicated on achieving an average of £544 psf sales. No HPI has been assumed since the close of the bid stage. Revenues on the 12 Sites. However, prices may increase further or decrease particularly in the short term.

Economic	Sales (1 Year Delay)	-£36.7m	-£18.4m	The sale of open market sale units underpins this regeneration scheme. An economic downturn may result in individuals being unable to secure mortgage finance. This may result in a reduction or even a halt in sales. This would have a significant impact on the financing of the scheme, as working capital would be invested for a longer period.
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- 9.7 PWLB borrowing rates, the current projections are based on a long-term borrowing rate of 2.0%. Currently the Council can secure borrowing at just below 2.0% (50 years). As borrowing is drawn down, the rates are effectively locked in for the loan period. In the short term, this may result in a net benefit to the HRA as rates are currently below the 2.0% target, but it is possible rates may increase over the medium to long term, potentially going above the 2.0% assumption.
- 9.8 The modelling above indicates that the Council over the life of the scheme should not expose itself to a weighted cost of borrowing more than 4% to ensure payback can be achieved with 40 years. Going above a weighted average of 5% would put overall programme viability at risk.
- 9.9 House prices and sales risk, private sale units are priced under a 'Red Book' methodology, which is based on an assessment of the current value of new developments in the area. No house price inflation has been applied to the scheme. It is possible that once a degree of confidence and certainty is achieved in the macro-economic environment, the scheme may begin to benefit from the impact of house price inflation. Savills have forecast that prices could increase by 12% in London over the next four years. Their forecast accounts for a COVID-19 pandemic related slowdown in the market in 2021.
- 9.10 Any open market units remaining unsold at the agreed longstop date on the Solar Serena Sunrise estate, would be acquired by the Council for a value equivalent to 75.0 per cent of open market value for units earmarked for private sale and 61.6% per cent of open market value for units earmarked for shared ownership. The HWR business plan assumes the 80 private sale units would yield £15.400 million of income. Any additional units acquired under this arrangement are counted against the overall delivery of affordable housing on the 12 sites programme. As such, the target would be reduced in subsequent schemes to ensure the overall programme target is not exceeded. The acquisitions would be funded from the existing affordable housing capital

budget. The Council would have the option to either market the units for sale or convert the acquired units to an affordable housing product.

- 9.11 Shared ownership, the financial models are underpinned by an assumption that disposals of shared ownership product yield an average receipt of 40 per cent of open market value. Should average receipts exceed the 40% hurdle, the JV would pay over the surplus to the Council.
- 9.12 The Council would benefit from a higher interest in the property, accruing net revenues over and above the current 60 per cent of OMV assumption.
- 9.13 GLA affordable housing programme (21-26), the GLA have recently published their prospectus for the new affordable housing programme. The most significant change is the restriction on funding replacement units. A review will be undertaken to consider the impact of the new funding regime on the WP234 sites.
- 9.14 GLA 16-21 grant Phase 1, the GLA are imposing a requirement for the Council to enter an overarching build contract for all of the Waterloo and Queen Street Estate development with Wates. This is a change from the current position, where a build contract is let for each stage in the programme. The Council's legal advisors, Bevan Brittan are working to assess the legal and contractual implications.
- 9.15 COVID-19 pandemic, the potential restriction on working practices could put pressure on costs linked to additional compliance requirements and potential delays to the programme.
- 9.16 The programme has a significant element of open market product, which adds an element of sales risk. It is still unclear what the lasting impact of COVID-19 may have on the housing market. The most severe consequences of the pandemic are likely to be felt in the short term, with a possible loss of confidence in the housing market, although at the time of writing house prices are still very buoyant. However, given the units for sale are not being released to market until mid-2022, this should provide sufficient time for the market to stabilise.
- 9.17 Appropriation and compensation claims, there is a degree of uncertainty with regards to any claims linked to the appropriation to planning. Any claims for compensation must be met from the HRA capital Programme and would be funded from the project contingency budget.
- 9.18 Macro-economic and regulatory risks, overall, the prospect of realising the outcomes for the programme will remain subject to numerous different factors beyond the LLP's control, ranging from local, regional, and national asset price and demand fluctuations to the wider macro-economic forces such as volatility in interest rates, the value of the pound and the availability of credit and mortgages.

Legal implications and risks:

- 10.1 This report follows a number of previous reports to Cabinet including the reports in February 2019 and 2020 which considered the first and second JV business plans respectively and the report in August 2020 which set out the options to deliver the Napier New Plymouth development in light of the COVID-19 implications.
- 10.2 The Council is being asked to approve the business plan dated March 2021, which includes a number of changes from the previous business plan that was approved.
- 10.3 The Council has entered into the joint venture LLP with Wates pursuant to a number of powers including the Housing Act 1985, the Housing and Regeneration Act 2008, the Local Government Act 1972 and the general power of competence in section 1 Localism Act 2011.
- 10.4 The Council is now contractually committed to progress the project in accordance with the agreements that have been entered into with Wates and the JV, unless variations are agreed by the parties.
- 10.5 This report seeks Cabinet approval to the inclusion of a budget of £102.3m equity for the 12 Sites and Chippenham Road scheme together with a budget of £58.7m for potential land acquisition/CPO costs within the proposed HRA capital programme, which were approved by Cabinet in February 2021 in the annual rent setting and capital programme report and recommended to and approved by Full Council on 3 March 2021. Cabinet is also asked to approve an increased amount of forward funding up to £9.7 million; comprising an additional £1.6m for the development of Solar, Serena and Sunrise Courts (bringing the forward funding total for this scheme to date to £17.5m) and £8.1m in respect of the Waterloo and Queen Street Estate (bringing the forward funding total for this scheme to date to £22.7m). In view of the increase in affordable housing offered by the revised work package, the proposed increase in funding needs to be considered in the light of the new Subsidy control regime. Subsidies to economic actors from state resources which may affect trade or investment in between the UK and the EU are caught, and there is a currently incomplete regime which is due to be amplified following a consultation launched 3 February 2021. The base rules in force at the moment incorporate a similar exemption to the EU rules for SGEI. These are now known as Services of Public Economic Interest (SPEI), but the exemption is less clear. The basic principle is that subsidies within the definition need to be considered by grantors as to whether or not they are consistent with 6 principles, although where compliance with those principles would obstruct the performance of the relevant service an SPEI is exempt.

As detailed in the Exempt Report, these principles have been considered and the additional funding is consistent with these principles therefore the funding will fall within the Services of Public Economic Interest exemption.

- 10.6 The Council has broad powers under Part 2 Housing Act 1985 to promote or deliver housing of any tenure for the purposes of meeting housing need which permits the proposed acquisition of housing set out in this report.
- 10.7 The Council intends to use the power to override easements and other rights in section 203, Housing and Planning Act 2016 for the property to be disposed of to the JV. To do so, it must first appropriate the land for planning purposes. Once the land has been appropriated, if the Council intends to grant a build lease to the JV then this will constitute a disposal. The Council has the power to dispose of property appropriated for planning purposes in section 233 of the Town and Country Planning Act 1990.
- 10.8 If there is any HRA land that will not be appropriated, or if appropriated land is returned to the HRA before development, Secretary of State consent would be required before it could be disposed of to the JV (disposal is broadly defined and includes not only a transfer of the freehold but also the granting of a lease, as is the intention here). However, a general consent has been issued by the Secretary of State that would be relevant in these circumstances. Consent A3.2 of the General Housing Consents 2013 permits disposal of vacant land, which includes land on which dwellings have been built provided (1) they have been demolished, or (2) are no longer fit for habitation and are due to be demolished.
- 10.9 The Council has a broad power to appropriate land for the purposes of Part II housing under section 19(1) of the Housing Act 1985. This power can be used by the Council to transfer the freehold of the land back into the HRA.
- 11.0 **Human Resources implications and risks:**
- 11.1 There appear to be no HR implications or risks arising that impact directly on the Councils workforce.
- 12.0 **Equalities implications and risks:**
- 12.1 The public sector equality duty under section 149 of the Equality Act 2010 ("PSED") 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; and (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and to foster good relations between those who have protected characteristics and those who do not. 'Protected characteristics' include: gender, race and disability, sexual orientation, age, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment. The Council is committed to improving the quality of life for all, and supports wider social and economic growth through social and physical regeneration.
- 12.2 Officers are due to embark on a commissioning process to update site

Specific EIAs to re-evaluate the need of individuals and households affected by this regeneration programme. This will also include a site specific EIA for the Napier New Plymouth Blue Line site.

BACKGROUND PAPERS

- | | |
|-----------------------------------------------------------------|--------|
| • Exempt Report Appendix 1 Financial and Legal Implications | EXEMPT |
| • Appendix 2. HWR Movement Schedule | EXEMPT |
| • Appendix 3. Havering Wates LLP Business Case | EXEMPT |
| Annex A- JV Business Case Risk Register | EXEMPT |
| Annex B – JV RIBA Guide | EXEMPT |
| Annex C - Havering Wates LLP Cash flow- | EXEMPT |
| Annex D - Havering Wates LLP Phase 1 Havering Wates LLP Phase 2 | EXEMPT |
| Annex E – Havering and Wates Standard Processes | EXEMPT |
| Annex F- JV Programme Draft | EXEMPT |
| • Appendix 4. 12 Estate Dashboard | EXEMPT |

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CABINET

17th March 2021

Subject Heading:

Regeneration of Harold Hill (Farnham, Hilldene, Chippenham Road and Abercrombie Hostel)

Cabinet Member:

Councillor Damian White- Leader of the Council and Portfolio Holder for Regeneration.

SLT Lead:

Neil Stubbings - Director of Regeneration
Patrick Odling-Smee - Director of Housing

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Policy context:

Havering Housing Strategy 2014-2017
National Planning Policy Framework 2012
Draft London Plan 2017 (Adoption 21)
Emerging Havering Local Plan 2017
HRA Business Plan 2021-2051
Prevention of Homelessness and Rough Sleeping 2020-2025

Financial summary:

This report sets out the proposal to take forward the regeneration of the Farnham, Hilldene and Chippenham Farnham and Hilldene district town centres under a Council led approach. The proposal would have both General Fund and HRA implications.

This report seeks Cabinet approval in principle to invest a maximum of £192.8 million HRA and £21.7 million General

Fund of capital expenditure to support the construction of affordable housing, a new Hostel, commercial and retail assets and a medical centre.

Is this a Key Decision?

This is a key decision

When should this matter be reviewed?

Spring 2021

Reviewing OSC:

Towns and Communities OSC

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

Communities		making
Havering	[x]	
Places		making
Havering	[x]	
Opportunities		making
Havering	[x]	
Connections		making
Havering	[]	

SUMMARY

- 1.1 Harold Hill has, for many years, and continues to be, one of the most deprived areas not only in Havering but in London. To try to rectify this, Harold Hill has been the focus of a previous Council led regeneration programme called Harold Hill Ambitions. In essence, the programme was hugely successful in delivering a physical and community regeneration programme. This report seeks approval to build on the area improvement work already undertaken by entering into the next phase of Regeneration in Harold Hill.
- 1.2 The emerging Local Plan's spatial strategy is to deliver good growth and envisages growth and development being shared across the Borough's district centres, such as Harold Hill. In addition to this, the emerging Local Plan encourages new high-quality residential development and residential intensification within and close to the centre. It also supports an appropriate scale of retail, culture, service industries and office development. The new development is expected to make a positive contribution to place making and local distinctiveness.
- 1.3 As part of the Council's regeneration aspirations, three separate sites have been identified in Harold Hill as an opportunity to deliver the outcomes prescribed by the emerging Local Plan. The considered sites include Farnham & Hilldene, Farnham and Hilldene district town centre, Abercrombie Hostel and Chippenham Road as shown by the red line boundary attached in Appendix 1.
- 1.4 This report seeks approval to progress with the strategy to deliver the three sites under a single, cohesive design vision. Officers will be enabled to move forward with community-led, socio-economic regeneration which will complement other area-based initiatives within the Council such as the Community Hubs and Local Community Coordination. It is envisaged that holistic intervention in Harold Hill will deliver community wealth building and improved social outcomes.
- 1.5 In addition, this report seeks approval for the preferred delivery method of the individual sites. In the interests of securing the best value for the Council, an analysis has been conducted to consider each site on its own merit in order to determine the best delivery method. Considered within this report is delivery via the Council's existing joint venture, Havering Wates Regeneration LLP (HWR) or a direct delivery approach funded through the Housing Revenue Account (HRA).
- 1.6 To enable the viability assessment, a capacity study exercise has been conducted to explore various design options for each site. This exercise has informed an indicative financial position to be drawn of the individual sites and to conclude budget recommendations. The key commercial inputs have been reviewed and validated by external specialists.
- 1.7 At the heart of the single design vision is the existing Farnham and Hilldene district town centre. Despite its relatively poor state and deprivation, the centre

remains vibrant and forms an integral part of any plans for regeneration due to its presence and commercial footfall as well as engendering a strong sense of community.

- 1.8 The Chippenham Road site was first identified in 2019 as an opportunity site for regeneration due to the closure of the Council housing offices. The site was adopted by the Havering and Wates Regeneration LLP (HWR) for development.
- 1.9 Abercrombie Hostel site was more recently included in the overarching area proposals in order to maximise the benefits of regeneration for the Council and its residents.
- 1.10 This report proposes that the regeneration of Farnham and Hildene district town centre, Chippenham Road and the Abercrombie Hostel sites are progressed under a combined design scheme, taking into account the commercial offering, housing need and social infrastructures required to support the community. Consideration is given to the benefits of delivering a new community Medical Centre and replacement of the existing Abercrombie Hostel facilities with a new high quality Family Welcome Centre.
- 1.11 The regeneration will take several years and would require rehousing and re-provision of existing households and businesses. As such, considerations are given to phasing the development, to ensure potential costs and disruption is minimised to community and business stakeholders. Further detailed proposals will be developed and shared with Cabinet detailing the phasing methodology.
- 1.12 It should be noted that any drawings accompanying this report are not an agreed design and only represent the capacity exercise. All design is subject to further necessary consultation and approval.
- 1.13 As consultation and engagement progresses, the impact of the Covid-19 pandemic will be reviewed and checked to establish if they require changes to the proposals for this regeneration.
- 1.14 The financial position and the budget calculations are subject to detailed design, consultation and due diligence. As the schemes progress further reports will be submitted as required for further approvals.

RECOMMENDATIONS

That Cabinet:

1. **Approve** the strategy to deliver three sites under a single design vision, the considered sites include Farnham and Hilldene district town centre District Centre, Chippenham Rd and the Abercrombie Hostel sites and the former Library site (“the Combined Scheme”) as noted in Fig 1 where the red line boundary is edged at Appendix 1.
2. **Approve** the Council-led funding and direct delivery of the regeneration of Farnham and Hilldene district town centre Farnham and Hilldene district town centre, as detailed in paragraphs 10.16 to 10.34 of the exempt Report.
3. **Approve** the Council-led funding and direct delivery of the Family Welcome Centre and Medical Centre at the Abercrombie Hostel Site as detailed in paragraphs 10.01 to 10.38 of the Report.
4. **Approve** the closure of the existing Abercrombie Hostel and Will Perrin Hostel after the development of the new Family Welcome Centre.
5. **Note** the update on the projected costs to deliver the regeneration of Chippenham Road via the existing arrangements with the Havering and Wates Regeneration LLP as detailed in paragraphs 10.01 to 10.27.
6. **Note** a HRA capital budget of £45.139 million has been included within the proposed HWR 2021/22 budget to progress the Chippenham Road scheme.
7. **Agree** to endorse and recommend the budget of £192.817 million to progress the Council-led regeneration of the Farnham and Hilldene district town centre Farnham and Hilldene district town centre and the Abercrombie Hostel Site, **noting** that the HRA capital programme approved by Cabinet on 17 February 2021, and ratified by Full Council on 3 March 2021, includes the necessary capital funding to progress the regeneration.
8. **Agree** to endorse and recommend the inclusion of a budget of £4.602 million to progress the regeneration of a Medical Centre at the Abercrombie Hostel Site and £17.051 million for the development of a new commercial offering on the Farnham and Hilldene district town centre Farnham and Hilldene district town centre within the proposed General Fund Capital programme, **noting** that the General Fund capital programme approved by Cabinet on 17 February 2021, and ratified by Full Council on 3 March 2021 includes the necessary capital funding to progress the regeneration.
9. **Agree** to delegate to the Lead Member for Housing, after consultation with the Director of Housing and Director of Regeneration, the authority to approve the Farnham and Hilldene district town centre and Chippenham Road ballot (if required) including any ballot communication plan.

10. **Note** the continuation of the extensive stakeholder engagement and consultation programme identified within the body of this report.
11. **Note** officers are in the process of preparing an executive decision seeking approval to make application to the GLA for the provision of grant funding to support the delivery of affordable homes on the Farnham and Hilldene district town centre Farnham and Hilldene district town centre and Chippenham Road. In order to accept any funding offer and enter into the necessary formal contract(s), a full cabinet report will be brought forward for consideration.
12. **Authorise** the Director of Regeneration after consultation with the s151 Officer and the Director of Housing to consider the appropriation between the general fund and HRA accounts of the Council and to implement such appropriation as necessary to develop Farnham and Hilldene district town centre, Chippenham Road and Abercrombie Hostel sites.
13. **Authorise** the Director of Regeneration after consultation with the S151 Officer and the Director of Housing to consider and implement the appropriation of land for planning purposes, subject to the agreement of the Secretary of State, to facilitate the development of Farnham and Hilldene district town centre, Chippenham Road and Abercrombie Sites and **approve** an application to the Secretary of State for appropriation under section 19(2) of the Housing Act 1985 (the precise areas of land to be appropriated to be decided).
14. **Note** the Director of Regeneration will undertake soft market testing to establish main interest in the project and a detailed non-key decision on procurement commencement post checkpoint 1 will be provided for formal approval in line with the Constitution and Contract Procedure Rules.

REPORT DETAIL

2. Background

- 2.1 In June 2016 and October 2016, Cabinet received reports which proposed to increase the number of affordable homes on housing sites owned by the Council. As a result of the information provided to Cabinet, 12 sites vested in the HRA were identified for regeneration and Havering Wates JV (HWR) was established in April 2018 to take forward the regeneration of these sites.
- 2.2 The HWR Business Plan 2018/19 refresh approved by Cabinet in February 2019 identified development prospects in Harold Hill, including the redevelopment of the Chippenham Office site as a potential precursor to the wholesale development of the Farnham and Hilldene district town centre Farnham and Hilldene district town centre. Chippenham Road was identified as an opportunity site for regeneration, given its proximity to the proposed Farnham and Hilldene district town centre and the closure of the Council Housing office.

- 2.3 The Cabinet report of February 2020 seeking approval of the HWR Business Plan 2020/21 refresh also provided an update on progress and consultation with the key stakeholder groups. The report outlined that a future report would be presented to Cabinet to consider a proposal for the comprehensive redevelopment of the Farnham, Hilldene Farnham and Hilldene district town centre and Chippenham Road sites.
- 2.4 Original proposals for the Farnham and Hilldene district town centre Farnham and Hilldene district town centre included the refurbishment of the existing flats above the shops and building lightweight construction above the current structures to create 67 new homes. This proposal, whilst being a relatively quick way to build new homes would not provide the level of improvement needed. Early consultation with residents showed significant discontent with the refurbishment option due to the scale of disruption required to complete it. It was also felt that the proposals did not address the fundamental design flaws of Farnham and Hilldene district town centre and therefore did not respond to the issues experienced by local people.
- 2.5 Harold Hill has, for many years, and continues to be, one of the most deprived areas not only in Havering but also in London. Many of the key health, well-being, attainment and aspiration indicators mean that the residents and businesses in this area generally, do not achieve their potential or outcomes enjoyed in other parts of the borough. To try to rectify this, Harold Hill has been the focus of a previous Council led regeneration programme called Harold Hill Ambitions. This started in 2007 and ended as a focussed programme in 2014, although discreet pieces of work carried on after that time.
- 2.6 In essence, the programme was hugely successful in delivering a physical and community led regeneration programme and it had many various component parts to it. The previous good work achieved via the Harold Hill Ambitions programme can now be picked up and the aspiration for regeneration can be taken to a level never previously considered possible. As identified in the 2014 Cabinet report, the land was sold off to pay for area improvements. However, because of the cost of the improvements needed for the overall design of the Harold Hill shopping centre, many key issues were never tackled. The provision of new homes, improved business units for local retailers, poor design of buildings and streets that actually “designed in” crime and ASB were never properly tackled. After the external funding ran out and with the focus and external funding directed towards other areas in the borough, the improvements achieved were not built upon.

3.0 Vision for a Combined Scheme

- 3.1 The Combined Scheme vision detailed in this report is the next stage of the physical transformation of the area. Where Harold Hill Ambitions failed to achieve sustainable holistic regeneration. It must be noted that sustainable place-based improvements need to be delivered with initiatives that enable people and

businesses to take advantage of the new places they live or work in and to improve aspiration and outcomes for people. In addition, there must be capacity, resilience built into the local communities so that people in those communities can help, and support themselves.

- 3.2 The vision for Farnham and Hilddene district town centre should continue and expand as a physical manifestation of community, where people are able to live, work and play in one social arena. Growth brings with it fantastic opportunities to improve facilities, services and living conditions for existing neighbourhoods but only when supported by the appropriate social, economic, cultural and the physical infrastructure needed to ensure it is sustainable. Alongside, good design and careful development process, it is essential to ensure the existing character and uniqueness of each site is maintained.
- 3.3 Independent market intelligence specialist Savills have provided advice on the potential commercial composition of the future district town centre. Detailed information on this research is attached in Appendix 2.
- 3.4 The data presented in the commercial report suggests that in addition to the retail convenience offering, considerations should be made to promote the inclusion of leisure operators in the area to aid the social infrastructure and sense of place. This may include low-cost gyms, restaurants, cafes and bars. Furthermore, to enable sustained prosperity there should be interaction between retail, education, health and leisure throughout the district town centre.
- 3.5 As shopping progressively moves online, leisure facilities are becoming fundamental to the vitality and viability of our district centres. The leisure economy is an integral part of the reason why people move to areas and are able to live, work and play in the same area. It is the driver for supply chains and is of vital importance to local economies including food and beverage, transportation, retail and security industries.
- 3.6 A greater emphasis on the leisure offering will also aid the evening leisure economy. However, it is vital that the evening economy should be sustainable and planned as part of the overall place-making initiative. There must be a vision and the vision must then be translated into action by gathering the power and talents of all the agents of change, investors, leisure operators, transport providers and most importantly residents representing all population sectors and interests.
- 3.7 Evening economy can:
 - Add vibrancy and a sense of uniqueness to a location.
 - Develop the cultural offering.
 - Create social cohesion and inclusion.
 - Nurture the artistic and creative industries.
 - Bring wealth to local economies.

However, it is key to understand the community in which we are regenerating and provide amenities that are genuinely needed and add value to the area. The design of the district town centre must be planned accordingly to incorporate the evening economy. We must ensure that the night is not perceived as a negative space where crime and conflict are exacerbated.

- 3.8 Urban design is fundamental to the creation of attractive and safe spaces and buildings for people to visit at night. This depends not only on set-piece open space, but attractive places to dismount, the access routes to the centre, the lighting, the interaction with vehicular traffic, the signage schemes, the architecture of new development, the sense of arrival in the centre, the drama and the excitement of the layout and the treatment of facades to bring a sense of care and unity to the district centre
- 3.9 Changes in modern lifestyles are impacting the needs and requirements of local communities. Whereas once a town was designed with a retail centre, commercial district and housing developments in separate areas, increasingly there is a demand to live in places that combine them all. A modern vibrant community is typically mixed-use and incorporates layers of use that complement each other.
- 3.10 Future proofing is essential, and a strategic master-plan approach should consider the long-term use of the Combined Scheme if it is to be effective. It is by accounting for existing infrastructure and diverse uses for both new and existing buildings that the needs of current and future residents will be properly served and improve life outcomes.
- 3.11 The focus for the Combined Scheme will be to ensure that locals continue to have real reasons to visit their local district centre by creating more than a row of shops, but a proper destination. While retailers may struggle to withstand economic changes, the core element that keeps the high street functioning is still very much alive. Services such as dry cleaners, key cutters, nail bars – even the Post Office, local bank and hairdressers are central to the retail offering in Farnham and Hildene district town the essential offering is also likely to include large convenience stores.
- 3.12 Diversity of retail in district town centre is a huge driver of economic growth and is vital to secure sustained prosperity for a town centre. Avoiding single-ownership and encouraging interaction between education, retail, leisure and the public realm is key to building growing centres with robust economies.
- 3.13 The key to revitalising the high street and keeping it vibrant lies in the heart of the high street itself – the people who shop, work, and live there. The community of Farnham and Hildene district town centre area must be at the forefront of engagement. It is already understood that we need to introduce more housing into central locations, improve parking arrangements to encourage further footfall, as well as overall, improve the area for residents and visitors.

- 3.14 The new District Town Centre of Farnham and Hildene is integral to Harold Hill's wider community. The improvement plans for the area is key to unlocking an array of economic benefits. Whilst there is a strong sense of community in the area, there is also a significant level of deprivation and part of that deprivation is created by poor quality outcomes and lack of aspirations. This is the opportunity to change the built environment to remove some of the issues of design that can encourage anti-social behaviour, general deprivation and influence low aspirations within the community.
- 3.15 The impact of the COVID-19 pandemic has had a disproportionate health and financial impact on already disadvantaged groups, with the most deprived areas of seeing mortality rates for COVID-19 double that of the least deprived. The holistic place-based regeneration of Farnham and Hildene district town centre, Chippenham Road and the addition of the Family Welcome Centre and Medical Centre will aid in delivering wrap-around help – with good affordable housing, health support, employment and general wellbeing in the area – that so many will desperately need, as we recover from the pandemic fall-out.

As consultation and engagement progresses, the impact of the Covid-19 pandemic will be reviewed and checked to establish if they require changes to the proposals for this regeneration.

- 3.16 By developing the overarching vision for the Combined Scheme, the aim is to achieve the following:
- Provide an improved retail environment within the high street for the local community and visitors.
 - To improve the rental income and value of the retail element
 - To reduce future cost exposure by developing a modern, fit for purpose commercial space
 - Significant socio-economic benefits for the local people
 - Enhanced footfall through the district centre
 - Provide a community hub
 - Recognising Heritage and culture are important
 - Serve the convenience retail needs of the population
 - An increase in the affordable housing numbers across the Farnham and Hildene district town centre and Chippenham Road sites.
 - An increase in the amount of family-sized affordable housing.
 - Improved build quality of the developments.
 - Improvement to social infrastructure
 - Enhanced social value offering
 - Ecology and bio-diversity must be increased and built into new places,
 - Regeneration must be a key to unlock aspiration of all resident and businesses.
- 3.17 The regeneration would result in an increase of affordable housing, potentially rising from the current provision in 110 affordable homes to 345 affordable homes (a 50% increase). This is an increase of 235 affordable homes, which would go

towards the strategic objectives of offsetting some of the losses to the Council's affordable housing provision due to Right to Buy and mitigating against homelessness pressures to the General Fund.

TABLE 1 – Existing and indicative proposed dwellings numbers on Farnham, Hilldene and Chippenham Road

	Demolitions		Proposed				% Affordable Housing
	Social Rent Nr	Leasehold/Freehold Nr	Affordable Rent Nr	LCH O Nr	Open Market Nr	Total Nr	
Chippenham Road	20	12	115	25	66	206	68%
Farnham, Hilldene	90	27	147	58	274	479	43%
Totals	110	39	262	83	359	685	50%

- 3.18 Key requirements of the project are for the Council to retain the long-term freehold of the land, to retain management of affordable housing, to more than double the amount of affordable housing on the sites, to increase and maximise the supply of new mixed tenure housing and to improve the commercial retail portfolio.
- 3.19 It is envisaged that a comprehensive Harold Hill town centre development would be an exemplar flagship, place-making community-led regeneration programme that supports and improves the socio-economic aspirations of the local community. Investment in this area would seek to get the most out of the local community assets, with the intention of creating public spaces that promote health, happiness, the wellbeing of residents and opportunities for growth for local businesses.

4.0 Site Overview

Chippenham Road

- 4.1 Chippenham Road comprises the former Council Office, St. George's Church Centre, Harold Wood Funeral Services the Vicarage, The Alderman Public House, Rothbury House and Crediton House.
- 4.2 The Church, Vicarage and the Funeral Services will be retained in their current locations as described in the Hawkins Brown design document attached as Appendix 5.
- 4.3 By retaining the Church, it would remain as a civic anchorage to the community thus keeping interest and purpose to this part of Chippenham Rd, which essentially promotes footfall and the sense of destination to the local community.

The Church offers vital pastoral support to the community and it essential to ensure it remains functional.

Farnham and Hilldene district town centre Farnham and Hilldene district town centre Residential and Commercial

- 4.4 Farnham and Hilldene district town centre current retail element includes 74 different tenancies in 67 shop units. The total existing retail area is 94,065 sq. ft. of which 5,767 is currently vacant so occupied space currently represents 88,298 sq. ft. The site also benefits from the recently constructed Library facility.
- 4.5 The table below details the current residential Vacant Possession position on Farnham, Hilldene and Chippenham Road.

Site VP Target Date	Vacant Properties									Total
		Tenants matched	Tenants remaining	Other	Tenants matched	Tenants remaining	Purchases Underway or Agreed	Negotiation Yet to start or Ongoing	Not accepting valuation	
April 2021	24	0	0	0	0	0	1	7	0	32
Jan 2024	13	0	89	0	3	3	0	12	0	117 (+3)

- 4.6 The design option presented from the capacity studies conducted would see the retention of the existing library and replace all the retail and residential units. This option could potentially see the uplift of affordable homes from 117 to 205 including 58 new homes for low-cost homeownership. Please see details in the Hawkins brown Design document attached as Appendix 5.
- 4.7 The retail element is of particular importance for both the local community and the council. The retail properties are vested in the council General Fund producing annual income. This represents approximately 50% for the GF income arriving from the retail portfolio. Relevant values regarding the new scheme are contained in the exempt agenda.
- 4.8 Whilst undertaking capacity studies, it was essential to work out an initial strategy to minimise impact on the GF income and potential compensations. An analysis of the existing tenancies and leases expiry plan formed the foundation of the phasing considerations.
- 4.9 The redevelopment and the initial phasing strategy aims at a maximum 25%-30% of the retail space is under construction at one point in time. The strategy will become clearer once further engagement has occurred with all of the existing

tenants both in terms of their intentions going forward (whether they wish to have a shop in the new scheme) and whether continuity in trade is required.

