



CABINET
Monday, 20th July, 2020

You are invited to attend the next meeting of **Cabinet**, which will be held at:

Virtual Meeting on Zoom
on **Monday, 20th July, 2020**
at **7.00 pm** .

G. Blakemore
Chief Executive

Democratic Services
Officer

A. Hendry (Democratic Services)
Tel: (01992) 564246 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors C Whitbread (Leader of the Council & Leader of the Conservative Group)
(Chairman), , N Avey, N Bedford, A Patel, J Philip, S Kane and H Whitbread

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND.

**PLEASE NOTE THAT THIS MEETING WILL BE RUN AS A VIRTUAL MEETING AND IS
OPEN TO ALL MEMBERS TO ATTEND REMOTELY.**

WEBCASTING/FILMING NOTICE (VIRTUAL MEETINGS)

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by participating in this virtual meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or

training purposes. If members of the public do not wish to have their image captured they should ensure that their video setting throughout the virtual meeting is turned off and set to audio only.

In the event that technical difficulties interrupt the virtual meeting that cannot be overcome, the Chairman may need to adjourn the meeting.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

1. This virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.”

2. APOLOGIES FOR ABSENCE

To be announced at the meeting.

3. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

4. MINUTES (Pages 5 - 24)

To confirm the minutes of the meetings of the Cabinet held on 1st June 2020 and 11th June 2020.

5. REPORTS OF PORTFOLIO HOLDERS

To receive oral reports from Portfolio Holders on current issues concerning their Portfolios, which are not covered elsewhere on this agenda.

6. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET

To receive any questions submitted by members of the public and any requests to address the Cabinet.

(a) Public Questions

To answer questions asked by members of the public after notice in accordance with the provisions contained within Part 4 of the Constitution (Council Rules, Rule Q3) on any matter in relation to which the Cabinet has powers or duties or which affects

the District.

(b) Requests to Address the Cabinet

Any member of the public or a representative of another organisation may address the Cabinet on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at the meeting, in accordance with the provisions contained within Article 7 of the Constitution (The Executive, Paragraphs 27 and 28).

7. OVERVIEW AND SCRUTINY

To consider any matters of concern to the Cabinet arising from the Council's Overview and Scrutiny function and to identify any matters that the Cabinet would like the Overview and Scrutiny Committee to examine as part of its work programme.

8. FINANCIAL ISSUES - COVID 19 (Pages 25 - 64)

(Finance and Economic Development) To consider the attached report (C-009-2020-21).

9. APPROACH TO MANAGING THE EFFECTS OF AIR POLLUTION ON THE EPPING FOREST SPECIAL AREA OF CONSERVATION (Pages 65 - 124)

(Planning and Sustainability) To consider the attached report (C-013-2020-21).

10. IMPLEMENTATION OF THE LOCAL PLAN: UPDATE ON PROGRESS (Pages 125 - 150)

(Planning and Sustainability) To consider the attached report (C-014-2020-21).

11. ADOPTING A 2-PART REGISTER FOR SELF-BUILD AND CUSTOM HOUSEBUILDING (Pages 151 - 174)

(Housing and Community Services) To consider the attached report (C-012-2020-21).

12. HOUSING RENTS POLICY (Pages 175 - 198)

(Housing and Community Services) To consider the attached report (C-010-2020-21).

13. TENANCY POLICY (Pages 199 - 216)

(Housing and Community Services) To consider the attached report (C-011-2020-21).

14. ACCEPTANCE OF TENDERS - CONTRACTS 690 AND 790, INSPECTION, MAINTENANCE AND IMPROVEMENTS OF VOID PROPERTIES 2020-25. (Pages 217 - 230)

(Housing and Community Services) To consider the attached report (C-015-2020-21).

15. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 24 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

16. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers

Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

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EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 1 June 2020
Place: Online Meeting using Zoom **Time:** 7.00 - 8.22 pm
Members Present: C Whitbread (Chairman), N Bedford (Vice-Chairman), N Avey, A Patel, J Philip, S Kane and H Whitbread

Other

Councillors: R Bassett, P Bolton, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Jones, H Kauffman, A Lion, C McCredie, S Murray, S Neville, C C Pond, C P Pond, M Sartin, D Stocker, D Sunger, B Vaz, J H Whitehouse, J M Whitehouse and D Wixley

Apologies:

Officers Present: G Blakemore (Chief Executive), T Carne (Corporate Communications Team Manager), N Dawe (Chief Operating Officer), A Hendry (Democratic Services Officer), S Jevans (Strategic Director), J Leither (Democratic Services Officer), S Mitchell (PR Website Editor), R Pavey (Service Director (Customer Services)), A Small (Strategic Director), H Thorpe (Property Maintenance Operational Assets and Compliance) and P Tredgett (ICT Interim Project Manager)

1. CHANGE IN CABINET MEMBERSHIP

Please note that the membership of the Cabinet had been altered at the Annual Council meeting on 21 May 2020, after the agenda for this meeting had been published.

2. WEBCASTING INTRODUCTION

The Leader of Council made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

3. DECLARATIONS OF INTEREST

Pursuant to the Council's Member Code of Conduct, Councillors S Murray declared a non-pecuniary interest in agenda item 10 – Accommodation Project, by virtue of being a trustee of Citizens Advice. The Councillor had determined that his interest was non-prejudicial and that he would stay in the meeting for the consideration of the item.

4. MINUTES

Decision:

The Minutes of the Cabinet meeting held on 15 April 2020 be taken as read and would be signed by the Leader as a correct record.

5. REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports made by Members of the Cabinet on current issues affecting their areas of responsibility.

6. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET

The Cabinet noted that no public questions or requests to address the Cabinet had been received for consideration at the meeting.

7. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that a new date had been set for the first Overview and Scrutiny Committee of this municipal year of 22 June 2020.

She asked Cabinet members if they had any items or topics that they would specifically like Scrutiny to look at. If so, they should contact her or the responsible democratic services officer directly. It was suggested that the recovery from the Covid 19 pandemic should be a prime topic for consideration.

8. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 12 MARCH 2020

The Portfolio Holder for Housing and Community Services, Councillor H Whitbread presented the minutes from the meeting of the Council Housebuilding Cabinet Committee, held on 12 March 2020. The Cabinet noted that there were no recommendations to consider.

Decision:

That the minutes of the Council Housebuilding Cabinet Committee held on 12 March 2020 be noted.

9. ACCEPTANCE OF TENDER - CONTRACT 590 EXTERNAL MAINTENANCE REPAIRS AND REDECORATION PROGRAMME 2020-25

The Housing and Community Portfolio Holder noted that in order to undertake the Planned External Maintenance Repairs and Redecoration Programme to Council-owned properties during the financial year 2020-21 and over the following 4-year period, it would be necessary to undertake a procurement exercise based on the Most Economically Advantageous Tender (MEAT) taking cost and quality into account to satisfy the Council's Procurement Rules.

The existing contract for the Planned External Maintenance Repairs and Redecoration Programme 2020-25 for works to Council owned properties was due to expire and therefore in order to complete the programme it was necessary to re-tender the works.

It was noted that the contract was initially for a period of one year but was renewable annually up to a maximum of five years.

Councillor Hadley asked at what stage were the contract negotiations with the new supplier. He was told they were in place to continue the contract from the end of June.

Councillor Hadley asked about the reserve tenderer who would take over the contract if needed, he wanted to know if there was a formal agreement in place for this. He was told that there was no formal agreement in place as this was not critical work to be done within a certain timescale.

Decision:

(1) That, Gracelands Complete Maintenance Ltd be awarded the 1-year contract renewable annually for up to a maximum of 4-further years, for the external maintenance repairs and redecorating to Council-owned properties with an overall weighted price and quality score of 83.7%; and

(2) That, Wilton Decorators Ltd be selected as the Council's Reserve Tenderer and that, should it not be possible to enter into contract with Gracelands Complete Maintenance Ltd for some reason, Wilton Decorators Ltd be awarded the 1-year contract renewable annually for up to a maximum of 4-further years, for the renewal of the external maintenance repairs and redecorating to Council-owned properties, being the second most economically advantageous tender received, with an overall weighted price and quality score of 79.8%; and

(3) That, the overall value of the works be capped to the sums included in the Housing Revenue Account 2020-21 for the External Maintenance Repairs and Redecoration Programme on an annual basis; and

(4) That, this contract be designated as a serial contract to facilitate the annual adjustment to the tendered rates in accordance with the Royal Institution of Chartered Surveyors (RICS) BCIS ALLCOS Resource Cost Index of All Construction: All Repair and Maintenance Work #7419.

Reasons for Proposed Decision:

The current contract for the Planned External Maintenance Repairs and Redecoration Programme expires in June 2020 and therefore requires to be re-tendered in accordance with the Council's Procurement Rules.

The Council undertake a rolling programme of external maintenance repairs and redecoration on all Council owned properties in order to maintain the condition and the fabric of the buildings. A 5-year contract was required for the Planned External Maintenance Repairs and Redecoration Programme 2020-25, to prevent Council-owned properties falling into disrepair and subsequently fail the Decent Homes Standard.

The undertaking of a procurement exercise for works of this value was not only a requirement of the Council's Procurement Rules but was also a requirement of Section 20 of the Commonhold and Leasehold Reform Act 2002 when external maintenance repairs and redecorating works were undertaken on Council owned and managed blocks of flats.

Other Options for Action:

The main alternative options considered are:

(1) To re-tender the contract on an annual basis. However, this would be time consuming

and inefficient. Re-tendering would not guarantee more competitive tenders due to the benefits of economies of scale and programme certainty that long-term contracts provide.

(2) To re-tender the works based on price alone. However, this would not necessarily return a more competitive tender and would not identify or quantify a quality commitment from the lowest tenderer.

(3) To seek quotations on an individual basis for every planned maintenance repairs and redecorating project and issue property specific HRP Works Orders. However, this is very time consuming and was not cost effective and given the volume of planned external maintenance repairs and redecorating projects carried out per annum, this would breach the Council's Procurement Rules C2 (9) with the works exceeding £25,000 in value during one financial year.

10. CHANGES TO AGENDA RUNNING ORDER

With the agreement of the meeting, the Leader took agenda item 11, Financial Issues – Covid 19, before agenda item 10, the Accommodation Programme.

11. FINANCIAL ISSUES - COVID 19

The Leader introduced the updating report on how the Covid 19 situation was affecting the Financial position of the Council. He noted that we were in unprecedented times and praised officers for doing a good job both for residents and local businesses. He noted that they had delivered 97% of government grants to businesses in record time.

The Council had lost something in the region of £900k a month in Business Rates, Council Tax, Leisure income and Car Parking fees and this would be ongoing for some time yet. They were hoping to see recovery start from July onwards, but the expected loss of income could be in the region of £6million, depending on what the recovery looked like.

They have a vision for the future including the St John's Road project and the Accommodation Project as indicated elsewhere in this agenda. Also, part of their vision to move forward from Covid recovery was to set up a cross party Covid Recovery Portfolio Holder Advisory Group.

Councillor Philip noted that the start of this crisis had started at the end of the last financial year and some of the impact would be seen on the accounts for that financial year, causing a reduction. Initial indications would be that we would have some degree of underspend and clearly, we would not be able to do everything we would like to do. Some difficult decisions would have to be made. He hoped to give a verbal update at the next meeting.

Councillor Patel noted that we needed viable High Streets but with ongoing support. The Covid legacy would be felt for the next 10 years and this would need to be a cross council endeavour to do something positive for our residents.

Councillor Avey noted that Epping Town had its first Market today for some time, it was smaller than usual but still successful.

Councillor Bedford would like to acknowledge that officers had already started making contact with Town and Parish Councils as soon as the government had talked about lifting some of the Covid restrictions. They have also ordered over a

thousand place markers to go on the floor and pavements to be made available to local councils.

Councillor Janet Whitehouse asked about the relationship between the proposed Advisory Group and the existing High Street Task and Finish Panel. The Leader said that the Task and Finish Panel was under the remit of the Overview and Scrutiny Committee, but he saw them working together as there would be some joined up thinking involved.

Councillor Heap asked what was the projected debt at the end of this year and were we still on track to repay the debt from last year. N Dawe said that they could provide the current assumptions in writing tomorrow as they were revisiting the assumptions in light of the current situation. They were looking at refinancing the debt.

Councillor Heap said he was asking as he understood there would still be borrowing for Quails. Councillor Philip noted that we would have as much as £6million in loss of income due to the Covid situation and this would have to be factored into our medium-term financial strategy. And maybe this strategy would have to be reworked, depending on what would happen over the next three months. Councillor Heap added that we were borrowing on assumption made before the Covid crisis, were we now borrowing at the wrong rate and should it be renegotiated?

Councillor Murray said he was very impressed on how the staff responded to the crisis. He asked if the advisory group that was to be set up would work with all parties, especially a representative from Loughton. The Leader answered that yes, it would have cross party and cross district representation.

Councillor Murray added he had heard the assumptions made; but retail may not go back to pre-Covid levels and suggested that shopping would never really return to normal and would need our help. This was bigger than what EFDC could do. The Leader agreed saying that nothing would go back to how it was, a lot would be beyond our control, but we would still have to do our best for our residents.

Councillor Jon Whitehouse highlighted the need for support for the voluntary sector, this had not gone away and we would still need to keep our eyes on it. Also, the costs for these initiatives were not in the report. Also, what were the proposals for bringing together the mentioned six business proposals, were the existing officer networks to be involved and how inclusive was this to be. The Leader said some of the answers would be drawn from the Covid recovery response advisory group and some would come forward with the detailed report going to the July Cabinet meeting. We must also take into account the homelessness issues brought up by this crisis. We were working on them all.

Councillor Chris Pond asked what proportion of EFDC commercial tenants and those of Qualis had not paid their rents by the quarter day of 25th March, and what was the estimate for the numbers unlikely to pay by the mid-summer quarter. N Dawe answered that there had been no default on Qualis tenancies, we have some companies who have not made their first quarter payment and we were in discussions with them. I will give you details at a later date.

Councillor Pond asked about the possibility raised about café and restaurants taking over parts of the pavement. This would need to be done with extreme caution, as there was a need to consider the disabled and to also keep social distancing. The Leader said that was most helpful and something that they would give close attention to. Every High Street was very different, and they would be looked at individually. N Dawe noted that this did not form part of the Cabinet report. However, officers did

look at this and noted that the pavements came under Essex County Council control and the points made about disabled access and distancing had also been noted.

As for the Financial aspects raised earlier, the budget was put together when the price of borrowing was assumed to be 3% subsequently, we had been in further discussions and it could be reduced to around 2.5%. So, the overall structure of the arrangements remained sound.

Councillor Neville hoped that any businesses that have benefited from our help were locally owned and then asked when the Portfolio Holder Advisory Group would be set up. The Leader said that the advisory group would be set up soon; and they always looked to local people first, which was at the heart of everything that we did in Epping Forest. We also want to make sure we brought jobs to the area and he had asked Councillor Philip to look at how we could encourage businesses to establish here. It may be that not many people would want to travel into London after this crisis.

Councillor Brookes said that figures must be available now of our council tax collection rates for April, could we have them please and what percentage of people paid in May. N Dawe said that he had an indication from the number of direct debits as approximation, but he did not have them to hand at present. Councillor S Kane added that many people were still on furlough and the true impact would not be easy to measure until we came out of the furloughing period.

Councillor Wixley commented that the real issue for Councillor Neville's question was how many local people were employed in local businesses regardless of who owned them.

Decision:

- (1) The Cabinet discussed the report and agreed the actions and priorities set out in sections 2 and 3.
- (2) The Cabinet agreed to review detailed investment proposals at their July Cabinet meeting.
- (3) The Cabinet noted that a further report including details of intended proposals and purchases would be taken to Cabinet in July.

Reasons for Proposed Decision:

This was an information paper with no decisions to be made.

Other Options for Action:

No other options available.

12. ACCOMMODATION PROGRAMME

The Leader introduced the report on the Accommodation Project seeking to appoint the contractors on the refurbishment and regeneration of the Civic Offices. This would also pave the way for providing new housing on the adjacent Conder building site.

S Jevans noted that the recent situation with Covid 19 has tested the organisation's ability to homework and had demonstrated that EFDC had the capacity to work flexibly in a way that was previously unknown. The refurbishment of the Civic Offices

was based on an approach that moved to a reduced ratio of 6:10 fixed desk ratio with additional meeting and collaborative workspaces. The home working had not been without its challenges and there were still roles/teams that would benefit from the office environment, most importantly the collaborative working spaces. It was a good time to reflect on the purpose and usage of the Civic Office space and to review the benefits of this refurbishment project for the longer term.