4.10 Other main objectives for the new retail scheme were set out to achieve the following:

- Provide an improved retail environment for the local community.
- To improve the rental income and value of the retail element.
- To reduce future cost exposure by developing a modern, fit for purpose commercial space with associated build guarantees.
- Significant socio-economic benefits for the local people.
- Enhanced footfall.
- Provide a community hub.
- Serve the convenience retail needs of the population.

Hostel Site (Family Welcome Centre) and Medical Centre

4.11 The proposal for this site envisages redevelopment of the Abercrombie hostel site and provision of a new Medical Centre as well as the replacement of the current hostel facilities with the new Family Welcome Centre. The current hostel site, Abercrombie House comprises 37 Rooms.

4.12 The second homeless hostel site, Will Perrin Court, is located in South Hornchurch and comprises 46 rooms. The development of the Family Welcome Centre will allow for the Will Perrin hostel to be closed down and all provision that is been currently provided at the Will Perin Hostel will be moved under one new larger Family Welcome Centre facility.

4.13 The Abercrombie Hostel site is located next to the disused old library based on Hilldene Avenue. Internal space comprises narrow long corridors, with bedrooms catering for individuals and families. Families eat, sleep and often study in the same room. There are communal kitchens and bathroom facilities. The current hostel also offers to single occupants who often present with complex needs. It has been observed by supported housing that this is not ideal for families and can lead to security issues.

4.14 The redevelopment of the Abercrombie Hostel has presented the Council the opportunity to address their emergency accommodation provision to better meet supported housing needs.

4.15 The Hostels provide emergency housing for some of the most vulnerable people in the borough, often homeless and in need of emergency support. With the delivery of the new Family Welcome Centre, both current hostels will be able to close.

4.16 The new Family Welcome Centre is focussed on accommodating families and not single people. The new Family Welcome Centre design target is to accommodate 84 self-contained studios. New facilities would comprise a

welcoming reception, staff office, meeting areas and assessment rooms, communal area for socialising, two laundry areas and secure open outside play areas.

- 4.17 There is a separate Supported Housing strategy for housing single people, this strategy outlines options for housing single people with different needs and complexities in smaller settings.
- 4.18 Discussions regarding the proposed Medical Centre are underway with the Clinical Commissioning Group (CCG) to ascertain particular requirements. The response thus far from the CCG has been positive and they have confirmed there is a need for such a provision in this location.
- 4.19 Design of the new facilities has been progressed to RIBA stage 1. Indicative delivery programme diagram is included in Appendix 5.
- 4.20 It has been proposed to close the Abercrombie hostel to enable the entire site to be developed at the same time. The current Hostel facilities will stay operational albeit at different sites. Suitable premises for rehousing current hostel residents are currently being identified. In addition, it is proposed to use short-life properties for the purpose of temporarily housing these vulnerable families with the staff team providing necessary support and assistance.

5.0 Family Welcome Centre Business Case

- 5.1 The current Abercrombie hostel provision requires improvements. The mix of family accommodation with single person's accommodation is difficult to manage and does not provide a positive customer experience.
- 5.2 The newly designed facility will accommodate desired exceptional standards and additional services such as advice sessions, assessments and training. It would also include facilities for social workers to manage various appointments.
- 5.3 Essential to the positive 'move on' of hostel occupants will be close partnerships and joint working to ensure the right support options are available and accessible at the right time, across Health and Wellbeing, Commissioning, Community Services and others as appropriate. The new facility will incorporate all these requirements in the design and layout.
- 5.4 The Council provides staffing at the Hostels. During the redevelopment works, Abercrombie House hostel will be closed for approximately two years from 2022. We will protect jobs and the permanent staff will be transferred to Will Perrin Court hostel for the period of the closure, and then transfer to the new Family Welcome Centre. The staff team will also provide an outreach service to residents in HMOs and PSLs.
- 5.5 It is likely to reduce the number of agency workers during the period of closure. Officers do not yet know what the staffing requirements are going to be at the

new hostel; however, officers do not envisage decrease in the number of permanent staff required.

Medical Centre

Discussions have been held with the CCG in order to inform the nature and size of the medical facility to be provided. These discussions have involved the CCG indication their wish to review the wider area health provision. The discussions with the CCG are on-going with an intent to get early sign off of Heads of Terms and a commitment to Lease/Rent the facility to mitigate any financial risk to the Local Authority and to enhance the overall outcomes for local residents and businesses.

6.0 Consultation and Engagement Community led regeneration.

The previous Harold Hill Ambitions project used community engagement successfully to identify issues that stakeholders felt needed to be resolved. Following that, in June 2016 consultation commenced with the local community as part of the 12 Sites Regeneration Programme the progress and outcomes of that was widely reported to Cabinet and all members via a process of update newsletters. Farnham and Hilldene as an estate was included within that programme. Officers consulted on the proposals for the refurbishment of the current homes, and lightweight construction of an additional 63 homes to be added to the existing structures. Feedback from residents showed a preference for wholesale redevelopment as the current accommodation was considered to be in poor condition and deemed not fit for purpose. Furthermore, residents expressed the need for better health care service and infrastructure in the area and that the existing poor design of buildings, access ways and public realm did not mitigate anti-social behaviour rather by poor design it actually facilitated poor and undesirable behaviour. Following this feedback officers revised the design proposals for Farnham and Hilldene and took the opportunity to identify how the area could be significantly redeveloped.

- 6.1 Through responsive engagement officers updated the project brief to align with responses from consultation leading to revised capacity studies which concluded that regeneration could achieve up to 540 new homes at Farnham and Hilldene; c.200 homes at the Chippenham Road office site; and the re-provision of retail space in the area to transform the Harold Hill District shopping centre into a vibrant and desirable place to live and work. This was further reported back to Cabinet in February 2019 stating that further work would be done on a wider regeneration opportunity as included within this report.
- 6.2 To date, twenty site-specific meetings have been held, including resident meetings, neighbour meetings and business meetings for those affected by the Farnham, Hilldene and Chippenham Road regeneration proposals.
- 6.3 Consultation to date:
 - 28 July 2016 - Chippenham, Hilldene and Farnham

- 1 September 2016 - Chippenham, Hilldene and Farnham.
 - 28 November 2016 - Chippenham, Hilldene and Farnham.

 - 26 January 2017 - Chippenham, Hilldene and Farnham.
 - 27 February 2017 - Chippenham, Hilldene and Farnham.
 - 27 April 2017 – Chippenham, Hilldene and Farnham.
 - 5 October 2017 - Chippenham, Hilldene and Farnham.

 - 26 February 2018 - Chippenham, Hilldene and Farnham.
 - 12 November 2018 - Farnham and Hilldene.
 - 15 November 2018 – Chippenham.
 - 10 December 2018 – Chippenham.

 - 3 January 2019 – Chippenham, Hilldene and Farnham.
 - 10 January 2019 - Chippenham, Hilldene and Farnham.
 - 15 July 2019 – Chippenham **RESIDENTS ONLY**.
 - 16 July 2019 – Chippenham **NEIGHBOURS ONLY**.
 - 18 July 2019 – Chippenham **BUSINESS ONLY**.

 - 28 January 2020 - Chippenham, Hilldene and Farnham.
 - 7th February 2020- Chippenham, Hilldene and Farnham.
- 6.4 Officers have met with each council tenant, temporary accommodation resident and leaseholder on a 1-2-1 basis to discuss the regeneration proposals and their relocation options which have resulted in great progress being made on the residential vacant possession programme as noted in paragraph 4.5. Satisfaction with the rehousing process across the programme continues to be above 95% Intensive support and reassurance continues to be provided on a one to one basis for any resident and their families worried about the programme and decant process
- 6.5 To date, the Council have attempted to contact all retailers operating in the vicinity. Thus far, officers have spoken to or have arranged appointments to speak to over 50% of occupied retailers currently operating in the area. Further consultation was planned for 2020, however with the outbreak of COVID-19 consultation has been limited
- 6.6 In general, businesses were supportive of the proposal to regenerate the shopping district centre and welcomed the prospect of design that would incorporate good parking provision. Taking a phased approach to the development programme was also welcomed as an opportunity to keep the majority of the high street open during construction.
- 6.7 A commercial business retention and re-provision strategy will need to be developed once comprehensive engagement has been completed with each of the business owners.

- 6.8 Evident from the Harold Hill Ambitions project and the engagement already undertaken is the strong community identity within the area. This, together with the enthusiasm for wholesale redevelopment has made this project prime for a community-led approach to Regeneration.
- 6.9 A consultation and engagement strategy has been developed for the combined schemes based on the previous extensive engagement. This Consultation and Engagement Strategy ensures all levels of community engagement will be carried out in the most appropriate way with different methods of engagement with all stakeholders. This Consultation and Engagement Strategy principle is to support strong, active and inclusive community-led regeneration, and ensure the community are informed and involved in decision-making and enable the Council to improve and enhance the quality of life for our residents affected by the combined scheme.
- 6.10 The Council will continue to engage openly and meaningfully with those affected by the regeneration of the combined scheme. Stakeholders will be given sufficient opportunity to be involved in shaping any proposals that will affect their homes, businesses and wider locality, and they will be proactively supported to do so throughout the planning and design process.
- 6.11 Early consultation and engagement has been essential, and stakeholders will continue to be given opportunities to be involved from the outset in developing the vision, options appraisals, design and delivery of the schemes.
- 6.12 The consultation will continue to be transparent with all issues and options set out in clear, accessible and non-technical language, with information that has influenced any decisions being shared as early as possible.
- 6.13 Every effort will be made to engage with as broad a range of stakeholder groups as possible, including primarily the residents of the combined scheme, those living and working on or near it; local ward councillors and other community stakeholders such as the CCG and all council services. The consultation and engagement will continue to be responsive and will result in clear actions that arise directly from the views expressed by respondents as previously demonstrated.
- 6.14 The Council will continue to adopt a range of options for consulting and engaging with those affected by the regeneration of the combined scheme, such as: direct proactive engagement of a wide group of residents – e.g. through surveys, and ‘door-to-door’ conversations, (subject to social distancing rules and Government policy).
- 6.15 Officers will endeavour to engage with any specialist resident committees, forums, and workshops; and will promote resident involvement groups with resident and meetings of Tenant and Resident Associations and neighbourhood forums. Officers will aim to build broader opportunities for residents to be kept updated and engage – e.g. through ‘drop-in’ days and public meetings; letter, email, and newsletter updates; and web-based consultation tools, such as the

Community Hub, or Online forums, such as Facebook pages for the Council and the Council Website.

- 6.16 As the design for the combined scheme develops, and as alternative options are considered with residents, different approaches to consultation and engagement may become appropriate. Therefore, the Council, as always will be open to suggestions from residents and other stakeholders about developing more effective consultation and engagement mechanisms.
- 6.17 Residents will be the primary consultees during the combined scheme estate regeneration programme as well as social tenants, resident leaseholders and freeholders. Officers will aim to consult private tenants or those living in temporary accommodation on the combined scheme, as well as non-resident leaseholders and freeholders.
- 6.18 Consultation approaches will be tailored to residents' needs. For example, bespoke consultation arrangements may be required for elderly residents, those whose first language is not English, or those who have disabilities.
- 6.19 The Council will continue to consult with businesses providing local services and employment. Owners and operators of these businesses will be engaged in the regeneration process, and any proposals will give weight to the importance of minimising disruption to those businesses and retaining the local employment opportunities.
- 6.20 The combined scheme includes other facilities such as The Church, Vicarage and Library. Officers will continue to engage with the owners, operators, and users of these facilities. Beyond those stakeholders operating directly on the combined scheme, officers will positively engage with: elected local councillors; residents, businesses and other stakeholders who may not be located within the boundaries of an estate but who will be affected by the process of regeneration; and other stakeholders such as utility Providers, Transport for London and the local Police.
- 6.21 It will also be essential that all Services across the Council are involved in this regeneration project, including new initiatives such as the Community Hub, Local Area Coordination projects. This is an opportunity to bring forward a holistic approach to achieve real lasting transformation, not just in the built environment but also the aspiration of the whole community.
- 6.22 Consultation and engagement has commenced with ward councillors and the community in February 2021 detailing the Family Welcome Centre site. The outcome resulted in positive feedback for the proposal and residents welcomed the development of the Family Welcome Centre.
- 6.23 A ballot will be conducted for the Farnham and Hildene district town centre district centre. Indicative details of the ballot are noted in Appendix 3 (Savills paper) including potential high-level timelines. A report will be drafted detailing the proposed Landlord offer and strategy for the Estate Ballot for sign off by the

Portfolio Holder for Housing in accordance with the recommendations earlier in this report.

- 6.24 Officers are discussing with the GLA if a ballot is required for the Chippenham Rd site. It is essentially a mixed-use site and officers would possibly seek a ballot exemption on this basis.

Community Hubs

- 6.25 As we start to recover from the pandemic there is an opportunity to change the way the council delivers services for the better, facilitating a culture change within the Council and at the local level. Community Hubs will help us create a new target-operating model for residents to access services. Working alongside Local Area Co-ordination, the Hubs will build community resilience and develop a better understanding of the issues and challenges residents face and help the Council become more visible in local areas, working with residents to resolve their issues more successfully
- 6.26 The Community Hubs being developed in Harold Hill will facilitate and deliver community led regeneration creating Hubs within libraries alongside an area-based approach engaging residents, and local stakeholders including businesses, voluntary community sector to work together to develop solutions to local challenges. Through the Hub Steering Group and programme residents will have a role and a voice in shaping where they live, with the focus on building opportunities to help communities thrive socially and economically alongside promoting cohesion and raising aspirations.
- 6.27 Community Hubs are underpinned by a set of key principles:
- Connecting communities – bringing together a range of organisations developing new relationships creating opportunities and skills exchange.
 - Digital Inclusion – building digital skills and confidence and supporting self-serve.
 - Volunteering – increasing community action and active citizenship.
 - Meaningful engagement – the Council working more closely with residents to resolve local challenges and issues.
 - Community Resilience – creating a stronger Community Voluntary Sector in the Borough empowering them with the support they need to grow.
 - Building a local presence – offering access to localised Council services and other support.

The platform also provides an opportunity for the Council and partners to engage better with residents helping them to stay connected and provides a virtual space for the Council and partners to collaborate and develop early intervention programmes and achieve the following;

- Realisation of the wider benefits of regeneration for communities, business, our economy and local identity.

- Supporting the target operating model for accessing services through early intervention and prevention.
- Supporting the Localities approach with the aim of developing an improved service user experience and community based care, promoting individual empowerment and self-care.
- Initiating community led activity that can lead to better outcomes such as healthier lifestyles and reduction in the costs of reactive services.
- Better utilisation and/or rationalisation of assets – Council owned, Town Centre voids/redundant retail or office space, shared use of resources across the wider public sector ‘system’.
- Development and impact tracking of existing community and voluntary initiatives including the arts, culture and leisure activities.
- Coordination and collaboration across the Havering ‘system’ to support improvements in cohesion, safety, borough and locality identity and aspiration for all.
- Realisation of financial efficiencies through improved partnerships with businesses and our communities.

7.0 Masterplan Approach & Phasing

- 7.1 The masterplan approach sets out that the Farnham & Hilldene district town centre, Chippenham Road and the Abercrombie Hostel sites should be developed together under one single design vision as noted in the attached Appendix 5. The proximity of all three sites inadvertently welds them to each other. To develop one site in isolation would be counter-intuitive economically and may also have the effect of de-stabbing the local social infrastructure. It should be noted that any drawings accompanying this report are not an agreed design and only represent the capacity exercise. All design is subject to further necessary consultation and approval.
- 7.2 Using the masterplan approach, the Combined Scheme would also benefit from an improved road layout. Currently, a one-way system relies on Hilldene Avenue for circulation. There are limited crossings on the Farnham and Hilldene district town centre and the Chippenham Road site. The area has disconnected pedestrian routes often narrow and uninviting such as the route from Chippenham Road past the boxing gym. Please see noted in Appendix 5. Further discussions and collaborative work is required with the Highways Team to ensure effective sustainable solutions are adopted to build out problems of anti- social behaviour.
- 7.3 The masterplan combined design vision would see a new improved layout to pedestrian routes. The routes would encourage social wellbeing by improving the experience of connectivity, so that the spaces making up the network can be experienced as special and significant in their own right.

- 7.4 The area will be well connected to walking and cycle routes and this would attract footfall and interest to the area. As well as ensuring the area is connected to smart infrastructure to encourage flexible use of the space for all ages and for a variety of activities.
- 7.5 It is essential that the open space and the feel of the commercial centre within Farnham and Hilldene is dynamic for daily life. Open space plays an important role in creating healthier and more liveable communities by providing positive environmental, social and economic benefits.
- 7.6 Another salient point is to ensure the area is provisioned with seating and resting spots; legible to all users which is lacking currently. The design should promote clear wayfinding, and be amply provisioned with shelter and shade. Central to this developing concept is the re-establishment of the street as the urban focus that provides for a web of connections offering people a range of choices and experiences as they move about.
- 7.7 The new Family Welcome Centre will be designed to exemplar standards. The design will create a welcoming, secure environment built to dementia-friendly design. The design objectives are to achieve an inclusive, safe welcoming, sustainable, family focussed and uplifting environment.
- 7.8 The commercial centre within the Farnham and Hilldene district town centre would benefit from a wider network, connected internally and to its surroundings. It should be accessible to all and have a high biodiversity value. The area would benefit to have varied character and functionality to meet identified needs. However, one of the most important factors is that it should be secure and safe not only during the day but through the evening. It should be sufficiently well-designed and well-equipped to become a destination.
- 7.9 Inclusion of social infrastructure is key to the success of the Combined Scheme approach and securing positive social outcomes for the local community. The introduction of the new Medical Centre and new Family Welcome Centre would further strengthen the area's community wellbeing offering. The need for more medical facilities has also been expressed by residents at community engagement events.
- 7.10 Phasing of the Combined Scheme is imperative to avoid major disruption to the community. This approach could enable an opportunity for single moves for businesses as well as keeping the district centre functional during construction. The aim will be to maintain 70% of the District Town centre to remain operational during construction. A detailed commercial business strategy will be developed and will inform the offering of the new district centre underpinned by a dedicated budget. Current residential units are largely occupied by Short-term temporary tenants and can be moved onto suitable properties more easily with a phased approach. Currently, there are fifteen leaseholders or freehold purchases underway.

- 7.11 Vacant possession across Farnham and Hilddene district town centre sites has been aligned with the strategy to reduce the homelessness pressure on the General Fund. Properties vacated by secure tenants and leaseholders across Farnham and Hilddene and Chippenham Road have been used as temporary housing for homeless households.
- 7.12 A significant effort has been made to ensure those people moving out of their homes find suitable alternative homes that meet their needs and that they are supported through the moving process. Council tenants, leaseholders and freeholders have all received the appropriate support to assist with moves. Council Officers have continued to work with residents to either move them to a new home or purchase their property.
- 7.13 Many long-standing family businesses form part of the fabric of the commercial centre within the Farnham and Hilddene district town. A phased approach will help to minimise disruption to longstanding essential businesses. This approach would aid in local public support and ensure that local people still gravitate to an area that they recognise as their own.
- 7.14 High Level Development Programme Time Line

Chippenham Road	Proposed Programme*
Commence Early Design	Progressing
Ballot	TBC with GLA if required
Submit Planning Application	Feb-22
Resolution to Grant	May-22
S106	Sep-22
Secure VP	Nov-22
Start Demolition	Jan-23
Commence construction	Apr-23
First Handover of Homes	Oct-24
Final Handover	July-25

Farnham and Hilddene district town centre	Proposed Programme*
Commence Early Design	April-21
Ballot	Aug-21
Submit Planning Application	Outline Feb-22, Detailed June-23
Procurement Soft Market Testing	July-23
Resolution to Grant Detailed	Jan-24
Start of Procurement Stage 1	Jan-24
S106	Aug-24
Start of Procurement Stage 2	Aug-24
Contract Awarded	Feb-25
Secure VP	Phased VP from Dec'24
Start Demolition Phase 1	Feb-25

Commence construction	May-25
First Handover	Nov-26
Final Handover	Feb-35
Detailed phasing methodology requires further development work. Detailed proposals including the methodology will be shared with Cabinet in due course.	

Family Welcome Centre	Proposed Programme*
Commence Early Design	Completed
Ballot	Not Required
Submit Planning Application	Dec-21
Procurement Soft Market Testing	Aug-21
Resolution to Grant	March-22
Start of Procurement Stage 1	Oct-21
S106	June-22
Start of Procurement Stage 2	Jan-22
Contract Awarded	Oct-22
Secure VP	April-22
Start Demolition	May-22
Commence Construction	Nov-22
Handover	Apr-24

8.0 Financial Review and Preferred Delivery Method

- 8.1 A review of the various options for taking forward the development of the various elements of the combined scheme have been carried out. A number of options were considered including development via HWR, a private developer route, and via a Council owner entity.
- 8.2 Chippenham Road, the site is currently vested with HWR, and the review concluded that development via HWR remains a viable proposition. It is proposed that the development of Chippenham Road is progressed via HWR, on the basis of avoiding a significant delay to delivery.
- 8.3 Farnham and Hilddene district town centre Farnham and Hilddene district town centre, given the significant site assembly costs, including the commercial property held by the Council General Fund, the development of the open market units does not generate a sufficient financial return to meet the profit hurdle rate required by HWR and achieve the best value for the Council. As such, taking the Farnham & Hilddene development forward via HWR is likely to present significant challenges on viability. The review concluded that the only viable alternative is a Council-led delivery model to build out the Farnham and Hilddene district town centre District centre.

- 8.5 Family Welcome Centre / Medical Centre, the development of the Family Welcome Centre and Medical Centre was not included in the 12 Farnham and Hilldene district town centres procurement. Whilst it is possible to introduce these into HWR, it is likely that overall costs to the Council would increase, linked to the requirement to pay over a developer margin and overhead and profits on construction. The review concluded that the most cost-effective option is a Council-led delivery model.
- 8.6 The detailed financial review and assessment of the preferred delivery model are contained within the exempt appendices. The outputs of the review and preferred options are set out in TABLE 2 below: -

TABLE 2 – Development Summary

	Chip' Rd	Farnham and Hilldene district town centre	Hostel & Medical Centre
Affordable housing	140 (+120)	205 (+115)	Hostel Doubled capacity
Other assets	N/A	Commercial & Retail	Medical Centre
General Fund Impact	Future Homelessness cost avoidance at £2.5K per additional affordable home, - £238k per annum	Enhanced Commercial & Retail offering Future Homelessness cost avoidance at £2.5K per additional affordable home, - £142k per annum	Increased hostel capacity reducing short life costs Community Medical centre generating revenues
Vested with HWR LLP	YES	NO	NO
JV Approach Viable	YES	NO	YES
Costs invested to date	0.750	NIL	NIL
Net cost reduction under direct delivery model	£1 million	£12 million	£1 million
Recommended Approach	HWR subject to 6-month review to minimise delays	Direct Delivery On basis of cost and JV viability	Direct Delivery On basis of cost

REASONS AND OPTIONS

Reasons for the decision

- 9.1 To continue to secure the Council's regeneration objectives for which would deliver the following benefits to the Council and community: -
- Increase the number and quality of Council affordable homes, which would also maximise the level of family housing provision in the borough.
 - Improve the sustainability and quality of the sites and provide significant social benefits to the local community.
 - Provide an improved retail environment for the local community, which would enhance the rental income and value of the retail element to the Council.
 - To reduce future cost exposure by developing a modern, fit for purpose commercial space with associated build guarantees.
 - Improve the homeless provision by developing a new Family Welcome Centre integrated with a Medical Centre.

Other options considered are contained in Exempt Agenda Report

IMPLICATIONS AND RISKS

10.0 Additional Financial implications and risks: contained in Exempt Agenda Report

Financial risks

- 10.1 Phasing, it will be necessary to undertake a comprehensive review of the proposed overall phasing strategy as it develops to ensure that the General Fund revenue impacts are minimised. The existing commercial assets on Farnham and Hildene district town centre, currently generate £1.252 million of annual revenues to the General Fund.
- 10.2 Commercial risk, this is a housing development, with a significant element of open market product, which adds an element of sales risk. It is unclear what impact if any the COVID-19 pandemic has had on the housing market. The most severe consequences of the lockdown are likely to be felt in the short term, with a loss of confidence in the housing market.
- 10.3 Under the Council led approach, it would not be possible to ring-fence a phase in a dedicated special purpose vehicle (SPV). The Council would be exposed to the full cost of development and sales risk. But on the flip side, would benefit from 100 per cent of the gains on disposals. It will be necessary to bring in

specialist expertise to bring forward the development to manage both the construction and sales programme.

- 10.4 GLA Funding, the projections are subject to securing grant from the GLA for Farnham and Hilldene district town centre. This would be subject to a positive response on a Farnham and Hilldene district town centre ballot.
- 10.5 Shared Ownership, the government have recently issued a technical consultation for a new shared ownership model. Under the new model, it is proposed that minimum initial equity is 10%, down from 25%, and registered providers will be required to the cost the cost of repairs for the first 10 years. Whilst the changes would increase the demand for the product, it could result in an overall reduction in the average net receipt, which currently averages at 40%. This would result in the Council having a greater stake in the properties, which generate rents at 2.75 per cent of residual value. With PWLB rates just under 2.00 per cent, it is likely to generate a net revenue benefit but if PWLB were to rise, the benefit would be eroded.
- 10.6 Commercial Activities HRA, development for market sale in isolation is a trading activity and would (under statutory requirements) normally be delivered via a dedicated subsidiary of the Council. The primary focus of this scheme is regeneration and affordable housing, with the market sale activities supporting these objectives. As such, external advice has been received to confirm that under these circumstances the HRA can undertake market sale activities directly.
- 10.7 PWLB borrowing rates, the current projections are based on a long-term borrowing rate of 2.0%. Currently the Council can secure borrowing at just below 2.0% (50 years). As borrowing is drawn down, the rates are effectively locked in for the loan period. In the short term, this may result in a net benefit to the HRA as rates are currently below the 2.0% target, but it is possible rates may increase over the medium to long term, potentially going above the 2.0% assumption.
- 10.8 Retail: General Fund, the long-term impact on the retail sector linked to the COVID-19 pandemic are not yet determined. The pandemic has had a severe impact on retailers, who have been reliant on Government support to maintain their businesses during the National Lockdowns. This presents a risk to both the existing provision and the re-provision of the retail on the development. The present strategy for re-provision is underpinned by securing an anchor tenant, a national operator such as Sainsbury's, with smaller operators such as restaurants and coffee shops. This will be reviewed on an ongoing basis to assess impact on Council revenues.
- 10.9 Developer Levy, on 10 February 2021, the Housing Secretary announced plans to introduce a, 'Gateway 2' developer levy. The proposed levy will be targeted and apply when developers seek permission to develop certain high-rise buildings in England. This presents a potential cost risk to the project, subject to the height threshold applied. However, it is not possible to quantify the impact until the details of the new levy are provided by the Government.

- 10.10 Specialist Knowledge / Execution, up until the abolition of the Housing Revenue debt cap at the end of October 2018, it would not have been possible to deliver a scheme of this scale directly from Council resources, in addition to the commitments on the 12 Farnham and Hilldene district town centres programme. Taking the scheme forward as proposed will require a degree of expertise both in terms of construction and sales and marketing which is not currently provided for in the Council establishment. To mitigate against the knowledge and skills gap, it is proposed to bring in external specialists.

Table 9 – Sensitivity Analysis (HRA)

	Affordable Net Cost £m	Unit Affordable (net) £m	Hostel £m	Peak Borrowing HRA £m
Baseline	87.536	0.254	15.924	105
Build cost +10%	+22.014	+0.063	+1.542	+24
Sales down 10%	+13.682	+0.040	N/A	+14
Fees up 1%	+1.728	+0.005	+0.119	+2
PWLB long term rate + 1% <i>Rates are only locked in once drawn down</i>	+6.686	+0.019	+0.998	+8

Table 10 – Sensitivity Analysis (GF, Retail and Medical Centre)

	Borrowing GF £m	Revenue GF £m
Baseline (to 2029/30)	1.005	(0.748)
Build cost +10%	+2.165	0.350
Retail income down 10%	N/A	0.323
Fees up 1%	+0.217	0.035
PWLB long term rate + 1% <i>Rates are only locked in once drawn down</i>	N/A	0.525

Additional information is contained within the Exempt Agenda Appendix

11.0 Human Resources implications and risks:

- 11.1 A separate business case detailing the direct delivery approach including the requirement of resources will be prepared and brought to Cabinet for approval.

11.2 The proposals will affect directly on staff currently located at the Abercrombie Hostel and the implications will be managed in accordance with the Council's HR Policies and Guidance.

11.3 Staff and union representatives have been consulted on the proposals and discussions will continue as the detailed proposals are developed.

12.0 Equalities implications and risks:

12.1 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, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

12.2 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.

12.3 Whilst the borough may have the lowest rate of homelessness within the East London sub-region, Havering Housing Services recorded 760 cases of statutory homelessness, representing a 22% increase in the four years to 31 March 2017. The significant shortage of housing stock, major reforms to the benefits system and the rapidly changing demographic & socio-economic profiles of the borough are key drivers in fuelling the continuing growth in homelessness and additional pressure on the Council to source suitable housing.

12.4 Women often constitute a higher number of the hidden homeless, who are less visible sleeping in hostels, bed and breakfasts or with friends. Whilst homelessness has increased across the UK in the past five years, the numbers of homeless women has risen disproportionately.

12.5 Women who are pregnant or have disabilities and mental health issues are particularly vulnerable. Women are more likely to have experienced trauma and abuse both before and during homelessness, including separation from children. Often, many of the women who have used hostel provisions are fleeing a violent relationship and/or have had children taken into care.

- 12.6 In the year up until September 2020, single men were the largest group of people either to become homeless or to be threatened with homelessness, with 116,330 approaching councils across England. Combined with the 6,680 single fathers who approached councils. This brings the total number of male households to 122,910 presenting as homeless. A significant proportion of occupants of the hostel will be homeless single men. They are impacted by the decision to close the hostels and also will not be able to access the Family Welcome Centre that is built in its place, which is specific family provision. However, in order to mitigate the potential negative impact of this decision on this cohort, as set out in the report, the Council is implementing a Supported Housing strategy for housing single people, in order to continue to provide accommodation as may be required pursuant to statutory duties. Therefore, the separate Supported Housing strategy for housing single people is imperative to ensure such households are protected.
- 12.7 Gender therefore acts as both a symptom and a cause of homelessness – and it also affects men. Men are more likely to be made redundant and less likely to be re-employed than women, thus increasing their risk of falling into debt and losing their home. They are more likely to suffer with mental health issues and those who experience domestic violence are less likely to seek help or receive support, as many services are limited to women.
- 12.8 Sexuality can even act as a determining factor, LGBTI individuals who have struggled to find a roof over their head is often directly related to their sexuality. It is noted that LGBTI people comprise up to 24% of youth homelessness in the UK, with parental rejection, abuse and stigmatisation as leading causes. They also state that LGBTI individuals are far more likely to experience violence and exploitation once living on the streets.
- 12.9 Havering is one of the most ethnically homogenous boroughs in London, with 83% of its residents recorded as 'White British' in the 2011 census; higher than both London and England. The BME population, notably those from Black African heritage (though many of whom are likely to be British born) is projected to increase from 4.1% in 2017 to 5.3% of the Havering population in 2032
- 12.10 Households with protected characteristics are over represented amongst homeless people compared to the general population. This is particularly so for women only headed households, disabled households and households from BAME communities. The development of the new Family Welcome Centre will therefore have a positive impact on these groups as the quality of the accommodation will be of a significantly higher quality than that provided within the current hostels.
- 12.11 Officers will embark on a detailed EQHIA for the estate regeneration sites.

13.0 Legal implications and risks:

- 13.1 This report makes reference to various options to bring forward the regeneration of the Farnham and Hilldene district town centre Farnham and Hilldene district

town centre and the Hostel Sites and contemplates that this will be done via a direct delivery route. The Council has power to deliver these schemes directly. The key statutory power is section 9, Housing Act 1985 (HA 85), which is broad enough to empower the Council to provide both affordable and market sale housing where the latter is provided to subsidise the former, as well as a hostel. The Council also has the power in section 12, HA 85 to provide other buildings, including retail, subject to obtaining Secretary of State (SoS) consent. The SoS has broad discretion in this respect with the criteria being whether the buildings will serve a beneficial purpose for those provided Part II housing accommodation. There is a clear process in place to apply for consent. The Council also has the power to develop the commercial elements under the general fund through s.1 Localism Act 2011. Further advice is set out at appendix 7. The legal powers in relation to the delivery of the Chippenham Road Site are set out elsewhere on this Cabinet Agenda in the 12 Farnham and Hilldene district town centres Business Plan approval report.

- 13.2 The Council is the Local Housing Authority ("LHA") and has various statutory obligations under Parts 6 (allocations) and 7 (homelessness) Housing Act 1985. Also the Council is the landlord for many of the tenancies impacted by this regeneration, including a number of long leaseholders. The Council has contractual obligations pursuant to these agreements.
- 13.3 The Council has land acquisition powers by virtue of Section 120 of the Local Government Act 1972. The Section 120 power supports the proposals outlined in this report as it allows acquisitions to be made for any authorised purpose "notwithstanding that the land is not immediately required for that purpose; and, until it is required for the purpose for which it was acquired, any land acquired under this subsection may be used for the purpose of any of the council's functions.
- 13.4 Where land cannot be acquired by agreement then ultimately the Council will have to consider exercising its powers to compulsory purchase leasehold/freehold interests. In relation to secure tenancies separate consultation as regards to decanting tenants is necessary pursuant to section 105 of the Housing Act 1985 (consultation on matters of housing management). Where a secure tenant refuses to move, or has refused the offer of other suitable alternative accommodation, the Council has the legal right to gain possession of the property for decanting/redevelopment purposes. The two grounds for possession relevant to regeneration are Grounds 10 and 10A under Schedule 2 of the Housing Act 1985. Notices may be served on these grounds to ensure vacant possession of the properties. The Court has discretion on whether to order possession, and needs to be satisfied that suitable alternative accommodation is available at the date of the hearing.
- 13.5 Where the Council has accepted a homelessness application and it appears the applicant may be homeless, eligible and in priority need, then the Council will be under a duty to temporarily accommodate the applicant and any person reasonably expected to reside with them, in accommodation which is suitable. Further, if the Council accepts the full housing duty then suitable temporary

accommodation must also be provided pending discharge of that duty by an allocation from the housing waiting list or into an appropriate private rented sector tenancy. Accordingly, when the Abercrombie hostel site is closed to allow development of the new Family Welcome Centre, alternative temporary accommodation will need to be provided for those hostel residents impacted.

- 13.6 The arrangements contemplated by this report are likely to involve the disposal of land. The Council has powers under section 123 Local Government Act 1972 to dispose land.
- 13.7 Consent of the Secretary of State is required for a disposal which is at less than the best consideration reasonably obtainable. The Council has power to dispose of housing land under section 32 of the Housing Act 1985. Consent of the Secretary of State is required to dispose of housing land. The General Housing Consents 2013 sets out criteria which if met automatically means a disposal has the Secretary of State's consent. General Housing Consent A3.2 permits a local authority to dispose of vacant land. If the General Consents do not apply then specific consent from the Secretary of State will need to be sought.
- 13.8 This report delegates authority to the Director of Regeneration to appropriate land for planning purposes. The power to appropriate for planning purposes is section 203 of the Housing and Planning Act 2016. Appropriation for planning has the effect of overriding easements and other rights. Under section 19(2) of the Housing Act 1985. Land held for the purposes of Part II housing (commonly referred to as HRA land) cannot be appropriated without Secretary of State (SoS) consent when it includes a house or part of a house.
- 13.9 The Council has a broad power to appropriate land for purposes of Part II housing under section 19(1) of the Housing Act 1985. This power can be used by the Council to transfer the freehold of land into the HRA following appropriation for planning purposes.
- 13.10 The programmes detailed in this report includes various matters which would require appropriate arrangements to be made in respect of procurement and these will be dealt with under separate governance reports at the relevant time.

BACKGROUND PAPERS

Exempt Report

Appendix 1 – Red Line Boundary

Appendix 2 – Review of existing commercial portfolio and proposed commercial phasing strategy (EXEMPT)

Appendix 3 – Consultation and Farnham and Hilddene district town centre ballot timeline and strategy

Appendix 4 – Financial Dashboard (EXEMPT)

Appendix 5 – Scheme masterplan and designs (EXEMPT)

Appendix 6 – Financial review including assessment of preferred delivery structure (EXEMPT)

Appendix 7 – General Fund Financial Assessment (EXEMPT)

Appendix 8 - Legal Implications (EXEMPT)

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of the Local Government Act 1972.

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Appendix 1
Red Line Boundary of sites

Farnham and Hildene



Chippenham Road



Former Library and Hostel Site



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of the Local Government Act 1972.

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BALLOT REQUIREMENTS

Introduction

From 18 July 2018, the GLA has required any landlord seeking GLA funding for estate regeneration projects which involve the demolition of social homes to show that residents have supported their proposals through a ballot. This requirement applies to projects that involve the demolition of any social homes and the construction of 150 or more homes (of any tenure). The GLA's detailed requirements for a resident ballot are set out in the Mayor's good practice guide to estate regeneration and the Capital Funding Guide.

Landlord offer

Residents should be asked to vote on the Council's 'Landlord Offer' which should be sent out in advance of the ballot paper. It should contain:

1. The broad vision, priorities and objectives for the estate regeneration, including information on:
 - Design principles of the proposed estate regeneration
 - Estimated overall number of new homes
 - Future tenure mix
 - Proposed associated social infrastructure
2. Details of the full right to return or remain for social tenants living in homes that are to be demolished
3. Details of the offer for leaseholders and freeholders of homes that are to be demolished
4. Commitments relating to ongoing open and transparent consultation and engagement.

Ballot arrangements

The Council will need to appoint an 'Independent Body' (IB) to undertake the ballot and they must review the arrangements for voter registration, undertake and oversee the distribution of the landlord offer, advise on the form of the ballot question and ensure votes cast are recorded and counted accurately.

There is no minimum turnout but voters must be given at least 21 days in which to cast their vote.

Voter eligibility

Ballots must be open to all residents on an existing social housing estate – not just those currently occupying homes that are due to be demolished – that fall into one or more of the following three eligibility criteria:

- Social tenants (including those with secure, assured, flexible or introductory tenancies named as a tenant on a tenancy agreement dated on or before the date the Landlord Offer is published)
- Resident leaseholders or freeholders who have been living in their properties as their only or principal home for at least one year prior to the date the Landlord Offer is published and are named on the lease or freehold title for their property.
- Any resident whose principal home is on the estate and who has been on the local authority's housing register for at least one year prior to the date the Landlord Offer is published, irrespective of their current tenure.

Guidance on resident engagement

In addition to the Capital Funding Guidance on ballots, the GLA has published guidance, within their estate regeneration good practice, on resident engagement and consultation that is relevant to the approach to ballots. Key elements include:

- Consultation should be transparent, extensive, responsive and meaningful
- Advising tenants on their rights including use of independent tenant and leaseholder advisors
- Consultation approaches should be tailored to residents' needs. For example, bespoke consultation arrangements may be required for elderly residents, those whose first language is not English, or those who have disabilities
- Independent capacity building and advocacy support for residents if they request it
- Landlords and their partners should always be open to suggestions from residents and other stakeholders about developing more effective consultation and engagement mechanisms
- Engaging with other stakeholders – many estates include other stakeholders including businesses, places of worship, schools, or community hall that should be consulted and engaged with

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CABINET

Subject Heading:

Adoption of Statement of Licensing Policy
2021-2026

Cabinet Member:

Councillor Viddy Persaud
Lead Member for Public Protection and Safety

SLT Lead:

Barry Francis
Director of Neighbourhoods

Report Author and contact details:

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Policy context:

The Licensing Act 2003 requires the Licensing Authority to consult on and publish a Statement of Licensing Policy. This policy must be reviewed and update at least every 5 years.

Financial summary:

The cost for preparing, consulting and adopting the policy are built into the fees set by central government under the Licensing Act 2003.

Is this a Key Decision?

Yes, Significant impact on two or more Wards.

When should this matter be reviewed?

The Policy needs to be reviewed at least every 5 years. A policy review is needed by 2026.

Reviewing OSC:

Towns 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]
[X]
[]

SUMMARY

1.1 Section 5 of the Licensing Act 2003 (hereafter termed 'the 2003 Act') requires all Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies.

1.2 A draft policy was subject to a twelve week consultation, opening on 17th August and closing on 9th November 2020.

1.3 This report provides the proposed Statement of Licensing Policy 2021-2026 which has incorporated the comments following the public consultation.

RECOMMENDATIONS

2.1 Cabinet is recommended to:

Adopt the Statement of Licensing Policy 2021-2026.

REPORT DETAIL

3.1 Section 5 of the 2003 Act requires all Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies.

3.2 The current policy expired in January 2021 and therefore a new policy needs to be adopted.

3.3 The Statement of Licensing Policy is the primary document for setting out the Council's local approach to regulation of the 2003 Act and ensuring that the licensing objectives are met. The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

3.4 Nothing in the Statement of Licensing Policy will override the right of any person to make an application under the 2003 Act and have that application considered on its individual merits. Equally, nothing in the Statement of Licensing Policy will undermine the right of any person to make representations to an application, or seek a review of a licence where there is a legal power to do so.

3.5 This report provides a copy of the revised Havering Statement of Licensing Policy for the period 2021- 2026, for adoption. A copy is included as Appendix 1.

3.6 The main changes proposed are:

- Havering's vision has been added to the updated policy.
- An equalities and diversity section has been added
- A section on the use of remote hearings has been added
- The cumulative impact zone for Romford has been reviewed but remains unchanged
- The cumulative impact zone for Hornchurch has been reviewed and amended.
- The cumulative impact zone for Gooshays ward has been reviewed and amended.
- A section on mental health and wellbeing has been added
- A section on counter terrorism has been added
- A section on COVID 19 has been added
- Some additional model conditions have been added

3.7 The main changes in the document are highlighted in yellow.

3.8 Before the Statement of Licensing Policy can be adopted Section 5(3) of the 2003 Act requires the licensing authority to undertake a statutory consultation. This requires the authority to consult with:

- The chief officer of police for the licensing authority's area
- The fire and rescue authority for that area
- The Local Health Board for an area
- Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area.
- Such persons as the licensing authority considers to be representatives of holders of premises licences issued by that authority
- Such persons as the licensing authority considers to be representatives of holders of club premises certificates issued by that authority
- Such persons as the licensing authority considers to be representatives of holders of personal licence holders
- Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

3.9 The authority undertook a consultation which was open for twelve weeks, opening on 17th August and closing on 9th November 2020.

3.10 The Council's proposed updates to the Statement of Licensing Policy were shared on the consultation pages of the Council's website. Responses to the proposals were invited via an online survey and through individual written reply by letter or email.

3.11 The consultation received 30 responses. The licensing team considered all responses carefully and each was responded to as set out in section 4 of the report. Where indicated the policy was updated further to take account of the comments made. A copy of the consultation report is included in Appendix 2.

REASONS AND OPTIONS

4 Reasons for the decision:

4.1 It is a legal requirement under Section 5 of the 2003 Act for all Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies. The current policy expired in January 2021 and we are legally required to adopt a new policy.

5 Other options considered

5.1 No other option was considered as the authority is required by law to have a Statement of Licensing Policy under the 2003 Act.

IMPLICATIONS AND RISKS

6 LEGAL IMPLICATIONS AND RISKS

6.1. Under Section 5 (1) of the Licensing Act 2003 ('the Act') the Council as the Licensing Authority is required to determine and publish its statement of policy in respect of exercising its functions under the Licensing Act 2003 at least once every five years. In this time period the policy must be kept under review. When preparing the policy the Council is required to have regard to the four statutory licensing objectives under Section of the Licensing Act 2003 which are: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Licensing Authority also must consider the statutory guidance under Section 182 of the Licensing Act 2003.

6.2. Under Section 5A of the Act the Council is also required by review its Cumulative Impact Zone (CIZ) Assessment every 3 years. The effect of adopting a special policy of this kind would be to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact would normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Paragraph 14.34 of the statutory guidance details the steps to be followed in considering whether to publish a CIZ policy. These are:

- Identify concern about crime and disorder; public safety; public nuisance or protection of children from harm in a particular location.
- Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If there is evidence that such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
- Consult those specified in section 5(3) of the 2003 Act. As with consultations in respect of the licensing policy statement as a whole, it is for each licensing authority to determine the extent of the consultation it should undertake in respect of a Cumulative impact assessment (CIA) (subject to the statutory requirements).
- For the purposes of the consultation provide the persons specified in section 5(3) with the following information: the reasons why it is considering publishing a CIA
- a general indication of the part or parts of its area which it is considering describing in the assessment;
- whether it considers that the assessment will relate to all premises licence and club premises certificate applications and variation applications, or only to those of a particular kind described.

6.3 Cumulative impact zones are proposed in the policy where the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment is having a cumulative impact on the licensing objectives. Due to the nature of the evidence for crime and disorder, this is largely held by the police and is referred to in the draft policy.

6.4. The Statement of Licensing Policy must set out the how authority will give effect to the 4 licensing objectives of the 2003 Act and must have regard to the Statutory Guidance published under section 182 of the Act.

6.5 Consultations should be carried out in a proportionate, fair, and inclusive manner following the principles in *Gunning*. The principles are that consultation must take place when the proposal is still at a formative stage, sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response, adequate time must be given for consideration and response to allow consultees to comment meaningfully and the responses must conscientiously be taken into account by the decision maker. The details of the statutory consultation is set out in the body of this report. All responses have been carefully considered and where appropriate changes have been made to the Licensing Policy.

6.6. An equalities impact assessment was carried out and the draft policy will not adversely affect existing premises licence holders, responsible authorities, the community and those who wish to apply for premises licences in the future.

6.7 The Statement of Licensing Policy must be approved by Full Council and published before the authority carries out any functions or determines any applications etc. under the terms of the Act.

7 FINANCIAL IMPLICATIONS AND RISKS

7.1 The fees and charges for licence applications are set by statute and are based on a cost recovery basis. The cost for preparing, consulting and adopting the policy are built into these fees set.

8 HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

8.1 There are no direct Human Resources implications arising from this report.

9 EQUALITIES AND SOCIAL INCLUSION 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 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.

9.3 An Equality and Health Impact Assessment (EqHIA) has been undertaken and is included in Appendix 3. It is anticipated that the policy, if adopted, will have a positive effect on the borough by placing a greater emphasis on equality and diversity and the inclusion of a health and wellbeing section to ensure the protection of vulnerable residents from harm.

10 HEALTH AND WELLBEING IMPLICATIONS AND RISKS

10.1 The legislative framework for the Licensing Act 2003 recognises the sale of alcohol by retail, late night refreshment and regulated entertainment such as music and dance as a legitimate leisure activity that many people enjoy. It can be social, fun and as such might have positive impacts on wellbeing. In addition, it generates income, employment and tax revenue, creating employment, which is an important determinant of health and wellbeing.

10.2 However, set against this, it can generate significant dis-benefits such as working days lost through alcohol misuse, or the cost of treatment for ill-health. Less easily measured are potentially very significant impacts such as the negative effects of some alcohol addiction on family relationships, and the psychological and social development of children.

10.3 The proposed statement of licensing policy is intended to address this negative issue by promoting responsible retailing.

10.4 It expects the applicant to have considered:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate.
- Any risk posed to the local area by the applicants' proposed licensable activities;
- Steps to protect vulnerable residents
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- Any other relevant policies that the local authority has adopted.

10.5 The policy also requires applicants to take appropriate measures to protect children from harm including considering the location of the premises in relation to premises frequented by children.

11 Appendices

1. Statement of Licensing policy 2021-26
2. Consultation Results Report
3. Equality and Health Impact Assessment

BACKGROUND PAPERS

None

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Haverling

L O N D O N B O R O U G H

Statement of Licensing Policy 2021-2026

Document Control

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V2.0	<i>Updated</i>	<i>3rd October 2019</i>	<i>Cumulative Impact zones reviewed and reworded. Change of wording following discussions with other service areas.</i>
V3.0	<i>Updated</i>	<i>21st April 2020</i>	<i>Mental health & wellbeing added</i>
V4.0	<i>Updated</i>	<i>19th May 2020</i>	<i>Comments from legal services incorporated</i>
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V6.0	<i>Updated</i>	<i>27th November 2020</i>	<i>Policy updated following consultation</i>
V7.0	<i>Updated</i>	<i>18th January 2021</i>	<i>Comments from legal services incorporated</i>

V8.0	<i>Updated</i>	<i>16th February 2021</i>	<i>Further Comments from legal services incorporated</i>
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Approval history

Version	Status	Date	Approved by

Equality Impact Assessment record

Date	Completed by	Review date
15/10/2019	Keith Bush	2026

DRAFT

The Statement of Licensing Policy of London Borough of Havering the Licensing Authority for the London Borough of Havering prepared under section 5 of the Licensing Act 2003 with due regard and weight to Guidance issued by the Secretary of State for the Home Office under section 182 of the Licensing Act 2003.

The policy is determined for a five year period commencing 1st April 2021

DRAFT

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1. Executive Summary

1.1 The Licensing Act 2003 came into effect in 2005.

1.2 Section 5 of the Licensing Act 2003 hereafter referred to as 'the Act' requires each Licensing Authority to prepare a Statement of Licensing Policy that it will apply in exercising its functions pursuant to the Act. The Statement of Licensing Policy is valid for a term of 5 years when it must be revised again. The Licensing Authority may also review and revise the Statement of Licensing Policy within the statutory 5-year period. All revisions and reviews are subject to the statutory requirement for consultation. The document is made up of the Statement of Licensing Policy and supporting appendices. The appendices provide useful information for applicants and may be updated during the life of the Policy without consultation for example to include legislative changes.

1.3 The Licensing Act 2003 sets out 4 licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.4 The Authority is required to make decisions based on these objectives and to promote them through its actions. Licensed premises are required to conduct their activities with reference to the promotion of these objectives.

1.5 Each of the licensing objectives is of equal importance in terms of licensing actions and decision-making. This means that each has equal weight under the legislation.

1.6 The Act identifies five other key aims that are important for all those involved in licensing to support and promote through good practice. These are:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licenced premises;
- Giving the police and licensing authorities the powers they need to manage and police the night time economy effectively and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities, and minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for late night refreshment, and regulated entertainment which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their area; and

- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

1.7 The Policy covers the licensable activities as specified by the Licensing Act 2003 which are:

- Sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the Club
- Regulated entertainment
- Late night refreshment

1.8 This policy only relates to licensable activities under the Licensing Act 2003. It does not cover other areas of licensing such as gambling and special treatments.

1.9 The Act provides for four different types of authorisation or permission, as follows:

- Premises licences
- Club premises certificates
- Personal licences
- Temporary event notices (TENs)

1.10 A glossary of terms is included at Appendix 1.

1.11 The Policy must have due regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and other local strategies.

1.12 Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps to be taken for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.

1.13 Nothing in this policy is intended to undermine the rights of any person to apply under the 2003 Act for any of the variety of permissions and have that application considered on its individual merits.

1.14 Equally, nothing in this policy is intended to override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.

1.15 Local people, businesses and Members of the Council are able to comment through public consultation on this Policy.

2. Introduction

2.1 The purpose of this Licensing Policy is to inform both applicants and residents about the way in which the Licensing Authority will implement the Licensing Act 2003 in Havering. The Policy along with national guidance and primary legislation forms the basis on which decisions are made.

2.2 In preparing this Policy the Council has consulted with and considered the views of a wide range of people and organisations including:

- Representatives of local business
- Local residents and their representatives
- Councillors
- Local Members of Parliament
- Members of the Business Improvement District
- Representatives of existing licence holders
- The responsible authorities namely:
 - Metropolitan Police Service
 - London Fire and Emergency Planning Authority
 - London Borough of Havering-Director of Public Health
 - London Borough of Havering-Environmental Health Service
 - London Borough of Havering-Planning Service
 - London Borough of Havering-Trading Standards Service
 - London Borough of Havering-Havering Children Social Care (CSC)
 - The Local Enforcement Agency with responsibility for enforcing the Health and Safety at Work etc. Act 1974 (this will be either the Health and Safety Executive or the Health and Safety team, Environmental Health London Borough of Havering, dependent upon the nature of the premises)
 - Home Office (Immigration enforcement)
- Other Council Departments
- Charitable organisations that deal with the social impact of alcohol misuse

2.3 The contact details for the Responsible Authorities and other useful contact details are given in Appendix 2.

3. About the London Borough of Havering

3.1 Havering is one of the largest boroughs in Greater London, with a population of around 256,000 (Based on ONS UK statistics 2017) and an area approaching 40 square miles, half of which is in the Green Belt.

3.2 Havering is located on the periphery of North East London. The area has good road and rail links. To the north and east the borough is bordered by the Essex countryside, to the south by a three mile River Thames frontage, and to the west by the neighbouring boroughs of Redbridge and Barking & Dagenham.

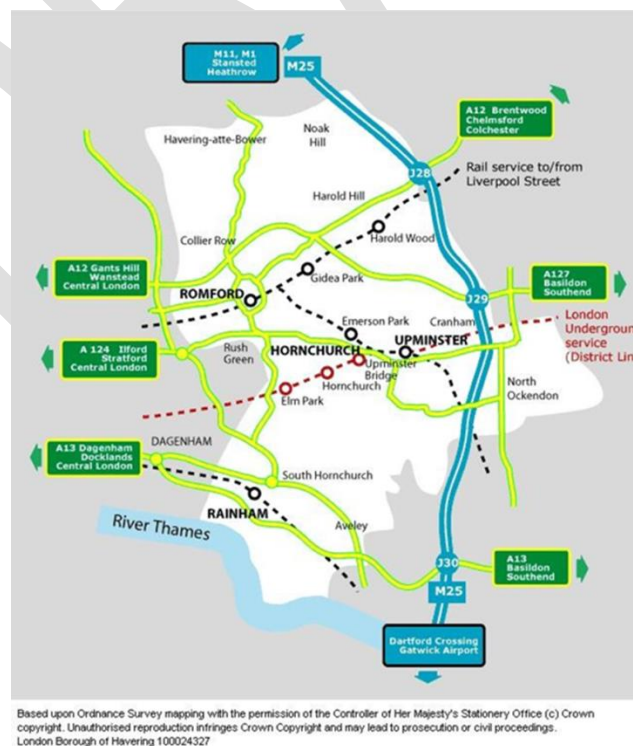
3.3 Havering has a lively cultural scene, centred on the Queen's Theatre and the Fairkytes Arts Centre. There is also a museum and Brookside Theatre in Romford town centre. The borough is also a great place to shop. In addition to Romford there are smaller local shopping centres across the borough.

3.4 The main centres of night time economy are:

- Romford town centre
- Hornchurch town centre
- Upminster town centre

3.5 A map of the London Borough of Havering is shown in Figure 1 below:

Figure 1: London Borough of Havering Transport Links & Shopping Hubs



3.6 Havering continues to have an aging profile which is older than London as a whole.

3.7 Havering together with Bromley are London's least diverse Boroughs. However, of all London Boroughs, Havering has had the highest percentage increase between the 2001 Census and the 2011 Census as the percentage of ethnic minority population has more than doubled, with the following ethnic groups seeing the highest increase:

- Black or Black British: African
- White Other, and
- Asian/ Asian British: Indian.¹

3.8 Havering Council views the changing demographics of the borough as a positive and will be proactive in helping all community groups to feel a sense of belonging.

Other Policies and Objectives

3.9 Other statutory obligations which fall outside the requirements of the Licensing Act 2003 may apply to the provision of any regulated activities at a premises and the responsibility for compliance lies with the licence holder

3.10 In October 2018 the Council adopted the following Community Cohesion and Equality Objective:

'To nurture and promote a cohesive, healthy and optimistic Borough underpinned by mainstreamed inclusive British values, where everyone experiences dignity and equal life chances, and where neighbours, colleagues and different community groups interact, respect and value each other, regardless of: age, class, colour, disability, education, ethnicity/race, gender, gender reassignment, health status, marital status, nationality, political perspective, religion, sexuality, or socio-economic status.'

Equality Act 2010

3.11 The Licensing Authority expects all operators to run their venues in an inclusive manner. It is recommended that licensees make themselves familiar with the requirements of the Equality Act 2010 for the access and provision of services for persons within the protected groups identified by the legislation.

3.12 The Equality Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

¹ Demographic and Diversity Profile of Havering's Population January 2015

3.13 As a public authority the Council must adhere to the Equality Act 2010. The Act also applies to any business that provides goods, facilities or services to members of the public including licensed premises such as pubs, bars, nightclubs and restaurants.

3.14 Under the Equality Act It is against the law to discriminate against someone because of:

- Age
- Pregnancy and Maternity
- Race
- Disability
- Gender
- Gender Identity
- Sexual Orientation
- Religion
- Marriage & Civil Partnerships

These are known as “Protected Characteristics”

3.15 Discrimination can come in one of the following forms:

- direct discrimination - treating someone with a protected characteristic less favourably than others
- indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage
- harassment - unwanted behaviour linked to a protected characteristic that violates someone’s dignity or creates an offensive environment for them
- victimisation - treating someone unfairly because they’ve complained about discrimination or harassment

3.16 Under section 20 of the Equality Act 2010 operators of licensed business such as pubs, bars, nightclubs and restaurants are also required to make reasonable adjustments to ensure that their premises are accessible to disabled people. A failure to do so will also amount to discrimination. It should be noted that not all disabilities are visible and not immediately obvious such as learning difficulties, mental health, speech, visual or hearing impairments.

3.17 It is important to note that the duty to make reasonable adjustments cannot wait until either a complaint is received or when someone with a disability wants to visit a particular venue.

3.18 Havering's Vision

Havering's Vision is to ensure it continues to become a better borough that Cleaner, Safer, Prouder together' by;

- Helping people get on in life by creating jobs and skills opportunities and building genuinely affordable homes. Encouraging new and expanding existing businesses within the borough which will create opportunities for residents. Investing in our town centres and creating improvements,
- Helping young and old fulfil their potential through high-achieving schools and by supporting people to live safe, healthy and independent lives, giving children the best possible start in life and helping them to achieve at school. Promoting healthy and active lifestyles for people with support and initiative's from the Council,
- Offering support and assistance to those that are vulnerable. And also ensuring that our residents receive the best possible services at the lowest possible cost,
- Making sure that our neighbourhoods are a great place to live by investing in them and keeping them clean, green and safe with access to quality parks and leisure facilities. Investing in cleaner streets and parks along with community safety. Providing quality leisure facilities that are accessible to all. Ensuring that genuinely affordable homes are available and,
- Making it easier for people to get around by investing in and improving our roads and transport links, Investing in and rolling out broadband and Wi-Fi to all town centres across the borough, promoting digital awareness and digital skills development within the community.

3.19 The Mayors Vision for London as a 24-hour City

3.20 Since the publication of the last Statement of Licensing Policy the Mayor of London has outlined his vision for London as a 24-hour city and has also appointed a Night Czar and a Night Time Commission to encourage the development of London as a vibrant, diverse, cultural city with a night time economy that is of global significance.

3.21 Currently Havering as an outer London Borough does not have a 24-hour economy and whilst the Mayor's vision will be considered and reflected in the licensing system in Havering, the authority recognises that these ambitions need to be balanced against the needs and wishes of the residents and other businesses and that the Authority's overriding duty is to promote the licensing objectives.

4. Expectations of applicants

4.1 The licensing objectives are at the heart of the licensing regime. Applicants must demonstrate in their operating schedules as part of an application how they will address each objective. The Licensing Authority will make decisions about applications, variations and reviews based on the promotion of the same objectives. Those making representations to the licensing sub-committee must base them on the licensing objectives.

4.2 It is for these reasons that Havering expects detailed and meaningful operating schedules that will enable all parties to understand what is being sought by an application, and if granted how the premises will operate. In completing the operating schedule, applicants are expected to have regard to this Statement of Licensing Policy which sets out the expectations of the Authority as to the steps that are appropriate for the promotion of the licensing objectives.

4.3 The completion of a full and detailed operating schedule will give those reading the application greater confidence that the applicant seeks to make a positive contribution and is demonstrating a commitment to both those living in the vicinity and the licensing objectives. Applicants are expected to:

- Demonstrate knowledge of the local area when describing the steps they propose to take to promote the licensing objectives;
- Undertake enquiries about the area in which the premises are situated to inform the content of the application;
- Obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand;
 - The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate.
 - Any risk posed to the local area by the applicants' proposed licensable activities;
 - Steps to protect vulnerable residents
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
 - Any other relevant policies that the local authority has adopted.

4.4 Applicants are also expected to include positive proposals in their application as to how they will manage any potential risks.

4.5 Where specific policies apply in the area (for example, a Cumulative Impact Policy), applicants are also expected to:

- Demonstrate an understanding of how the Policy impacts on their application,
- Identify any measures they will take to mitigate the impact, and
- Confirm why they consider their application should be an exception to the Policy.

4.6 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises close to residential properties should consider how this will impact upon their smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives and where there are no known concerns, acknowledge this in their application.