She noted that the report had listed the benefits of the refurbishment project for the long term. The report also set out how the tender process was taken forward; Gardener and Theobald were the cost consultants commissioned to undertake the tender process for the major works. And their report was annexed to the Cabinet report.

Councillor Philip noted that the key driver would be to have as much money as possible to help support the district. We have a property here that had not had much money spent on it in the last few years as we had been planning to redevelop it. However, if we decided to keep the building then we would have to catch up on this maintenance deficit. Added to this would be making use of the space occupied by the Conder building and making it a significant revenue stream from the redevelopment of this area and making it a good place for people to live. Also, works to the Civic Offices would make it a more flexible place for us to work in and have spaces for new starter businesses.

S Jevans added that there were a number of spaces in the building that could be used for service offices or small businesses and officers were currently speaking to our partners across the district on the benefits of co-location.

Councillor Bedford was pleased that the Council had recognised the new agile working, working with partners, how we were getting better use of the offices and making a community hub at the centre of Epping. He commended the work that was done by Councillor Lion for getting the high-speed broadband set up across the District. This was echoed by the Leader.

Councillor S Kane emphasised the importance of home working, some 400 staff were now doing so, which freed up space for outside partners to come in and build a community hub for the district.

Councillors N Avey and H Whitbread commented that they were very supportive of this scheme.

Councillor Murray noted that initially 6 companies had registered an interest in this contract but in the end only one formally submitted a bid. He acknowledged that we have had a full report from Gardener and Theobald but did not consider it good practice to accept a tender from just one company. He also thought in reference to the Community Hub aspect, that as most of the district residents live in the south (Loughton, Chigwell & Waltham Abbey) they did not have good transport links to Epping, and this was not the right place to have it.

He then went on to ask about Social Housing and what definition of social housing were we using, was it for people below average income. And what detailed discussions with groups would there be on the occupation of the Hub.

The Leader replied that there would be a mix styles and units with up to 40% affordable housing in that mix, but he did not know the details yet. He noted that they could not move the Civic Offices to Loughton it would be too expensive to do so.

S Jevans commented on the discussion with partners, they have had some detailed discussions, but it was not right for this to go public at the present. Councillor Philip added that there was no planning application as yet for the site of the Conder building, he thought the plan was to look at the Epping sites as a whole, not just the Conder building.

Councillor Neville asked if we had any feedback on why the other companies had not submitted a tender for this contract, and on an environmental point, what gases we were going to use in the air conditioning units to modify their environmental impact, and how long would they last before they needed to be renewed. S Jevans said that 6 companies had expressed an interest and 3 went forward into the bid process and unfortunately 2 dropped out. This is detailed in the cost consultants report. We had expected a cost of £6.5m but this bid came in at a lower £5.5m. However, she would have to come back to Councillor Neville on the air conditioner question.

Councillor A Patel commented that there was no better place to locate a community hub than on the High Street, with the St John's Road site at one end and the proposed Community Hub at the other, thus driving footfall from one end to the other.

Councillor S Heap agreed with both Councillor Patel as well as Councillor Murray. He noted that we had to wary about completing with local businesses, such as having a café at one end of the High Street and taking business from the High Street. He then asked about the item listed on page 65 of the agenda that of 'Direct Orders' at £50k. What was that for. He also noted that as a pre-2000 building there may be all sorts of irregularities with it (such as asbestos). Also he suggested that he would like the Council's £200k savings kept back in case there were problems.

S Jevans replied that as part of the project they had undertaken surveys to make sure there were no hidden problems like that. And yes, they had a significant contingency held in reserve larger than that £200k.

Councillor Janet Whitehouse queried if the building work would be noisy for the neighbours working 16-hour days, 7 days a week. S Jevans said that they had dealt with this with a detail plan, making sure that there was not too much noise.

Councillor Jon Whitehouse commented that it was not ideal that we had only one tender back; and that it would be nice if some of this money could be spent locally for local businesses. He was told that this had formed part of the tender process, to encourage local employment.

Councillor D Dorrell noting that we only had one contractor who had tendered, asked, did we have anyone in reserve in case the chosen contractor could not carry out the work. He was told that in that case they would have to go out to tender again, although they had put in a full risk strategy and we had a detailed contract.

Councillor S Kane commented that having a Community Hub set up in Epping did not preclude having Community Hubs set up in other areas of the district. We had a pilot of a multi- agency centre in Waltham Abbey just before Covid and that was cut short, but would be reinstated after the lockdown and it will also be rolled out across the district in community centres.

Decision:

Cabinet approved the award of contract to ISG Fit Out Ltd for the sum of £5, 663, 062.00 (excluding VAT) for the refurbishment of the Civic Offices.

Reasons for Proposed Decision:

The accommodation project supported the overall aspirations of the Council Corporate

Plan – Stronger Council, Stronger Communities, Stronger Place.

The cost benefit analysis demonstrated greater benefits for refurbishment of the Civic Offices as the main office for EFDC staff. This negated the need to incur the cost of building a new office and would create a collaborative space that could also be used for partners and small businesses.

Other Options for Action:

Do not undertake the refurbishment of the building. The current building is coming to the end of its useful life in terms of many of the essential mechanical, electrical and roof elements. These elements would need to be undertaken regardless of the refurbishment project to keep the building operational.

13. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

14. EXCLUSION OF PUBLIC AND PRESS

The Cabinet noted that there was no business for consideration which would necessitate the exclusion of the public and press from the virtual meeting.

CHAIRMAN

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EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 11 June 2020

Place: Online meeting using Zoom **Time:** 7.00 - 8.25 pm

Members Present: C Whitbread (Chairman), N Avey, N Bedford, A Patel, J Philip, S Kane and H Whitbread

Other Councillors: P Bolton, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, A Lion, C McCredie, L Mead, S Neville, C C Pond, C P Pond, J Share-Bernia, D Sunger, B Vaz, J M Whitehouse and D Wixley

Apologies:

Officers Present: G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), S Jevans (Strategic Director), A Small (Strategic Director), R Pavey (Service Director (Customer Services)), D Fenton (Service Manager (Housing Management & Home Ownership)), J Gould (Housing Needs and Older Persons Services), T Carne (Corporate Communications Team Manager), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and G Woodhall (Democratic & Electoral Services Officer)

15. WEBCASTING INTRODUCTION

The Leader of Council made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

16. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

17. REPORTS OF PORTFOLIO HOLDERS

The Environmental and Technical Services Portfolio Holder, Councillor Avey noted that as part of the post Covid recovery programme, as from Monday, 15th June all Council car parks would have a starting rate of 20pence for the first two and a half hours and after that the standard parking rate would apply.

The Planning and Sustainability Portfolio Holder, Councillor Bedford, thanked Councillor Avey for the works that have just started at the Ongar swimming pool, putting in new pool heating equipment and repairing the roof while the centre was closed because of the current lockdown. A budget of £1.5 million had been set-a-side for this and any money left over would be used to refurbish the centre and bring it up to standard.

The Leader commented that we have had two good bits of news this evening for local residents and businesses, and he would like once again like to add his thanks to officers who have had to react very quickly to rapidly changing circumstances

while getting on with their day job, and bringing forward work such as the Ongar Leisure Centre.

The Commercial and Regulatory Services Portfolio Holder, Councillor Patel gave an update on the Covid 19 recovery advisory group. Group leaders have been asked to provide a member to sit on this advisory group. He advised that their first meeting would be on 15th June. They would be looking to establish terms of reference and looking to provide a short to medium term response. Advice from the government was coming in daily and also changing rapidly and they would have to keep abreast of this, while liaising with local businesses etc. The lead officer would be Andrew Small, and they hoped to meet regularly through July, leading to looking at a more longer-term strategy being developed.

Councillor Murray asked that as an independent councillor, could he be copied into the paperwork of these meetings so that he could provide any necessary, local background knowledge.

18. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET

The Cabinet noted that no public questions or requests to address the Cabinet had been received for consideration at the meeting.

19. OVERVIEW AND SCRUTINY

The Cabinet noted that the first meeting of the year for the Overview and Scrutiny Committee would be held on Monday 22 June 2020.

20. REVIEW OF SERVICE CHARGES

The Housing and Community Services Portfolio Holder introduced the report on the review of service charges.

She noted that the Council charged for additional services to tenants living in blocks of flats based on a CPI yearly increase. An example of these services were the cleaning of blocks and communal utility costs such as electricity for lighting.

This approach had become challenging for most organisations over the years as some costs had risen above the rate of CPI. A recent analysis, by Housing Management of cost against income had ascertained that the under recovery of service charges stood at £1.3m for EFDC 2019/20. Most organisations have changed their approach and charge for the actual cost of services.

Councils were now subject to rent regulations via the Regulator for Social Housing. The Regulations clearly state that social housing providers need to charge for services in a fair and consistent way which could be accounted for. This translates to charging the actual cost for the services broken down to each individual property. From a legal standpoint this protected the council from challenge regarding fair and accurate charging.

Any increase in service charge needed to be approached with care and compassion; as such a further paper would be presented to Cabinet in September setting out the options.

It was proposed that income raised (over and above current service charge income) in the first 4 years was ringfenced to pay for estate improvements under our proposed scheme 'more than bricks and mortar' our mission was: 'EFDC creating

great places where people want to live'. Our estates would benefit from a cash injection, this strategically, would be a benefit to the whole district in terms of communities, place and customer satisfaction.

The Service Manager (Housing Management and Home Ownership), D Fenton, gave a presentation highlighting the benefits for communities.

Councillor S Kane said that he was very pleased to see this going ahead and was please at the prospect of resident participation, as this was important to instil some pride in the place.

Councillor J Philip commented that it would be good to scope out what the shortfalls were. The way it would self-fund itself was really good and it would allow us to target what was needed, where it was needed.

Councillor Murray asked if this would increase service charges. He was told that it would and that in the future they would further consult with the residents to see if they wanted to further increase the services that they were offered. The Council was regulated by the Social Housing regulations and so had to provide fair and accurate charges to services.

Councillor Murray commented that although this had been in the pipeline for some time this was not a good time to do this. D Fenton noted that this was subject to housing benefits and officers would be recommending ways that the charges could be applied, for example, going for a tiered approach over four years. They fully recognised the potential strain that this had to put on people. Councillor H Whitbread added that this work had been started prior to Covid 19 and with a further report coming in September it gave officers a chance to review it and learn from the lockdown period.

Councillor Murray went on to ask what would happen if people wanted to pay less and have a reduction in services. How would we manage that? He was told by D Fenton that they would have to consult with all residents and all residents would have to agree to have a reduction in services. There was also provision in the tenancy agreement to charge the correct service charge.

Councillor Murray's biggest concern was that a lot of houses on our estates had been sold to the tenants and they did not pay service charges, but they may benefit from communal improvements. D Fenton replied that lease holders did pay a service charge. As for owner occupiers on estates, that was a challenge as she could only charge for services that the council provided.

Councillor Neville emphasised Councillor Murray's comments and noted that this needed to be looked at sympathetically especially where upgrades benefited everyone but only a few households were paying for it. He also asked that we use Tenants Groups for their input. D Fenton noted that they would be consulting widely as not all estates had tenant groups.

Councillor Chris Pond welcomed most of what had been said and commented that an upgrade was urgently needed for these areas, as the people who lived there needed a decent environment. Also, as the people who lived in these blocks were not well off and we needed to keep it affordable for them, especially at this time.

Councillor Heap welcomed the improvements to the properties. Councillor Wixley noted that the Debden Tenants Panel meetings had not taken place for some years, nor had other tenant body meetings. He asked if these bodies would be resurrected?

And on service charges, he was concerned that there had been a shortfall, and would different blocks be charged at different rates. D Fenton noted that this exercise was about transparency and making sure that we were charging the actual costs for the services that we provided. Our charges would be based on the size of the property. We were also working to reinvigorate the Tenant Panels, and some of them were still working really well.

Decision:

- (1) Cabinet noted the requirement to carry out a full review of service charges across the District;
- (2) The Cabinet agreed to receive a further paper in September to agree the proposals on introducing a fair and consistent approach to service charges for tenants living in blocks; and
- (3) The Cabinet approved the development of a new scheme *'more than bricks and mortar'* *'EFDC Creating great places where people want to live'*.

Reasons for Proposed Decision:

The development of an accurate and fair charging regime for service charges supports the overall aspirations of the Councils Corporate Plan – Stronger Communities, Stronger Council

Other Options for Action:

Not to develop a fair and accurate charging regime. This would leave us potentially in breach of the newly published Rent Regulations and at risk of legal challenge around fair charging.

21. PROVISION OF TELECARE

The Housing and Community Services Portfolio Holder, Councillor H Whitbread introduce the provision of telecare report. Essex County Council (ECC) had decided to procure a county-wide care technology service for telecare and assistive technology delivery. This had significant implications for EFDC's own future delivery of telecare to residents across the district.

The purpose of this report was to provide background on current services and set out the options available for the ongoing delivery of EFDC's telecare provision.

The report detailed two options available to the Council:

1. Status quo - do nothing;
2. Cessation of the delivery of telecare.

Ultimately recommending that EFDC cease the delivery of telecare to residents living in private dwellings across the district.

Councillor Philip noted that the current slight surplus would go into deficit if we did not take this action.

Councillor Wixley noted that there may be a risk to users during the transition phase and also asked if the new contract was for a fixed period. He was assured that it

would be a smooth transition and that this would happen in December this year so there was plenty of lead in time.

Councillor H Whitbread thanked the telecare staff for their outstanding work during the current lockdown period as they keep in touch with all the vulnerable residents to ensure their wellbeing.

Decision:

Following Essex County Council's decision to procure a county-wide care technology service Cabinet approved the recommendation to cease EFDC's own delivery of telecare.

Reasons for Proposed Decision:

Cessation of the delivery of telecare

ECC's county-wide model provided an alternative for existing users from a trusted provider that offered the potential for both economies of scope and scale. This approach would likely improve efficiency and harness resources to invest and innovate ensuring the new service was at the cutting edge of telecare and assistive technology which would likely be superior to EFDC's offer.

Cessation of service delivery would remove a number of financial and operational risks that currently sit within the Council. The likelihood was that 2.7 full-time equivalent staff who currently worked for the Council solely on the provision of telecare would be transferred to a newly contracted provider under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

Other Options:

Maintain status quo

There was an option to maintain the status quo with EFDC continuing to provide telecare to residents within the district. However, retaining current arrangements was unlikely to be a realistic option for the service given that the modest contribution it generates of around £20,000 per year currently would result in a deficit of at least c£15,000 following the mobilisation of ECC's new contract. The reasons for this include:

- The funding from Essex County Council to supply and maintain the telecare equipment and cover the installation costs will no longer be available under the new arrangement.
- Essex County Council currently fund the first 12 weeks of the service costs for service users. This will no longer be available outside of their new framework contract once the new contracts are awarded.
- Continuation of the service directly by the Council would require a sustainable business case (an increase in the charges to cover costs and support continuous improvement).
- Residents may view the other options such as those provided through ECC as representing better value for money in terms of both costs and potentially service quality.
- A likely outcome is that there will be little or no demand for the service without EFDC significantly investing to deliver outcomes to match the 'best in class' market offer.

22. IMPACT OF COVID 19 ON OUR WORKFORCE

The Customer and Corporate Support Services Portfolio Holder, Councillor S Kane, introduced the report detailing the impact of Covid 19 on the council's workforce. This report was to formally recognise the exceptional work undertaken by the officers of EFDC in these exceptional circumstances. He noted that the Council had continued to provide services for customers throughout the Covid19 restrictions which were put in place by the Government at the end of March. Employees had worked collaboratively supporting the multifaceted Operation Shield, supporting our business community through Business Rate Grants and being innovative in using technology to provide online resources for both customers and employees.

From 11 March a total of 98 employees had been absent from work due to Covid19, 2% were confirmed as having the infection the other 98% stayed home for a variety of self-isolating reasons (figures as at 1 June). If well, employees continued to work from home. No employees had been furloughed.

Councillor Bedford also thanked the staff and noted that importantly we had continued providing our services across the district and not had to furlough any staff. He noted that we have had an increase of telephone enquiries of 30% in this period that had been dealt with by officers in a professional and timely manner. The staff had been tremendous, they had shown themselves to be a very flexible and adaptive workforce.

Councillor H Whitbread echoed these sentiments, adding that the Community and the Community Safety Team has had to face new challenges, as well as the Housing Team. They had gone above and beyond what was asked of them. Councillor Patel added his agreement to the sentiments raised.

Councillor Philip also welcomed this report and was pleased to see the annual leave flexibility that had been brought in for staff, as at these times it was easy to not take leave when working from home. He noted the resource implications of what we have been doing during Covid and that this would have financial consequences for the Council. But, in all we should be really proud of ourselves as a council and all the work we have done at this time.