4.7 Lists of questions which should be considered in operating schedules are included in Appendix 3. A pool of model conditions which can also be of assistance is included at Appendix 4. Whilst applicants are strongly encouraged to consider these they should not be regarded as standard conditions and should be tailored according to the individual application and location and be used to inform the operating schedule. The mandatory conditions which are applicable to all licences depending on what is being licenced are attached as Appendix 5. By the use of a carefully considered operating schedule applicants can demonstrate that they have given thought to their application and the impact on the local environment.

4.8 An operating schedule forms the basis for conditions that will be placed on the licence. It should contain details relating to the promotion of the licensing objectives that are capable of being translated into enforceable conditions as, if there are no representations against the grant of the licence these will form the basis of the conditions. Conditions should not be added that duplicate other regulatory regimes as far as possible.

4.9 The failure by an applicant to clearly and fully demonstrate in the operating schedule that they have properly considered the promotion of the four licensing objectives is a legitimate concern should the application come before the licensing sub-committee.

5. Determination of Applications

5.1 This Licensing Authority when determining applications, authorisations and notices that have attracted relevant representations and review applications, will normally work within the framework of this Policy and also take into account the Guidance issued by the Department of Culture, Media and Sport under section 182 of the Act. However, this Licensing Authority reserves the right to depart from this Policy and the Guidance whenever it considers it correct and appropriate to do so.

5.2 If, during the period of this Policy new Guidance is issued by the Government such Guidance will be taken into account by the Licensing Authority even if it is not referred to in this Policy.

5.3 When an application has not attracted relevant representations, the Licensing Authority is compelled under the provisions of the Act to automatically grant the application without regard to this Policy. The only exceptions to this are applications for:

- The review of a Premises Licence or Club Premises Certificate;
- A minor variation of a Premises Licence or Club Premises Certificate; and an
- An application for the mandatory alcohol condition requiring a Designated Premises Supervisor in respect of a premises licence to be dispensed with for a community premises

5.4 In considering applications for new licences, club premises certificates, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in Safe and Sound meetings.

5.5 All opposed applications (with the exception of certain minor variations) will be determined by the Licensing Authority's Licensing Committee or one of its Licensing Sub-Committees.

Remote Hearings

5.6 The coronavirus pandemic has necessitated the use of remote licensing hearings. However, the Licensing Act 2003 (Hearings) Regulations 2005 apply equally to hearings held "in person" and remote hearings. Therefore under Regulation 14(1) a remote hearing shall still take place in public and the local authority shall determine the procedure to be followed at the hearing under Regulation 21. A participant may also still be excluded on the grounds of public interest (Regulation 14(2)) and if they are disruptive (Regulation 25)

5.7 In addition *The Local Authorities and Police and Crime Panels (Coronavirus) Flexibility of Local Authority and Police and Crime Panel meetings (England and Wales) Regulations 2020* ("Flexibility Regulations") make it clear that hearings before a licensing sub-committee can be both public and remote.

5.8 Regulation 5(1) of the Flexibility Regulations states that a meeting (which under Regulation 3 includes a meeting of a local authority sub-committee) is not limited to a meeting of persons all of whom, or any of whom, are present in the same place. Any reference to a "place" where a meeting is held, or to be held, includes more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

5.9 The council will conduct its remote licensing hearings in accordance with its "Protocol on the Operation of Licensing Sub-Committee Hearings during the COVID-19 Pandemic Restrictions". The protocol will be subject to regular review and will be amended if and when the legislation changes.

6. Cumulative Impact

6.1 The Licensing Authority will not adopt a 'cumulative impact' policy in relation to a particular area without having considered individuals and organisations listed in Section 5(3) of the Licensing Act 2003, i.e. those who have been consulted about this policy.

6.2 Having published a cumulative impact assessment the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment under section 5A of the Licensing Act 2003.

6.3 For areas where a cumulative impact policy is adopted, it creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives. The exception to this policy may be for applications for restaurants where alcohol is sold ancillary to a table meal.

6.4 It must be stressed that the rebuttable presumption created by the cumulative impact policy does not relieve responsible authorities or other persons of the need to make relevant representations. If there are no representations, the Licensing Authority must grant the application consistent with the operating schedule submitted.

6.5 This cumulative impact policy is not absolute. The circumstances of each application within the cumulative impact area will be considered upon its own merits and the Licensing Authority shall permit licences and certificates that are unlikely to add to the cumulative impact and not impact adversely on the licensing objectives.

6.6 Upon receiving representations in relation to a new or variation application the Licensing Authority will consider whether it would be justified departing from the cumulative impact policy in the light of the individual circumstances of the case. The impact of an application is expected to be different for premises with different formats and characteristics. If the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine one or more of the licensing objectives and that conditions or restrictions would be an ineffective solution.

6.7 Examples of applications that the Licensing Authority may consider as exceptional may include, though not are limited to:

- Small premises with a capacity of 50 persons or less only intending to operate during hours specified in section 12.
- Premises which are not alcohol led and operate only within the hours specified in section 12 such as coffee shops.

6.8 Examples of factors the Licensing Authority will **not** consider as exceptional include:

- Premises will be well managed and run
- Premises will be constructed to a high standard
- Applicant operates similar premises elsewhere without complaint
- Similar premises operate in the area.

7. Cumulative Impact Assessment

7.1 The Havering Community Safety Partnership produced a report titled 'London Borough of Havering Non Domestic Abuse Violence with Injury Problem Profile, May 2018'. The report was a twelve-month analysis and overview of Violence with Injury (Excluding Domestic Abuse) Offences, particularly outlining problematic hotspots and issues. The problem profile used the VLO (Victim, Location, and Offender) method of analysis.

7.2 This report has been used as the basis for the cumulative impact assessment. The report itself is not produced as an appendix to this policy as it is protectively marked confidential. However, its findings are summarised in sections 8, 9 and 10.

8. Special Cumulative Impact Policy for Romford Town Centre

8.1 The majority of late night licensed premises are concentrated within Romford Town Centre. A cumulative impact policy was adopted for this area under the previous Statement of Licensing Policy adopted on 7th January 2016.

8.2 The Havering Community Safety Partnership produced a report titled London Borough of Havering Non Domestic Abuse Violence with Injury Problem Profile, May 2018. It recognised that Romford is changing and that the night time economy is diversifying and growing. However, Romford Town ward was identified as the ward with the highest volume of violence with intent (VWI) offences in Havering. The timings and locations of the reported incidents indicated that many of these problems were linked to licensed premises.

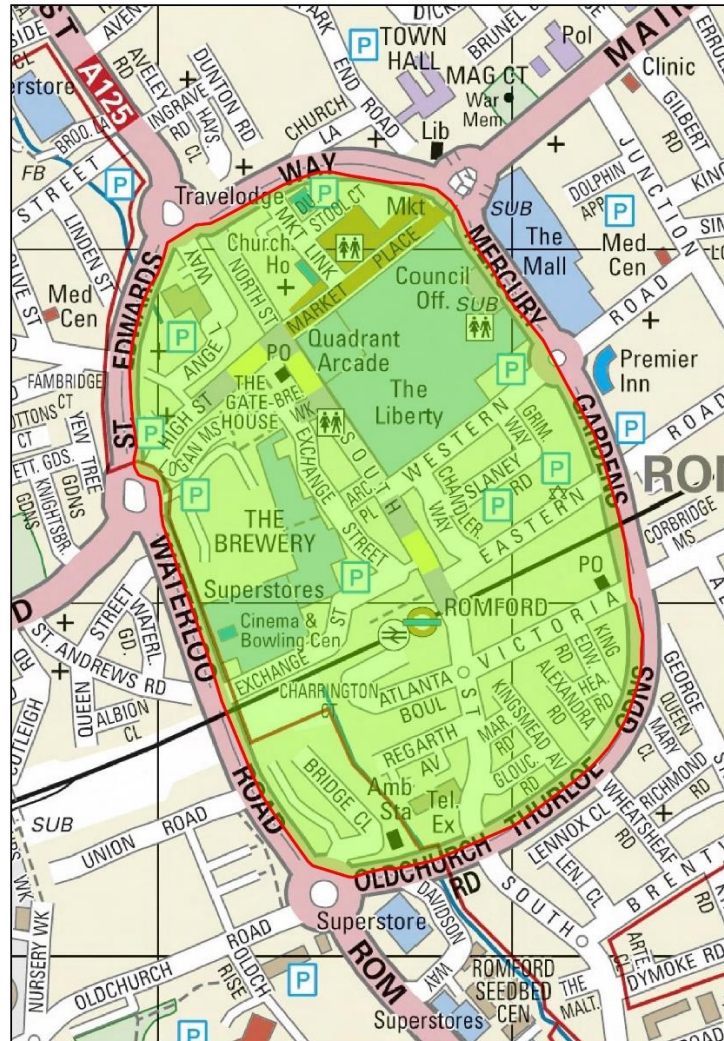
8.3 Common assault committed in Romford Town centre accounted for 20% of all incidents in the borough. 15% of those common assault offences occurred between peak hours of 2100hrs and 0400hrs on Friday, Saturday and Sunday.

8.4 In January 2017, Romford Town/Havering was chosen as one of 33 areas to work with the Home Office as part of a 'Local Alcohol Action Area' to target alcohol related harms. A Public Spaces Protection Order (PSPO) is also in force within Romford Town Centre which seeks to restrict alcohol related nuisance.

8.5 On the basis of the above evidence the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment within the ring road is having a cumulative impact and undermining the licensing objectives. It is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives and a cumulative impact policy has been adopted in this area.

8.6 The area covered by the policy is shown in figure 2 overleaf.

Figure 2-Romford Town Cumulative Impact Zone



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9. Special Cumulative Impact Policy for Hornchurch Town Centre

9.1 Hornchurch Town Centre houses the second biggest day and night time economy in Havering. A cumulative impact policy was adopted for this area under the previous Statement of Licensing Policy adopted on 7th January 2016 which covered all of the St Andrews Ward.

9.2 In the Havering Community Safety Partnership report, London Borough of Havering Non Domestic Abuse Violence with Injury Problem Profile, May 2018, temporal analysis showed that 46% of VWI offences in Hornchurch occurred between 2100hrs and 0200hrs. 57% of offences occur on Friday, Saturday and Sunday.

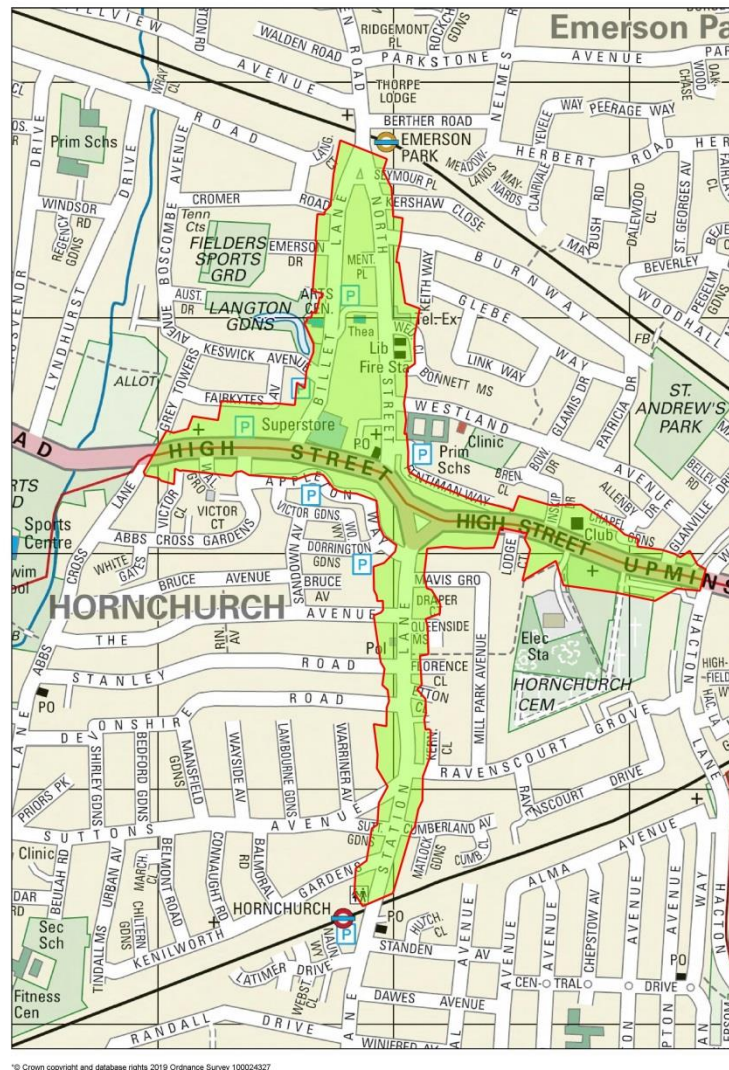
9.3 It identified the main hotspot as the High Street which locates a number of bars and pubs. A large proportion of the offences were reported in, and in close proximity to, licensed pubs and clubs.

9.4 On the basis of the above evidence the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment around the High Street is having a cumulative impact and undermining the licensing objectives. It is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives and a cumulative impact policy has been adopted in this area.

9.5 The size of the cumulative impact zone has been reduced from the previous Licensing Policy and rather than cover all of the St Andrews ward is now focussed on Hornchurch Town Centre. It covers the High Street, Station Lane, Billet Lane, North Street and part of Upminster Road.

9.6 The area covered by the policy is shown in figure 3 overleaf.

Figure 3- Hornchurch Cumulative Impact Zone



10. Special Cumulative Impact Policy for Gooshays

10.1 Unlike Hornchurch and Romford, Gooshays is not a major night time economy. A cumulative impact policy was adopted for this area under the previous Statement of Licensing Policy adopted on 7th January 2016

10.2 In the Havering Community Safety Partnership report, London Borough of Havering Non Domestic Abuse Violence with Injury Problem Profile, May 2018 Gooshays was identified as the ward with second highest amounts of VWI reports to the police in 2017.

10.3 As this area does not house a night time economy environment it is important to understand why this area ranks high in the number of incidents. It also shows as a hotspot in London Ambulance assault data. A hypothesis is that this area is one of Havering's areas which has the lowest deprivation index and thus this has an impact of the level of violent crime experienced in this area.

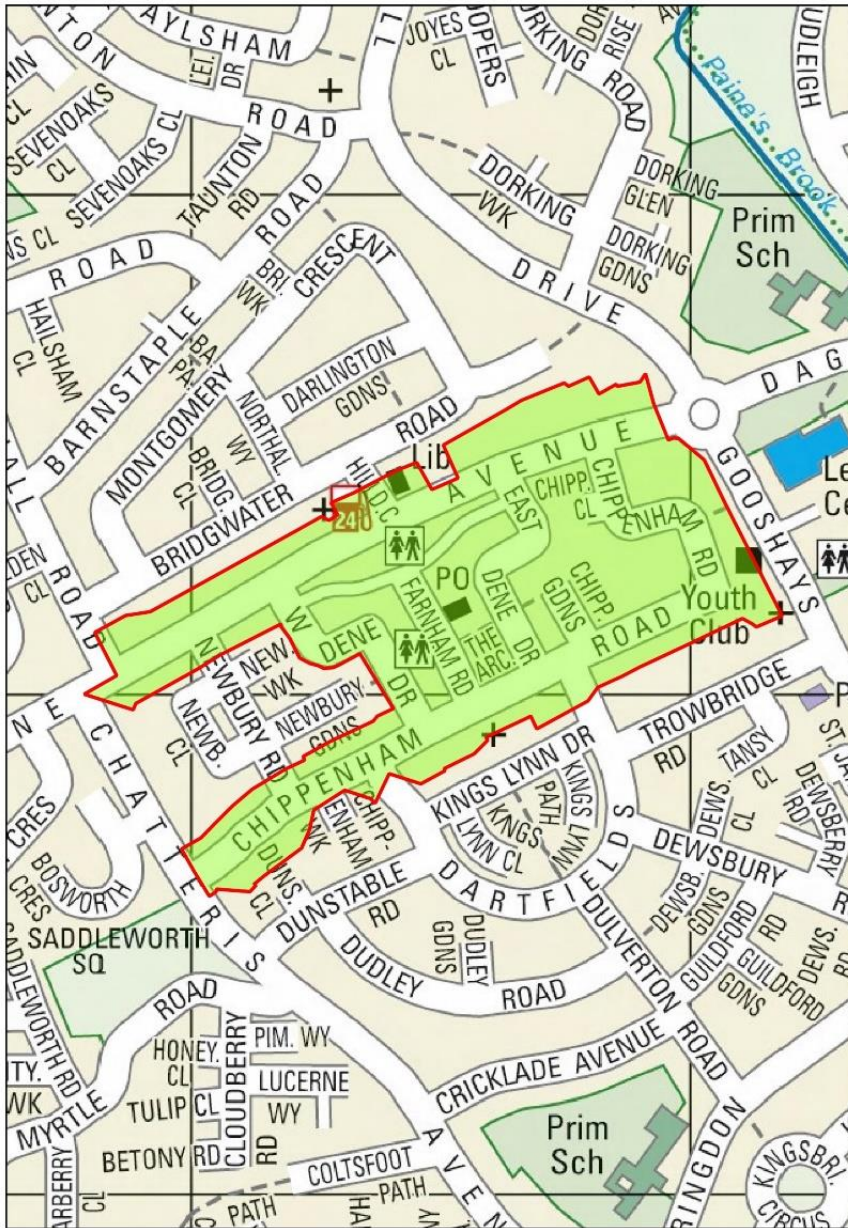
10.4 One hotspot was identified within the Gooshays ward where incidents appeared linked to licensed premises. This was the Farnham Road/ Hilddene Avenue where a number of assaults were reported within licensed retail establishments.

10.5 On the basis of the above evidence the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption off the premises around the Farnham Road/Hilddene Avenue area is having a cumulative impact and undermining the licensing objectives and a cumulative impact policy has been adopted in this area. It is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives and a cumulative impact policy has been adopted in this area.

10.6 None of the premise identified in the report relate to on sales or late night refreshment and therefore the cumulative impact policy for the Gooshays area is restricted to off sale premises only.

10.7 The area covered by the policy is shown in figure 4 overleaf.

Figure 4 Gooshays Cumulative Impact Zone



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11. Development Management

11.1 The Licensing Authority considers it desirable for applicants for a premises licence or a club premises certificate to have in place the relevant planning consent or lawful planning status for the intended use and hours of operation at the point when a premises licence application or a club premises certificate application is made. Each application, however, will be considered on its merits on a case by case basis.

11.2 Where an application made under the Licensing Act 2003 is granted at a variance to the premises' planning consent the Licensing Authority will expect the premises licence holder or club premises certificate holder to apply to align the planning hours with the licensing hours to avoid the potential for offences being committed under planning legislation.

11.3 Licensing and planning controls are two different regimes which operate independently and licensing committees are not bound by decisions made by a planning committee and vice versa.

11.4 However the relationship between the two, especially as seen by the community, can cause confusion and lack of confidence in the fairness of process and outcome. That is particularly so where there results a mis-match between controls with which the operator is obliged to comply within the respective regimes. For example, if there is a variance between the hours given under the licence and those permitted by the planning permission the earlier hours will apply.

11.5 This Policy is simply to promote clarity of process and so complies with the Guidance. Generally, any premises for which a licence is required must also have an appropriate authorised use under planning law

11.6 The planning permission for a premise determines its use and often its hours of operation. If this is not in place at the time the licence application is heard, there may be a conflict between the two and the applicant will be required to comply with any planning permission granted.

11.7 Applicants for Premises Licences should include information in respect of planning permission for the subject premises. Where there is no planning permission for the proposed use in place, applicants should include information regarding any planning applications being submitted, or any outstanding appeal or appeals against the refusal of planning consent.

11.8 Applicants are also advised to seek planning advice before submitting applications for a Premises Licence where there is no planning permission in place for the proposed use. Planning advice may also be appropriate before an application to vary an existing Premises Licence is made. Where no planning consent is in place, applicants should, in appropriate circumstances, consider seeking a Provisional Statement under section 29 of the Licensing Act 2003.

11.9 Applicants should note that the grant of a Premises Licence is not also the grant of Planning Permission. Where premises are being used without the benefit of Planning Permission, the Local Planning Authority will take enforcement action by the service of an Enforcement Notice, Breach of Condition Notice, seeking an Injunction, or the service of a Stop Notice and will consider all other measures available to the Authority to abate the unlawful use without planning consent, including Closure Orders under the Anti-Social Behaviour Act 2014.

11.10 Applicants are advised that the Local Planning Authority is a Responsible Authority under the 2003 Act and is able to make representations against all applications on planning grounds and thereby make representations in respect of any of the 4 overriding objectives of the Licensing Act 2003.

11.11 In framing this policy the Council acknowledges that it must ensure the lawful operation and independence of the Licensing and Planning control regimes.

12. Licensing Hours

12.1 When dealing with new and variation applications the Licensing Authority may give more favourable consideration to applications with the following closing times:

Public Houses and Bars 23:00 hours Sunday to Thursday

Midnight Friday and Saturday

Nightclubs 01:00 hours Sunday to Thursday

02:00 hours Friday and Saturday

Restaurants and Cafes 23:00 hours Sunday to Thursday

Midnight- Friday and Saturday

Off licences 23:00 Monday to Sundays

Hot food and drink supplied by takeaways, fast food premises

Midnight- Sunday to Thursdays

01:00 Friday and Saturday

Hotel residents only 24 hours sale of alcohol for on sales only

12.2 Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

12.3 The above hours are a guide and each application will be considered on its own merits.

12.4 The above hours are intended to guide applicants on the Licensing Authority's expectations when preparing their operating schedules.

12.5 For applications within the above hours there is no presumption that the application will automatically be granted in all cases where a relevant representation has been made. If no representations are received, the application will be granted by the licensing authority under delegated powers.

12.6 Applicants who wish to provide licensable activities outside the hours specified above should ensure where relevant the operating schedule specifies detailed measures to militate against crime, disorder and public nuisance etc. taking into account:

- The location of the premises and the character of the area in which they are situated
- The proposed hours during which licensable activities will take place
- The adequacy of the applicant's proposals to prevent crime and disorder and prevent public nuisance
- Whether customers have access to public transport when arriving at or leaving the premises
- The proximity of the premises to other licensed premises in the vicinity and the hours of operation of those other premises policies and proposals for the orderly dispersal of customers.

13. Standards of Management

The Operating schedule

13.1 When assessing the applicant's or licence holder's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether they

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements.

13.2 Where there is a history of non-compliance associated with the premises applicants will need to establish evidence of improvement in management standards and procedures.

13.3 The Licensing Authority seeks to promote mixed use premises with alcohol sales being offered to customers alongside food. Applications for premises providing a seated environment for customers are encouraged. Applications for premises whose predominant offer is vertical drinking are not encouraged and the operating schedule for such applications will be expected to demonstrate robust arrangements for promoting the licensing objectives.

14. Alcohol induced crime and disorder and antisocial behaviour

14.1 The Licensing Authority expects licence holders to operate to the highest standards of management, and to cooperate with responsible authorities to prevent:

- The sale of alcohol to underage children;
- Drunkenness on premises;
- Irresponsible drinks promotions.

14.2 Where the Licensing Authority receives representations from responsible authorities that the management of a premise is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or antisocial behaviour the Licensing Authority will consider reviewing the licence.

14.3 Licensing enforcement is a multi-agency activity and it is important that work is coordinated between agencies to deliver solutions. The need for intervention will be risk based and take full account of data, intelligence and information available to both the Council and partners.

14.4 Where appropriate the Licensing Authority will consider imposing controls on products sold where representations indicate localised problems. This provision could include removing the sale of super strength beer, lager and cider in premises as part of a package of measures to deal with the problems associated with street drinking.

15. Use of toughened glass and polycarbonates

15.1 The Licensing Authority seeks to encourage the use of toughened glassware and polycarbonate on a risk based approach in licensed premises.

15.2 The Licensing Authority will consider imposing a condition prohibiting the sale of alcohol in annealed glass containers (glasses and bottles) and require the use of polycarbonate or other safer alternatives where:

- Local needs dictate
- A relevant representation is received
- The premises is operating beyond midnight
- The licence permits drinking outside.

15.3 Evidence indicates that the majority of incidents with lacerations from annealed glass occurring inside licensed premises are accidents. However some are malicious and cause horrific injuries and lifetime scarring.

15.4 Outside premises, glass containers, as well as being potential weapons, add to street debris, pose risks to street cleaners and pedestrians and generally undermine the objective to minimise public nuisance.

15.5 The Licensing Authority believes that the use of safer alternatives to annealed glass will help promote public safety and the prevention of crime and disorder in licenced venues.

15.6 The Licensing Authority will take into account the nature of the venue when considering imposing conditions restricting the use of glass, including the uses of bottled drinks. Considerations will include:

- The type of venue
- The customer base
- The hours of operation
- The standard of management demonstrated by the current licensee
- The history of alcohol related crime and disorder associated with the premises
- The extent to which drinking is permitted outside
- The licensee's risk assessment
- The views of the local police

16. Drugs Policy

16.1 The Licensing Authority will normally expect the submission of a Drugs Policy as part of the operating schedule for applications for new premises licences and for variations to existing premises.

16.2 The Licensing Authority requires licensees of all venues to take reasonable steps to:

- Prevent entry of drugs into licenced premises
- Prevent drugs changing hands within the premises
- Understand the signs of drug misuse in people so that practical steps can be taken to deal with any instances that occur
- Have appropriately trained staff to deal with drug related incidents.

17. Noise

17.1 The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will request appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

17.2 The Licensing Authority will seek to balance the protection of residents from undue disturbance against noise and the activity that is the natural by-product of people going about their business, entertainment or leisure.

17.3 The Licensing Authority expects that premises intended for the provision of noise-generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. The Licensing Authority recognises specific difficulties associated with premises structurally linked to would be licensed premises and the limit of sound insulation performance that can be achieved. In some circumstances licensed premises adjoining residential properties may not be appropriate.

18. Smoking, Drinking and eating outside

18.1 The Licensing Authority recognises that where gardens and tables and chairs are provided for smoking, eating and drinking outside, users can cause nuisance.

18.2 Where smoking, eating and drinking take place outside, the Licensing Authority expects applicants to provide comprehensive details in their operating schedule on:

- The location of outside areas to be available for use
- How the outside areas will be managed to prevent noise, smell and pavement obstructions

18.3 The provision of tables and chairs outside the premises, either on the highway or private land, and the provision of beer gardens, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture and family friendly venues. However, late at night, tables and chairs and beer gardens can cause significant public nuisance to residents whose homes overlook these areas.

18.4 The London Borough of Havering has yet to adopt a Street Trading Policy but is considering one in the future. Applicants must ensure that outdoor areas comply with any Street Trading Policy in force and that structures on the highway have the necessary planning permissions.

18.5 Where the Licensing Authority receives representations or a review application regarding the use of an outside area it may seek restrictions or conditions that are appropriate for preventing a public nuisance.

19. Dispersal policies

19.1 The Licensing Authority will normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minutes, after the end of the time permitted for licensable activities. A dispersal policy is recommended for an application for a new late night premises licences or variation application but each application will be considered on its own merits.

19.2 The general principle will be that the carrying on of licensable activities at premises should cease some time before the end of the operational hours to allow for the premises to be cleared of patrons in a gradual and orderly manner. The Licensing Authority recognises that the time required for clearing premises of patrons will differ from business to business depending on the type of licensable activities provided and the nature of the clientele. It is for applicants themselves to judge what time scale is reasonable however, the Licensing Authority recommend that between 30 minutes and one hour would be sufficient for the majority of businesses. Operating schedules should detail the applicant's proposals for clearing the premises which could include arrangements such as:

- The provision of food
- Issuing customers leaving the premises with lollipops and boiled sweets
- The management of the lighting as well as the nature and tone of the music
- The balance between the continued sale of alcoholic drinks and the availability of non-alcoholic beverages
- Arrangements for accessing transport for customers
- Signage advising patrons to leave premises quietly

19.3 It is recognised that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.

20. Deliveries

20.1 Licence holders and applicants are encouraged to consider whether early morning deliveries and collections at their premises could potentially result in public nuisance and to introduce measures to minimise the impact where appropriate. The Licensing Authority recognises that refuse collection times can sometimes be outside the control of the premises licence holder.

20.2 When representations have been received from residents in the vicinity of licensed premises stating that they are being disturbed by early morning collections and deliveries, the applicant or premises licence holder is encouraged whenever possible to renegotiate different times with the relevant contractor and to liaise with local residents where appropriate to seek agreement on acceptable hours.

21. Children and Licensed premises

21.1 The Licensing Authority will require measures to protect children from harm to be reflected in the operating schedule, having regard to their type of premises or licensable activities.

21.2 Applicants for premises licences and club premises certificates authorising the admission of children without accompanying responsible adults will be required to submit a safeguarding children protection policy detailing the steps to be taken to ensure that children in their charge will be protected from harm when on licensed premises or engaged in activities relating to the licence.

21.3 The Licensing Authority is keen to promote family friendly licensed premises and to encourage premises where families are welcomed and where suitable entertainment is provided. The Licensing Authority supports the provision of entertainment specifically for children, and wishes to encourage both occasional events for children and licensees making their premises available for hire to organisations for this purpose.

21.4 When considering applications from premises intending to offer regulated entertainment, where it will be lawful and not contrary to this Policy for children to be admitted without an accompanying responsible adult, the licensee will be required to provide adequate numbers of adult staff to ensure the safety and wellbeing of the admitted children during an emergency. Details of the licences arrangements must be included in the operating schedule.

21.5 Where appropriate, operating schedules must detail steps taken to limit unobserved contact between employees and children and to limit or prevent access to inappropriate websites where internet access is offered.

21.6 The Licensing Authority recognises that children are one of the most vulnerable groups in our society and that some activities associated with licensed premises are not appropriate for children. The Licensing Authority will be looking for management arrangements to be in place to address this. Following relevant representations, it will consider the imposition of additional controls by way of licence conditions where activities take place on the premises may present a risk of physical, moral or psychological harm to children. It will also look for strict controls in place to prevent the sale of alcohol to underage children.

21.7 The following circumstances are considered to present a risk to children, and therefore may be subject to additional controls following relevant representations:

- Where the current management, personnel working at the premises or licences have been associated with convictions for serving alcohol to underage children or have a reputation for allowing underage drinking;
- Where there are concerns about drug taking or drug dealing on the premises;
- Where there is a strong element of gambling on the premises;
- premises where events in which entertainment of an adult or sexual nature is provided;
- Premises where the supply of alcohol for consumption on the premises is the exclusive or primary purpose.

21.8 Requirements may include:

- Limitations on the hours when children, or children under certain age limits will be allowed access;
- Limitations on the parts of premises that children will be allowed access;
- Limitations or exclusion when certain activities are taking place
- Full exclusion of people under 18 from the premises where any licensable activities are taking place
- The need for accompanying adults at all or various times
- The requirement for proof of age cards or other age identification to prevent the purchase of alcohol by minors;
- A safeguarding children policy;
- All staff to hold an up to date disclosure and barring record checks (DBS).

22. Children and Alcohol

22.1 The Licensing Authority is committed to tackling the illegal sale of alcohol to children, including proxy sales when adults buy alcohol for children.

22.2 The Licensing Authority expects licence holders to implement measures such as Challenge 25, the use of till prompts, refusal registers and regular staff training to reduce the likelihood of underage sales from their premises. It will take appropriate action, including review of licenses, where sales persist.

22.3 Premises within 400 metres of schools or colleges should consider licence conditions to control the products being offered for sale and the items on display in windows that may be viewed by passers-by.

23. Mental Health and Wellbeing

23.1 Havering's licensing authority seeks to operate wherever possible in accordance with the s.182 Guidance to the Licensing Act 2003 and other relevant guidance on related issues. Further to public health, the Licensing Authority aligns itself with Havering Health and Wellbeing Board Strategy. This is a multiagency partnership established under the Health and Social Care Act 2012, with representation from LBH, CCG, Healthwatch Havering, Barking, Havering and Redbridge University Hospitals NHS Trust (BHRUT) and the North East London NHS Foundation Trust (NELFT). The role of the Director of Public Health is as statutory chief officer of the local authority and principal adviser on all health matters to elected members and officers and includes helping to promote the health and wellbeing of the borough's population. Such a role also includes activities conducted in commercial premises and particularly licensed premises.

23.2 The Licensing Authority recognises its duty to promote the four licensing objectives. This duty also extends to the licence holders who operate in the borough. We all need to ensure the successful promotion of the licensing objectives.

23.3 Licensed premises often have regular and repeat customers who, over time, may demonstrate behaviour that might suggest they have care and support needs. Havering's Licensing Authority does not expect all staff members on licensed premises to have expert knowledge with regard to assessing the mental health of its customers. The Licensing Authority does expect, however, that an application for a premises licence should acknowledge this duty and provide positive proposals further to assessing the general wellbeing of its customers.

23.4 An adult with care and support needs is someone who is in need of community care services due to disability, age or illness. They may be unable to take care of or protect themselves against significant harm or exploitation. Havering's Licensing Authority therefore expects that licence holders and staff who work in licensed

premises should ask themselves the following questions when coming into contact with children, young people or adults with apparent care and support needs:

- Does your customer have any physical signs of abuse or neglect?
- Does the appearance of the customer lead you to suspect they may be homeless?
- Are they a regular customer? Do you see changes in their behaviour or mood?
- Has the customer told you they are having difficulties with someone else?
- Has the customer told you they have concerns about someone else?
- Has the customer told you they have harmed someone else?
- Do you know something that causes concern about someone else's welfare?
- Have you seen worrying behaviour towards someone else?

23.5 If the answers to any of the questions above gives any staff member cause for concern it may be necessary to take action to protect the adult or child concerned.

23.6 The first priority will be for the welfare of the adult or child, to ensure their safety. This may include reporting concerns to the police if immediate action is required or to Havering's Adult Social Services, Safeguarding Adults Team on 01708 433550 or the Child Protection Team on 01708 433222. Out of hours referrals can be made on 01708 433999. In an emergency contact the police (999) or non-emergency 101.

24. Adult Entertainment

24.1 The Licensing Authority expects all applicants and licensees intending to provide adult entertainment to include the relevant details in their operating schedule, including controls they intend to put in place.

24.2 When considering applications which include adult entertainment, the Licensing Authority will take into account the nature of the area, the marketing, advertising arrangements and external views of the premises together with other factors proposed by the proprietor to militate against concerns.

24.3 Premises providing adult entertainment on a regular basis will be subject to the licensing regime for Sexual Entertainment Venues. Applicants should refer to the current national guidance and the London Borough of Havering Sex Establishment Licensing Policy for more information. Premises licensed under the Licensing Act 2003 that are exempt from this regime will be subject to the following paragraphs of this Policy.

24.4 The location of the premises will be an important factor as it can impact on all four of the licensing objectives. The Licensing Authority will consider whether applications for new and variation premises licences that are located in close proximity to sensitive premises should be granted, such as:

- Residential accommodation,
- Schools,
- Children's and vulnerable persons' centres,
- Religious centres and public places of worship,
- Youth and community centres,

24.5 Each application will be decided on its own merits and will depend upon the type of adult entertainment that is proposed and the applicant's ability to demonstrate the high standards of management.

24.6 The Licensing Authority considers adult entertainment to include activities such as topless servers, striptease and table dancing or any activity performed partially clothed or naked.

24.7 If relevant representations are received, the Licensing Authority will not normally grant a licence unless:

- The premises operating schedule specifies adequate arrangements for prohibiting children under the age of 18 from entering the premises;
- The premises operating schedule specifies adequate arrangements for preventing crime and disorder and preventing public nuisance;
- The adult entertainment cannot be seen from the street
- The adult entertainment is in a designated area of the premises with segregation from the audience
- The adult entertainment is in a position where the performers will have direct access to dressing room without passing through or come into close proximity to the audience
- There is no external advertising of adult entertainment either at the premises or in its immediate vicinity.

25. Illicit Goods

25.1 The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management.

25.2 The Licensing Authority's approach is that the supply of illicit goods will be taken seriously as these matters undermine the licensing objectives. Licensees supplying illicit goods can expect the Licensing Authority to impose additional controls and run the risk of losing their licence.

26. Counter Terrorism

26.1 The Licensing Authority expects applicants to have protective security plans that demonstrate how they will manage the threat from a terrorist attack. This is particularly important for venues that operate as part of the night-time economy.

26.2 As part of these plans the Licensing Authority expects applicants to have training in place for its staff in relation to counter terrorism.

26.3 Up to date guidance on increasing the protection of crowded places from terrorist attack can be found on the gov.uk website.

27. Temporary events

27.1 Where events qualify for a temporary events notice (TENS), applicants are encouraged to submit notifications at least four weeks prior to, but not more than 12 weeks before the date of the proposed event.

27.2 When considering objections to temporary event notices from the Police or Environmental Health, the Licensing Authority will take the following factors into account:

- Circumstances of the objection
- The applicant's willingness to comply with the conditions attached to the premises licence
- History of complaints
- The track record of the applicant
- Any other proposed control measures.

27.3 The Licensing Act 2003 provides for certain occasions when events organised for less than 500 people and each lasting for no more than 168 hours can take place, following the notification of such events to the Licensing Authority, Environmental Health and the Police. Only Environmental Health and the Police can object to the temporary event notice if they are of the opinion that the event is likely to undermine the licensing objectives.

27.4 Although the statutory legal minimum time required for notification of a temporary event to the Licensing Authority and the Police is 10 working days, or 5 days for a late temporary event notice, it is essential that adequate notice is given to allow for proper consideration of the proposed event in order to ensure that all the legal requirements for the authorisation have been met. Statutory guidance allows the Licensing Authority to publicise its preferred timescale for notification and this is indicated above. The increased timescale will allow more time to resolve issues rather than see organisations faced with the cost of cancelling late because there is insufficient time to address representations.

27.5 “Ten working days” notice means ten working days exclusive of the day on which the event is to start and exclusive of the day on which notice is given. Five working days in respect of late TENS means five working days exclusive of the day on which the event starts and exclusive of the day on which the notice is given.

28. Provisional statements

28.1 In considering an application for a provisional statement the LA will, as far as is reasonably practicable, apply the same standards as required for the grant of a premises licence.

28.2 Provisional statements provide limited assurance to prospective proprietors of licensed premises that an application for a premises licence in respect of specific premises or licensed activities will be likely to succeed, The Licensing Authority recognises that these may be necessary for the promotion of investment and employment opportunities in the borough. Applications for provisional statements must include the particulars of the premises (including plans), describe the works to be done and the licensable activities planned.

28.3 The granting of a provisional statement has the effect of precluding representations from being made to the subsequent premises licence application save in very exceptional circumstances. Applicants are encouraged to seek to convert their provisional statements to premises licences at the earliest opportunity. The longer the delay before a premises licence is applied for the greater the potential for representations made in respect of an application for a premises licence not to be excluded.

29. Enforcement

29.1 The Authority will adopt a risk-based inspection programme as recommended by the Guidance issued under 182 of the Licensing Act 2003 for Licensing Authorities. This will be based on:

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Home Office
- The principles set out in this statement of licensing policy
- The enforcement policy, intelligence and complaints.

29.2 High risk rated premises may be those where there are factors such as reports of underage sales or previous breaches of premises licence conditions and codes of practice. Low risk rated premises will generally be those which have demonstrated compliance with premises licence conditions and codes of practice.

29.3 The Licensing Authority will consider the full range of powers available to it when a review of a premise licence becomes necessary, including:

- Restricting hours of operation
- Removing licensable activities from the premises licence
- Imposing additional conditions
- Requiring the removal of a designated premises supervisor
- Suspending a licence
- Revoking a licence

29.4 The Licensing Authority believes that the promotion of the licensing objectives is best achieved by mutual cooperation between all stakeholders. Reviews will therefore be mainly reserved for circumstances where early warnings of concerns and the need for improvement have gone unheeded by the management of the licensed premises.

29.5 Reviews of licences may be triggered at any stage by responsible authorities or interested parties because of a matter arising at the licensed premises and relating to one or more of the four licensing objectives. Reviews may also become necessary following the service of a closure order by the police or any formal enforcement action by officers of the local authority.

29.6 Where a licence is revoked, any new application for the premises will be considered against the Policy and will be considered on its own merits.

30. COVID 19

30.1 The United Kingdom is currently experiencing a public health emergency as a result of the COVID 19 pandemic. As such it is critical that businesses take a range of measures to keep everyone safe.

30.2 To help you decide which actions you must take you must carry out an appropriate COVID 19 risk assessment just as you would for other health and safety hazards.

30.3 Up to date guidance can be found on the gov.uk website which details what steps are needed to ensure your premises are COVID secure. Failure to complete a risk assessment which takes account of COVID 19, or completing a risk assessment but failing to put in place sufficient measures to manage the risk of COVID 19, could constitute a breach of health and safety law.

31. Scheme of delegation

MATTER TO BE DEALT WITH	FULL-COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence	N/A	If a representation made	If no representation made
Application for personal licence, with unspent convictions	N/A	If police objection made	All other cases
Application for premises licence/club premises certificate	N/A	If a representation made	If no representation made
Application for provisional statement	N/A	If a representation made	If no representation made
Application to vary premises licence/club registration certificate	N/A	If a representation made	If no representation made
Application to vary designated premises supervisor	N/A	If a police representation	All other cases
Determination of request to be removed as designated premises supervisor	N/A	If a police representation	All other cases
Application for transfer of premises licence	N/A	If a police representation	All other cases
Application for Interim Authorities	N/A	If a police representation	All other cases
Application to review premises licence/club premises registration	N/A	All cases	N/A
Decision on whether a representation is irrelevant, frivolous, vexatious, etc	N/A	N/A	All cases
Determination of a police or environmental health representation to a temporary event notice	N/A	All cases	N/A
Determination as to what constitutes an application for a Minor variation to vary premises license/club premises certificates and determination of such applications	N/A	N/A	All cases

Appendix 1

Glossary of Terms

These definitions are provided to aid understanding of the draft Policy. They do not replace the meaning given to the terms in the Act or the statutory guidance.

Reference should therefore be made to these publications to clarify any of these terms for legal purposes.

- **Adult entertainment.** It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants and responsible authorities need to apply common sense to this matter. However, such entertainment or services, for example, would generally include topless staff, striptease, lap dancing, table dancing or pole dancing, performances involving significant violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.
- **Alcohol** includes spirits, wine, beer, cider, or any other fermented, distilled, or spirituous liquor of or exceeding 0.5% alcoholic strength at the time of sale
- **Children.** There are several definitions of children under the Licensing Act 2003. A child is defined for the purposes of section 145 of the Act as an individual aged under 16. For the purposes of the Act, children are considered to be unaccompanied if they are not in the company of an individual aged 18 or over. The Act makes it an offence to allow unaccompanied children on premises used exclusively or primarily for the supply of alcohol for consumption on the premises. It is also an offence to allow unaccompanied children under 16 at other premises supplying alcohol for consumption on premises with a premises licence, club premises certificate or temporary event notice between 00:00 and 05:00. Section 146 of the Licensing Act 2003 on sale of alcohol to children makes it clear that the sale of alcohol to any individual under 18 is an offence. In section 20, for the purposes of the exhibition of film, children mean persons under 18.
- **Club Premises or Qualifying Clubs** can supply alcohol to members or guests and can provide regulated entertainment. These clubs must comply with general and specific conditions in relation to size, membership and the nature of their operations.
- **Combined use premises.** Premises that operate as multi-use premises where there is more than one use and the uses are not dependent on, or part of, the other uses, i.e. ancillary to them. Examples include: café/bar/nightclub; restaurant/nightclub; public house/restaurant; bar/performance venue, etc. These types of premises sometimes operate in different ways throughout the day and night and may vary their operation over the days of the week.

- **Designated Premises Supervisor** is a personal licence holder who is for the time being specified in the premises licence as the Premises Supervisor. This may be the premises licence holder or another person.
- **Karaoke.** Singing by members of the public to musical backing or accompaniment. This usually involves pre-recorded music and members of the public singing in series.
- **Late night refreshment** premises a person providing late night refreshment at any time between the hours of 23:00 and 05:00. This consists of the supply of hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises. (Schedule 2, Licensing Act 2003).
 - Licensable activities those activities under the Licensing Act 2003 which require a licence from the Licensing Authority (Council) include the following:
 - The sale by retail of alcohol
 - The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club
 - The provision of regulated entertainment
 - The provision of late night refreshment.
- **Licensing Committee** is a committee of 10 to 15 councillors, appointed by the Council.
- **Licensing Sub-Committee** is a committee of three councillors appointed from the licensing committee to whom the functions of the licensing committee can be delegated under the Act.
- **Personal Licence** permits individuals to supply, or to authorise the supply of alcohol. The licensing of individuals separately from the licensing of premises permits the movement of personal licence holders from one premise to another, allowing greater flexibility. It ends the outdated regime where publicans are tied by licence to the premises they manage.
- **Qualifying club** these clubs are organisations where members have joined together for particular social, sporting or political purposes and have then combined to buy alcohol in bulk as members of the organisation for supply to the club. There are technically no sales of alcohol by retail at such premises except to guests when guests make a purchase. Such clubs have traditionally not been “licensed”; they have registered with the magistrates’ courts having established that they qualify to be treated exceptionally. The 2003 Act preserves this special treatment and requires the club to “qualify” to be outside the normal premises licence arrangements. The new authority for the supply of alcohol and provision of other licensable activities on qualifying club premises is a club premises certificate and this is issued by the Licensing Authority. A qualifying club will normally be permitted under the terms of a

club premises certificate to sell and supply alcohol to its members and their guests only. In order to be a qualifying club, instant membership is not permitted and members must normally wait at least two days between their application and their admission to the club. Any qualifying club may choose to obtain a premises licence if it decides that it wishes to offer its facilities commercially for use by the general public, including the sale of alcohol to them. Such qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for the purposes of profit and which require a premises licence and are not eligible to be qualifying clubs.

- **Rebuttable presumption** is an assumption made by a court. It is taken to be true unless someone comes forward to contest it and prove otherwise. For example, a defendant is presumed innocent until proved guilty.
- **Regulated entertainment** Includes both entertainment and the provision of entertainment facilities. Subject to qualifying conditions, definitions and exemptions as set out in Schedule 1 of the Licensing Act 2003, where the following regulated entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience. This includes:
 - A performance of a play
 - An exhibition of a film
 - An indoor sporting event
 - A boxing or wrestling entertainment (indoors and outdoors)
 - A performance of live music
 - Any playing of recorded music
 - A performance of dance
 - Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance.
- **Representations** are complaints or comments on applications by responsible authorities (e.g. police) or interested parties (e.g. residents). They must be made in writing and will only be relevant if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. Representations by interested parties will not be relevant if they are considered by the licensing authority to be frivolous (i.e. not serious) or vexatious (i.e. arising out of unrelated disputes).
- **Security Industry Authority (SIA)** the Security Industry Authority was set up by the Private Security Industry Act 2001. The key role for the SIA involves the managing and issuing of licences for people working in particular areas of the private

security business. Another crucial area for the future is developing an approved contractor scheme. More details are available at www.the-sia.org.uk

- **Temporary Events** – relatively small-scale events held in or on any premises involving no more than 499 people at any one time. Each event, which must be covered by a Temporary Event Notice, can last up to 168 hours, and no more than twelve events can be held at any particular premises in a year (15 with effect from 1/1/16).
- **Variation** – changes in the operation of a premises, club or event, including variation of operating hours and modification of the premises or the specification of another person as the Designated Premises Supervisor.
- **Vicinity** – usually taken to mean the area immediately around the licensed premises but where there is reasonable evidence to suggest that problems are directly linked to licensed activity or customers of a particular premises, can be extended.
- **Vertical drinking** premises are premises with high capacities which are used primarily or exclusively for the sale and consumption of alcohol and have little or no seating for patrons.

Appendix 2 Responsible Authorities and Useful Contact Details

Responsible Authorities:

Metropolitan Police, Licensing Office, Romford Police Station, 19 Main Road,
Romford RM1 3BJ

Fire Safety Regulation, North East Area 2, London Fire Brigade, 169 Union Street,
London, SE1 0LL

Licensing, Public Protection, London Borough of Havering, c/o Town Hall, Main
Road, Romford, RM1 3BD

Telephone: 01708 432777

E-mail: licensing@haverling.gov.uk

Website: www.haverling.gov.uk

Health and Safety Section, Public Protection Service, London Borough of Havering,
c/o Town Hall, Main Road, Romford, RM1 3BD

Telephone: 01708 432777

E-mail: environmental.health@haverling.gov.uk

Website: www.haverling.gov.uk

Public Health Section, Public Protection Service, London Borough of Havering, c/o
Town Hall, Main Road, Romford, RM1 3BD

Telephone: 01708 432777

E-mail: environmental.health@haverling.gov.uk

Website: www.haverling.gov.uk

Environmental Protection, Public Protection Service, London Borough of Havering,
c/o Town Hall, Main Road, Romford, RM1 3BD

Telephone: 01708 432777

E-mail: environmental.health@haverling.gov.uk

Website: www.haverling.gov.uk

Trading Standards Service, London Borough of Havering, c/o Town Hall, Main Road,
Romford, RM1 3BD

Telephone: 01708 432777

E-mail: trading.standards@haverling.gov.uk

Planning Control and Enforcement Service, London Borough of Havering, c/o Town
Hall, Main Road, Romford, RM1 3BD

Telephone: 01708 434800

E-mail: planning@haverling.gov.uk

Children and Families' Service, Safeguarding and Service Standards, c/o Town Hall,
Main Road, Romford, RM1 3BD

Practice Improvement Lead, Havering Clinical Commissioning Group, c/o Town Hall,
Main Road, Romford, RM1 3BD

Other Useful Contact Details:

Health and Safety Executive, FOD London Division, Rose Court, 2 Southwark Bridge
London, SE1 9HS

Telephone: 020 7556 2100

Website: www.hse.gov.uk

Streetscene, London Borough of Havering, c/o Town Hall, Main Road, Romford, RM1 3BD

Telephone: 01708 432563

E-mail: StreetSceneEnforcement@havering.gov.uk

Community Safety Section, London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD

Telephone Number: 01708 432028

E-mail: communitysafety@havering.gov.uk

Havering Magistrates' Court, The Court House, Main Road, Romford, RM1 3BH

Telephone: 0300 303 0645

Security Industries Authority, Security Industry Authority, PO Box 74957, London E14 1UG

Website: www.sia.homeoffice.gov.uk

London Borough of Havering public register of licensed premises.

<https://www.havering.gov.uk/Pages/ServiceChild/PublicRegister-LGSL-797.aspx>

Appendix 3 Questions for applicants to consider when making an application.

The following questions should be considered, although they will vary according to the use of each premise, the following list is not exhaustive and is intended to act as a prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from the Licensing Authority, a responsible authority or other person.

Crime and Disorder

- Is there CCTV, if so what are the areas covered, does it have the ability to see clear full face recording of patrons entering, does it record the patron search area at the entrance, what is the period for retention of recordings and the provision of instant access to the Police and Authority officers, the ability to produce copies or download images?
- Are SIA door staff employed, numbers of door supervisors, door supervisors wearing high visibility clothing, use of search arches/wands, location of such searches, all such staff to have their details recorded and checks made with SIA website to ensure that licences are current, staff to sign in when commencing work and out when they leave. Is any induction/training given to new door staff?
- Are female door supervisors deployed?
- Do door staff receive any venue specific training to enable them to deal effectively with the clientele of the venue?
- Is there use of ID scanning and recording systems, if so what are the hours during which such systems will be in place, that all patrons will be required to use the system?
- Will there be a “No ID No entry” Policy?
- Are any measures proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons? For example, designing out areas or surfaces where there is a likelihood of drug use;
- Is there a clear written Policy regarding persons caught using/supplying drugs? Is there provision of safe storage for any seized drugs?
- Has the use of plastic or toughened glass for the serving of alcohol been considered, will glass bottles be handed across the bar?
- Any restrictions on patrons taking drinks outside the premises?

- Any restrictions on numbers of patrons using outside smoking area?
- Are patrons searched on re-entering from smoking areas if there is potential for patrons to have contact with non-patrons?
- Location of lighting inside/outside the premises?
- Is there a proof of age scheme to be introduced, if so what and is there any dress code used at the premises?
- How is the number of patrons in the premises managed, including reference to any capacity restriction?
- How is capacity counted if appropriate?
- What is the frequency of staff training, what training is given, availability of completed training records and details of the content of training?
- What measures are used to manage queuing?
- Any dispersal Policy?
- Is there a drinking up time before the terminal time of the licence?

For premises selling alcohol for consumption off the premises the following should be considered;

- Should beers, ales, lagers and ciders and anything similar that are sold/supplied in a can only be sold in multiple packs in order to discourage street drinkers?
- Will there be a restriction on the sales /supplies of beers, ales, lagers or ciders or anything similar of 6.5 ABV or above, excluding the sale of specialist branded alcoholic beverages?
- Will there be a restriction on the sale/supply of miniature bottles of spirits of 50ml or less at any time?
- Will ales, lagers and cider be supplied only in bottles of 2 litres and above in capacity?

Public Safety

- What staff training will there be? Will it include an awareness of selling alcohol to those already drunk?
- The potential impact of drunkenness on levels of violence?
- For premises operating to later hours what is the availability of taxis and public transport?

- Is a scheme such as “cabwise” promoted?
- Is a telephone available inside the premises for patrons to call taxis?
- Are staff given training to recognise and deal with vulnerable persons and is there a written Policy?
- Any measures to combat drink spiking?
- Is there a dispersal Policy to reduce queuing for taxis and transport?

Public Nuisance

- Is an acoustic report needed if application involves live or recorded music and later hours?
- Would double door entry to the premises reduce noise levels during entry and exit to the premises?
- Are the sound proofing measures to prevent sound and vibration adequate for the activity proposed?
- Can details of the location and types of any schemes designed to attenuate noise from the premises be provided?
- Can details of any measures to minimise the noise caused by patrons outside the premises be provided?
- The location and availability of any taxi ranks, bus stops, train or tube stations in relation to the premises which are operational at or just after the terminal hour of the licence?
- Provide details of the location and management of any outdoor areas within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside, and the hours of use of such areas. The hours of use should also be included:
- Include details of dispersal policies and consider the role of door supervision and winding down periods;
- Will you reduce music sound levels and temp towards the end of the evening?
- Will lighting be increase towards the end of the evening?
- Will there be an area for patrons to use whilst waiting for taxis?
- Any wind down/chill out areas?
- Any use of outside areas such as tables and chairs on the highway or smoking areas?

- If the operation of the venue will attract additional litter such as food cartons or publicity flyers what measures will be put in place to deal with this?
- Will there be litter patrols for takeaways?

Protection of Children

Venues that are family friendly are particularly welcome; applicants are encouraged to make this clear in their application and to make this explicit in the operating schedule.

- Adoption of a proof of age schemes, details of which should be provided;
- Details of which proofs of age will be accepted;
- Any regular training of all staff, details of which should be recorded;
- Will new staff be trained on induction?
- Will a refusals register be used to record instances when sales have been refused?
- The frequency with which the refusals register will be checked to see if it is consistently used;
- Any restrictions on the hour's children may be present?
- Any requirements for accompanying adults to be present?
- Compliance with the BBFC film classification system

Appendix 4 Mandatory Conditions Correct as of August 2019

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to

condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification Policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification Policy.

(3) The Policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the Policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

(a) a holographic mark or

(b) an ultraviolet feature.

6. The responsible person shall ensure that –

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the

permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision

except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Appendix 5

London Borough of Havering

Pool of Model conditions

Conditions attached to a licence or certificate are steps or actions the holder of the premises licence or club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question.

Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unambiguous. Further, such conditions should be open transparent and reasonable

Conditions must not be applied universally and treated as standard conditions. Licensing conditions are to be tailored to the size style characteristics and activities taking place at the premises concerned.

License conditions are not required where other regulatory regimes provide sufficient protection to the public e.g. Fire safety legislation.

The pool of model conditions is neither exclusive nor exhaustive. The model conditions relate to the four licensing objectives and can be used where appropriate to the particular circumstances of individual premises.

The pool of model conditions does not restrict any applicant, responsible authority, or other persons from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any reasonable condition on a licence it considered appropriate for the promotion of the licensing objectives.

Further information relating to conditions can be found in the guidance issued under section 182 of the Licensing Act 2003 which can be found at

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Prevention of Crime and Disorder.

CCTV

CD01 The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the Police or the Licensing Authority recordings of the previous two days immediately when requested.

(n.b. The above condition is an example of the wording that could be used for premises where the customers might commit serious crime. The CCTV requirements would be expected to be 'scaled down' accordingly for smaller premises or those premises which are unlikely to prove as troublesome.)

Promoted events

CD02 There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23.00 and 07.00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.

Incident Management

CD03 An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the London Borough of Havering. The log will record the following:

- All crimes reported to the venue
- All ejections of customers
- Any incidents of disorder (disturbance caused by either one person or a group of people). (There is no requirement to record the above incidents where they do not relate to a licensable activity).
- Seizures of drugs or offensive weapons
- Any faults in the CCTV system or searching equipment or scanning equipment

- Any refusal of the sale of alcohol during the hours the premises is licensed to sell it.

CD04 There must be at the premises a lockable 'Drugs Box' to which no member of staff except the DPS and/or XX shall have access. All controlled drugs (or items suspected to be or to contain controlled drugs) found at the premise must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Metropolitan Police Service for appropriate disposal.

Door supervisors

CD05 On any occasion that regulated entertainment is provided, not less than **SIA registered door supervisors shall be engaged to control entry.

CD06 At least ** female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided.

CD07 When the premises is carrying on licensable activities after **.**. hours, at least ** registered door supervisor(s) is (are) to be on duty at each door used for entry or exit.

CD08 A written search Policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises.

Late night provisions

CD09 There shall be no admission or readmission of customers to the premises after **.**. hours save for customers using the agreed smoking area at the premises.

CD10 On occasions where licensable activities are carried on past **.**. hours admission of customers will be restricted to (enter restriction e.g. a particular entrance, a particular area of licence premises etc.).

Public Safety

PS01 All glasses in use at the premises shall be either toughened glass or polycarbonate material.

PS02 No drinks of any sort are to be supplied to customers in glass bottles.

The Prevention of Public Nuisance

Noise (regulated entertainment)

PN01 All doors and windows shall remain closed at all times after **.**. hours during the provision of regulated entertainment except for entry or exit, or in the event of an emergency.

PN02 Loudspeakers shall not be located in the entrance lobby (specify another location if appropriate) or outside the premises.

PN03 A noise limiter shall be installed and set up in conjunction with the Council's noise nuisance team.

Noise (persons)

PN04 A written dispersal Policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to the neighbours.

PN05 Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

PN06 Customers permitted to temporarily leave and then re-enter premises eg, to smoke, shall not be permitted to take drinks or glass containers with them.

PN07 There shall be no sale of alcohol in unsealed containers for consumption off the premises.

PN08 The Licence holder shall make available a contact telephone number to nearby residents and the London Borough of Havering Licensing team to be used in the event of complaints arising.

The Protection of Children from Harm

PC01 A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is(are) .or appears to be , under ** years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the London Borough of Havering.

PC02 A 'Challenge **' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of ** shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of identity card.

PC03 Children under the age of ** years shall not be allowed on the premises after **. ** hours unless accompanied by an adult.

PC04 Children under the age of ** years shall not be allowed on the premises.

PC05 No single cans or bottles of beer or cider shall be sold at the premises.

Staff Competence and Training:

PC06 The Licensee to keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

PC07 The Licensee to ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

PC08 The Licensee to ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

PC09 The Licensee to ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

General

GC01 Any designated queuing area shall be enclosed within appropriate barriers to ensure that the highway is kept clear.

GC02 There shall be no admission after **. ** other than to

- Residents of the hotel and their bona fide guests
- Persons who have pre-booked to attend a function at the premises

GC03 No entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall be permitted.

Controls for Sales of Alcohol

GC04 Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.

GC05 Alcohol shall be sold to customers by waiter/waitress service only.

GC06 There shall be no sales of alcohol for consumption off the premises.

GC07 Sales of alcohol for consumption off the premises shall only be supplied with a meal.

GC08 Beers, lagers, stout and ciders sold at the premises should not exceed (insert e.g. 5.0 or 5.5 or 6%) alcohol volume.

GC09 Sprints should not be sold in bottles of less than 35cl/70cl.

GC10 Beers, lagers, stout, ciders and alcholpops shall be sold in packs of no less than four

CDGPG1 All occasions when persons have been refused service shall be recorded in writing and kept at the premises for six months.

CDGPG2 Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from a bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing of sports grounds during particular sports events. Such conditions may not only specify these areas, but also indicate the circumstances and times of such a restriction. Such a measure may also be relevant to promote public safety.

CDGPG3 No outside area shall be used for consumption of alcohol or provision of Regulated Entertainment unless the area is clearly marked or defined

Crime prevention notices

Notwithstanding reluctance from the trade it may be necessary at some premises to support local crime prevention initiatives by displaying notices that warn customers of the prevalence of crime which may target them. For example, warning about pickpockets or bag snatchers or warnings about leaving bags unattended because of concerns about terrorism.

CDGPG4 Crime prevention notices and advice shall be displayed (if advised by Havering Police) in order to support local crime prevention initiatives.