Councillor Avey could not thank the teams that worked for his portfolio enough as well as the contractors such as Biffa who performed admirably over this period. Councillor Chris Pond added his agreement to this saying that the Council's contractors had been exemplary.

Councillor Murray was in total agreement. The staff had been flexible, committed and outstanding. He had received no words of complaint from his residents, no bins had been missed in Loughton and the grounds maintenance people still carried out their work to their usual high standard. He also wanted to thank the voluntary sector, the CAB, the food banks, the Rotary Club and the mutual aid groups that had sprung up.

Councillor Wixley voiced his concerns about Biffa operatives in close proximity sharing the cab and other staff working in close proximity with each other. He hoped they were getting appropriate guidance and advice. Councillor C Whitbread replied that they have been very mindful about the situation with Biffa and it was credit to all staff that they have adhered to the rules in order to work safely while serving our residents. Also, he paid tribute to the senior management team that had ensured that this happened and had kept the work ticking over these past few weeks.

Councillor Neville expressed his full confidence in the council's staff and contractors. He also wanted to mention the staff working with the elderly in the council's sheltered accommodation. As far as he knew there had hardly been any report of infections in the homes, and that was really good.

Councillor C Whitbread noted that the members had picked up on the great things that had happened in Epping Forest in a difficult time. Also, Councillor Murray had picked up on the volunteer army and the people who had again found their community spirit and the unity in the charitable sector. He would like the Covid recovery advisory panel to look at the voluntary sector and how we could keep that going post Covid.

Councillor S Kane thanked everyone for their comments saying they were very well deserved, and the officers would be delighted to hear it. He was so proud of the work they had done, and this report reflected that.

Decision:

The Cabinet recognised the performance, work and effort of all EFDC employees and contractors in supporting residents and the business community throughout the Covid19 restrictions as well as the work carried out by the voluntary sector.

Reasons for Proposed Decision:

No decisions were required as the report set out the impact of Covid19 on our workforce.

Other Options for Action:

No other options were required as the report was for noting.

23. COUNTY LED HOMELESSNESS RECOVERY PLAN

The Housing and Community Services Portfolio Holder, Councillor H Whitbread noted that local housing authorities faced a potential surge in homelessness presentations once Covid-19 lockdown restrictions were lifted. The surge was likely to come in a series of 'spikes' for different cohorts of people experiencing homelessness for different reasons followed by a sustained increase in homelessness as the economic repercussions of Covid-19 were felt.

Whilst the impact would vary in intensity and timescale across the different Districts and Unitary Authorities in Essex, the challenges were likely to be broadly the same.

Consequently, the Essex Resilience Forum (ERF), in conjunction with Essex Housing Officers Group (EHOG), commissioned Essex County Council (ECC) to review the current position in relation to both rough sleepers and homelessness and consider the development of recovery plans and/or strategies to support measures that seek to mitigate the impact of additional pressures on homelessness services and the use of temporary accommodation as far as possible.

EFDC presently had 11 rough sleepers who were in accommodation so that they could self-isolate at this time, this was something that officers were constantly monitoring.

Councillor Brookes asked if our Homeless Prevention Team were working remotely at present or were they able to go out and see people. She was told that they did both, working remotely and making visits. People are still going to either Hemnal House or Norway House and we now have split the officers into two teams to enable social distancing. We also had strong partnerships with other housing providers including housing associations and other local authorities. The situation was under continual review.

Councillor Neville asked what sort of work did we do with the London Boroughs. He was told that as part of a number of local authorities that sit just outside the M25 we liaised with London Boroughs on the number of rough sleepers. There was concern we would see a rise in London migration and so were continuing with talks with London Boroughs on this and had reached agreements on a number of different points around support and communication. We have also got a contingency on asylum seekers working in partnership with them. There was some good partnership working going on.

Decision:

The Cabinet noted the County-led post Covid-19 homelessness recovery planning that had taken place to date and approved the progression of EFDC's involvement in the drafting of a plan.

Reasons for Proposed Decision:

For EFDC to benefit from the oversight of ECC in reviewing the current homelessness position across Essex; with an Essex collective, make more robust representations to MHCLG and Homes England on any agreed policy asks to support recovery; through partnership working seek to secure a more coherent support offer from ECC for the benefit of Epping residents.

Other Options for Action:

Not to approve the progression of EFDC's involvement in the drafting of a plan and to progress homelessness recovery planning in isolation.

24. BUSINESS GRANTS TOP-UP - DISCRETIONARY POLICY

The Customer and Corporate Support Services Portfolio Holder, Councillor S Kane, introduced the report on business grants top-ups. The report was asking Cabinet to approve a Discretionary Top-Up Policy for the issuing of Business Grants for those businesses who had suffered financial losses since the Covid-19 lockdown and had not this far received financial support. The Policy follows Government guidance on where the priorities for awarding grants should be and allowed authorities an element of discretion on other property types within its local area, The allocation for the scheme was a maximum of £1.49m for the district and is funded through s31 grant from Government.

Councillor Avey asked if market traders fell under this scheme. Councillor Kane said that if it was a micro business then it would, depending if the levels were appropriate. But there were only so many businesses that we could help as the £1.5million was a finite resource. This was something that we wanted to discuss this evening, was the policy acceptable as it stood or were there other things we could move forward on.

Councillor Philip said that they needed to think if the £5000 was right or should we have it at £2,500. There would never be enough for all the businesses in our district. We also needed to be clear about making an application form for this grant scheme and to publicise it on social media and our website and through our business contacts. Speed was important.

Councillor Kane agreed with setting the lower banding at £2,500 so that we could help as many businesses as possible, anything lower would prove to be ineffectual. Was there anything else that we could add to help officers in making their decisions.

Councillor Bedford clarified the point on the market traders, they had to be regular market traders with fixed property costs. The traders at Epping Market would not qualify.

Councillor Philip noted that one category of business had been missed off, that of businesses manufacturing things for retail. We should include them. Also, add businesses that have operated in our district for a long time. These additions were agreed.

Decision:

The Cabinet approved the Discretionary Top-Up Policy for the issuing of Business Grants, with the addition of the following modifications to the policy. That:

- A lower band be set at £2,500;
- To include the manufacture of retail goods; and
- To give precedence to the long-term business that have operated in the district.

Reasons for Proposed Decision:

To enable the Council to issue grants to qualifying businesses due to the effects of Covid-19

Other Options for Action:

1. To vary the terms of the Discretionary Policy;
2. To not issue the Discretionary Policy.

25. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

26. EXCLUSION OF PUBLIC AND PRESS

The Cabinet noted that there was no business for consideration which would necessitate the exclusion of the public and press from the virtual meeting.

CHAIRMAN

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Report to the Cabinet

Report reference: C-009-2020/21

Date of meeting: 20th July 2020



**Epping Forest
District Council**

Portfolio: Leader

Subject: Covid 19 - Response, Restore, Recovery

Responsible Officer: Andrew Small (01992 564278).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

- (1) To discuss this report and agree any actions required;**
- (2) Agree to support staff in managing their health and safety requirements at home by providing an allowance from the funding set aside in the Budget, (paragraph 4.11 – 4.13) of no more than £180 one off payment per employee.**
- (3) Agreement to continue work on mitigation risk package by transferring some commercial rent risk to Qualis.**
- (4) Agree the key principles and the approach to debt recovery together with the timetable, (paragraph 7.13 and 7.14).**
- (5) Agree Covid19 Response List, (Section 9).**
- (6) To Agree to the secondment of a Strategic Director to Qualis for a period of up to 2 years with a 1 year review to oversee the development of the commercial operations, (paragraph 10.3).**
- (7) To agree to receive regular updates on the Financial impact.**

1. Executive Summary

- 1.1. Covid 19 has presented the Country and this Council with a massive and unexpected challenge. The changes required to daily life to slow the spread of the virus and protect the most vulnerable are unprecedented, huge and potentially long lasting. Even beyond the need to actively control the virus, the impact of this event will live on, through the cost to the national finances, the impacts on the economy and employment and the acceleration of changes to the way in which people shop, work and live their lives.
- 1.2. In Epping Forest District the immediate implications are already being felt in the form of increased unemployment numbers. The number of those registered as unemployed rose by 343% between January and May 2020 and now stands at 4,985, (6.1% of the workforce). On top of this, a further 16,700 residents have been furloughed and there is a significant concern that many of these may add to the unemployment totals when furlough ends.
- 1.3. So far, the Council has responded incredibly to the immediate challenge. The vulnerable have been looked after, businesses have been supported and the council has worked closely with partners to maintain the safety of the community. Through

all of this the council's workforce has rallied to the challenge and ensured that services have been maintained, as far as rules allow. There is much to be proud of, so far, in the council's response.

- 1.4. Financially, the impact on Epping Forest District Council (as with all councils) will be vast. Over the past decade the Government has encouraged all councils to become more self-reliant through locally generated income streams. Covid19 has hit these income streams hard and the impact will last for many months and potentially for years.
- 1.5. Alongside this, the council has a key role in supporting the District through the crisis and in the recovery from it. To do this effectively will require significant additional resource.
- 1.6. The reduction in the council's key income sources and the greater demands being placed upon it by the crisis create a perfect storm in terms of funding.
- 1.7. Whilst the actual position is evolving rapidly, the current roughly estimated cost to the Council in 2020/21 is £6.7 million, against which the Government has provided grant support, thus far, of £1.336 million. Unless other support is forthcoming from the Government then this net cost of £5.4 million will need to be taken from the Council's balances and reserves. It is expected that the Council's unearmarked general balances will stand at around £7 million and so the Council can accommodate the in-year cost without an immediate revision to the financial strategy.
- 1.8. However, there are many significant assumptions used in arriving at this position and these are liable to change, therefore the Council's financial position will need to be kept under careful scrutiny for the foreseeable future.
- 1.9. This paper provides a summary of the impacts to date, assess the scale of the financial challenge facing the council, highlights the action now required to accelerate the restoration of services and the economy and it considers the strategic response required to deliver a stable financial base from which to enable the continued provision of core services and support the district through recovery.
- 1.10. **The recovery and restoration actions in this paper are mainly an acceleration of**
 - a) **already identified opportunities (bringing forward development),**
 - b) **slight adjustment to significant programmes already underway (Civic building use and staff new ways of working)**
 - c) **use of existing delivery vehicles but with clearer drivers and more urgent timescales (Qualis).**

2. Introduction

- 2.1. The Cabinet considered an initial paper of the financial impacts of Covid19 on 1st June 2020. That paper presented some high-level analysis and some proposals as to how the Council might wish to assist the local economy with sustainable post Covid 19 recovery actions.
- 2.2. That paper also identified that more information on the cost of Covid19 would be brought to this meeting as the Council's understanding of the financial impact developed. Work continues at pace to better understand the true scale of the financial challenge that Covid19 represents for the Council and to better understand the risks it brings to the Council's current Medium-Term Financial plan.

- 2.3. This paper provides an update to Cabinet on the actual and potential impact on the District. It also presents views on how the Council can transition through the various phases from response to restoration and finally, recovery.
- 2.4. Cabinet should note that whilst the current position reflects information known to officers, the pace and nature of the easing of “lockdown” will significantly impact on the figures. Thereafter, the economy and the Council will enter a recovery phase and the length and severity of the lasting impacts of Covid19 will heavily determine the final cost of this event.
- 2.5. There remains considerable uncertainty around the latter, and so the Council has begun to consider how the event might impact on the services it provides and how its available resources might change in future. The identification of risks and Council’s ongoing recovery work will be the subject of future reports.

3. Governance Framework and Structure

- 3.1. Whilst identified as a Pandemic earlier in the year the main impact occurred when the Government announced a period of lockdown to contain the spread of Covid19. Since then the Council has been focused on the immediate community, economic and business impacts associated with lockdown.
- 3.2. As the lockdown phase lifts, the Council is now beginning to think about the practical actions to help the district recover from the economic and emotional shock of the crisis, alongside of its continued role in community and business support. In doing so, the Council will move away from the focus on response to the pandemic and concentrate more on returning services to normal and then dealing with the long-term impacts.



- 3.3. In response the Council has formed an operational and reporting structure to ensure that response and recovery actions are prioritised and co-ordinated. Recognising the importance of the Council’s role in helping the community through the life of this crisis, the Leader allocated responsibility for Covid19 matters to Cllr Aniket Patel, to provide Cabinet with guidance and insight on the impacts and actions the Council might take.
- 3.4. In practice the majority of actions required will be delivered through existing reporting and programme structures and through the Cabinet Portfolio responsibilities. The diagram below sets out the broad responsibility structures showing the wide span of Covid19 activities, and how it impacts on virtually all areas of the council. A list of programmes and functions reporting into each of these headings is attached as Appendix 1, thereby highlighting the volume of organisational resources devoted to dealing with the impacts of Covid19

Portfolio Holder	Workstream	Overview
Cllr A Patel	Co-ordinating our Covid-19 Recovery plan	Co-ordinating our response to Covid-19, ensuring we are assessing our impacts, using data to drive our decision making, delivering actions to address required responses and ensuring communications are in place to effectively support our recovery
Cllr J Philip	Focusing our economic development on the financial recovery of our council and local economy	Ensuring our short, medium and long term financial strategy is able to support financial recovery and future capital needs and investing in the practical and financial support required to rebuild our local economy.
Cllr S Kane	Evolving our council to meet the changing needs of our residents and employees	Providing employees with the technology, ways of working, wellbeing support and workplaces to effectively deliver excellent customer services to our residents through the channels required
Cllr H Whitbread	Improving our residents health outcomes by supporting their Community and Housing needs	Supporting our most vulnerable and ensuring our communities have places to live, that are safe and meet their health and financial wellbeing needs
Cllr N Avey	Protecting public health and maintaining safe spaces	Protecting our residents by ensuring robust systems and controls are in place to ensure we safely return to the places we live, work and play
Cllr N Bedford	Building sustainable environments and ensuring our local plan responds to the districts needs	Continuing to plan and develop sustainable environments that balance the climate change priorities and social and economic needs as we recover from the pandemic

4. The Financial and Service Impact of Covid19

- 4.1. The current financial landscape and operating environment is deeply challenging and very uncertain but the Council is determined to build on its positive initial local response to the crisis and to try to ensure we have the key elements in place that will lead to a stronger recovery for the District.
- 4.2. The extent of the challenge may be so impactful on the District that its priority projects may need to be re-visited and revised in order to focus on future prosperity. Effectively managing the short and medium-term financial challenges and the recovery actions associated with Covid-19 is likely to become the central focus for the next planning period.
- 4.3. This report highlights the immediate local financial impact and attempts to estimate the implications over the medium term based on a range of complex and ever-changing assumptions. The report also outlines, at a high level, how the Council is proposing to deal with this additional financial challenge. Some financial commitments as part of our immediate local response can be categorised as a one-off cost but it is believed that Covid19 may have a lasting financial impact on the Council which only gradually reduces.
- 4.4. Consideration is also being given to the financial impact of the relaxation of the lockdown measures. This includes the transition to the new normal, the impact on activity levels (particularly income), the impact on the local economy and the impact on communities associated with isolation, loss of employment and stress caused locally by the pandemic.
- 4.5. At this early stage, the projected total cost to the Council for 2020/21 is very difficult to quantify. Building up a financial assessment of the impact of easing of the lockdown measures and the impact on income collection, then the total cost on the Council's

budget for 2020/21 could be in the region of £4.6 million to £7.6 million. This is without any investment on recovery actions.

- 4.6. The table below summarises the Council's best estimate of current and projected cost for the current financial year; cost being the combination of higher expenditure and lost income, net of any savings that might have accrued.

	Current Cost (March - May) £	Projected Cost 2020/21		
		Best Case £	Most Likely £	Worst Case £
General Fund				
Business Support	77,000	55,000	59,000	64,000
Commercial & Regulatory	390,000	469,000	912,000	1,356,000
Community and Partnerships	85,000	100,000	112,000	129,000
Contracts and Technical	902,000	2,076,000	2,987,000	3,354,000
Customer Services	1,085,000	1,507,000	1,673,000	1,839,000
Housing (non HRA)	15,000	42,000	67,000	92,000
Planning	165,000	396,000	585,000	773,000
Total Cost (General Fund)	2,719,000	4,645,000	6,395,000	7,607,000
Housing Revenue Account	80,000	203,000	300,000	398,000

- 4.7. An explanation of the main cost (and income loss) drivers is as follows:

Business Support

- 4.8. Cost relating to software licensing, IT hardware and employee Well-Being costs associated with enabling all staff to work safely and effectively from home. A Covid Workforce report was considered by Cabinet on 11th June 2020 setting out the measures employed by the Council to make sure staff welfare was being maintained.
- 4.9. All staff have moved to working from home as the standard arrangement in order to preserve social distancing. Despite staff working in their home environment the Council as the employer still has a duty of care to its staff to ensure that their main working environment is safe and correctly set up. In order to determine this a DSE assessment exercise has been carried out on all staff working from home. The results have identified a number of requirements from inadequate desks, seating and display equipment.
- 4.10. As Epping Forest District has required staff to remain at home the Council has a responsibility to help resolve these issues. One option explored was the bulk purchase of certain types of equipment to distribute to staff with issues. In practice, as every individual's home environments are different, no single procured solution would satisfy, and the Council would be tied into procuring multiple solutions.
- 4.11. An alternative solution would be to give staff access to a £180 maximum allowance for equipment required in order to satisfy any Health and Safety requirements.
- 4.12. Aligning to the initiatives listed later in this report, and providing it is practical, staff requiring equipment will directed to local companies allowing better prices to be negotiated and thus helping to keep council spend within the local economy.
- 4.13. The Council made provision within the budget for £700,000 of which half (£350,000) has been paid as a bonus for good performance. **It is recommended that the costs**

claimed under this proposal are met from the balance of this allocation in order to address any equipment shortfalls identified in individual's DSE assessments.

- 4.14. By enabling staff to safely work from home, the Council will release a significant proportion of office space as vacant and thus enable this to be let to partners or commercial tenants, thereby generating a financial and performance gain for the Council.

Commercial and Regulatory

- 4.15. This impacts under this heading are predominantly associated with reduced income due to the suspension of rental and lease payments across elements of the Council's commercial estate. Lost revenue from services such as Building Control also fits under this heading.
- 4.16. The Council has been very successful in driving up commercial income streams in recent years, with income from commercial property rents now beginning to outweigh income from Council Tax. However, the lockdown has had a devastating impact on the retail sector, which is feeding through to expected rental losses from some of our commercial property tenants.
- 4.17. Unpaid rents currently stand at nearly £400,000 but are likely to increase. These debts remain outstanding and legally collectable. Commercial discussions have commenced with tenants over the recovery of these sums, but the council has effectively already allowed the deferral of all rents from our commercial tenants for the first quarter of 2020/21.
- 4.18. In practice, the Council as landlord, should expect a higher incidence of bad debts in 2020/21 as a result of the financial and economic strain created by the Covid crisis.

Community and Partnership

- 4.19. The costs associated with supporting Operation Shield and the lost income resulting from the suspension of community events and activities. The Council has put significant effort in to ensuring that those groups who have needed to shield have been able to do so, through means of food parcels, medicines and welfare calls. The cost associated with this effort has mainly been accommodated by redeployment of staff within the Council.

Contracts and Technical Services

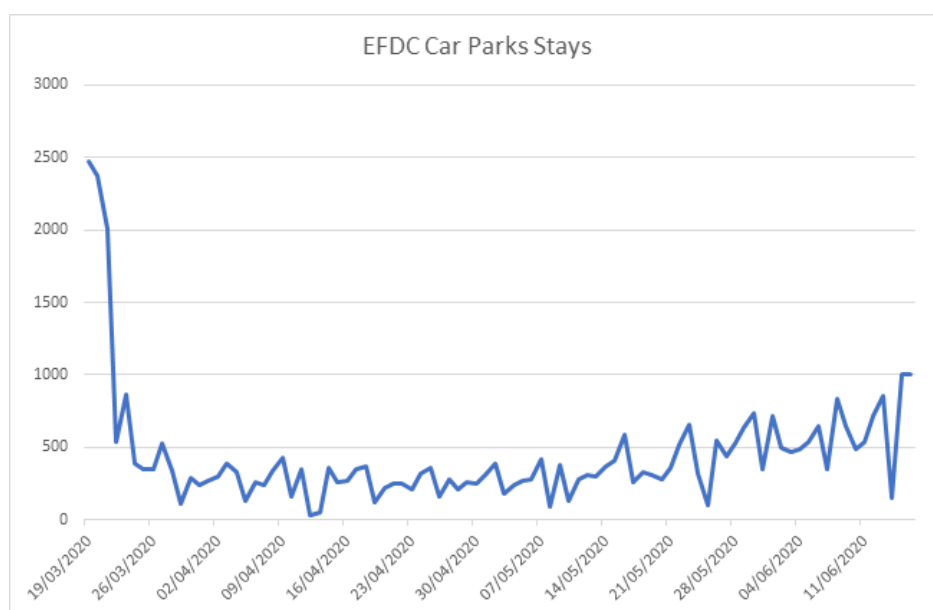
- 4.20. A combination of lost income from Car Parking, Leisure contracts and from Waste operations. Car Parking currently being the largest element with a significant reduction in income between March and June. The key Government message around 'stay at home' has meant that car parks have experienced a large reduction in usage.

Car Parking

- 4.21. Enforcement was reduced to focus upon dangerous parking in all car parks towards the end of March once Government announced suspension of car parking charges. This included free parking for NHS, Social Care staff and key workers. The Council's enforcement contractor, NSL Limited, were on duty throughout the period and were inspecting the car parks, emptying and cleaning cash machines and carrying out

general duties like maintaining the pay and display machines. Penalty Charge Notice (PCN) were issued to vehicles parking dangerously but not for parking without payment, in essence car parks became free to park but we did not advertise this so as not to act contrary to Government advice of avoiding unnecessary travel.

- 4.22. Following the ease of lock down arrangements and the gradual increase in footfall on the high streets it was felt appropriate to start enforcing in Council car parks. From 15th June all motorists who are parking in contravention of car parking rules were issued with Warning Notices and from Monday 22 June they were issued with PCNs. NHS and Social Care workers continue to park for free in car parks.
- 4.23. The table below sets out the reduction in car park visits, based on the issue of tickets over the period of lockdown.



- 4.24. The resultant reduction in Council income from car parking is as follows:

	23/3/2019 - 15/6/2019	23/3/2020 - 15/6/2020	Reduction	Percentage
Cash	£ 225,143	£ 63,834	161,309	72%
Card	£ 6,407	£ 756	5,651	88%
MiPermit	£ 123,968	£ 9,631	114,337	92%
PCN	£ 48,300	£ 10,860	37,440	71%
Total	£ 403,818	£ 85,081	318,737	79%

Leisure Centres

- 4.25. Leisure centres have also been required to close as it is not possible to either maintain social distancing or prevent the spread of the virus in these environments.
- 4.26. Whilst costs of operating these sites have reduced and most staff have been furloughed under the Government scheme, there are still maintenance costs being incurred. The Places for Leisure contract results in a net payment to the Council based upon the contractor deriving income from centre usage. During the period of

- 4.27. closure due to lockdown the centres have generated no income but still incur certain maintenance costs.
- 4.28. As the closure is outside of the contractors control they cannot be held to making their contractual management payments to the Council and thus the Council loses £124,000 for each month of closure and in addition will need to pay the contractor £89,000 per month to retain some staff in order to maintain the centre.
- 4.29. The cost of closing Leisure centres during the period of lockdown (assumed until the end of June 2020) will be approximately £717,000.
- 4.30. After June ongoing distancing requirements at each centre are likely to restrict their ability to operate at pre-Covid19 capacity levels and thus a revision to current contractual payment arrangements is likely to be required for some time. Officers are in an ongoing dialogue with the operator over contractual compensation payments.

Customer Services

- 4.31. This heading includes the impact on Council Tax and Business Rates collection, but also the management of Housing Benefits and Customer Services. It is important to note that whilst face to face customer services have been suspended, all services continue to be provided using telephone, email and web-based contacts. The number of customer contacts have increased significantly via these communication methods and customer feedback has been positive.
- 4.32. Council Tax and Business Rates is one of the Council's major concern areas because of the potential impact the crisis will have in terms of income collection. The Council has prioritised support for local residents, tenants and businesses by not issuing any recovery documentation, no enforcement action by agents and no summons have been issued. This moratorium has been put in place temporarily, but the position needs to be reviewed urgently else arrears will build put residents, tenants and the council in financial risk.
- 4.33. The table below sets out the impact on collection experience up until the end of May 2020.

	Amount Collected			Transaction Numbers		
	2019/20	2020/21	Change	2019/20	2020/21	Change
	£	£	%			%
Council Tax	14,976,089	14,491,567	-3.2	102,179	94,454	-7.6
Business Rates*	6,139,632	3,513,184	-42.8	4,113	2,158	-47.5

*The figures for Business Rates are skewed for 2020/21 as part of the Government's Covid response a lot of small businesses have no rates bill for 2020/21.

- 4.34. The cost of Business Rates reliefs and grants will be met by the Government but a higher incidence of business failure and cash-flow challenges have resulted in immediate reductions. It is currently estimated that Epping Forest District Council will lose £1.5 million in Business Rates this year. Council Tax has seen a smaller

reduction, but the requirement for vulnerable groups to stay at home and a rise in unemployment have both impacted on Council Tax collection. The Council has also seen an immediate rise in applications for Housing Benefit. The Council is continuing to collect council tax arrears but is doing so sympathetically at this time.

Council Tax

- 4.34.1. The table above shows that the actual amount collected has fallen by 3.2% and the actual transaction numbers have fallen by 7.6%. Direct Debit collection figures have held up well and the fall in transaction figures largely relates to a reduction in payments by other methods, including cash. The key impact is that on the collection rate thus far for 2020/21 and the effect of the moratorium of arrears collection from previous years.
- 4.34.2. At the end of May 2020, the authority had collected 17.25% of the £100.8m due for 2020/21. This represents a 1.67% drop from the 18.92% at the same stage last year or if replicated through the year would see at least a 9% drop in the overall collection rate for the year.
- 4.34.3. Since the moratorium on the pursuit of arrears action at the advent of Covid-19 in March there are now a significant number of accounts that will require action to recover these amounts (see later section). As the end of May 2020, the number and value of accounts in Council Tax that are due a Council Tax reminder notice are:

2019/20	1,300 accounts	£313,000
2020/21	7,553 accounts	£1,918,740

The number of accounts in arrears is 1,200 higher than the same stage in 2019/20.

Business Rates

- 4.35. The table in 4.33 shows that the actual amount collected has fallen by almost 43%. However, part of this is due to the reduced debit that needs to be collected after the Government awarded an additional £14m in relief to EFDC small businesses as part of the response. This has reduced the debt that needs to be collected in 2020/21 for Business Rates from £37m to £23m. This would also affect the number of payment transactions.
- 4.36. The additional £14m extra relief is covered by s31 Government Grant and is therefore effectively 100% collection of the original debit for those accounts. It is however necessary to assess collection against the revised £23m and assess the impact of the Covid lockdown. At the end of May 2020, 13.41% of the debit due has been collected. This represents a 7.24% fall on 2019/20 at the same stage or if, replicated throughout the year, would represent at least 35% drop in the overall collection rate for the year.
- 4.37. As with Council Tax, there are arrears for Business Rates from 2019/20 which were affected by the moratorium on recovery action. At the end of May 2020, the number and value of accounts that were due a Business Rates reminder were:

2019/20	108 accounts	£234,000
2020/21	678 accounts	£1,600,000

The number of accounts in arrears is 278 higher than the same stage last year, an increase of 70%.

Sundry Debtors

- 4.38. The level of Sundry Debts outstanding for over 30 days is £2.4m (excluding Commercial Rents handled by the Estates Team). The outstanding debt is skewed by the fact that £2m of this relates to 20 invoices. The plan is to start issuing reminder notices in July in line with Council Tax and Business Rates

Housing Benefits

- 4.39. The timely and accurate processing of Housing Benefits and Local Council Tax Support claims is a key plank supporting customers in the payment of their bills. Unsurprisingly there has been an increase in claims being processed, in spite of almost all new Housing Benefit claims being now handled under Universal Credit. The total number of claims has increased from 6,861 in March to 7,048 at the end of May. The direction of travel is likely to only increase as the employment situation worsens in the months ahead. However, the performance of the Benefits team is turning claims round on an average of 15 days in May which is slightly better than the long-term average of 16 days. The key objective of management is to ensure resources are in place to handle the anticipated increase in claims. Should additional resources be required over and above existing provision then a business case will be made.

Housing

- 4.40. This relates mostly to the higher costs of housing the homeless during the period of lockdown.
- 4.41. At the start of lockdown local housing authorities were asked by government to ensure an offer of accommodation was made to all rough sleepers in order for them to comply with lockdown restrictions and isolate appropriately throughout the pandemic.
- 4.42. As part of this 'Everyone In' initiative EFDC has accommodated 15 different individuals who were either rough sleeping or at risk of rough sleeping at varying times between 23rd March and the date of this report. Individuals have been placed in either hotel accommodation or, where they have displayed Covid 19 symptoms, into self-contained nightly let accommodation to enable self-isolation.
- 4.43. There is a net cost of the provision of this accommodation to EFDC of around £2,000 per calendar month. There is now a push for local housing authorities to ensure the ongoing provision of more settled accommodation for those rough sleepers to prevent a return to the streets. These housing solutions are more often than not found in the private rented sector at an average outlay of around £1,000. We have, therefore projected a net cost to the local authority between July 2020 and March 2021 of around £45,000.

Planning

- 4.44. A slow-down in the building sector, associated with partial closedown of building industry and the reduced ability of applicants to work with architects and thus bring new applications forward has resulted in a reduction in the number of Planning Applications and Pre-Planning Agreements being received by the Council.

Housing Revenue Account

- 4.45. The cost impacts to date are associated with the reduced ability of tenants to pay their rents. This might be physically, because they are unable to leave their properties, or because of reduced income at this time.
- 4.46. The percentage increase of the rent arrears has doubled from 19% in May to 40% for June. Comparatively, at Week 13 in 2019/20 rent arrears were £545,499 and week 13 in 2020/21 rent arrears stood at £763,958, an increase of 40% from last year.
- 4.47. This is despite there being no suspension rent collection, although the increased volume of calls did impact on the extent of recovery work during April and May. There has been no physical action for non-payment only a gentle chasing of debt.

5. Government Support and New Requirements

- 5.1. From around the middle of March 2020, there have been numerous regular announcements by the Government that have touched almost every part of normal daily life. The range of financial support provided to Local Government has effectively been made up of three types, passported funding, additional direct grant and cashflow support.
- Passported funding is where the Local Authority is given funding by Central Government to be 'passported' to residents and businesses, against a range of criteria that is usually set nationally.
 - Additional direct grant has been provided to help Local Authorities deal with a range of emergency expenditure pressures or income reductions in their base budgets because of Covid-19.
 - Cashflow support has been provided by the Government in advancing grant payments to us in the early part of the financial year where we would normally receive these monthly or quarterly over the course of the financial year. They have also allowed us to defer our payments for Business Rates to the Treasury until later in the year.
- 5.2. The Government have also introduced a requirement for monthly returns to be submitted by every Local Authority in an attempt to get a better understanding of the financial impact at a local level but probably more significantly at an overall Local Government Sector level. The contents of these returns will help to identify the key pressures, risks, and indicative scale of financial impact. We are also sharing data with Essex County Council to help inform a County wide position of the impact and therefore enable Essex as a group of councils to better articulate the scale of the challenge to government and in order to lobby for support.
- 5.3. The scale nationally is clearly huge, and the collective returns thus far directly influenced the announcement of a 2nd tranche of £1.6 Billion emergency grant funding nationally for the Local Government Sector, (in addition to the initial of £1.6 Billion in March).
- 5.4. The Epping Forest District Council shares of these grant tranches towards the Council's costs and income losses has been £1.366 million (£58,652 and £1,306,973) and this represents approximately half of the estimated actual cost up until the end of May.

- 5.5. At a national level a number of councils have highlighted that the costs and lost income, (something which the sector now relies heavily upon), is so critical for them that they either need to dramatically reduce spending by cutting services, or issue an S114 notice (the statutory requirement on a S151 officer to stop a council from financially over committing itself).
- 5.6. Epping Forest District Council has sufficient balances and reserves (estimated to be £7 million at the end of the 2019/20 financial year) to ensure that it should not be in a position during the current financial year where it is forced to immediately revise spending. But, like all councils, it will require more Government support in order to mitigate the impact of this event.
- 5.7. On 2nd July 2020, the Secretary of State made a series of further announcements promising ongoing financial help to the sector and recognising their enormous contribution thus far.
- 5.8. This financial help will be grouped around 3 themes. These being, costs pressures, loss of income streams and loss of income from Tax sources, i.e. Council Tax and Business Rates.
- 5.9. An additional £500 million will be made available to support councils facing cost pressures faced as a result of Covid19. Alongside this, the government will guarantee 75% of the losses from sales, fees and charges, above 5%. It will allow councils to pay off council tax and business rates deficits over three years instead of one.
- 5.10. The Secretary of State undertook to work with the sector across the remainder of the year as the true impact of Covid19 on council's finances emerges. He also announced that in the next Spending Review, the government will agree a change in the apportionment of irrecoverable council tax and business rates losses between central and local government for 2020-21.
- 5.11. The partial funding of lost income is welcome, but the detail will be required before an assessment can be made of the benefit to Epping Forest District Council and thus the reduction in the projected losses for the current year. The Government has said that this income support will not cover losses from commercial rent.
- 5.12. If sufficient Government support is not forthcoming, then the financial impact of Covid19 on the Council's reserves and balances, together with any potential reductions in future income streams, may mean that the Council has to revisit its Medium Term Financial Plan to ensure spending plans are sustainable and consistent with projected available resources.