Other signage

To deter those who might seek admission in breach of conditions subject to which a licence or certificate is granted, it may be considered appropriate to require signage to be displayed setting out such conditions.

CDGPG5 Prominent, clear notices shall be displayed at every public entrance stating the actual operating hours of the premises.

CDGPG6 Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.

Door supervisors

Conditions relating to the provision of Door Supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside venues prone to such queuing.

Conditions may also be needed to deal with the number of such Door Supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female Door Supervisor should be available (for example, if female customers are to be the subject of body searches). Door Supervisors also have a role to play in ensuring public safety.

Unless the Operating Schedule comprehensively provides a valid reason why door supervision would not be required, Door Supervisors shall be expected at premises where:

- the licensed activities includes the sale of alcohol by retail, and
- the premises trade after midnight on any day of the week or has an approved capacity of over 200 persons.

Premises should detail the times and days of the week when Door Supervisors shall be employed.

CDGPG7 Premises which have a Policy that includes the searching of persons shall have Door Supervisors of both sexes on duty at all times.

CDGPG8 All Door Supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'High Visibility Clothing'.

Safe and Sound Partnership

The Safe and Sound Partnership, which exists between the London Borough of Havering, Havering Police, Havering Fire and Rescue Service, and licensed premise operators is already a significant factor in reducing crime and disorder in the Borough. It is recommended that in those areas of the Borough covered by the Partnership, existing and proposed licensed operators should participate in this scheme.

CDGPG9 The Licence Holder shall sign up to the Safe and Sound approved charter.

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Havering
LONDON BOROUGH

Consultation Summary Report Statement of Licensing Policy 2021-2026

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1. Introduction

Under the Licensing Act 2003, councils must produce a Statement of Licensing Policy at least every five years. Licensing in this case means alcohol, most forms of public entertainment, club premises and late-night refreshment (food served anytime after 11pm and before 5am). It also includes Temporary Events Notices (TENs) which can be applied for by licensed venues, other businesses and members of the public.

There are approximately 600 licensed premises across the borough of Havering. The Council ran this consultation because the Licensing Policy affects everyone who operates a licensed premise, residents, other businesses and public authorities such as the Police. Because of this the Council wanted to ensure that a wide range of people could comment on the Policy, so changes could be made to the final document that make it more robust, responsive to local views and clearer to understand.

There were several updates to the previous version of the policy which the consultation specifically asked for feedback on. These were:

The addition of:

- Havering's vision
- An equalities and diversity section
- A section on mental health
- A section on counter terrorism
- Some additional model conditions on staff training and product size/alcohol content
- A section on the use of remote hearings
- A section on COVID-19 risk assessments

Reviews of the cumulative impact zones

- Romford has been reviewed and the proposal was for it to remain unchanged
- Hornchurch has been reviewed and the proposal was to reduce its size
- Gooshays ward has been reviewed and the proposal was to apply the policy to off sales premises only

The London Borough of Havering must publish an updated Statement of Licensing Policy by January 2021. This consultation was on the draft version of the Council's updated Policy and the research that informed it. The consultation ran for 12 weeks, opening on 17th August and closing on 9th November 2020.

The consultation took place during extremely challenging times for Havering and indeed the whole of the UK. License holders, particularly pubs, bars, restaurants, clubs and events have been particularly affected. The social distancing measures brought in to combat the COVID-19 pandemic have meant that businesses have had to work hard to reconfigure the way they operate and indeed close their doors

completely to comply with regulations that changed to respond to the increased reproduction rate of the virus as the colder weather of autumn 2020 arrived.

The consultation received a total of 30 responses from 19 residents, 4 representatives of a licensed premise/trade group (one responded twice), 3 business owners, 2 other/not declared and 1 council officer. 29 responses were received via the online survey and 1 via email. This report summarises their responses and will inform the Council's Statement of Licensing Policy for 2021-2026.

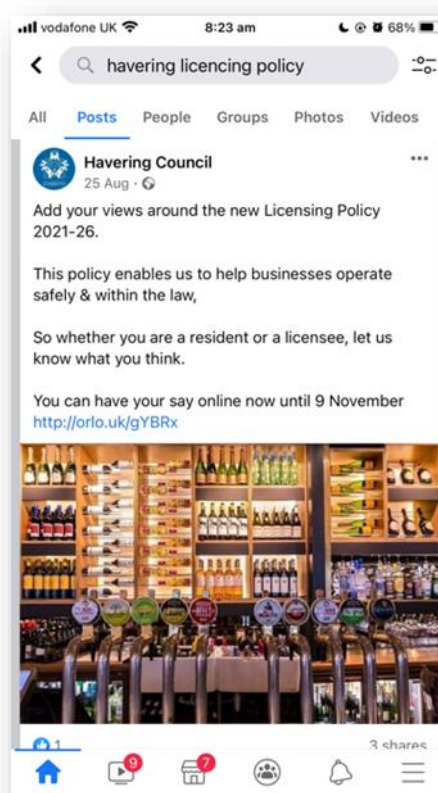
2. Consultation Activity

The consultation was open for twelve weeks, opening on 17th August and closing on 9th November 2020. This time period was chosen in recognition of the challenges facing licensed businesses and the entire borough during the COVID-19 pandemic.

The Council's proposed updates to the Statement of Licensing Policy were shared on the consultation pages of the Council's website. Responses to the proposals were invited via an online survey and through individual written reply by letter or email.

The consultation was publicised in the following ways:

- A press release was issued to launch the consultation
- The link to the consultation has been on the Local Authority website throughout the consultation period.
- An email or letter was sent to all of the consultees listed in Appendix A of the Draft Statement of Licensing Policy.
- An email or letter was sent to all license holders
- An email or letter was sent to all residents who had previously contacted the council in relation to licensed premises
- In 4 editions of the *Living in Havering* email bulletin.
- At the online meetings of Pubwatch and Safe & Sound in September and October 2020
- Social Media Posts- Across Twitter and Facebook, shared a total of 18 times.
- Posters up in all Libraries across the borough and on community noticeboards in Tesco's in: Rainham, Hornchurch, Harold Hill and Wilko in Romford



Twitter post to promote the consultation

- All officers within Public Protection added the consultation link to their email footers during the consultation period.

3. Summary of consultation responses

This section of the report summarises the 29 responses received by the online survey and the one response received by email.

3.1 Are the proposed updates consistent with the objectives of the Licensing Policy?

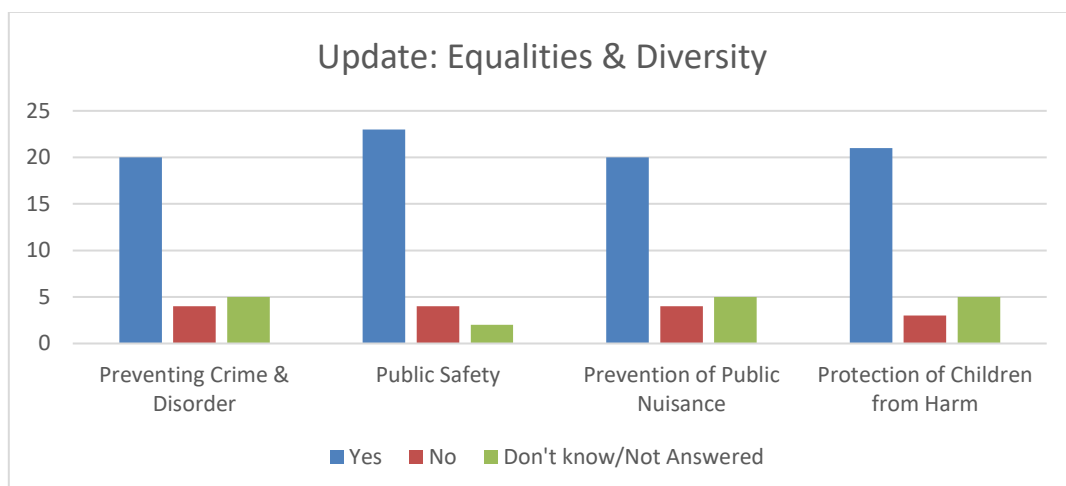
The consultation began by asking if the proposed updates to the Statement of Licensing Policy are consistent with its objectives of:

- Preventing Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

Equalities & Diversity

The updated Licensing Policy proposes (in section 3.11) to include provisions that help ensure license holders “run their venues in an inclusive manner. It is recommended that licensees make themselves familiar with the requirements of the Equality Act 2010 for the access and provision of services for persons within the protected groups identified by the legislation.” Most respondents, as seen in the chart below, believed that this update was in line with Licensing Policy’s objectives.

“Ensuring that venues are inclusive and deal appropriately with breaches of equality and diversity law should ensure that there is less tolerance of negative behaviour, provide safe and welcoming environments for all, and reduce the number of situations where things escalate to levels of nuisance or crime.” Respondent



Of the thirty responses to the consultation, there were seven comments on the addition of the Equalities & Diversity provision. One business owner called for training of license holders to help fulfil the aims of the Equalities & Diversity provisions. While a resident thought there were too many policies being put in place and that the root cause of problems, in their view, was the 24-7 availability of alcohol.

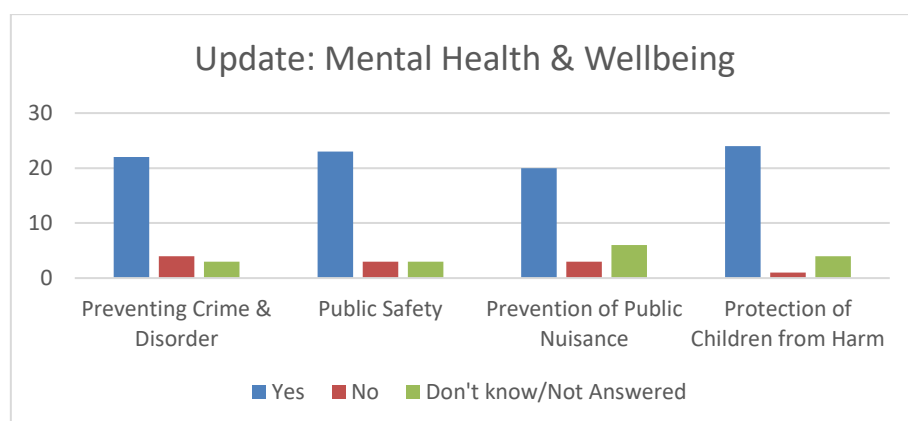
One resident said that when referring to disability in the Licensing Policy, the fact that disabilities can be visible or not visible should be included in the wording. Another said they thought not enough was being done to include people with disabilities in social situations.

Mental Health & Wellbeing

As outlined in section 23.3 of the proposed updated Licensing Policy: “Licensed premises often have regular and repeat customers who, over time, may demonstrate behaviour that might suggest they have care and support needs. Havering’s Licensing Authority does not expect all staff members on licensed premises to have expert knowledge with regard to assessing the mental health of its customers. The Licensing Authority does expect, however, that an application for a premises licence should acknowledge this duty and provide positive proposals further to assessing the general wellbeing of its customers.”

Again, most respondents, as the chart below shows, agreed that including Mental Health & Wellbeing provisions in the updated Licensing Policy is in line with its objectives. Four respondents commented on this update. One respondent emphasised their support by saying that some vulnerable people use pubs as a place to find support, particularly if they lack family or friends. A business owner called for training to help license holders:

“I do feel that there should be assistance from Havering Council in signposting free training, or providing 'train the trainer' support to current and new licensees to ensure the quality of training - and for a better connection to venues from social services - so that customers who have problems that licensees aren't able to support due to not having enhanced training can be supported by those who are qualified.”
Business owner



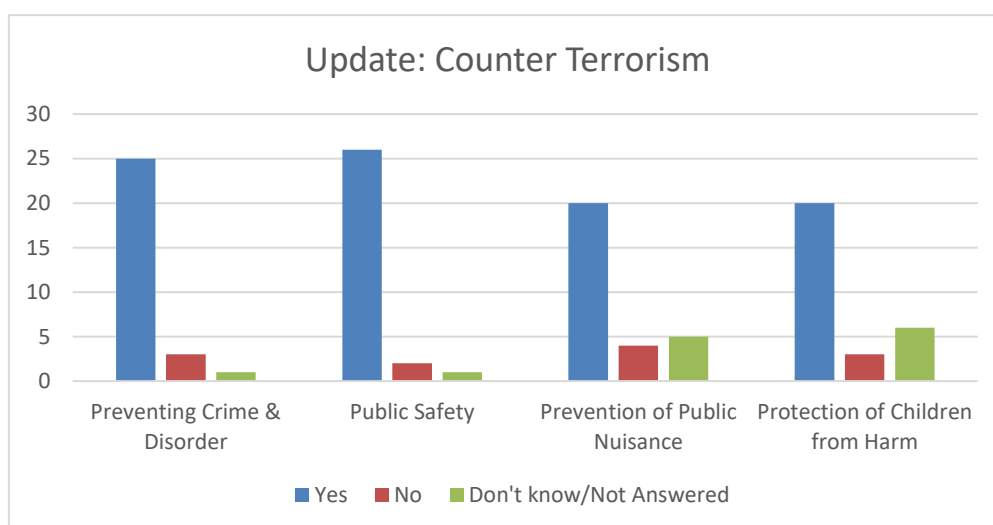
One respondent said that they thought there were too many premises willing to sell alcohol to underage young people and that the Council was too liberal with its granting of licenses.

Counter Terrorism

The proposed updated Licensing Policy includes a new section on counter terrorism. Section 26 states: “The Licensing Authority expects applicants to have protective security plans that demonstrate how they will manage the threat from a terrorist attack. This is particularly important for venues that operate as part of the night-time economy. As part of these plans the Licensing Authority expects applicants to have training in place for its staff in relation to counter terrorism.”

The chart below shows that most of the thirty responses thought that this addition is in line with the Licensing Policy’s objectives. Of the five comments, one said they thought the addition timely given the court case on the Manchester Arena bombing underway at the time. Another said they supported it because:

“Given the number of people who regularly go out in Havering, this is another worthy change to the policy. Whilst the main duty to deal with terrorism lies with the government and police services, all venues should be aware of the very real threat and have plans in place to respond with surprise attacks.” Respondent



A business owner suggested that the Safe & Sound Group (a partnership between Havering Council, the Met Police and Street Pastors) should be extended to other areas of the borough. They also suggested that because they believed that restaurants were a less likely terrorist target than other locations, not as much training was needed for that type of licensed premise.

Model conditions: Staff Competence and Training and Controls for Sales of Alcohol

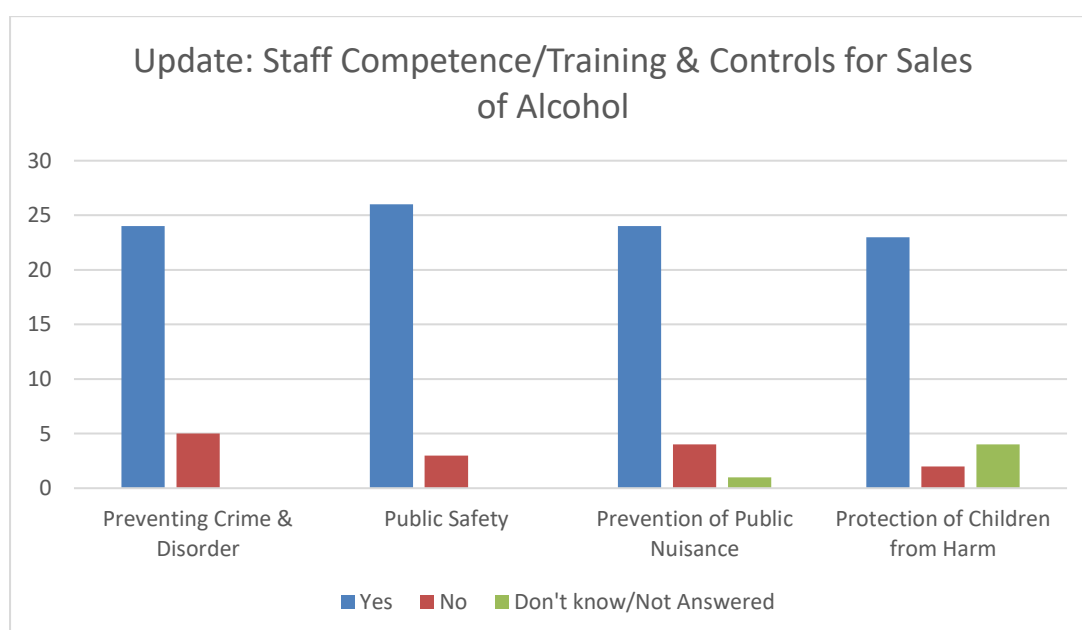
Conditions attached to a licence or certificate are steps or actions the holder of the premises licence or club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question. The proposed update to this Licensing Policy includes provisions for staff training and controls for the sale of alcohol.

Among the conditions for staff competence and training is this (section PC07): “the Licensee to ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.”

The Council proposes to add the following controls for the sale of alcohol:

- GC08 Beers, lagers, stout and ciders sold at the premises should not exceed (insert e.g. 5.0 or 5.5 or 6%) alcohol volume.
- GC09 Sprits should not be sold in bottles of less than 35cl/70cl.
- GC10 Beers, lagers, stout, ciders and alcohol pops shall be sold in packs of no less than four

Most respondents agreed that these additions uphold the Licensing Policy’s objectives:



Four respondents commented on this update. One resident said that false ID was too readily available in the borough, whilst another said that that licensees should

take responsibility for the welfare of their customers and not serve them when the customers are showing signs of intoxication.

On the subject of controls for sales of alcohol one respondent commented in support of the quantities update:

“It makes sense to highlight the smaller quantity amounts and make them available in all premises.” Business Owner

3.2 Remote License Hearings

The COVID-19 pandemic has made the use of remote license hearing necessary. Section 5.6 of the Licensing Policy makes clear that these hearings “shall still take place in public.”

Of the five respondents who commented on this addition, most thought it was a sensible provision given the circumstances. One resident asked that hearings still be heard face to face where possible, while a representative of a license holder said that they be heard “live” so that all interested parties could contribute. Another resident questioned what evidence would be required by these remote hearings.

3.3 COVID-19 Risk Assessment

Section 30 is a proposed addition to the Licensing Policy that requires license holders to carry out a COVID-19 risk assessment, following guidance on the gov.uk website.

Of the five respondents who commented on this addition, most supported its inclusion, saying it was a sensible measure given the current circumstances. One resident questioned how nightclubs could comply with this provision. Another said that they believed that Hornchurch pubs were not following social distancing rules and observed that:

“the queuing public are not socially distanced and are not wearing face coverings. This needs to be addressed.” Resident

3.4: Cumulative Impact Policies: Romford Town Centre, Hornchurch Town and Gooshays

A Cumulative Impact Area is a designated zone (CIZ) where evidence has indicated that the number, type or density of licensed premises is impacting adversely on the licensing objectives: preventing crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. The consultation asked for views on three Cumulative impact zones: Romford Town Centre, Hornchurch Town and Gooshays.

Romford Town Cumulative Impact Zone: unchanged

Of the thirty consultation responses, ten respondents commented on the proposal not to change the Romford Town CIZ.

Of the eight residents who responded, most argued for stricter controls, such as shorter licensed hours such as a 1.30am or 2.00am closing time. One wanted to the council to actively reduce the number of licensed premises by only renewing the licenses of those premises who demonstrated that they have been actively managing the behaviour of their customers. One resident also argued for the CIZ to be applied across the entire borough, because they said:

“Many of these late night premises are a curse on our society. Many are unruly, they are not needed. Any financial benefit they may give to Havering is negated by the cost of policing the Borough.”

Resident



II Romford Town Cumulative Impact Zone

In contrast, one resident said they did not believe that refusing licenses was the right approach to managing the area.

License holders were largely supportive of the CIZ in their comments, but one wanted to see some provisions made that would help small businesses during the harsh trading conditions caused by COVID-19.

“I support the RTC CIZ in principal but consider that bona fide restaurants within policy hours should remain exempt but also that small capacity bars, tap rooms etc should also be exempt in framework hours. The policy should apply in full to off licences outside of framework hours. LNR’s should be considered pragmatically.”

Representative of Licensed Premise

Hornchurch Town Cumulative Impact Zone: proposal to reduce its size

The proposed size of the Hornchurch Town cumulative impact zone is to be reduced from the previous Licensing Policy and rather than cover all of the St Andrews ward it would be focussed on Hornchurch Town Centre. The reduced zone would cover the High Street, Station Lane, Billet Lane, North Street and part of Upminster Road.

Nine respondents commented on the proposal to reduce the size of the Hornchurch Town CIZ.

Three of the eight residents who commented objected to the proposed reduction in size of the CIZ. Their reasons included:

- A zone designed to protect residents should not be reduced
- The levels anti-social behaviour in the surrounding streets



III Hornchurch Town Cumulative Impact Zone

“As a resident of Hornchurch, Billet Lane we are consistently subjected on Thursday, Friday, Saturday and Sunday nights. Patrons intoxicated walking home shouting and fighting in the street disturbing sleep, leaving litter glasses/food waste in our front gardens, urination alongside of Emerson drive near electric box, cars speeding and playing loud music as exiting Hornchurch.”
Resident

Those residents called for more protection for residents rather than any reduction, with some asking the Council to reduce the number of licensed premises in the area or to spread the CIZ across other parts of Havering.

Other residents and license holders who commented welcomed the protection that the CIZ gave and one supported the rationale for its reduction. One resident repeated their belief that refusing licenses was not the best approach.

Gooshays Ward Cumulative Impact Zone: proposal to apply the policy to off sales premises only

As this area of Havering does not house a night-time economy environment it is important to understand why this area ranks high in the number of incidents. It also shows as a hotspot in London Ambulance assault data. A hypothesis is that this area is one of Havering's areas which has the lowest deprivation index and thus this has an impact of the level of violent crime experienced in this area

One hot spot was identified within the Gooshays ward where incidents appeared linked to licensed premises. This was the Farnham Road/ Hilldene Avenue where a number of assaults were reported within licensed retail establishments. None of the premises identified in the report relate to on sales or late night refreshment and therefore the proposed cumulative impact policy for the Gooshays area is restricted to off sale premises only.

Four respondents commented on the proposal for Gooshays CIZ. Most welcomed its targeted approach, with one respondent calling for more support for the emergency services.



IV Gooshays Ward Cumulative Impact Zone

3.5 Is the Statement of Licensing Policy generally clear?

Twenty five of the thirty consultation respondents thought that the Licensing Policy for 2021-2026 was generally clear.

Of the five respondents who gave comments, two said they thought the policy was either vague or too full of jargon. Two respondents gave specific points of clarification. These are detailed in Section 4 below. Another respondent said that policies are all well and good, but that the Council's focus should be on their enforcement.

"It is time it was enforced, no point or good making policies that are not carried out e.g. many establishments serving to under-age. Large groups of adults in town centres spilling out onto pavements after drinking sessions." Resident

3.6 Striking the right balance between allowing licensed premises to operate/invest and ensuring the community is protected

Just over half of all respondents agreed that the Licensing Policy struck the right balance between allowing licensed premises to operate/invest and ensuring the community is protected whilst just over a third disagreed.

The comments on this question included:

Noise:

- Concerns that the Council does not do enough to protect residents from noise associated with licensed premises
- The protections against noise as a public nuisance are weaker than other London Councils, such as the City of London

Management of Anti-Social Behaviour:

- Some premises not adhering to entry exit rules, not having door staff on duty, allowing glasses and bottles to be consumed on the street.
- Under age groups rejected from premises allowed to congregate on the street.
- Regular drug dealing observed on street around railway station.
- Not able to get CCTV as many Cameras not working and out of service contract for repair.
- Good points McDonalds closes 11pm helps to prevent congregating groups after venue closure.
- Other cities venues contribute to cost of policing etc for each hour open later than

One respondent felt that the Licensing Policy did not offer the necessary protection for residents and the number of licensed premises should be reduced. Whilst another respondent called for support for licensed premises to allow them and the economy to thrive during the challenges caused by COVID-19.

3.7 Final comments

Eight respondents took the opportunity to share final comments on the proposed Statement of Licensing Policy.

Five of the respondents were residents and all expressed the concern that the policy does not go far enough to tackle problems such as noise and anti-social behaviour.

One respondent linked the spread of COVID-19 with people socialising and drinking alcohol.

“I do not think it goes far enough to protect mental health, equality, protection of children, or diversity, alcohol has certainly added to the spreading of COVID-19 19 people meeting up drinking and then creating social problems because they are under the influence of alcohol.” Resident

License holders/representatives and others who commented felt the Licensing Policy was fair and clear, with one restating their request that the new provisions be supported by training for staff.

“Overall, the policy is clear, makes sense and will improve things across the borough, but it must be implemented hand in hand with health and social care policies to ensure that the root causes of problem drinking and associated violent behaviours are addressed.” Respondent

4. Council's response to key issues raised by respondents

Individual/ Organisation	Consultation Representation	Response
Principles on Equalities & Diversity		
Resident	Not enough is done to include the disabled socially.	The Policy has been updated and a section on equality and diversity has been expanded. There is an expectation that venues will operate inclusively and make reasonable adjustments as required by the Equality Act 2010.
Representative of licensed premise	The Equalities Act must be taken into account in all aspects of public life to ensure an inclusive society.	The Policy has been updated and a section on equality and diversity has been expanded. There is an expectation that venues will operate inclusively and make reasonable adjustments as required by the Equality Act 2010.
Licensee	There has never been any judging on how people are at this off licence	Comment has been noted but this comment does not impact the contents of the policy.
Business Owner	With training in equality and diversity, license holders will be more aware of how to manage ant-social disputes that could be race or culture or disability related - ultimately allowing the licensee to be able to make a much fairer judgement on resolve - protecting dignity of its customers and safety to those who may be under attack verbally or physically due to no fault of their own.	The authority can consider more training and signposting. This is not however a matter for the licensing policy to address.
Resident	Feel that too many policies are being made. All the above are common sense the main problem now days is alcohol etc can be purchased all day and all night seven days a week and many premises do not check age.	It is a legal requirement under the Licensing Act 2003 that each Local Authority adopts a policy statement. The policy does promote recommended hours depending on each

		<p>category of licensed premises. There are also pool of model conditions which include age verification and the promotion of a challenge 25 scheme.</p> <p>There are also sections within the policy which address children and licensed premises, specifically in relation to the sale of alcohol.</p>
Resident	<p>I feel the reference to disability should have added....seen or unseen... or visible or not visible.....or something like that</p>	<p>Thank you for comment. We have updated paragraph 3.16 with the following wording:</p> <p><i>3.16 Under section 20 of the Equality Act 2010 operators of licensed business such as pubs, bars, nightclubs and restaurants are also required to make reasonable adjustments to ensure that their premises are accessible to disabled people. A failure to do so will also amount to discrimination. It should be noted that not all disabilities are visible and not immediately obvious such as learning difficulties, mental health, speech, visual or hearing impairments.</i></p>
NA	<p>Ensuring that venues are inclusive and deal appropriately with breaches of equality and diversity law should ensure that there is less tolerance of negative behaviour, provide safe and welcoming environments for all, and reduce the number of situations where things escalate to levels of nuisance or crime.</p>	<p>The Policy has been updated and a section on equality and diversity has been expanded. There is an expectation that venues will operate inclusively and make reasonable adjustments as required by the Equality Act 2010.</p>

Principles on Mental Health & Wellbeing		
Licensee	There has never been anyone that came to this store for this	Comment has been noted but this comment does not impact the contents of the policy.
Business Owner	<p>Ensuring a pleasurable experience in a venue doesn't turn into an unhealthy addiction is very important - and ensuring that vulnerable people do not succumb to addiction.</p> <p>However again I do feel that there should be assistance from Havering Council in signposting free training, or providing 'train the trainer' support to current and new licensees to ensure the quality of training - and for a better connection to venues from social services - so that customers who have problems that licensees aren't able to support due to not having enhanced training can be supported by those who are qualified.</p>	<p>The revised policy does contain a section on mental health and wellbeing.</p> <p>Whilst the comment has been noted, it is the responsibility of the operator to ensure that members of staff are adequately trained for their role.</p> <p>The provision of training can be considered but is not a matter for inclusion in the policy.</p>
Resident	<p>In most cases any well run business would promote these actions amongst their staff.</p> <p>However there are still many places that are willing to serve to under age etc just to take the money, that is because too many places have now been given alcohol licenses. The blame there lies with those that freely give out these licenses.</p>	<p>If there are specific concerns that relate to individual premises, these can be reported to the Local Authority for investigation.</p> <p>The policy framework and licence regime including a statutory consultation period where interested parties can raise any relevant concerns.</p>
NA	I think this is a really worthy addition to the policy; whilst many may be more concerned about getting people to spend money, they should recognise that they are in a key position to support people with additional care needs. Many vulnerable people may lack adequate support networks and pubs make up for that. However, this comes with its own issues as people may become dependent on alcohol, could be neglecting other aspects of their life, or may get involved with other people who could exploit them.	Comment has been noted, this comment does not require an amendment to the draft policy.

	Staff in this area should be able to spot when people are at risk and should feel empowered to raise their concerns. This policy change explicitly encourages this and provides them the means to do so.	
Counter Terrorism		
Representative of licensed premise	Particularly relevant during the Manchester Arena Inquiry.	Comment has been noted, this comment does not require an amendment to the draft policy.
Licensee	There has not been a terrorist attack in this off licence	Comment has been noted, this comment does not require an amendment to the draft policy.
NA	Given the number of people who regularly go out in Havering, this is another worthy change to the policy. Whilst the main duty to deal with terrorism lies with the government and police services, all venues should be aware of the very real threat and have plans in place to respond with surprise attacks.	Comment has been noted, this comment does not require an amendment to the draft policy.
Resident	Children should not be in these places and parental control should be encouraged by advertising etc.	<p>Each application is considered on its own merits.</p> <p>The policy has provisions in place that deal with children on licensed premises and the control measures that should be in place.</p> <p>A blanket ban on children would be considered unlawful.</p>
Business Owner	<p>Venues such as pubs and clubs often run parallel with condensed areas of members of the public which is a prime target for terrorism response.</p> <p>Perhaps the Safe & Sound group in Romford town centre can be duplicated in other areas of the borough to support this? We have had very good</p>	The authority can consider additional safe & sound groups throughout the borough, however, it is not a matter for the licensing policy to address.