6. Tactical and Strategic Response to Managing the Financial Challenge

- 6.1. After the initial urgency of the response has passed, more time is now been devoted to designing, preparing, and implementing the Council's transition to restoration and whatever the new normal will look like. The potential size of the financial challenge of Covid-19 for the Authority is summarised in Section 4 and is currently estimated to be around £2.6 million to the end of May 2020 and around £5.3 million for 2020/21 (netting off known Government support).
- 6.2. In a future where there is considerable uncertainty, the Council's strategic response should be to try and reduce its financial exposure in those areas which are most

volatile, aim to preserve core service delivery, support the community through this crisis where we can, continue to drive out service efficiency by using the change in habits created by this crisis and clearly evidence and lobby Central Government for additional resources.

- 6.3. At its upper end, there could still be a funding gap of around a £5.3 million in 2020/21, based on the current range of estimates and assumptions. However, this figure should now reduce following the government's announcement of more financial support on 2nd July, but by how will not be known until the details are published. The Council has general balances estimated to be in the region of £7 million, (to be confirmed), at the start of 2020/21 and using these to mitigate immediate funding pressures and ensuring the Council can balance its budget in the current financial year must be the first call on these.
- 6.4. Beyond ring fencing a proportion of its balances for that purpose, the Council has an opportunity to use some of the remaining balance to fund some immediate Covid19 support and response initiatives based around those early initiatives proposed in the 1st June report to Cabinet.
- 6.5. The Council responded to the MHCLG request about potential use of our reserves in the May return, but the position was uncertain at that point. As the estimates of income losses and costs are refined and the level of government support clarifies, the range of potential costs narrows. The reduced uncertainty also allows for a narrowing of the range of general fund balances that need to be ring-fenced. Using the worst case scenario and assuming a small amount of additional government support, it is estimated that the Council could use £1 million of general fund balances, (which would then reduce to £6 million) in response to urgent Covid19 recovery measures. It is stressed that this could only be used on a short-term basis and that our reserves would need to be topped back up again in 2021/22.
- 6.6. At the worst case end of scenarios and should no further resources be secured from Central Government then the financial position is precarious. This risk has softened because of the government's announcement of further financial support, but without knowing how much the council will secure this risk still needs to be managed. One option would be to look carefully at in-year service changes and earmarked reserves to try and fund the difference. This would be challenging and have major repercussions for future medium-term business planning, potentially leading to some very difficult choices. Fortunately, the council is not yet in this position, but the position needs to be kept carefully under review to ensure it does not worsen.
- 6.7. Beyond 2020/21 councils already faced a challenging government spending review which is expected to set out government funding support for future years. This also coincides with the delayed implementation of the government's new distribution methodology (Fairer Funding) and a rebasing of the Business Rates system. Added together with on-going impacts of Covid19 and the need to invest in the recovery of the local area, budget setting for 2020/21 might be particularly difficult.
- 6.8. We have been working closely with Essex authorities to articulate the clear strategic challenge to Central Government and to seek some urgent clarity over the estimated future levels of financial settlements for Epping Forest DC and the overall Local Government Sector.

7. Transition from Response to Restoration

- 7.1. As lockdown eases the Council has started to take some clear decisions and actions over the restoration of services and to help places and communities with the gradual removal of lockdown rules.

High Streets

- 7.2. The Council has been active in helping high streets to reopen gradually by providing support and advice to business owners and Town Councils.
- 7.3. It has also put in place a number of physical measures under the banner of 'Safer Spaces' to assist in ensuring that social distancing can be safely maintained. These have included patrols, the placing of physical stickers, suspension of some parking bays in Epping Town High Street and the re-provision of lost spaces elsewhere in the Town to ensure maximum flexibility and accessibility is safely maintained.
- 7.4. The Council has also submitted a bid to Essex County Council for funding to enable physical changes to be made to the High Street that will create more space for businesses to trade safely outside of their premises and for pedestrians to move around.
- 7.5. Bids are currently being developed for the District's other principal town centres.

Car Parking

- 7.6. To encourage shoppers to return to the District's High Streets the Cabinet member took the decision to temporarily reduce car parking charges. Parking in town centre car parks has now been reduced to 20 pence for the first 2 hours, effectively giving 2½ hours at this nominal charge.
- 7.7. Whilst this has a cost, if car parks stood empty then the Council would get little or no income. By attracting more visitors, it is hoped that the losses, which would otherwise have been incurred, can be reduced.
- 7.8. The Council must also think beyond the simple impacts on car parking income as without support High Streets, Business Rates, Rents might also be negatively impacted. All of which have financial implications on the Council's budgets.

Homelessness

- 7.9. Aside from presentations from rough sleepers, homelessness applications have reduced throughout the pandemic, largely because of the moratorium on evictions (in place until 27th August) and the recommendation for essential moves only. However, the last couple of weeks has seen a significant increase in enquiries relating to domestic abuse and family relationship breakdowns and an increase in homelessness is anticipated by professionals across the sector throughout the rest of the year. This will inevitably have an impact on the general fund resource for the provision of frontline homelessness and temporary accommodation services.

Collecting arrears and unpaid debts

- 7.10. Whilst the Council has been sympathetic to the circumstances of individuals and businesses during this crisis, the collection of arrears will need to resume at some point and the later this is left the harder arrears are to collect and the greater the chance that not all arrears will be collected.

- 7.11. The Council as a landlord and tax collecting agent on behalf of the Government and supplier of key and core services to the community has an on-going obligation to recover outstanding debts. Therefore, the over-riding and guiding principle is that all debts remain due during the Covid19 crisis. There are support mechanisms in place to help those individuals and businesses who find themselves in hardship.
- 7.12. By working with individuals and businesses the Council can find solutions that can help these arrears to be collected in a realistic and fair timeframe that enables the individuals and organisations to better manage their financial positions. This includes sign-posting individuals to support mechanisms where they exist.
- 7.13. There are **key principles** that will guide the debt collection process during the Covid Recovery period, balancing the difficult circumstances facing many customers and businesses at this time and maintaining key income streams for the Council:

<p>1</p> <p>Supportive</p> <p>At all stages, officers will ensure the debtor has access to available support including working with other partners to achieve this. This is particularly relevant to vulnerable customers of which the expectation there will be a growing number as unemployment increases.</p>
<p>2</p> <p>Proportionate</p> <p>The action taken will be proportionate to the levels of debt outstanding and the debtor's circumstances. This is particularly relevant for the changing circumstances the debtor may be in now compared to when the debt originally started accruing.</p>
<p>3</p> <p>Inclusive</p> <p>Officers will seek to take a holistic approach to an individual's debts with the Council to ensure all debts are managed together on a priority basis. This is particularly relevant to those who have debts with more than one service and helping to consolidate those debts will assist the debtor in managing their circumstances.</p>
<p>4</p> <p>Flexible</p> <p>There will be a flexibility in approach to dealing with an individual's debt that meets the need of both the debtor and the Council, including the length of payment arrangements offered. This particularly relevant to businesses who are trying to re-build in the coming months and longer-term payment arrangements may be necessary to assist with their on-going survival. These arrangements are ordinarily to maintain the payments on the current year but extend the arrears payments over an</p>

extended period of time. This ensures the net effect of any arrangement does not mean the underlying amount due increases.

7.14. It is proposed that the timetable for the recommencement of the recovery process, with the above guiding principles, will recommence as follows:

July	<p>'Soft' Council Tax and Business Rates reminders for 2019-20 encouraging contact with the Council to discuss their arrears</p> <p>Those accounts with arrears for 2020-21 to have their instalment plans re-calculated and have the arrears spread from July to March</p> <p>'Soft' Sundry Debt reminders</p> <p>'Soft' approach to debts where the Council has taken court action and has a Liability Order including those accounts with the Enforcement Agents (this will be subject to monthly review)</p>
August	<p>Formal Council Tax and Business Rates reminders for 2019-20 and 2020-21.</p> <p>Formal Sundry Debt Reminder Notices</p>
September	<p>Council Tax and Business Rates Final Notices</p> <p>Sundry Debt Final Notices</p>

8. Transition from Response to Recovery

- 8.1. The table in 4.6 highlights service managers' views around future costs and losses until the end of the current year. The best estimate at this stage is that Covid19 will impact the Council by somewhere between £4.6 million and £7.6 million over course of the year, before Government support.
- 8.2. This estimate is heavily underpinned by the key assumptions that lockdown is eased rapidly beyond the 4th July and that the economy and retail returns to near normal fairly quickly beyond that.
- 8.3. It should be highlighted that this is a specific assumption and it is likely that much will change as we better understand the lasting impacts of Covid19 on the economy and the residents of the Epping Forest district area. Even after the main restrictions are eased it may be that fear of the virus remains a key issue for many and confidence doesn't return for a significant element of the community.

- 8.4. In practice however, the Council should assume that Covid19, distancing and the rapid changes to the economic and community landscape has the potential to be a guiding and driving factor for many years to come.
- 8.5. This will inevitably impact significantly on the Council's finances, not just simply through local impacts, but also through the impact on national finances and reductions in resources or redistribution that might follow in response.
- 8.6. Therefore, the Council needs to immediately consider what medium and longer-term response actions it should plan for. These include risk mitigation factors to its key income streams (such as its commercial rent income) and strategies for reducing the Council's cost base whilst not impacting negatively on service delivery. If these two strategies are unsuccessful then the final option available to the Council would be by reducing its budget through reductions in services.
- 8.7. Beyond the immediate impacts there is also the secondary and lasting impacts on jobs, the economy, housing and on communities. These may be much harder to quantify but will be factors which have the potential to impact and shape the direction and actions of the Council over a longer timeframe. Helping the wider community weather this particular storm is at the heart of the Council's function. So, beyond managing the local impacts the Council may wish to invest in new schemes, plans and initiatives that help support the local economy and community. Exactly which initiatives will be most impactful and most valuable will emerge over time as the immediate and lasting impacts are gradually better understood.
- 8.8. These new initiatives may require financial headroom in order to provide funds to invest and this headroom can be achieved by either creating new income sources or through creating space from within existing budgets.
- 8.9. Development of the budgetary framework to support these plans and initiatives will become a key focus of the Council's work over the coming months.
- 8.10. Officers will continue to work closely with Government, with key partners across the area and with key suppliers to better understand the actual impact of Covid19 on the local economy and the Council's finances.
- 8.11. The financial impact will also need to be kept under careful review as the event has the potential to be significant in budgetary terms. The impact needs to be closely monitored in case remedial budgetary action needs to be taken during the current year. **Regular reports will be brought back on the financial position on the Council.**

9. Recovery and Resilience

- 9.1. This section identifies a series of actions that could assist with ensuring the District recovers economically from Covid 19 and, as importantly, delivers on the strategic direction already set by the District in terms of sustainable growth.
- 9.2. Many of the initiatives require some further analysis before turning them into strong business proposals and this is indicated in the recommendations.
- 9.3. **Preliminary Considerations**
 - 9.3.1. The following section identifies some principles that need to be taken into consideration when considering the individual proposals.

Approach

9.3.2. The suggested test that are proposed to support the decisions around individual proposals are shown below:

Is the proposal in line with the Strategic Direction of the Authority?	It is appreciated that Covid 19 may require some further changes and adaptation to Strategies, but as these are by their very nature long-term, proposals that deliver against pre-agreed strategies and also respond to a post Covid 19 recovery may be considered of merit.
Does the proposal stimulate and mark “the market”?	Proposals that enable and support may be preferred over those that dominate or possibly interfere with natural competition and return. Where of course preserving employment is important in previous market conditions businesses came and went and adapted. It is important that proposals deliver but do not have negative unintended consequences.
Does the proposal enable rapid economic recovery?	As Government support via grants and furloughing falls away, personal and corporate savings have already been eroded over the past three months, notwithstanding proposals being strategic, consideration around (some) earliest possible delivery is also of importance.
Is the proposal affordable taking account the financial position of the Authority?	Some proposals require EFDC to stand the investment, some proposals expect funding to be sought from other sources. General affordability is an issue EFDC needs to consider.
Does the proposal offer the right ratio in terms of risk and reward	The returns directly generated by the investment, the degree of risk and the trickle-down benefits locally in terms of taxes and spending and national benefits in relation to taxes are useful to consider.

Role

9.3.3. Consideration will need to be given as to how the proposals that are agreed by EFDC will be carried out by the Authority itself or via Qualis, (the District’s wholly owned development company).

9.3.4. In practice Qualis should offer the best route for asset initiatives and a practical route for business starts up with an entrepreneurial approach.

How options are presented

9.3.5. The summary format for each of the proposals is shown below:

Objective	Basic description
Strategic Links	Links with existing strategies

Covid 19 Recovery Links	Links with other Covid 19 initiatives
Original Project Dates	If already planned in outline
Project Deliverables	In outline more detailed at final sign off point
Investment	Indicative value
Source of Investment	EFDC loans, EFDC investments other from market
Target Return	Should exceed the cost of money (test at 3%)
Return to EFDC	Summarise benefit flows, note loan and dividend repayments are generally over the medium-term
Trickle Down Effect	Impact on other local revenue sources, e.g. council tax
Recommendations	Next steps

9.4. **Assets and Infrastructure**

- 9.4.1. The Cabinet has previously agreed that EFDC has a role in stimulating a sustainable economy through active investment and set-up Qualis a wholly owned subsidiary to deliver this objective.
- 9.4.2. Covid 19 has brought this initiative and Qualis's role into focus as it clearly resonates with the recent Government announcement of additional infra-structure investment.
- 9.4.3. The major change suggested is that the sequential development opportunities, location by location, may not meet the urgent need to provide local investment direct by development and long-term through economic trickle down effects such as council tax and spending increases and business rates growth. In addition, urgent attention is needed to the centre of Waltham Abbey and Ongar as the recent High Street Health survey has indicated.
- 9.4.4. The overall recommendation is to produce outline and then full business cases for all of the proposed projects as soon as practical and certainly before December 2020 as active investment is needed earlier than originally planned and proposals will have to take account of the post Covid 19 economic situation.**
- 9.4.5. To bring forward all the remaining projects to outline business case stage will have an additional investment cost of £200,000, (plus internal opportunity cost).**

Epping and St Johns

- 9.4.6. The Epping and St Johns development has already been agreed and is being actioned by Qualis (EFDC's wholly owned development company).

Objectives	To provide sustainable growth to Epping in terms of housing, employment and encouraging tourism and visit opportunities
Strategic Links	Local Development Plan (draft, sustainable development). Economic Development Strategy (jobs and tourism)
Covid 19 Recovery Links	Provision of Office Local opportunities, loans and investments used to encourage new business and retail presence to the area (re-location from elsewhere including Central London)
Original Project Dates	Now till March 22 (when delivered)
Project Deliverables	Housing units (including affordable units) Employment and office units (flexible) Leisure Centre Retail units (replacement or new style) Cinema Hotel Car parking (replacement)
Investment	£85m (good estimate)
Source of Investment	Loan from EFDC
Target Return	12-15% (per development norms after planning obligations)
Return to EFDC	Margin on loans given, future dividends from Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Continue and accelerate

North Weald Airfield and Surrounding Area

- 9.4.7. The North Weald development appears in outline in the Local Development Plan. The major issues are the nature of the airfield enhancement, with a growing interest in this area, and the nature and mix of employment opportunities provided from added but uncertain value engineering and business incubation to logistics with lower employment opportunities but improved certainty of return. Initially it was assumed to be 2 (of 5) in the list of Qualis projects.

Objective	To provide sustainable growth to North Weald in terms of housing, employment, and a continuation of an active airfield
Strategic Links	Local Development Plan (draft, sustainable development). Economic Development Strategy (jobs with added value)

Covid 19 Recovery Links	Provision of business incubation units, engineering units and logistic units, loans and investments used to encourage new business and retail presence to the area (re-location from elsewhere including Central London)
Original Project Dates	Now (master planning) till March 2024 when delivered, original timescale)
Project Deliverables	Housing units (including affordable units) Employment airside support Employment entrepreneurial and office units (flexible) SANG Re-surfaced runway and airside investment in hangers and facilities
Investment	£60m (initial estimate)
Source of Investment	Loan with first offer to EFDC but likely to partnership investment (in-part) from market or special purpose vehicle (SPV) partnership
Target Return	12-15% (per development norms after planning obligations)
Return to EFDC	Margin on loans (if provided), future dividends from Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Bring forward with delivery now March 2023. Cabinet option workshop, July 2020. Provide outline business case by October 2020.

Waltham Abbey

- 9.4.8. Waltham Abbey centre has been identified where significant improvement is required with investment in housing to promote increased footfall and business activity and supportive development to the retail sector. Initially it was assumed to be 3 (of 5) in the list of Qualis projects.

Objective	To address the current under-investment in Waltham Abbey in terms of housing, employment and retail including hospitality.
Strategic Links	Local Development Plan (but noting current restrictions in terms of development in the Waltham Abbey area draft, sustainable development). Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Provision of increased and improved housing and local retail and hospitality and Local Office opportunities. Possible link with loan and investment initiatives

Original Project Dates	April 2021 (master planning) till March 2025 when delivered, original timescale)
Project Deliverables	Housing units (including affordable units) Employment entrepreneurial and office units (flexible) Improved retail offering
Investment	£60m (initial estimate)
Source of Investment	Loan with first offer to EFDC but likely to partnership investment (in-part) from market or special purpose vehicle (SPV) partnership
Target Return	12-15% (per development norms after planning obligations)
Return to EFDC	Margin on loans (if provided), future dividends from Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Bring forward with delivery now March 2023. Cabinet option workshop, July 2020. Provide outline business case by October 2020.

Ongar

- 9.4.9. Ongar Leisure Centre is reaching the end of its useful life and recently sanctioned works will only extend the life of the centre by around five to seven years. Also, the Ongar town centre was recently (pre Covid 19) identified as under-performing. A project to address both these issues is required. Initially it was assumed to be 3 (of 5) in the list of Qualis projects.

Objective	To address the Leisure Centre replacement issue, address the current under-investment in Ongar in terms of housing, employment and retail including hospitality.
Strategic Links	Local Development Plan (but noting current restrictions in terms of development in the Waltham Abbey area draft, sustainable development). Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Provision of increased and improved housing and local retail and hospitality and Local Office opportunities. Possible link with loan and investment initiatives
Original Project Dates	April 2022 (master planning) till March 2026 when delivered, original timescale)
Project Deliverables	Housing units (including affordable units) Employment entrepreneurial and office units (flexible)

	Replacement Leisure Centre
Investment	£60m (initial estimate)
Source of Investment	Loan with first offer to EFDC but likely to partnership investment (in-part) from market or special purpose vehicle (SPV) partnership
Target Return	12-15% (per development norms after planning obligations)
Return to EFDC	Margin on loans (if provided), future dividends from Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Bring forward with delivery now March 2024. Cabinet option workshop, October 2020. Provide outline business case by March 2021.

9.5. EFDC Investment Assets

- 9.5.1. EFDC is currently subject to considerable income uncertainty from its investment estate due to continued uncertainty in the retail market (of which EFDC is already over-weight in its property portfolio). The current conditions in terms of retail in general and uncertainty over rental payments devalue both the capital value of the asset and have a considerable income risk.
- 9.5.2. Cabinet will however recall that several investment assets have development opportunities, the most recent of which was the Loughton purchase (by adding upper floors to building and conversion of a warehouse to flats).
- 9.5.3. The basic approach is to sell assets with development potential to Qualis (early) on a best value basis which will reflect rental uncertainty and general Covid 19 uncertainty. Qualis will then develop certain sites where rental voids will be an advantage. Qualis will return value to EFDC by a combination of margins on loans and dividend, but the current rental income risk to EFDC is avoided and the returns of loans to Qualis and the payment of dividends will replace the reliance on rental income.
- 9.5.4. An example is shown below.

Loughton High Street and Centric Parade - Example

- 9.5.5. The overall recommendation is to produce outline and then full business cases for Loughton as soon as practical and review the total investment estate portfolio for sale (to Qualis) and development certainly before October 2020 as active investment is needed earlier than originally planned and proposals will have to take account of the post Covid 19 economic situation.

- 9.5.6. To review and survey the existing investment asset list and to work up selected projects to outline business case stage will have an additional investment cost of £100,000, (plus internal opportunity cost).

Objective	To develop existing EFDC investment assets. To reduce the current income risk to EFDC.
Strategic Links	Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Provision of increased and improved housing and local retail and hospitality and Local Office opportunities Possible link with loan and investment initiatives
Original Project Dates	None Existing
Project Deliverables	Housing units (including affordable units) Employment entrepreneurial and office units (flexible) Replacement leisure centre
Investment	£25m (initial estimate including asset purchase from EFDC)
Source of Investment	Loan with first offer to EFDC but likely to partnership investment (in-part) from market or special purpose vehicle (SPV) partnership
Target Return	12-15% (per development norms after planning obligations)
Return to EFDC	Margin on loans (if provided), future dividends from Qualis (replaces lost rental income).
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Bring forward with delivery now March 2021. Cabinet option workshop, August 2020. Provide outline business case by November 2020.

9.6. Specific Business Opportunities

- 9.6.1. The most caution should be taken in terms of establishing businesses or frameworks for businesses as these may distort and not assist economic recovery.
- 9.6.2. Of the variety of business opportunities that reflect current economic changes, the provision of local office facilities (linked to the Civic Centre development for larger gatherings and upper end technological solutions) and the provision of on demand sustainable travel service that move smaller numbers of people at a time and do not distort the current taxi market.

- 9.6.3. The Office Local concept would also allow for the purchase and conversion of premises in the high streets with a general rejuvenation impact.
- 9.6.4. Overall recommendation is that these two initiatives are worked up to full proof of concept stage with a small opportunity cost.

Office Local

Objective	This initiative builds on the work at home, do not travel to London approach that is developing due to sustainability and Covid 19 fears
Strategic Links	Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Possible links with major asset investment and Local initiatives re Travel
Original Project Dates	None Existing
Project Deliverables	Increase business numbers by around 5 and business rate receipts
Investment	£1m (initial based on five converted and equipped High Street units)
Source of Investment	Tet to be determined
Target Return	6%
Return to EFDC	Possible via Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Full proposal including partners (if any) by August 2020

9.6.5 Travel Local

Objective	To provide local travel options for more distant villages and towns off the underground route and thereby support local training and employment and shopping. Build upon small travel bubble concept from Covid 19 together with sustainable transport options.
Strategic Links	Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Possible links with major asset investment and Local initiatives re Travel

Original Project Dates	None Existing
Project Deliverables	Increase in local transportation at no extra cost than current fares and existing bus subsidies
Investment	£0.3m including buying and set up of a small fleet of sustainable vehicles, further development of a local hailing app and other general franchise set-up
Source of Investment	To be determined
Target Return	6%
Return to EFDC	Possible via Qualis
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Full proposal including partners (if any) by August 2020

9.7. **Local Opportunities**

- 9.7.1. Building upon initiatives that have been trialled in the past it is important that these are reviewed, improved and resonate with the other initiatives set-out in the report.
- 9.7.2. The three local opportunities that provide a platform in terms of delivering the other objectives and providing local opportunities are associated with local skill and apprenticeships, using technology to local advantage and making sure all that we do appropriately and legally favours existing and new entrant local businesses.

9.7.3 **Local Skills and Opportunities**

Objective	To provide training and apprenticeships to school leavers or those changing a career. To orientate this initiative to provide opportunities for local residents.
Strategic Links	Economic Development Strategy (jobs with added value). People Strategy.
Covid 19 Recovery Links	Links with asset-based developments and development of local business initiatives including skilling and re-skilling the workforce.
Original Project Dates	None Existing
Project Deliverables	Increase apprentice numbers outside EFDC by 20 a year through setting up support and incentive mechanisms.
Investment	£100,000 p.a. (estimate based on scheme co-ordination)

Source of Investment	To be determined
Target Return	Measured by increase in apprentice numbers
Return to EFDC	As trickle down benefit, stemming local unemployment, acting as a “magnet” for those setting up in district.
Trickle Down Effect	Business rates increase Council tax increase Increased visitor spending
Recommendations	Full proposal including partners (if any) by August 2020

9.7.4 Local Businesses and Suppliers

Objective	To recognise the broader economic and well-being impact of existing local businesses and attract new businesses to the area.
Strategic Links	Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Possible links to local company support and major asset investments for new entrant businesses or local business wishing to relocate in larger or more suitable buildings.
Original Project Dates	None Existing
Project Deliverables	Ensure contracts are explicit around the provision of local job opportunities and/or apprenticeships. Ensure terms and conditions (e.g. faster payment) recognises local business by scale and location of head office. Ensure lot size for contracts and/or preferred provider/contractor list contains a minimum of two local companies
Investment	None, opportunity cost of set-up and change and communication only.
Source of Investment	To be determined
Target Return	Increase by 20% in two years EFDC spend that is remitted locally.
Return to EFDC	Through trickle down impacts
Trickle Down Effect	Business rates increase

	Council tax increase Increased visitor spending
Recommendations	Enact now.

9.7.5 Digital Enablement and Gateway

Objective	To use technology to assist with the growth and resilience of the local economy for existing and new businesses
Strategic Links	Economic Development Strategy (jobs with added value)
Covid 19 Recovery Links	Possible links to local company support and major asset investments for new entrant businesses or local business wishing to relocate in larger or more suitable buildings.
Original Project Dates	None Existing
Project Deliverables	<p>Re-provide a web portal that encourages local service supply, production, distribution and purchasing.</p> <p>Ensure this portal meets the needs of the initiatives in Section 3 and the broader requirements of Qualis (property sales, renting and the provision of property services).</p> <p>Encourages local production and local field to table initiatives.</p> <p>Provides a simple information and sourcing website and transaction capability for sales and purchasing.</p>
Investment	£100,000 including development of a second-generation platform based on proprietary products and technology, adding order and payment secure functionality, communication and Initiating widespread use of the system.
Source of Investment	To be determined
Target Return	Increase in local business turnover of 5% in two years (from pre-Covid 19 baseline)
Return to EFDC	Through trickle down impacts
Trickle Down Effect	<p>Business rates increase</p> <p>Council tax increase</p> <p>Increased visitor spending</p>

Recommendations	Enact now.
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9.8 Other Economic Measures

- 9.8.1 Work is also being undertaken in respect of general support to the economy and local businesses and potentially carrying out the proposals identified above with a more formal approach to the creation of development zones of other initiatives.

10 Additional proposals for Cabinet consideration

- 10.1 A workforce analysis has been undertaken to ensure an up to date picture of costs, vacancy factor and where EFDC will have potential shortfall in capacity or skill sets to recover short, medium and longer term. The most significant cost to EFDC is the staff budget, (£23.7 million), therefore absolute clarity on resource deployment, potential in year spend vs budget could be one option to mitigate budget pressure. As a minimum, staff are deployed in Covid 19 response and recovery and across key priority programmes. Q1 Performance reporting will detail the service delivery impacts on service planning for 20/21 and the performance of services.
- 10.2 The MTFS has also been re-examined to ensure full visibility of key deliverables where budget assumptions have been made that may be at risk. In previous points income risks have been highlighted (including impact on waste contract, leisure contract, car parking income and commercial rent collection) however there are MTFS forecasts assumptions that EFDC need to be mindful of including Qualis returns. At this early stage EFDC and Qualis need to work together in order to keep on track during these unprecedented times. On this basis Cabinet are asked to consider a resourcing proposal that brings greater resource into Qualis within a shortened timescale. This proposal also assists in temporarily reducing the EFDC staff budget without job losses.
- 10.4 Cabinet are asked in light of the two additional points made above to agree a secondment of up to 2 years of x 1 EFDC Strategic Director into the Qualis Managing Director (MD) post. There will be a formal review of the secondment at 1 year. This has the budget effect on EFDC of £89,000 in 2020/21 and £178,000 (including all on-costs) in 2021/22. The Qualis company will then have a full time MD focussed on the delivery programme. This programme is significant in terms of supporting Economic Regeneration, development schemes and enables EFDC to have alternative options to mitigating Covid 19 risks that would not be available otherwise. These include those initiatives proposed above such as the High Street property acquisitions. Qualis Group is 100% owned by EFDC. Qualis is required to report to EFDC every quarter on progress against business plans and overall performance. Qualis is on track to deliver to pre Covid timelines however there is an opportunity to ensure the Qualis contribution to EFDC not only remains on track but can be expedited so programmes run alongside each other. This requires the resourcing of Qualis to be bought forward and for a successful candidate to be up to speed in a very short period. Working in these formative months closely with EFDC will be important in order to build confidence and aid transparency. These key points – expediency and existing relationship with EFDC – are the basis of the recommendation to move an existing Strategic Director to Qualis on a secondment.
- 10.5 EFDC supported a senior structure in 2019 that specifically added to strategic capacity. This structure remains a valid requirement and the Strategic Director post remains in the establishment however this role had significant client-side function of

the Qualis set up and initial business cases. For EFDC Medium Term Financial Strategy and latterly the Covid response, restoration and recovery Qualis performance is important. The shift of resource from EFDC to Qualis demonstrates the priority of Qualis performance and the positive working relationship. The proposed change is an agile response at a local level to a worldwide challenge. The strategic skills and capability secured in 2019 has enabled this pro-active response.

10.6 EFDC will retain a Chief Operating Officer (COO) and a Strategic Director. Service Directors will continue to report into either the COO or Strategic Director. The Housing services will report into the Chief Operating Officer.

10.7 Qualis board appointments will be permanently recruited early September 2020 ensuring that significant Company decisions are being taken by permanent board members. Recruitment of Non-Executive Directors is underway as these roles add skills and expertise to the Board.

11 Resource Implications

11.1 These are largely contained within the body of this report.

11.2 The cost to the Council of the actions listed above will depend of the choice of delivery vehicle and this will only be determined through the detailed development of the business cases, which will be reported back to Cabinet in future meetings.

11.3 To facilitate the development of the business cases and to cover the necessary external expertise, where required, the report highlights that £200,000 may be required. As Covid19 has delayed many initiatives in year it is believed that this cost may be found from under-spending in year. The initiatives within this report are vital to the economic recovery of the district, but also its own financial security and therefore the investment is considered priority spending in 2020/21.

12 Legal and Governance Implications

12.1 The legal and governance implications are covered within the body of the report.

13 Safer, Cleaner and Greener Implications

13.1 These are covered within the body of the report.

14 Consultation Undertaken

14.1 None – the proposals contained here are for additional development work.

Background Papers

None

Section 1: Identifying details
Your function, service area and team: Chief Executive's
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: No
Title of policy or decision: Covid 19 - Response, Restore, Recovery
Officer completing the EqIA: Tel: 01992 564278 Email: asmall@eppingforestdc.gov.uk
Date of completing the assessment: 7 July 2020

Section 2: Policy to be analysed	
2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? Change of focus for existing business follow Covid19
2.2	Describe the main aims, objectives and purpose of the policy (or decision): Impact of Covid19 on the Council and initial options for economic recovery actions What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? Prioritisation and focus of the Council's actions
2.3	Does or will the policy or decision affect: <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>Some financial support for staff is proposed to address Health and Safety obligations and the remainder of the report focuses on options for Economic Recovery</p> <p>Will the policy or decision influence how organisations operate?</p> <p>No</p>
2.4	Will the policy or decision involve substantial changes in resources? No, but the outcome of further work might.