	<p>experiences working along the Safe & Sound group for a number of years.</p> <p>Perhaps with regard to restaurants a lesser amount of training is needed as they are slightly less risk?</p>	
Model conditions around Staff Competence and Training and Controls for Sales of Alcohol		
Resident	False ID is too available to under 18/21.	The policy identified forms of ID which are accepting in the pool of model conditions. The matter of false identification would be a matter for the police.
Licensee	When serving alcohol this business will always ask for ID	This comment has been noted, this comment does not require an amendment to the draft policy.
Business Owner	It makes sense to highlight the smaller quantity amounts and make them available in all premises.	Comment has been noted, this comment does not require an amendment to the draft policy.
Remote licensing hearings, necessitated by the corona virus pandemic		
Resident	Should still be held face to face where practicable.	The procedure is designed to enable hearings to continue during the current pandemic. It is not intended to replace face to face hearings.
Resident	Coronavirus is not going away but I do have reservations about any evidence that maybe required etc?	Protocols have been agreed to ensure hearings are fair. All information is collated into a report prior to the hearing taking place.
Representative of licensed premise	<p>A good decision to include this. Virtual Hearings are safer for all parties. I see they may continue well into the future as the virus is not going away any time soon.</p> <p>Just a thought maybe "live hearings" should be considered where there are a</p>	Live hearings may not be practical where large groups are involved due to the need to maintain adequate social distancing.

	large number of parties e.g. residents or for complicated or disputed Reviews.	
NA	Provision is sensible and should ensure hearings can continue without unnecessary disruption.	Comment has been noted, this comment does not require an amendment to the draft policy.
Representative of licensed premise	There is no real sensible alternative to remote hearings while the pandemic proceeds.	Comment has been noted, this comment does not require an amendment to the draft policy.
Covid-19 and risk assessments		
Resident	Hornchurch pubs do not follow social distancing rules. There is a significant risk of infection from these premises. Queuing public are not socially distanced and are not wearing face coverings. This needs to be addressed.	This is not a matter that can be addressed by this policy. Specific concerns should be reported to the Local Authority via the Council website.
Resident	Adequate safety is prime concern but not sure how this could be applied in a nightclub!?	This is not a matter that can be addressed by this policy. Under current Government restrictions, Nightclubs are not permitted to open. All premises that do open are legally required to have A Covid secure risk assessment in place.
Representative of licensed premise	Clear and relevant advice.	Comment has been noted, this comment does not require an amendment to the draft policy.
Resident	All premises serving the public must take full responsibility for public health and safety	Comment has been noted, this comment does not require an amendment to the draft policy.
NA	Sensible amendment based on current circumstances. It may be prudent to make this vaguer to cover any future pandemic, but by being explicit there is no room for ignoring it.	The comment has been noted but this section was added specifically to address COVID 19.

Cumulative impact policy for Romford Town Centre: Retain		
Resident	Would prefer they cease trading before 4am	The policy hours do not support applications past 2am, however each application is judged on its own merits.
Resident	Need to reduce the number of licences premises not just restrict the number of new licences. This is an awful place to go and the crime figures show why. As far as I'm concerned Romford is a 'no go area' at night. I do not even like going there during the day due to the behaviour of people. I have told my children to avoid the area, as I'm concerned for their welfare.	The purpose of the policy is not to reduce the number of licensed premises. It is designed to encourage quality applications that will not add to the cumulative impact of licensed premises.
Resident	We need to support our emergency services especially given how stretched they are in these times.	Comment has been noted, this comment does not require an amendment to the draft policy.
Representative of licensed premise	Romford TC CIZ is still justified.	Comment has been noted, this comment does not require an amendment to the draft policy.
Resident	<p>Area licences premises (late opened pubs/nightclubs) promote excessive drinking (happy hours etc) that causes anti-social behaviour and regularly disturbs residents living in the flats above- being a South St resident myself, I've witnessed drunken people peeing by the banks, throwing orange road cones after 3am, having a fight or shouting at hours when most are trying to sleep, teenagers gathering at the benches by Primark at 5am and smoking illegal substances...</p> <p>There should be an obligation put on these premises owners to invest in extra staff to deal with their troubled customers, for the safety of those who live within and not to make police the only responsible for dealing with asb.</p> <p>Shorter licence hours (2am max) would be a good start.</p>	Having considered the crime statistics in the area, the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment within the ring road is having a cumulative impact and undermining the licensing objectives. A cumulative impact policy has been adopted in this area. Specific incidents would need to be reported to the relevant Authorities. The policy hours do not support applications past

		2am, however each application is judged on its own merits.
Resident	<p>To limit the amount, level and seriousness of crime in Romford town which has the highest crime level of any ward in the borough all licenced establishments selling alcohol should be restricted to 2am with no exception.</p> <p>All hot food takeaway outlets should have their opening hours restricted to 1.30am. This will encourage people to leave clubs earlier to get food and go home and will reduced crime as alcohol consumption will be time limited and there will be no places for drunk groups who have the potential to cause issues to congregate whilst intoxicated late at night.</p> <p>I have seen this implemented by other councils in country and it has led to a huge decrease in crime, and violence - essentially cleaning up the area and creating a better environment for all residents. The was also limited impact on business as most sales would happen earlier in the night. There were also reduced running costs for club operators as they needed staff for less hours.</p> <p>Another policy that has worked is that all hot food takeaway is prohibited after midnight and any food has to be consumed on the premises. This also helps with littering that blights Romford.</p>	<p>Having considered the crime statistics in the area, the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment within the ring road is having a cumulative impact and undermining the licensing objectives. A cumulative impact policy has been adopted in this area.</p> <p>It would be unlawful to have a blanket policy as each application is judged on its own merits. However, Havering's recommended policy hours do not support applications past 2am.</p>
Representative of licensed premise	<p>I support the RTC CIZ in principal but consider that bona fide restaurants within policy hours should remain exempt but also that small capacity bars, tap rooms etc should also be exempt in framework hours.</p> <p>The policy should apply in full to off licences outside of framework hours. LNR's should be considered pragmatically. Currently the pragmatism</p>	<p>This cumulative impact policy is not absolute. The circumstances of each application within the cumulative impact area will be considered upon its own merits.</p> <p>The proposed cumulative impact policy does create an exception for</p>

	<p>promoted by the LGA & HMG should be applied to help & support the trade during the pandemic.</p>	<p>applications for restaurants where alcohol is sold ancillary to a table meal and the terminal licensing hour is in line with the Policy.</p> <p>The Policy goes on to give some examples of exemptions that may be considered as exceptional which include small premises with a capacity of 50 persons or less that are in line with policy hours.</p> <p>We believe the policy hours provide a balance between business need and residents expectation.</p> <p>The Authority would follow any relevant guidance issued in relation to the pandemic.</p>
Resident	<p>I as a resident of Havering hold havering council responsible for the problems caused in Romford town centre by allowing the amount of licensed premises and shops selling alcohol late into the night from early morning. Sadly we no longer frequent the town centre to go to the cinema or for a nice meal due to the behaviour of so many inebriated people</p>	<p>The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment within the ring road is having a cumulative impact and undermining the licensing objectives. A cumulative impact policy has been adopted in this area.</p>
Resident	<p>However, these rules should apply to all late night licenced premises across the Borough. There has been trouble in Hornchurch. for example.</p> <p>Many of these late-night premises are a curse on our society. Many are unruly, they are not needed. Any financial benefit they may give to Havering is negated by</p>	<p>Comment has been noted, this comment does not require an amendment to the draft policy.</p>

	the cost of policing the Borough. A view that if some Havering premises were to close, the customers will simply go elsewhere. Fine.	
Resident	I disagree with the approach; I think refusing licences is not the best approach	The policy does not present a blanket refusal for all applications within cumulative impact zone. It creates a rebuttable presumption that applications for new premises licenses will normally be refused unless the applicant can demonstrate why the operation of the premises will not add to the cumulative impact and will not impact adversely on the licensing objectives.
NA	In my opinion, this does not go far enough. Whilst it is great that the local authority does not intend to grant any more licences, it should actively be looking to reduce the number of licences already held, ensuring that existing venues are only given renewals if they are effectively managing their customers.	The purpose of the policy is not to reduce the number of licensed premises. It is designed to encourage quality applications that will not add to the cumulative impact of licensed premises. There are mechanisms in place which can be used to address venues that are not effectively managing their customers.
Cumulative impact policy for Hornchurch Town Centre: Reduce		
Resident	Zone that protect residents should not be made smaller	<p>Cumulative impact assessments must be evidenced based. The assessment for the Hornchurch CIZ is based on evidence provided by the local Community Safety Partnership.</p> <p>The evidence only identifies issues within the central town centre</p>

		area which is why the area has been selected.
Resident	<p>I do not want the impact zone reduced. The licensed pubs and clubs in this area have a terrible impact on our neighbourhood. People urinating everywhere, vomit on the pavements, take away food wrapping and alcohol cans and bottles left all over the streets, loud music playing, So loud, it can be heard from my property in Mill Park Avenue. Anti-social behaviour in the surrounding streets- shouting, urinating in alleyways, broken glass bottles, take away food wrapping left in the street all due to the drinking of alcohol. The crime figures speak for themselves. Hornchurch has become a hub of violence. How do you think I feel when my 12-year-old son has to walk back from his friend's house along the high street in the evening with all of this behaviour going on? I'm seriously concerned for his physical and mental well-being because of the people's behaviour in the area. Licensing for pubs and clubs needs to be stricter and no more licences granted for drinking establishments. Hornchurch pubs are not keeping to the social distancing rules - always see queues of people very close together with no face coverings waiting to enter one particular pub in the high street.</p>	<p>Cumulative impact assessments must be evidenced based. The assessment for the Hornchurch CIZ is based on evidence provided by the local Community Safety Partnership. The evidence only identifies issues within the central town centre area which is why the area has been selected.</p> <p>Having considered the crime statistics in the area, the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises is having a cumulative impact and undermining the licensing objectives. A cumulative impact policy is proposed to be adopted in this area. Specific incidents would need to be reported to the relevant Authorities.</p>
Resident	<p>As a resident of Hornchurch, Billet Lane we are consistently subjected on Thursday, Friday, Saturday and Sunday nights, patrons intoxicated walking home shouting and fighting in the street disturbing sleep, leaving litter glasses/food waste in our front gardens, urination alongside of Emerson drive near electric box, cars speeding and playing loud music as exiting Hornchurch as a result numerous crashes and incidents have occurred further up near Emerson station and pets lives lost. I would like to see more measures put in place to protect the residents within these areas.</p>	<p>The crime statistics have identified the Hornchurch area as an area of concern. As such, a cumulative impact policy has been adopted which goes as far as Emerson Park station and incorporates all of Billet Lane.</p> <p>The policy is designed to manage the licensed trade within the area. The measures within the policy are appropriate for this purpose.</p>

Resident	Same as for Romford (We need to support our emergency services especially given how stretched they are in these times.)	Comment has been noted but this comment does not impact the contents of the policy.
Resident	I agree these town centres should be a place where we all feel happy and safe , they should not just be the evenings for social behaviour that is intimidating to the public	Comment has been noted but this comment does not impact the contents of the policy.
Resident	I see Hornchurch has been added. Very good. Just extend the policy to all of the Borough.	Cumulative impact assessments must be evidenced based and the evidence does not support a cumulative impact zone for the whole of the borough. The assessment has identified three areas within Havering that we propose adopt a ClZ. These areas cover Romford, Hornchurch and Harold Hill.
Resident	Again I disagree with restricting licences and feel that its not the best approach	The policy does not present a blanket refusal for all applications within cumulative impact zone. It creates a rebuttable presumption that applications for new premises licenses will normally be refused unless the applicant can demonstrate why the operation of the premises will not add to the cumulative impact and will not impact adversely on the licensing objectives.
Resident	Reduce number of bars/nightclubs and closing times	The purpose of the policy is not to reduce the number of licensed premises. It is designed to encourage quality applications that will not add to the cumulative impact of licensed premises.

NA	The reduction in size of the area seems reasonable as it focuses on the main problem zones.	Comment has been noted but this comment does not impact the contents of the policy.
Representative of licensed premise	<p>We are glad to see the CIZ just covers Hornchurch TC. Always thought including one area of Elm Park & also Upminster Bridge was unjustified.</p> <p>As with my comments above re Hornchurch TC. I support the limitation of the CIZ to Hornchurch Town Centre only. Upminster Bridge and part of Elm Park should never have been included.</p>	Comment has been noted but this comment does not impact the contents of the policy.
Cumulative impact policy for Gooshays. Proposal to apply the policy to off sales premises only		
Resident	Same as for Romford/Hornchurch (We need to support our emergency services especially given how stretched they are in these times.)	Comment has been noted but this comment does not impact the contents of the policy.
Representative of licensed premise	Support this policy especially having worked in Harold Hill.	Comment has been noted but this comment does not impact the contents of the policy.
Resident	Good. Another area designated for concern.	Comment has been noted but this comment does not impact the contents of the policy.
NA	It is good that this approach is being adopted in this area and that it is recognised that this could be a result of the increased rates of resident deprivation in the location. This is hopefully being used in support of other policies around health and social care to ensure that residents are being given appropriate help to break free of negative behaviours where these are identified.	Comment has been noted but this comment does not impact the contents of the policy.
Is the Havering 2021-2026 Statement of Licensing Policy generally clear?		
Resident	The document talks in vague terms but does not offer specific details that some may find helpful on a given topic.	We believe the policy is a detailed document that sets out the Authorities approach to licensed premises and meets the requirements of the Licensing Act 2003.

Council	<p>Further to our recent discussions on Planning representations I note that para 11.1 in the new policy appears to duplicate the current policy's wording:</p> <p>11.1 The Licensing Authority considers that, in the interests of clarity and transparency, applicants should normally have in place the relevant planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. However, every application will be considered on its merits on a case by case basis.</p> <p>I would suggest that para 11.1 is modified along the following lines:</p> <p>11.1 The Licensing Authority considers it desirable for applicants for a premises licence or a club premises certificate to have in place the relevant planning consent or lawful planning status for the intended use and hours of operation at the point when a premises licence application or a club premises certificate application is made. Each application, however, will be considered on its merits on a case by case basis.</p> <p>Where an application made under the Licensing Act 2003 is granted at a variance to the premises' planning consent the Licensing Authority will expect the premises licence holder or club premises certificate holder to apply to align the planning hours with the licensing hours to avoid the potential for offences being committed under planning legislation.</p>	<p>The comments have been agreed and adopted into the new policy. Paragraph 11.1 now states:</p> <p><i>11.1 The Licensing Authority considers it desirable for applicants for a premises licence or a club premises certificate to have in place the relevant planning consent or lawful planning status for the intended use and hours of operation at the point when a premises licence application or a club premises certificate application is made. Each application, however, will be considered on its merits on a case by case basis.</i></p> <p><i>11.2 Where an application made under the Licensing Act 2003 is granted at a variance to the premises' planning consent the Licensing Authority will expect the premises licence holder or club premises certificate holder to apply to align the planning hours with the licensing hours to avoid the potential for offences being committed under planning legislation.</i></p>
Resident	<p>The wording within section 3.17 is confused and does not make sense? It currently states:</p> <p>"It is important to note that the duty to make reasonable adjustments cannot wait until either a complaint is received or</p>	<p>The comments have been agreed and paragraph 3.17 now reads:</p> <p><i>3.17 It is important to note that the duty to</i></p>

	<p>when someone with a disability wants to visit a particular your venue.”</p> <p>It appears some words have been missed, i.e. “event at” to read correctly as “someone with a disability wants to visit a particular event at your venue” or perhaps it needs to be reworded as “someone with a disability wants to visit your particular venue”?</p> <p>Essentially it is unclear??</p>	<p><i>make reasonable adjustments cannot wait until either a complaint is received or when someone with a disability wants to visit a particular venue.</i></p>
Resident	<p>It is time it was enforced , no point or good making policies that are not carried out .e.g. many establishments serving to under-age . Large groups of adults in town centres spilling out onto pavements after drinking sessions.</p>	<p>Comment has been noted but this comment does not impact the contents of the policy. Specific concerns should be raised with the relevant authorities.</p>
Resident	<p>It should be more user friendly for the public to understand. Less jargon please</p>	<p>We believe that the policy is written in plain English but some jargon will be unavoidable due to the technical nature of the content.</p>
<p>Do you think the draft Havering 2021-2026 Statement of Licensing Policy strikes the right balance between allowing licensed premises to operate / invest and ensuring that the community and the four licensing objectives are protected?</p>		
Resident	<p>Particularly in relation to noise, Havering policy does not protect residents. The process to report & sanction a business that consistently disturbs residents is long winded, burdensome & ineffective.</p> <p>Licenses for bars opening times, the volume of music & the amount of people allowed to congregate in outdoor areas (effectively the street) are grossly generous & in my case have proven a consistent nuisance, disturbance (including the ability to sleep) & burden on my mental health.</p>	<p>We have looked at and updated the section in the policy which relates to noise in light of comments raised in the consultation.</p> <p>Each application must go through a statutory 28 day consultation period, during which, Responsible Authorities and interested parties can make valid representations.</p> <p>Specific issues should be raised through the relevant Authorities to investigate.</p>

Street Pastor	<p>Premises are currently not adhering to entry exit rules often have no door staff on duty allow glasses and bottles to be consumed on the street. (e.g. [REDACTED]) Many are better than this.</p> <p>Underage groups rejected from premises allowed to congregate on the street. Regular drug dealing observed on street around railway station. Not able to get CCTV on this as many Cameras not working and out of service contract for repair and Mercury control understaffed late nites. Police excellent but only respond 21/08/20 first nite regular presence noted. Good points [REDACTED] closes 11pm helps to prevent congregating groups after venue closure. Note in other cities venues contribute to cost of policing etc for each hour open later than midnight as it is unfair for other businesses to bear impact of this extra and often unequally heavy cost.</p>	<p>Your specific concerns have been passed to an officer to look at.</p> <p>You also raise general concerns regarding Policing the Night Time Economy and the challenges this poses.</p> <p>Your concerns will be passed to the relevant department but do not require an amendment to the proposed policy.</p> <p>The Authority is not proposing the introduction of a late night levy at this time.</p>
Resident	Hornchurch area is out of control.	The crime statistics have identified the Hornchurch area as an area of concern. As such, a cumulative impact policy has been adopted in this area.
Business Owner	In the majority of cases, to keep people healthy, alcohol should be enjoyed with food or in smaller amounts. This statement supports this notion.	Comment has been noted. This comment does not impact the contents of the policy.
Resident	<p>One of the point states:</p> <p>1.6 The Act identifies five other key aims that are important for all those involved in licensing to support and promote through good practice.</p> <p>These are:</p> <p>Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licenced premises.</p> <p>It's purely a >paper statement< sadly. I, as my neighbours have logged with the council numerous complaints against</p>	<p>We have looked at and updated the section in the policy which relates to noise in light of comments raised in the consultation.</p> <p>Each application must go through a statutory 28 day consultation period, during which, Responsible Authorities and interested parties can make valid representations.</p>

	such nuisances, however none of it has been taken seriously enough to have to deal with.	Specific issues should be raised through the relevant Authorities to investigate.
Resident	Still too many premises being allowed to sell alcohol, the council are responsible for giving out these licenses.	Each application must go through a statutory 28 day consultation period, during which, Responsible Authorities and interested parties can make valid representations.
Resident	All the Borough of Havering should be included to cover any future openings.	<p>Cumulative impact assessments must be evidenced based and the evidence does not support a cumulative impact zone for the whole of the borough.</p> <p>The assessment has identified three areas within Havering that we propose adopt a CIZ. These areas cover Romford, Hornchurch and Harold Hill.</p>
Resident	We need a thriving economy now more than ever	Comment has been noted. The policy does aim to balance the needs of business whilst also considering the needs of residents.
Resident	<p>I think the Havering draft Statement is weaker than some others I have read regarding Public Nuisance -Noise. For example, City of London seemed to have been clearer in what is acceptable:</p> <p>In particular, the City Corporation will expect the applicant to be proposing practical steps to prevent disturbance to local residents. The City Corporation will expect the applicant to supply an acoustic report in applicable circumstances confirming that there will be no noise breakout</p>	<p>The comment has been agreed in part. The policy does reference noise in the body of the policy, appendix 3 and the pool of model conditions.</p> <p>Amendments have been made to appendix 3 and an additional condition has been added to the pool of model conditions.</p> <p>The following wording has been added to</p>

	<p>from the premises that is likely to cause public nuisance to persons living or working in the area around the licensed premises. Any doubts as to whether such a report is required can be discussed in the pre-application meeting.</p> <p>Any sound leakage must be addressed in practical ways such as:</p> <ul style="list-style-type: none"> i) keeping doors and windows closed and providing adequate mechanical ventilation ii) reducing sound levels and installing an approved sound limiting device to prevent sound exceeding the appropriate level, both the device and the level to be approved by a suitably qualified acoustic consultant iii) providing double door entry to premises with a ventilated lobby, to reduce noise levels generally and during entry and exit of persons to the premises iv) installing soundproofing measures to contain sound and vibration <p>Their final statement is the same as Havering's 17.3</p> <p>Westminster has a model condition regarding noise which I think would also benefit Havering residents if it formed part of Havering's Statement, perhaps included as part of Section 18.:</p> <p>Loudspeakers shall not be located in the entrance lobby or outside the premises building.</p>	<p>Appendix 3 in relation to public nuisance:</p> <p><i>Would double door entry to the premises reduce noise levels during entry and exit to the premises?</i></p> <p><i>Are the sound proofing measures to prevent sound and vibration adequate for the activity proposed?</i></p> <p>An extra condition has also been added as follows:</p> <p>PN03 <i>A noise limiter shall be installed and set up in conjunction with the Council's noise nuisance team.</i></p>
Final Comments		
Resident	<p>As noted above, how noisy businesses are & the generous terms allowed for bars & pubs needs urgent review.</p> <p>A lot more consideration needs to be given to local residents.</p>	<p>Each application must go through a statutory 28 day consultation period, during which, Responsible Authorities and interested parties</p>

		can make valid representations.
Resident	Need to be much stricter with licensing. Licenses need to be revoked where premises are linked to violence or crime. COVID-19 - 19 premises security needs to be monitored properly and policed.	<p>Each application must go through a statutory 28 day consultation period, during which, Responsible Authorities and interested parties can make valid representations.</p> <p>There is a mechanism to review a premises licence where there are serious concerns relating to the licensing objectives.</p> <p>The policy does require businesses to have a COVID 19 risk assessment in place at this time.</p>
Resident	I particularly welcome earlier closing in Romford for nightclubs & pubs. Longer hours mean more drinking and more incidents. Revellers should also be encouraged to leave the areas promptly so I agree closure of food suppliers should be at least an hour before the venues close.	Thank you for your comments. This does not require an amendment to the policy.
Representative of licensed premise	No general comment. Thank you for consulting us. Your Licensing Officers are a credit to the Council.	Comment has been noted but this comment does not impact the contents of the policy.
Business Owner	<p>The draft statement seems fair as a policy, I would just suggest that more training for licensees should be available - especially in the case of mental health, equality & diversity & counter terrorism as the new obligations suggest is needed.</p> <p>To ensure that licensees are on board with the statement, there should be an easy and direct method of support from Havering council in instances of situations that venues cannot control (e.g. policing / social services).</p>	<p>The authority can consider more training and signposting. This is not however a matter for the licensing policy to address.</p> <p>The licensing policy is published on the Council website. Contained within the policy are contact details for all Responsible Authorities which include the Police and Social Services.</p>

Resident	<p>I do not think it goes far enough to protect mental health , equality , protection of children , or diversity , alcohol has certainly added to the spreading of COVID-19 19 people meeting up drinking and then creating social problems because they are under the influence of alcohol.</p>	<p>We have identified areas of concern within the Borough where the number, type and density of premises selling alcohol and the provision of late night refreshment is having a cumulative impact and undermining the licensing objectives. Where these have been identified, a cumulative impact policy has been adopted.</p> <p>We have reviewed the policy and believe that it does address mental health, equality, protection of children and diversity. These areas have been significantly increased since the previous policy.</p>
Resident	<p>Many of these licensed premises offer nothing but trouble for the police, health service, and the Borough's street cleaning services.</p> <p>They provide local employment, local business rates, and there is a spill out effect to food establishments and taxi services which I expect also employ local people, however what is the true cost to the police and health service.</p> <p>Not all the customers cause trouble, of course not, but enough of them do to make the whole Borough alarmed every weekend.</p> <p>How many Havering Councillors are patrons of these clubs. None, one.....?</p> <p>The fact that they need bouncers on the doors tells you enough. They are a curse.</p>	<p>The policy is there to encourage responsible venues and promote the licensing objectives.</p> <p>We have identified areas of concern within the Borough where the number, type and density of premises selling alcohol and the provision of late night refreshment is having a cumulative impact and undermining the licensing objectives. Where these have been identified, a cumulative impact policy has been adopted.</p>
NA	<p>Overall, the policy is clear, makes sense and will improve things across the borough, but it must be implemented hand in hand with health and social care policies to ensure that the root causes of</p>	<p>Comment has been noted but this comment does not impact the contents of the policy.</p>

	problem drinking and associated violent behaviours are addressed.	
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5 Conclusion

Most respondents felt the proposed policy is clear and effectively promotes the four licensing objectives.

The proposed Cumulative Impact Zones (CIZs) were generally well received. There were some comments requesting stricter controls for the Romford CIZ. A few respondents commented that licences should not be granted past 2am. The proposed policy states some applications may be looked at favourably if they do not open beyond 0200 hours, however each individual application will be considered on its own merits as many factors will be considered such as the location of the premises, the operating schedule etc. if representations are made.

A few respondents also expressed concern about the reduction of the Hornchurch cumulative impact zone. Cumulative impact assessments must be evidenced based and the evidence does not support a cumulative impact zone for the whole of St Andrew's Ward. The main Town Centre of Hornchurch will remain covered.

Having considered all of the comments received it was felt that the proposed policy and CIZ's strike the right balance between supporting businesses whilst addressing residents' concerns.

Some amendments were made to the draft policy as detailed in section 4 above following comments received in relation to planning, equalities and noise.

APPENDICES:

A: List of Consultees

- Street Pastors
- Rayleigh Rochford and District Association for Voluntary Service
- Havering Chamber of Commerce
- The Federation of Small Businesses (FSB)
- Community Safety Team
- British Beer and Pub Association
- Havering Chamber of commerce
- Havering Safe and Sound Partnership
- Licencing Police
- Westminster Drug Project
- Children's Services
- Public Health
- Economic Development/Regeneration
- London Fire Brigade
- Environmental Health
- Planning
- Havering Lesbian Gay, Bisexual and Transgender Forum
- Salvation Army
- Youth Council
- London Riverside Business Improvement District (Rainham)
- Romford Town Centre Business Improvement District
- Romford Police Station- Chief of Police
- CalBrief
- Black, Asian, and Minority Ethnic (BAME) Forum
- WizeUp Havering

Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Adoption of Statement of Licensing Policy 2021-2026
Lead officer:	Keith Bush, Public Protection Manager (Licensing and Trading Standards) Environment Directorate 01708 433425 Keith.bush@havering.gov.uk
Approved by:	Barry Francis, Director of Environment
Date completed:	19/11/20
Scheduled date for review:	The Statement of Licensing Policy needs to be reviewed at least every five years. It is therefore to be reviewed by at least 2026.

Please note that the Corporate Policy & Diversity and Public Health teams require at least **5 working days** to provide advice on EqHIAs.

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 note that EqHIAs are **public** documents and must be made available on the Council's EqHIA webpage.

Please submit the completed form via e-mail to

EgHIA@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@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	Adoption of Statement of Licensing Policy 2021-2026		
2	Type of activity	Adoption of policy		
3	Scope of activity	To adopt a revised Statement of Licensing Policy.		
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:	N/A		

Completed by:	Keith Bush, Public Protection Manager (Licensing and Trading Standards) Environment Directorate 01708 433425 Keith.bush@havering.gov.uk
Date:	19/11/20

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

Background/context:

Section 5 of the Licensing Act 2003 (hereafter termed 'the 2003 Act') requires all Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies.

The current policy expires in January 2021 and therefore a new policy will need to be adopted.

The Statement of Licensing Policy is the primary document for setting out the Council's local approach to regulation of the Licensing Act 2003 and ensuring that the licensing objectives are met. The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Before the Statement of Licensing Policy can be adopted Section 5(3) of the 2003 Act requires the licensing authority to undertake a statutory consultation. This requires the authority to consult with:

- The chief officer of police for the licensing authority's area
- The fire and rescue authority for that area
- The Local Health Board for an area
- Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area.
- Such persons as the licensing authority considers to be representatives of holders of premises licences issued by that authority
- Such persons as the licensing authority considers to be representatives of holders of club premises certificates issued by that authority
- Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

The Authority undertook a consultation which was open for twelve weeks, opening on 17th August and closing on 9th November 2020.

The consultation received 30 responses. The licensing team considered all responses carefully and each was responded to. Where appropriate the policy was updated further to take account of the comments made.

Once approved by Cabinet the Statement of Licensing Policy will then go to Full Council for final approval.

Who will be affected by the activity?

Those that use, work in and live near to premises licensed under the Licensing Act 2003. Premises that require a licence are those offering:

- Sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the Club
- Regulated entertainment
- Late night refreshment

The main stakeholders affected are:

- Members of the public including residents and visitors
- Applicants
- Licence holders
- Borough Council Services
- Trade Bodies/organisations
- Retailers/Businesses
- Police
- Fire Service
- Health Service
- Councillors
- Organisations that deal with alcohol misuse

It is recognised that if licensed premises are well run that they can build community cohesion and cultural development.

There are also negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With alcohol sales there are also risks of individual addiction.

The revised policy contains expanded sections on equality and diversity to encourage inclusion and has a new section on mental health and wellbeing to encourage operators to consider the wellbeing of those in their venues specially in relation to mental health issues including homelessness and safeguarding.