2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The decisions will support the Council's Growth, Skills and Employment Programme and also Covid19 Recovery which is a new outcome for the Council.</p>
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Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>The Economic Recovery proposals within the report relate to all residents of the district.</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>There has been engagement with the business community to understand what actions they believe would add most value in recovery and these views have been taken into account in formulating these proposals.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>As these individual proposals are developed and brought back to Cabinet for decision the equalities impacts will be considered in detail at that point.</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	None	N/A
Disability	None	N/A
Gender	None	N/A
Gender reassignment	None	N/A
Marriage/civil partnership	None	N/A
Pregnancy/maternity	None	N/A
Race	None	N/A
Religion/belief	None	N/A
Sexual orientation	None	N/A

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No X <input type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Andrew Small

Date: 07 July 2020

Signature of person completing the EqIA: Andrew Small

Date: 07 July 2020

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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Covid-19 recovery focus

Focusing our economic development on the financial recovery of our council and local economy

Evolving our council to meet the changing needs of our residents and employees

Improving our residents health outcomes by supporting their Community and Housing needs

Protecting public health and maintaining safe spaces

Building sustainable environments and ensuring our local plan responds to the districts needs

Local Economic Development

Medium Term Financial plan

Qualis

Accommodation

People strategy

IT Strategy

Customer Service Strategy

Operation Shield

Community Health and Wellbeing

Council Housebuilding

Safer Communities

Sheltered Housing

Older People services

Volunteering & Partnerships

Safer Spaces

Track n Trace

Commercial contracts

Car Parking

Local Plan

Climate Change response

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**Epping Forest
District Council**

Report to the Cabinet

Report reference: C-013-2020-21

Date of Meeting: 20 July 2020

Portfolio: Planning and Sustainability - Cllr. N Bedford

Subject: Approach to Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation

Responsible Officer: Alison Blom-Cooper (01992 564066)

Democratic Services: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

- (1) That the Approach to Managing the Effects of Air Pollution (see Appendix 1) on the Epping Forest Special Area of Conservation (as amended taking account of any comments received prior to Cabinet) is agreed for the purposes of formal consultation with Natural England and the Conservators;**
- (2) That any necessary and appropriate changes arising from that consultation and any data and targets arising from the finalisation of the current air quality modelling work will be incorporated into the Approach to Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation;**
- (3) That the adoption of the Approach to Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation is delegated to the Portfolio Holder for Planning and Sustainability, submitted to the Local Plan Inspector examining the Council's emerging Local Plan and used to inform the Council's updated Habitats Regulations Assessment for the emerging Local Plan; and**
- (4) That upon adoption the Approach to Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation will be a material consideration in the determination of planning applications and permitted development rights proposals within the Epping Forest District Council administrative area.**

Executive Summary:

Special Areas of Conservation are internationally important nature conservation sites within the UK. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) provides the regulatory framework against which plans and projects, including the Council's Local Plan, and individual planning applications, need to be assessed. In addition the National Planning Policy Framework (NPPF), affords such sites the highest

levels of protection in the hierarchy of sites designated to protect important features of the natural environment.

The legislation sets out that where a land use plan, either alone or in combination, is likely to have a significant effect on an internationally important site, the plan-making authority must undertake a Habitats Regulations Assessment (HRA). This applies to Local Plans produced by local authorities, in addition to Neighbourhood Plans produced by local communities. Such plans set out a broad quantum of development growth. HRA work must therefore consider the overall impacts of such growth – in combination with neighbouring authorities – and where there are any likely significant effects, adverse effects on the integrity of the site must be ruled out.

A significant proportion, and the most integrated part, of the SAC lies within the Epping Forest District Council administrative area. The remainder lies within the London Boroughs of Waltham Forest and Redbridge (the latter of which accommodates a very small proportion of the SAC). As such, EFDC, as a Competent Authority under the Habitats Regulations, is required to ensure that planning application decisions comply with those Regulations and do not result in adverse effects on the integrity of the Epping Forest SAC.

This report sets out the proposed approach to managing and mitigating the effects of new development on the Epping Forest SAC in relation to air quality.

Reasons for Proposed Decision:

To comply with the Council's general obligations as a competent authority under the Species and Habitats Regulations 2017 (as amended) [Regulation 9(1)] and to support the Examination of the Council's Local Plan Submission Version.

Other Options for Action:

Not to develop and adopt an Approach to Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation as a material consideration in the determination of planning applications and permitted development rights schemes which result in a net increase in traffic (based on Annual Average Daily Traffic levels) on roads within 200m of the SAC. This would prevent the Council, as local planning authority, from positively determining such proposals, where appropriate, as advised by Natural England, as the responsible statutory body, in its letter of 15 June 2018 (attached as Appendix 2). In addition it would mean that the Local Plan may not be seen as deliverable at examination and therefore would not be found sound.

Background:

1. In February 2017 the Council entered into a Memorandum of Understanding (MoU) for 'Managing the impacts of growth within the West Essex/East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' with Harlow, East Hertfordshire and Uttlesford District Councils, Essex and Hertfordshire County Councils, Natural England

and the City of London Corporation as Conservators of Epping Forest. The purpose of the MoU is to ensure that the parties named, work in partnership to fulfil the following requirements:

- i. to collect and analyse data and evidence related to the impacts of proposed development and growth under the Local Plans to provide sufficient and robust evidence on which to base a strategy for the protection of Epping Forest SAC;
- ii. to commit to prepare a joint strategy, based on relevant available data and evidence and to an agreed timetable; and
- iii. that the joint strategy will address both the requirement to avoid, or effectively mitigate, adverse impacts on the integrity of the SAC from Local Plan-led development and the requirement to prevent deterioration of the SAC features.

2 Policy DM 2 of the Local Plan Submission Version (LPSV) sets out the approach to considering development proposals in respect of their Likely Significant Effect on both the Epping Forest SAC and the Lee Valley Ramsar, and Policy DM 22 of the LPSV provides the approach with respect to Air Quality considerations, including on the Epping Forest SAC. The Strategy has been developed in response to the Memorandum of Understanding, to support the implementation of Policy DM 2 and Policy DM 22 and in order to comply with the Council's general obligations as a competent authority under the Species and Habitats Regulations 2017 (as amended) [Regulation 9(1)].

3 In order to develop the Strategy to mitigate any likely significant effects on the health of the Epping Forest Special Area of Conservation (SAC) from air pollution arising from new development work has been undertaken to:

- a) Update the Council's Habitats Regulations Assessment to support the Examination of the LPSV, to take account of recent European Court of Justice rulings on the interpretation of the Habitats Directive, including to respond to requests from Natural England, as the statutory body responsible for such matters, to review and update the Council's Epping Forest SAC specific air quality modelling work;
- b) Undertaken air quality monitoring across the Epping Forest SAC in collaboration with the Conservators of Epping Forest.
- c) Included policies within the Local Plan which will support the achievement of improvements to air quality over the period of the Local Plan.

4. The objective of the strategy is to provide a framework for providing reasonable certainty that there will be no adverse effects on the integrity of the Epping Forest SAC air quality over the course of the Plan period as a result of development, taken alone and in combination with other plans and projects.

5. The 'Approach' seeks to pull together the different elements of the planning policy framework contained in the LPSV, together with other activities undertaken by the Council in respect of its environmental protection responsibilities (including actions identified in relation to the Bell Common Air Quality Management Area and the Climate Emergency declaration). The Approach therefore provides 'added value' in terms of wider Council objectives and duties. These are supported by a number of specific measures ranging from the commitment to explore the development of, and if necessary the implementation of a Clean Air Zone, through to the application of planning conditions where appropriate, to secure, amongst other things, the provision of electric vehicle charging points and travel information packs for new occupiers of development. The 'Approach' also provides details relating to the need to undertake regular monitoring of air quality within the Epping Forest SAC through financial contributions from development and review points which will be used to assess progress and trigger the implementation of measures such as a Clean Air Zone. It should be noted that the framework to inform all of these matters is already provided for in published EFDC documents. The benefit of the Approach will be to provide all of the information needed to support the objective set out in paragraph 5 above in one place. In addition a number of the elements proposed to be contained within the 'Approach' would support the achievement of reducing the need to use the private car, which is a key component to support the delivery of development proposed in the LPSV.

6. It should be noted that Epping Forest District Council (EFDC) has been advised by Natural England that it is currently unable to issue any planning permissions for development resulting in a net increase in Annual Average Daily Traffic movements. The 'Approach', if supported by Natural England, will provide the mechanism by which the Council will be in a position to begin to issue planning permissions which are acceptable in all other terms.

Resource Implications:

The Approach includes a requirement for contributions towards the costs of undertaking air quality monitoring and a number of interventions across the period of the Local Plan. These have been or will be taken into account in the Infrastructure Delivery Plan prepared to support the LPSV. In addition the Council has recently appointed to two posts: a Sustainable Transport Officer and a Climate Change Officer who will be joining the Council shortly and will provide a key element of the officer resource needed to take the Approach forward.

Legal and Governance Implications:

The Local Plan, the 'Approach' and the level of contributions likely to be sought have been, or will be, developed in accordance with Government Policy (NPPF) and Planning and Environmental Law.

Safer, Cleaner, and Greener Implications:

The Local Plan contains a policy designed to promote the notion of making good places to live, work and visit. This will include safer by design principles, sustainable development, the provision of alternatives to the car, energy efficiency and environmental considerations as well as quality green infrastructure. The 'Approach' and contributions being sought would contribute to these objectives and those established by the Council following the declaration of a Climate Emergency.

Consultation Undertaken:

The Local Plan has been developed in partnership with other Local Authorities under the Duty to Co-operate, Local Stakeholders and in consultation with residents. The Approach to Managing Air Pollution Effects on the Epping Forest Special Area of Conservation itself has been developed with on-going engagement with Natural England and the City of London Corporation (as Conservators of Epping Forest) in particular.

Background Papers:

Memorandum of Understanding 'Managing the impacts of growth within the West Essex/East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation'. February 2017.

Epping Forest District Local Plan Submission Version December 2017.

Habitats Regulations Assessment of Epping Forest District Council Local Plan January 2019

Letter from Natural England dated 15 June 2018.

Inspector's Advice Letter dated 2 August 2019 (ED98)

Risk Management:

If the Council does not demonstrate that it is taking a pro-active approach to developing and implementing an approach to managing the effects of air quality arising from development on the Epping Forest Special Area of Conservation there is a risk that the Council will be unable to adopt the emerging Local Plan. Notwithstanding this the Council, as local planning authority, is currently being prevented from determining planning applications and permitted development right prior approval schemes which result in a net increase in Annual Average Daily Traffic flows. This is having an adverse effect on the Council's five year housing land supply position, its performance against the government's Housing Delivery Test and has resulted in the Council having to defend planning appeals which would otherwise be unnecessary. In addition it is resulting in an impact on the economy of the District, and in particular Small and Medium Sized Enterprises.

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Equality Impact Assessment for Approach to Managing the Effects of Air Pollution on Epping Forest Special Area of Conservation

Section 1: Identifying details
Your function, service area and team: Planning Policy
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A
Title of policy or decision: Approach to Managing Air Pollution Impacts on the Epping Forest Special Area of Conservation
Officer completing the EqIA: Alison Blom-Cooper Tel: 01992 564066 Email: ablomcooper@eppingforestdc.gov.uk
Date of completing the assessment: 23 June 2020

Section 2: Policy to be analysed	
2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? Yes.
2.2	Describe the main aims, objectives and purpose of the policy (or decision): To agree an approach to managing the effects of air pollution arising from new development on the Epping Forest Special Area of Conservation. What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? To secure the management of air quality effects through a range of measures.
2.3	Does or will the policy or decision affect: <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>The wider community.</p> <p>Will the policy or decision influence how organisations operate? Yes.</p>
2.4	Will the policy or decision involve substantial changes in resources? No
2.5	Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate priorities?

	<p>The decision supports the implementation of policies within the Council's Local Plan, the adoption of which is a key corporate priority as set out in the Council Plan. In addition it will make a positive contribution to the Council's response to its Climate Emergency declaration.</p>
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Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>N/A</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Yes – through the Council’s Local Plan process and through Duty to Co-Operate Mechanisms.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>N/A</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	None	N/A
Disability	None	N/A
Gender	None	N/A
Gender reassignment	None	N/A
Marriage/civil partnership	None	N/A
Pregnancy/maternity	None	N/A
Race	None	N/A
Religion/belief	None	N/A
Sexual orientation	None	N/A

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
None	N/A	N/A

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Nigel Richardson

Date: 23 June 2020

Signature of person completing the EqlA: Alison Blom-Cooper

Date: 23 June 2020

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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Managing the Effects of Air Pollution on the Epping Forest Special Area of Conservation

Draft Mitigation Strategy

July 2020

This is an emerging draft Strategy which will be the subject of consultation with key stakeholders.

Executive Summary

To be completed

Working Draft

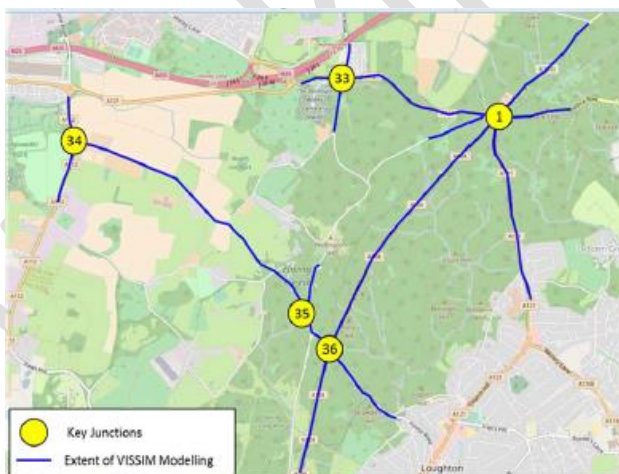
1. Introduction

- 1.1 This Strategy has been developed to provide a strategic approach to mitigating the effects of development on the integrity of the Epping Forest Special Area of Conservation (the Epping Forest SAC) in relation to atmospheric pollution.
- 1.2 Epping Forest has been designated as a Special Area of Conservation (SAC) because of the significance of its ecological features (known as ‘qualifying features’), specifically its beech forest, wet and dry heaths and population of stag beetle. SACs are international designations and have the highest level of protection afforded to them through UK legislation and Government policy.
- 1.3 Under UK legislation Epping Forest District Council (the Council) is a competent authority with a duty to ensure that plans and projects (including the emerging Local Plan) have no adverse effect on the integrity the Epping Forest SAC either alone, or in combination with other plans and projects. As part of that responsibility the Council, as local planning authority, has undertaken a Habitats Regulations Assessment (HRA) of its emerging Local Plan. The legislative context in relation to the Council’s responsibilities as a competent authority is set out at pages xx – xx of the updated Habitats Regulations Assessment 2020 (the HRA 2020).
- 1.4 The HRA 2020 concludes that without appropriate mitigation development proposed through the emerging Local Plan would have an adverse effect on the integrity of the Epping Forest SAC as a result of atmospheric pollution. The key contributor to that atmospheric pollution arises from vehicles.
- 1.5 The Epping Forest SAC is bisected by a number of key routes which serve communities in the wider Epping Forest District and beyond. We know, having undertaken detailed traffic modelling, that new development, primarily for housing and employment, will result in increases in traffic on those roads. This traffic modelling was then used to inform air quality modelling, the outputs of which show that over the period of the Local Plan growth up to 2033, if no mitigation measures are introduced, air pollution arising from vehicles will still have a harming effect on the health of the interest features within the Epping Forest SAC compared to a situation with no growth. It is important to recognise that whilst vehicles are a contributing factor, there are other land use activities that are also having an adverse impact on the ecological health of the Epping Forest SAC and this Strategy has also given consideration to actions that the Council could take to reduce the contribution that these land uses make to atmospheric pollution.
- 1.6 This Strategy has been developed in response to the findings of the Council’s updated Habitats Regulations Assessment 2020 by setting out the suite of mitigation measures that are needed to address the effects of atmospheric pollution arising primarily from new development proposed to be brought forward within the District. It is therefore an important part of the evidence base that supports the emerging Local Plan. The Strategy

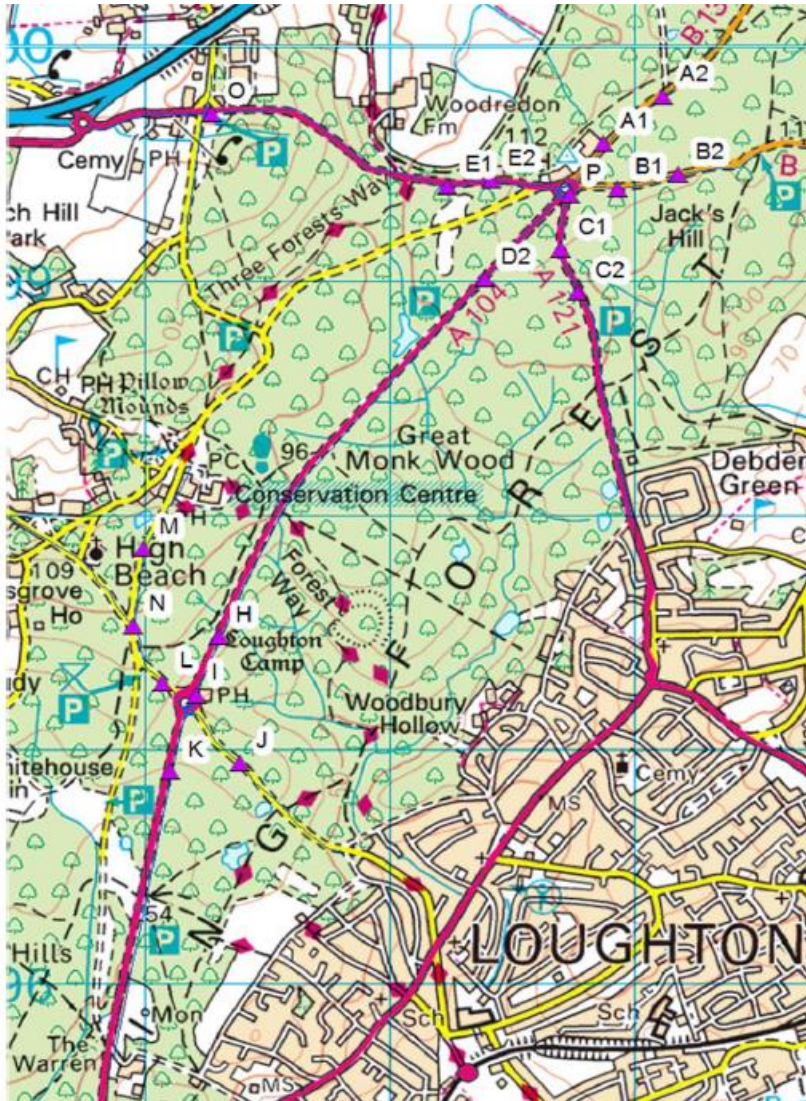
also sets out how these mitigation measures will be implemented and how the efficacy of those mitigation measures will be monitored and reviewed.