**Expand box as required*

Protected Characteristic - Age:		
Please tick (✓) the relevant box:		Overall impact: <p>The proposed policy and the Licensing Act 2003 itself identify the protection of children from harm as a key licensing objective.</p> <p>The policy requires operators to have adequate systems and procedures in place to protect children from any negative effects of licensed premises. Sections 21 and 22 of the policy set out steps that the Licensing Authority expect applicants to take to protect children from harm and the policy encourages family friendly premises. These systems include challenge 25, the use of till prompts, refusal registers and regular staff training to reduce the likelihood of underage sales from their premises.</p> <p>There is also an expectation in the policy that applicant will consider location as it may impact on the licensing objectives. This is particularly highlighted in relation to the provision of adult entertainment and the proximity of schools. However each application will be decided on its own merits and depend on the type of adult entertainment and the applicant's ability to demonstrate high standards of management.</p> <p>The policy also requires that premises selling alcohol within 400 metres of schools or colleges should consider license conditions to control the products being offered for sale in on display in windows that may be viewed by passers-by.</p> <p>The policy makes a commitment to tackle the illegal sale of alcohol to children. It also states that enforcement and inspections will be targeted at premises that have are considered high risk and that premises that have made sales to children will be considered in this category.</p> <p>The policy also expects applicants to show that they understand:</p> <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted.
Positive	✓	
Neutral		
Negative		

Evidence:

Population estimates for all persons by 5-year age group for 2018:

	Havering	Havering	London	London	England	England
	Count	%	Count	%	Count	%
0 - 4	17,370	6.7	615,881	6.9	3,346,727	6
5-10	16,510	6.4	599,855	6.7	3,523,866	6.3
11-14	15,098	5.9	524,126	5.9	3,274,119	5.9
15 - 19	13,909	5.4	464,768	5.2	3,096,575	5.5
20 - 24	14,549	5.6	563,241	6.3	3,512,654	6.3
25 - 29	17,862	6.9	784,361	8.8	3,815,924	6.8
30 - 34	18,268	7.1	849,074	9.5	3,787,597	6.8
35 - 39	17,882	6.9	783,331	8.8	3,717,483	6.6
40 - 44	15,667	6.1	646,347	7.3	3,390,584	6.1
45 - 49	16,492	6.4	596,141	6.7	3,799,242	6.8
50 - 54	17,739	6.9	564,205	6.3	3,915,451	7
55 - 59	16,362	6.4	479,470	5.4	3,573,329	6.4
60 - 64	13,666	5.3	378,068	4.2	3,044,374	5.4
65 - 69	11,968	4.6	309,586	3.5	2,822,593	5
70 - 74	11,796	4.6	265,847	3	2,724,800	4.9
75 - 79	8,302	3.2	189,753	2.1	1,863,126	3.3
80 - 84	6,938	2.7	147,303	1.7	1,403,756	2.5
85+	7,432	2.9	146,724	1.7	1,364,978	2.4

A Health Survey for England report in 2015, estimated that drinking over 14 units in a usual week was most common among men and women aged 55 to 64 (41% and 24% respectively).

The effects of alcohol on young people are not the same as they are on adults. While alcohol misuse can present health risks and cause careless behaviour in all age groups, it is even more dangerous for young people.

According to a national survey conducted in 2014, 65.3% of 15 year olds in Havering have had an alcohol drink which is higher than London (41.2%) and England (62.4%). 16.1% of 15 year olds in Havering said that they had been drunk in the previous four weeks, which is higher than London (8.9%) and England (14.6%)

Sources used:

- Havering Data Intelligence Hub
- nidirect government services
- Health Survey for England 2017
- Health Survey for England 2015
- Health and Social Care Information Centre (2015)
- Havering drug and alcohol harm reduction strategy 2016-19

Protected Characteristic - Disability:		
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Statement of Licensing Policy proposal applies equally to all traders operating in Havering irrespective of disability. Whilst alcohol addiction is generally not regarded as a disability the proposed licensing policy is intended to encourage responsible operators that have considered the impacts of their activities within the community. The policy expects applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted. Applications within the proposed cumulative impact zones will encourage restaurant style venues as opposed to vertical drinking establishments which should reduce the issues of problem drinkers. The revised policy has a new section on mental health and wellbeing aimed to assist operators identify customers with care and support needs and make necessary referrals where concerns are identified. Physical Disability: Neutral Mental Disability and those with learning difficulties: Positive
Positive	✓	
Neutral		
Negative		

Evidence:

The definition of 'disability' under the Equality Act 2010 shows a person has a disability if they have a physical or mental impairment; and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

- According to the latest Annual Population Survey (2012-13), 21% (or 31,400) of working age (16-64) people living in Havering have disclosed that they have a disability or long-term illness / health condition.
- Annual Population Survey 2012-13 also shows that 58% (or 18,300) of people with a disclosed disability are economically active (16-64) and 49% (15,300 people) of those are in employment.
- 4% (or 9,855 people) of Havering's population claimed Disability Living Allowance in 2013 (DWP data, Q2 2013).
- 2% (or 2,825 people) of Havering's population claimed Incapacity Benefits in 2013 (DWP data, Q2 2013).
- 16% (or 6,960 people) of Havering's population of pensionable age claimed Attendance Allowance in 2013 (DWP data, Q02 2013).
- It is estimated that 52.5% (or 22,320) of older people (aged 65 and over) in Havering have a long term limiting illness where long term illness is considered to last 12 months or longer (2011 Census).
- Female disability free life expectancy in Havering (68.1 years) is higher than male disability free life expectancy (65.6 years). However, disability free life expectancy rates are slightly higher than London and national trends (ONS 2007-09, released 2012).
- More than 1,100 residents are registered as being blind or partially sighted in Havering.
- It is estimated that more than 14,000 adults (aged 18 - 64) in Havering have a moderate or severe disability, with the number of adults with learning disabilities increasing by roughly the same amount.
- The number of adults (aged 18 – 64) with moderate or severe disabilities will rise by around 7% in the next ten years, with more than 15,000 adults in Havering having a physical disability by 2021.
- The number of children in Havering with learning difficulties and disabilities (LDD) will increase, most significantly among primary school age children. Current projections suggest an overall increase of 7.5% across all categories of LDD by 2017.
- The most common categories of LDD are Moderate Learning Disability (30%), Behaviour, Emotional and Social Difficulties (19%) Speech, Language and Communication Needs (17%).
- According to the School Census in 2013 37,602 pupils in maintained primary

secondary schools and special schools had Special Education Needs (SEN).

- There are approximately 20,000 adults in Havering who have a common mental health issue. It is estimated that there are more than 600 adults in Havering with a Borderline Personality Disorder (BDP), nearly 600 people with Psychotic Disorders and around 500 people with Antisocial Personality Disorder.*
- Predicted future population growth means that the number of adults (aged 18-64) experiencing each of these mental illnesses is expected to increase by 6%, by 2021, in Havering.*
- Adults in Havering that are receiving treatment for severe mental health problems are less likely to be in employment (less than 4%) or in stable accommodation (less than 50%) These percentages are below the average in England and London.⁶
- 10.4% of adults in Havering have identified themselves as carers, compared to 8.5% in London. At the same time, a very small proportion of carers in Havering receive support than is the average nationally. Support given to carers includes advice services or receiving a carer's break.
- According to 2011 Census, 11% (or 25,214 people) of Havering's residents provide unpaid care. 7% (or 16,094 people) of those people provide care of between 1-19 hours of unpaid care per week and further 3% (5,835 people) provide 50 hours and over of unpaid care per week. Both categories are higher than England and London averages.

Mental Health

Mental health problems are a growing public health concern. Measuring the prevalence of mental health problems is challenging for many reasons: underfunding, the hidden nature of mental health issues, and the variation in diagnostic practices across the country.

The Health & Social Care Information Centre (HSCIC) has conducted a major study in 2014, surveying over 5,000 adults in England, which found:

- 26% of adults reported having ever been diagnosed with at least one mental illness.
- Women were more likely than men to report ever having been diagnosed with a mental illness (33% compared with 19%).
- 19% of adults reported that they had ever been diagnosed with depression, including post-natal depression. This was the most frequently reported diagnosis.
- 8% of adults reported ever being diagnosed with panic attacks.
- 6% of adults reported ever being diagnosed with generalised anxiety disorder.
- Men and women living in lower income households were more likely to have ever been diagnosed with a mental illness than those living in higher income households: 27% of men and 42% of women in the lowest income quintile compared with 15% of men and 25% of women in the highest.

People with dementia can become more confused after a drink, and someone with dementia can drink more because they have forgotten how much they have had.

The Equality Act 2010 (Disability) Regulations 2010 specifically state that alcohol addiction is not to be treated as an impairment for the purposes of the Equality Act 2010.

Sources used:

- Demographic and Diversity Profile of Havering's Population January 2015
- * 2011/12 Joint Strategic Needs Assessment data
- Health & Social Care Information Centre
- Mental Health Foundation
- Health Survey for England 2014
- Havering drug and alcohol harm reduction strategy 2016-19

Protected Characteristic - Sex/gender:

Please tick (✓)
the relevant box:

Positive**Neutral**

✓

Negative**Overall impact:**

No differential impact has been identified on the grounds of this protected characteristic. The Statement of Licensing Policy applies equally to all traders operating in Havering irrespective of sex/gender.

Whilst men may be at higher risk from problem drinking than women the proposed policy does not seek to encourage or discourage venues on the grounds of gender.

The policy does however expect applicants to show that they understand:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate.
- Any risk posed to the local area by the applicants' proposed licensable activities;
- Steps to protect vulnerable residents
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- Any other relevant policies that the local authority has adopted.

Evidence:

The percentage of males and females within the London Borough of Havering is as follows:

MALE		FEMALE		TOTAL
123,878	48.1%	133,932	51.9%	257,810

The percentage of girls and women in Havering is slightly above the average for London (50%) and England (51%). The larger percentage of females in Havering may in part be explained by the longer female life expectancy: 84.1 years for women compared to 79.1 years for men.

The following table below shows the percentage breakdown of current population by gender by five-year age bands:

Indicator	Haverling	Indicator	Haverling
Males age 0 - 4 % 2018	7.1	Females age 0 - 4 % 2018	6.4
Males age 5 - 9 % 2018	6.8	Females age 5 - 9 % 2018	6
Males age 10 - 14 % 2018	6.1	Females age 10 - 14 % 2018	5.6
Males age 15 - 19 % 2018	5.8	Females age 15 - 19 % 2018	5
Males age 20 - 24 % 2018	5.9	Females age 20 - 24 % 2018	5.4
Males age 25 - 29 % 2018	7	Females age 25 - 29 % 2018	6.9
Males age 30 - 34 % 2018	6.9	Females age 30 - 34 % 2018	7.3
Males age 35 - 39 % 2018	7	Females age 35 - 39 % 2018	6.9
Males age 40 - 44 % 2018	6.1	Females age 40 - 44 % 2018	6.1
Males age 45 - 49 % 2018	6.4	Females age 45 - 49 % 2018	6.4
Males age 50 - 54 % 2018	6.8	Females age 50 - 54 % 2018	6.9
Males age 55 - 59 % 2018	6.5	Females age 55 - 59 % 2018	6.2
Males age 60 - 64 % 2018	5.5	Females age 60 - 64 % 2018	5.1
Males age 65 - 69 % 2018	4.6	Females age 65 - 69 % 2018	4.7
Males age 70 - 74 % 2018	4.4	Females age 70 - 74 % 2018	4.8
Males age 75 - 79 % 2018	2.9	Females age 75 - 79 % 2018	3.5
Males age 80 - 84 % 2018	2.3	Females age 80 - 84 % 2018	3.1
Males age 85 and over % 2018	2	Females age 85 and over % 2018	3.7

According to a Health Survey for England report in 2017, the proportion of adults drinking at increased or higher risk of harm (more than 14 units per week) decreased between 2011 and 2017, from 34% to 28% of men, and from 18% to 14% of women.

According to the Royal College of Psychiatrists, older men are at greater risk of developing alcohol problems in later life compared to older women.

Sources used:

- Haverling Data Intelligence Hub
- Demographic and Diversity Profile of Haverling's Population January 2015
- Health Survey for England 2017
- Haverling drug and alcohol harm reduction strategy 2016-19

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities		
Please tick (✓) the relevant box:		Overall impact: The Statement of Licensing Policy applies equally to all traders operating in Havering irrespective of ethnicity. The Joseph Rowntree report identifies how different cultures and ethnicities view drinking. The proposed licensing policy does not seek to encourage or discourage venues on the grounds of ethnicity. Therefore, no differential impact caused by the proposed policy has been identified on the grounds of this protected characteristic. The policy does however expect applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted.
Positive		
Neutral	✓	
Negative		
Evidence: According to the Greater London Assembly 2012 Round Strategic Housing Land Availability Assessment (SHLAA) ethnic group projection, which is the most up-to-date data on ethnicity, ethnic groups represent 14.3% of the Borough population. It should be noted, however, that the GLA define ethnic groups (BAME) differently to the ONS (BME). The GLA's BAME category does not include the 'White Other' Group. Instead the 'White Other' group is included in the 'White' category.		

The table on the following page shows the Ethnic breakdown of Havering based on the 2011 Census data:

Table 7: Ethnic breakdown of Havering's 2011 Census Population

	Comparable Census 2011 Ethnic Groups	Population count	% of total Havering population
White	White; English/Welsh/Scottish/Northern Irish/British	197,615	83.3%
	White; Irish	2,989	1.3%
	White; Gypsy or Irish Traveller	160	0.1%
	White; Other White	7,185	3.0%
Mixed	Mixed/Multiple Ethnic Groups; White and Black Caribbean	1,970	0.8%
	Mixed/Multiple Ethnic Groups; White and Black African	712	0.3%
	Mixed/Multiple Ethnic Groups; White and Asian	1,154	0.5%
	Mixed/Multiple Ethnic Groups; Other Mixed	1,097	0.5%
Asian	Asian/Asian British; Indian	5,017	2.1%
	Asian/Asian British; Pakistani	1,492	0.6%
	Asian/Asian British; Bangladeshi	975	0.4%
	Asian/Asian British; Chinese	1,459	0.6%
Black	Black/African/Caribbean/Black British; African	7,581	3.2%
	Black/African/Caribbean/Black British; Caribbean	2,885	1.2%
	Black/African/Caribbean/Black British; Other Black	1,015	0.4%
Other	Other Ethnic Group; Arab	311	0.1%
	Other Ethnic Group; Any Other Ethnic Group	1,013	0.4%

(Data Source: Census 2001 and 2011)

The highest proportions of the ethnic minority groups live around Romford Town, Brooklands, South Hornchurch, Emerson Park, Heaton, Rainham and Wennington, and Elm Park wards.

A report in 2010 by the Joseph Rowntree Foundation explored abstinence and drinking patterns among minority ethnic groups in the UK over the previous fifteen years. Its findings are summarised below:

Summary of findings for different ethnic groups

Most minority ethnic groups have higher rates of abstinence, and lower levels of frequent and heavy drinking compared to the British population as a whole and to people from white backgrounds. Drinking patterns vary both between and within minority ethnic groups.

Mixed ethnicities

People from mixed ethnic backgrounds have high rates of current use and are less likely to abstain than people from non-white minority ethnic groups. People from mixed ethnicities also report relatively high rates of heavy and very heavy drinking compared to other non-white ethnicities. Differences between men and women for abstinence and frequent drinking are also less marked than for other minority ethnic groups.

White ethnicities

Irish people are less likely to abstain compared to other ethnic groups and the general population. Deaths related to alcohol are higher for Irish men and women compared to the general population in England and Wales and adults in higher income brackets are more

likely to exceed recommended limits. Abstinence decreased among Irish girls between 1999 and 2004. Deaths related to alcohol are higher for Scottish men and women in England and Wales compared to the general population.

South Asian ethnicities

Alcohol-related deaths are higher among Indian men compared to the general population, and Indian women showed an increase in drinking frequently and heavily between 1999 and 2004. Indian women in higher income brackets are more likely to exceed recommended guidelines for alcohol consumption.

Sikh men show high rates of heavy drinking, and are overrepresented for liver cirrhosis. However, second generation male Sikhs are less likely to drink and drink heavily than first generation male Sikhs. Conversely, reports of Sikh girls having ever drank, and drinking frequently increased in the 1990s.

Although abstinence levels dropped for Hindu boys in the 1990s, and second generation men drink slightly more regularly than first generation men, heavy drinking among this group has not shown an increase. Hindus are less likely to drink if they report that religion is important to them.

People from Bangladesh are less likely to consume alcohol than other ethnic groups, and drinking rates are low amongst this group. Drinking is polarised among people from Pakistan. Drinking remains low among Pakistani men and women, but Pakistani men who drink consume more alcohol in units compared to other minority ethnic groups. A similar pattern emerges for Muslims; Muslim men and women are both likely to abstain, but among drinkers rates tend to be high compared to other religious groups.

Chinese ethnicity

Despite low levels of drinking among Chinese men and women, frequent and heavy drinking rose significantly for Chinese men between 1999 and 2004.

Black ethnicities

Black Caribbean people have higher levels of drinking than people from South Asian and Chinese ethnicities, but lower rates compared to people from white backgrounds and the general population. They also have lower levels of alcohol-related mortality compared to people from white and South Asian backgrounds in the UK. Black African people have higher rates of drinking compared to most South Asian ethnicities, but lower rates of alcohol use than the general population and people from white backgrounds, and they also tend to report rates lower than Black Caribbean people.

Sources used:

- Demographic and Diversity Profile of Havering's Population January 2015
- Havering Data Intelligence Hub
- Ethnicity and alcohol: a review of the UK literature July 2010, Joseph Rowntree Foundation

Protected Characteristic - Religion/faith		
Please tick (✓) the relevant box:		Overall impact: As mentioned in the 2010 Joseph Rowntree report it is recognised that religion as well as ethnicity play a role in drinking culture. It is also recognised that some religions promote abstinence. However, government guidance makes it clear that the Council cannot take account of moral objections when considering applications. There is an expectation in the proposed policy that the applicant will consider location as it may impact on the licensing objectives. This is particularly highlighted in relation to the provision of adult entertainment and the proximity of places of worship. However each application will be decided on its own merits and depend on the type of adult entertainment and the applicant's ability to demonstrate high standards of management. Apart from the above mentioned paragraph the proposed licensing policy does not seek to encourage or discourage venues on the grounds of religion. The policy does expect applicants to show that they understand: <ul style="list-style-type: none">○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate.○ Any risk posed to the local area by the applicants' proposed licensable activities;○ Steps to protect vulnerable residents○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.○ Any other relevant policies that the local authority has adopted. The Statement of Licensing Policy proposal applies equally to all traders operating in Havering irrespective of religion. The proposed licensing policy does not seek to encourage or discourage venues on the grounds of religion. Therefore, no differential impact caused by the proposed policy has been identified on the grounds of this protected characteristic.
Positive		
Neutral	✓	
Negative		

Evidence: Nearly 66% of Havering's population stated that they are Christian, followed by 23% who declared that they have no religion and just below 7% who preferred not to state their religion. Other religions in the borough are Muslim (2%), Hindu (1.2%), Sikh (0.8%), Jewish

(0.5%) and Buddhist (0.3%)

The table overleaf shows the religious breakdown of Havering's population by count and percentage:

Religion breakdown of Havering's population by count and percentage

Faith	Number	%
Christian	155,597	65.6%
Muslim	4,829	2%
Hindu	2,963	1.2%
Sikh	1,928	0.8%
Jewish	1,159	0.5%
Buddhist	760	0.3%
Other Religion	648	0.3%
No Religion	53,549	22.6%
Religion not stated	15,799	6.7%
Totals	237,232	100.0%

As mentioned in the Joseph Rowntree report it is recognised that religion as well as ethnicity play a role in drinking culture. It is also recognised that some religions promote abstinence.

Sources used:

- 2011 Census
- Ethnicity and alcohol: a review of the UK literature July 2010, Joseph Rowntree Foundation

Protected Characteristic - Sexual orientation		
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Statement of Licensing Policy proposal applies equally to all traders operating in Havering irrespective of sexual orientation. The policy does however expect applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation. Havering has the lowest percentage for registered same-sex civil partnerships (0.2%) compared to London (0.5%) and England and Wales (0.3%).		
Sources used: <ul style="list-style-type: none"> • Demographic and Diversity Profile of Havering's Population January 2015 		

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: No differential impact has been identified on the grounds of this protected characteristic. The Statement of Licensing Policy proposal applies equally to all traders operating in Havering irrespective of gender reassignment. The policy does however expect applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient data available to measure accurately the potential effect of these proposals in relation to gender reassignment. It is not believed that the Statement on Licensing Policy will have an impact in relation to this protected characteristic.		
Sources used: <ul style="list-style-type: none"> • Demographic and Diversity Profile of Havering's Population January 2015 		

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership						
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The proposed Statement of Licensing Policy applies equally to all traders operating in Havering irrespective of marriage/civil partnership. The policy does however expect applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted. 				
Positive						
Neutral	✓					
Negative						
Evidence: Marital and civil partnership status for Havering compared to London and the rest of England:						
	Havering	Havering	London	London	England	England
	Count	%	Count	%	Count	%
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	15,492	8	484,106	7.4	3,857,137	9
In a registered same-sex civil partnership	196	0.1	27,425	0.4	100,288	0.2
Married	93,587	48.5	2,608,345	39.8	20,029,369	46.6
Separated (but still legally married or still legally in a same-sex civil partnership)	4,699	2.4	211,500	3.2	1,141,196	2.7
Single (never married or never registered a same-sex civil partnership)	63,549	33	2,888,944	44.1	14,889,928	34.6
Widowed or surviving partner from a same-sex civil partnership	15,321	7.9	328,853	5	2,971,702	6.9
Sources used: <ul style="list-style-type: none"> • Havering Data Intelligence Hub 						

Protected Characteristic - Pregnancy, maternity and paternity		
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The proposed Statement of Licensing Policy applies equally to all traders operating in Havering irrespective of pregnancy, maternity and paternity. The policy does however expect applicants to show that they understand: <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient data available to measure accurately the potential effect of these proposals in relation to pregnancy, maternity and paternity. It is not believed that the Statement on Licensing Policy will have an impact in relation to this protected characteristic.		
Sources used: <ul style="list-style-type: none"> • Demographic and Diversity Profile of Havering's Population January 2015 		

<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.</p>	
<p><i>Please tick (✓) all the relevant boxes that apply:</i></p>	
<p>Positive</p>	<p>✓</p>
<p>Neutral</p>	<p>✓</p>
<p>Negative</p>	<p>✓</p>
<p>Overall impact:</p> <p>The Statement of Licensing Policy is likely to have both positive and negative impacts.</p> <p>The legislative framework for the Licensing Act 2003 recognises the sale of alcohol by retail, late night refreshment and regulated entertainment such as music and dance as a legitimate leisure activity that many people enjoy. It can be social, fun and as such might have positive impacts on wellbeing. In addition, it generates income, employment and tax revenue, creating employment, which is an important determinant of health and wellbeing.</p> <p>However, set against this, it can generate significant dis-benefits such as working days lost through alcohol misuse, or the cost of treatment for ill-health. Less easily measured are potentially very significant impacts such as the negative effects of some alcohol addiction on family relationships, and the psychological and social development of children.</p> <p>The proposed statement of licensing policy is intended to address this negative issue by promoting responsible retailing.</p> <p>It expects the applicant to have considered:</p> <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants' proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted. <p>The policy also requires applicants to take appropriate measures to protect children from harm including considering the location of the premises in relation to premises frequented by children.</p> <p>Cumulative impact zones, if adopted, will limit the number of new premises within certain geographical areas.</p>	

	<p>The revised policy has a new section on mental health and wellbeing designed to improve the protection of adults with care and support needs.</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✓</p>
<p>The legislative framework for the Licensing Act 2003 recognises the sale of alcohol by retail, late night refreshment and regulated entertainment such as amplified music and dance as a legitimate leisure activity that many people enjoy.</p> <p>The Havering drug and alcohol harm reduction strategy 2016-19 states, <i>‘Alcohol brings mixed fortunes to the local environment. On the one hand, the jobs and revenue generated by on and off-trade sales of alcohol can stimulate a local economy, such as in Hornchurch and Romford, whereby well-run community pubs and other businesses, provide employment and social venues for the community. Alcohol consumption is generally socially acceptable, and is enjoyed by many, including during times of celebration. On the other hand, excessive consumption of alcohol has a strongly negative influence on individual health, impacts on community wellbeing including as a result of antisocial behaviour, and on families and children. Alcohol (along with drugs), is often implicated as one of the three major issues in the Troubled Families agenda, along with domestic abuse and mental ill-health, which together, are commonly described as the “toxic trio”. Furthermore, alcohol plays a part in more than half of domestic violence incidents and relationship breakdowns’.</i></p> <p>The proposed statement of licensing policy is intended to address this negative issue by promoting responsible retailing.</p> <p>It expects the applicant to have considered:</p> <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants’ proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted. <p>Cumulative impact zones are proposed in the policy where the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment is having a cumulative impact on the licensing objectives. It is considered likely that granting further licences in these areas would be inconsistent with the authority’s duty to promote the licensing objectives. In these areas there is a rebuttable presumption that applications for new</p>	

premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives.

It should also be noted that public health are responsible authorities under the Licensing Act 2003.

As a responsible authority, Public Health may, where they have appropriate evidence:

- make relevant representations on the likely effects of the grant or variation of a premises licence or club premises certificate on one or more of the licensing objectives
- make relevant representations on the review of a premises licence or club premises certificate where problems associated with one or more of the licensing objectives occur after the grant or variation of the licence or club premises certificate
- issue an application for the review of a premises licence or club premises certificate where problems associated with one or more of the licensing objectives occur after the grant or variation of the licence or club premises certificate.
- contribute to the development and review of the statement of licensing policy and have a key role in identifying and interpreting health data and evidence.

Sources used:

- Havering drug and alcohol harm reduction strategy 2016-19
- Public health and the Licensing Act 2003 – guidance note on effective participation by public health teams

Socio – Economic impact:		
Please tick (✓) the relevant box:		Overall impact:
Positive		<p>The legislative framework of the Licensing Act 2003 recognises the sale of alcohol by retail, late night refreshment and regulated entertainment such as music and dance as a legitimate leisure activity.</p> <p>Alcohol brings mixed fortunes to the local environment. On the one hand, the jobs and revenue generated by on and off-trade sales of alcohol can stimulate a local economy, whereby well-run community pubs and other businesses, provide employment and social venues for the community. Alcohol consumption is generally socially acceptable, and is enjoyed by many, including during times of celebration.</p> <p>On the other hand, excessive consumption of alcohol has a strongly negative influence on individual health, impacts on community wellbeing including as a result of antisocial behaviour, and on families and children. Alcohol (along with drugs), is often implicated as one of the three major issues in the Troubled Families agenda, along with domestic abuse and mental ill-health, which together, are commonly described as the “toxic trio”. Furthermore, alcohol plays a part in more than half of domestic violence incidents and relationship breakdowns.</p> <p>The proposed statement of licensing policy is intended to address this negative issue by promoting responsible retailing.</p> <p>It expects the applicant to have considered:</p> <ul style="list-style-type: none"> ○ The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate. ○ Any risk posed to the local area by the applicants’ proposed licensable activities; ○ Steps to protect vulnerable residents ○ Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. ○ Any other relevant policies that the local authority has adopted. <p>The policy also requires applicants to take appropriate measures to protect children from harm including considering the location of the premises in relation to premises frequented by children.</p> <p>Cumulative impact zones, if adopted, will limit the number of new premises within certain geographical areas reducing the negative</p>
Neutral	✓	
Negative		

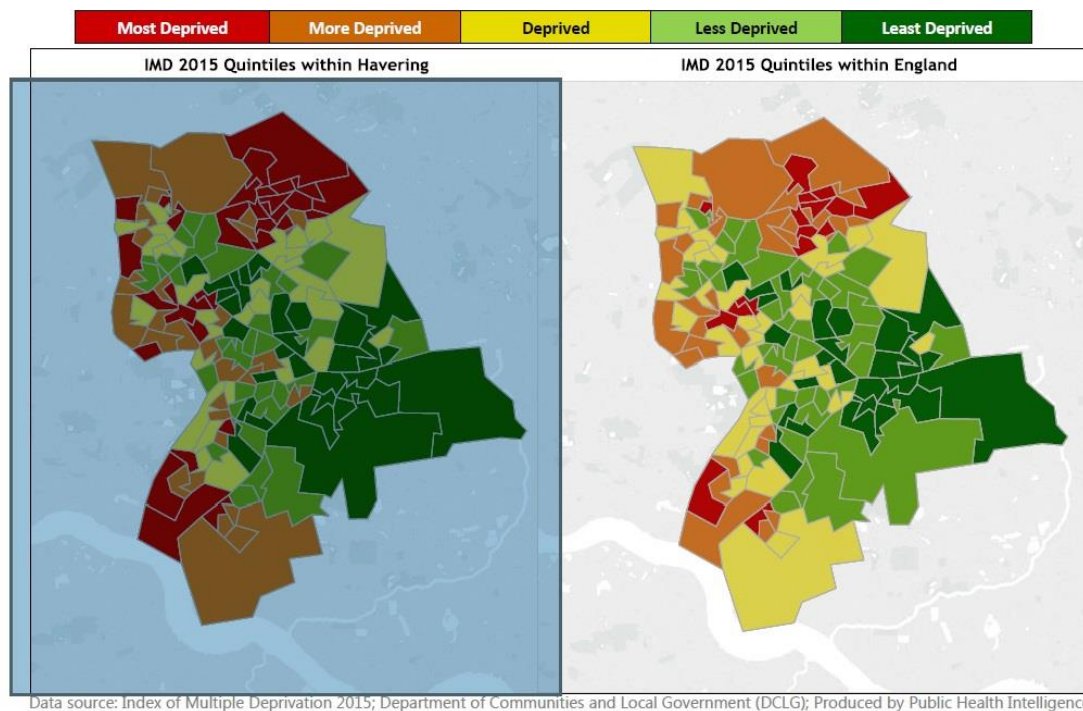
impact on the licensing objectives.

Evidence:

People who live in the most deprived areas have the poorest health and well-being outcomes. On average people living in deprived areas, lower socio-economic groups and marginalised groups have poorer health and poorer access to health care than people resident in affluent areas and people from higher socio-economic groups.

Havering is a relatively affluent borough. Based on IMD (Index of Multiple Deprivation) 2015, Havering is ranked 166th overall out of 326 local authorities in England for deprivation (1st being most deprived, 326th being least deprived). Although this suggests a relative slight increase in deprivation compared to the IMD 2010 ranking (177th out of 326 local authorities), Havering remains within the third deprivation quintile when compared to all local authorities.

There are pockets of deprivation to the north (Gooshays and Heaton wards) and south (South Hornchurch ward) of the borough. The chart below displays two maps of Havering: on the left, deprivation quintile score of Havering Lower Super Output Areas (LSOAs) relative to Havering and on the right, deprivation quintile score of Havering LSOAs relative to England. Both are displayed in order to respectively identify areas more deprived compared to other local and national LSOAs.



The average gross income per household in Havering (£44,430, as measured in 2012/13) is low in comparison to the London average (£51,770) and slightly higher than the England average (£39,557).

1/3 of fast food outlets across are found in the most deprived areas.

A Health Survey England 2015 found that men and women in higher income households were more likely to drink over 14 units in a usual week (37% and 22% respectively) than were men and women in lower income households (29% and 9% respectively).

However the economic consequences of alcohol consumption can be severe, particularly for the poor. Apart from money spent on drinks, heavy drinkers may suffer other economic problems such as lower wages and lost employment opportunities.

Sources used:

- This is Havering 2018 version 4.1 (August 2018) *produced by public health intelligence*
- Public health matters, www.gov.uk
- Health Survey for England 2015

3. 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:

Scheduled date of review:

Lead Officer conducting the review:

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

Thank you.

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