2. The HRA methodology

- 2.1 To support an understanding of the likely significant effects of the emerging Local Plan on the Epping Forest SAC bespoke traffic and air quality modelling has been undertaken based on observed data and on-site monitoring. As such a robust approach has been undertaken to understanding the issues arising from development within Epping Forest District (EFD). The technical notes explaining the traffic and air quality modelling methodology are contained within Appendices X and X of the HRA 2020 which can be viewed here (*insert link*).
- 2.2 The predicted change in vehicle flows and mean maximum queue length and duration was modelled on a series of roads within 200m of Epping Forest SAC. This took account of all expected growth over the plan period, including Local Plan development and extant planning permissions, background traffic growth arising from development in surrounding local authority areas (including extant planning permissions) and predicted background growth in traffic generally as derived by national traffic growth projections. The level of growth applied within EFD arising from the emerging Local Plan had regard to the advice note of the Inspector examining the emerging Local Plan dated 2 August 2020.
- 2.3 The roads were selected in consultation with the Conservators of Epping Forest and were considered to be those most likely to experience the greatest change in flows (and therefore impact) due to the proposed housing and employment growth within and outwith the District for the period to 2033. The modelled network is shown in Figure 1 below.



- 2.4 Using the generated traffic scenarios, information on the vehicle fleet mix, average vehicle speeds and queue lengths (all of which influence the emissions profile), air quality specialists calculated expected NO_x concentrations, ammonia concentrations and nitrogen deposition rates for the modelled links. For some road sections (particularly around Wake Arms Roundabout which lies within the Epping Forest SAC) multiple transects were modelled in order to capture the effects of queuing traffic. The modelled links are depicted in Figure 2 below.



3. The Issue

- 3.1 The main pollutants of concern for European sites are oxides of nitrogen (NO_x), ammonia (NH₃) and sulphur dioxide (SO₂). Ammonia can have a directly toxic effect upon vegetation and research suggests that this may also be true for NO_x at high concentrations or in the presence of equivalent amounts of sulphur dioxide. In particular, greater NO_x or ammonia concentrations within the atmosphere will lead to greater rates of nitrogen deposition to vegetation and soils. An increase in the deposition of nitrogen from the atmosphere is generally regarded to lead to an increase in soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats. Ammonia and nitrogen can also have a serious deleterious effect on lichens which take their nutrients directly from atmosphere.

Table x: Main sources and effects of air pollutants on habitats and species

Pollutant	Source	Effects on Habitats and Species
Acid Deposition	SO ₂ , NO _x and ammonia all contribute to acid deposition. Although future trends in SO ₂ emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, it is possible that increased ammonia emissions may cancel out any gains produced by reduced SO ₂ levels.	Can affect habitats and species through both wet (acid rain) and dry deposition. Some sites will be more at risk than others depending on soil type, bed rock geology, weathering rate and buffering capacity.
Ammonia (NH ₃)	Ammonia is released following decomposition and volatilisation of animal wastes. It is a naturally occurring trace gas, but levels have increased considerably with expansion in numbers of agricultural livestock. Ammonia reacts with acid pollutants such as the products of SO ₂ and NO _x emissions to produce fine ammonium (NH ₄ ⁺) - containing aerosol which may be transferred much longer distances (can therefore be a significant transboundary issue.)	Adverse effects are as a result of nitrogen deposition leading to eutrophication. As emissions mostly occur at ground level in the rural environment and NH ₃ is rapidly deposited, some of the most acute problems of NH ₃ deposition are for close to the roadside or close to point sources in intensive agricultural landscapes.
Nitrogen oxides (NO _x)	Nitrogen oxides are mostly produced in combustion processes. About one quarter of the UK's emissions are from power stations, one-half from motor vehicles, and the rest from other industrial and domestic combustion processes.	Deposition of nitrogen compounds (nitrates (NO ₃), nitrogen dioxide (NO ₂) and nitric acid (HNO ₃) can lead to both soil and freshwater acidification. In addition, NO _x can cause eutrophication of soils and water. This alters the species composition of plant communities and can eliminate sensitive species
Nitrogen (N) deposition	The pollutants that contribute to nitrogen deposition derive mainly from NO _x and NH ₃ emissions. These pollutants cause acidification (see also acid deposition) as well as eutrophication.	Species-rich plant communities with relatively high proportions of slow-growing perennial species and bryophytes are most at risk from N eutrophication, due to its promotion of competitive and invasive species which can respond readily to elevated levels of N. N deposition can also increase the risk of damage from abiotic factors, e.g. drought and frost.
Sulphur Dioxide (SO ₂)	Main sources of SO ₂ emissions are electricity generation, industry and domestic fuel combustion. May also arise from shipping and increased	Wet and dry deposition of SO ₂ acidifies soils and freshwater, and alters the species composition of plant and

	atmospheric concentrations in busy ports. Total SO ₂ emissions have decreased substantially in the UK since the 1980s – UK emissions in 2018 decreased by 96% relative to 1990, below the 2020 NECD and Gothenburg emission targets ¹ .	associated animal communities. The significance of impacts depends on levels of deposition and the buffering capacity of soils
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3.2 The Forest is known to be adversely affected by relatively poor local air quality alongside the roads that run through it and this has been demonstrated to have negatively affected the epiphytic lichen communities of the woodland. The nature of the road network around the modelled part of the Forest is such that journeys between a number of key settlements around the Forest by car, van or bus effectively need to use Forest roads. Moreover, queues are known to build up around most arms of the Wake Arms Roundabout, primarily during the AM and PM peak, which increases emissions compared to the same volume and composition of free-flowing traffic.

3.3 As such, emissions from road traffic are the focus of the air quality modelling. Regulations control the sulphur content of fuel used by road traffic vehicles, therefore emissions of SO₂ are not assessed. Emissions of NO_x from road traffic are decreasing due to the implementation of tighter European type approval standards (Euro Standards). However, ammonia is produced by the control systems that are designed to reduce emissions of NO_x from road traffic vehicles. Emissions of ammonia are greater from petrol than from diesel cars, whilst the converse is generally the case for NO_x. The full results of the air quality modelling are contained within Appendix x of the HRA 2020. Published internal Natural England guidance on air quality assessments for Habitats Regulations Assessments² indicates that the first step once it has been confirmed that a site is air quality sensitive is to determine whether the change in pollutant concentrations (in this case NO_x and ammonia, leading to nitrogen deposition) due to growth 'in combination' exceeds 1% of the critical level. If it does not exceed 1% of the critical level then it can be concluded that no likely significant effect will arise since the total change in pollutant concentrations is imperceptible. The critical levels for NO_x and ammonia and the critical load for nitrogen deposition, are set out below:

Pollutant	Critical Level	Critical Load
Oxides of nitrogen (NO _x)	30 micrograms per cubic metre (30µgm ⁻³)	N/A
Ammonia (NH ₃)	1 microgram per cubic metre (1µgm ⁻³)	N/A
Nitrogen deposition	N/A	10-20 kilograms of nitrogen per hectare per year (10 kgN/ha/yr)

¹ UK Informative Inventory Report (1990 to 2018) - https://uk-air.defra.gov.uk/assets/documents/reports/cat07/2003131327_GB_IIR_2020_v1.0.pdf

² <http://publications.naturalengland.org.uk/publication/4720542048845824>

- 3.4 The plan showing the Transects that have been modelled are set out in Figure 2 above. Since the '1% of the critical level/load' threshold is forecast to be exceeded for NO_x, ammonia and nitrogen deposition at the roadside for the majority of receptors due to growth 'in combination', an appropriate assessment was required to be undertaken.
- 3.5 The outputs of modelling undertaken showed that growth in Epping Forest District up to 2033 (i.e. the end of the Local Plan period) is the primary source of additional ammonia and NO_x emissions on the modelled road sections and all other plans and projects would appear to make a negligible contribution to the 'in combination' effect. This is thought to be because the average daily traffic flow on all the modelled sections of road is dominated by people who either live or work in Epping Forest District, particularly the settlements that surround the SAC, including Epping itself.
- 3.6 The HRA 2020 makes it clear that in order to address the effects of Local Plan development on air pollution on the Forest, a number of mitigation measures need to be implemented. These will be secured through: the determination of planning and other development related applications; the development of strategic Masterplans; and strategic initiatives implemented by the Council. The Spatial Strategy and a number of policies within the Epping Forest District Local Plan Submission Version 2017 provide the Framework to support improvements in air quality over the course of the Plan period. These are set out in Section 4 below. These provide the Framework by which the forecast effects will be mitigated to such an extent that an adverse effect on site integrity no longer arises. They will be supported by this Strategy, which sets out a number of specific measures that will be implemented over the course of the Local Plan period. There are other actions that the Council can take, outside of the planning regime, that can also support the management of air quality within the District and these are set out in Appendix x. Consequently, this Air Pollution Mitigation Strategy brings together all of the proposed approaches to support the improvement of air quality in the District. Whilst this is primarily to manage any likely significant effects on the integrity of the Epping Forest Special Area of Conservation, it will also have wider benefits in relation to peoples' health.

4. Planning Policy Framework

- 4.1 The following policies within the Epping Forest District Local Plan Submission Version 2017 (LPSV) provide the framework for addressing the effects of Local Plan development on air pollution on the Forest.

Policy SP 2 Spatial Development Strategy

- 4.2 Policy SP 2 sets out the sequential approach to the location of development with a focus on locations which have access to existing infrastructure, or where there is the greatest opportunity to provide additional infrastructure capacity. Both traffic modelling and Habitats Regulations Assessment was used to inform the approach taken. In addition, the allocation of strategic employment sites in locations where new homes are to be provided. The approach provides the greatest opportunity to provide an alternative to the private car in terms of journey choice and therefore reduce the harmful effects that traffic emissions have on both ecological and human health.

Policy DM 2 Epping Forest SAC and the Lee Valley SPA

- 4.3 Policy DM 2 provides the policy which gives this Mitigation Strategy its planning status as a material consideration in the consideration of planning and other relevant applications. It also provides the expectations of the Council in that it expects all relevant development proposals to assist in the conservation and enhancement of the biodiversity, character, appearance and landscape setting of the Epping Forest Special Area of Conservation. This is a main policy to which this Strategy is linked.

Policy DM 22 Air Quality:

- 4.4 This policy seeks to ensure that both residents and the ecological assets of the District, including the Epping Forest SAC, are protected from the impacts of atmospheric pollution. The policy and supporting text to Policy DM 22 includes the commitment to produce a strategic mitigation strategy and is also a main policy to which this Strategy is linked.

Policy T 1 Sustainable Transport Choices.

- 4.5 This policy sets out the Council's commitment to:
- achieve improvements to strategic rail connections and other public transport networks to the wider area;
 - promote transport choice through improvements to public transport services and supporting infrastructure;
 - provide coherent and direct cycling and walking networks to provide a genuine alternative to the car;
 - facilitate a modal shift and to promote opportunities for sustainable transport modes; and
 - secure the provision of electric vehicle charging points in all new development which includes vehicle parking spaces.
- 4.6 The implementation of Policy T 1 is one of the ways in which reductions in atmospheric pollution across the District will be achieved. Paragraph 3.80 of the LPSV explains that the sustainable transport policies seek to widen the choice of travel opportunities using public transport, walking and cycling. Paragraph 3.88 states that the LPSV will ensure the provision of facilities and services in new strategic developments to provide high levels of self-containment and secure the provision of, or financial support for, bus services and walking and cycling facilities. As set out in paragraph 3.89 such an approach can be expected to have a wider benefit as it can also provide access to new transport opportunities for existing residents, thus reducing increases in background traffic growth. Paragraph 3.90 reiterates that the Council will require the provision of electric vehicle charging points in all new development which includes vehicle parking spaces. These requirements are also included within relevant site-specific policies in Chapter 5 and Appendix 6 to the LPSV.
- 4.7 The policy requirement for the provision of electric vehicle charging points in all new developments regardless of their proposed use which include the provision of new parking spaces has two benefits:

- ensure that developments can support the growth in electric vehicles without the need to retrofit such provision in the future; and
- provide confidence for people who have not purchased electric vehicles that they can do so because they can access the necessary infrastructure now.

Development proposals will need to be able to demonstrate that all new parking spaces can have direct access to a charging point.

- 4.8 The Council's Epping Forest District Cycle Action Plan provides a range of specific proposals for improving the cycling infrastructure across the District. The Council's Infrastructure Delivery Plan identifies all of these projects and sets out how these should be funded through the planning process.

Policy DM 5: Green and Blue Infrastructure

- 4.9 This policy provides the framework within which the Council is developing a Green and Blue Infrastructure (GI) Strategy. The GI Strategy supports a number of objectives including to avoid and mitigate harm to the Forest arising from recreational pressures. It also includes ways of improving walking and cycling connections to support sustainable transport choices and proposals to work with the Conservators of Epping Forest to secure the introduction of car parking charging as a mechanism to encourage visitors to use Suitable Alternative Natural Greenspace. These elements will also have some benefit from an air pollution perspective.

Policy DM 21: Local Environmental Impacts, Pollution and Land Contamination.

- 4.10 This is a positive development management policy relating to environmental impact, pollution and land contamination. It is a positive policy as it provides for the prevention of detrimental impacts as a result of environmental conditions resulting from new development such as air quality, and provides for the reuse and recycling of building materials and the use of local products, thus reducing atmospheric pollutants further, and the use of water resources during the manufacturing process. Whilst traffic is the main contributor to atmospheric pollution issues there are other generators of air pollution that need to be considered and which will support, albeit only by a small amount, positive improvements to air quality.

Policy D 5: Communications Infrastructure.

- 4.11 This is a development management policy relating to communications infrastructure. It is a positive policy which ensures that developments make provision for high speed internet and telecommunications. This supports the potential to reduce the need to travel, particularly during the morning and evening peak hours and will therefore make a positive contribution to reducing atmospheric pollution.

Site-specific policies

- 4.12 The LPSV includes a number of site-specific policies which will support the management of, and improvements to, air quality. The site-specific policies vary depending on the scale of

development proposed. The Garden Town Communities and strategic Masterplan sites in particular provide a key role in reducing the use of private passenger vehicles including through:

- the delivery of strong local cultural, recreational, social (including health and educational facilities where required), local employment and shopping facilities to support the day-to-day needs of residents which are within walkable distance – the ‘self-sufficiency’ principle.
- The provision of sustainable movement and access to local and strategic destinations (including by rail, bus and walking/cycling).
- The provision of generous, well connected and biodiverse rich green space provision so that residents don’t have to travel to be able to access more natural green space.

4.13 These site-specific requirements are key to ensuring the provision of infrastructure to support the achievement of a reduction in private car use. In particular there are significant opportunities to secure such infrastructure on the strategic masterplan sites. These larger sites also provide the opportunity to ensure that community infrastructure and services and local employment opportunities (such as education and health provision, local facilities and services, and open space) are integrated as part of the design of development. This will provide opportunities to minimise the use of the private car. These sites will also be supported by the provision of new passenger transport services. Such provision could provide wider benefits to existing residents and businesses where current passenger transport services are limited or non-existent.

5 What we need to achieve by 2033 and how we will get there.

5.1 There is a need for the Council, as competent authority, to not only set the planning policy context, but also identify specific mitigation measures that need to be implemented based on the current evidence and in recognition of the ‘high bar’ that the Habitats Regulations set, in order to be able to demonstrate ‘no adverse effect’ on the integrity of the Forest.

5.2 The targets that need to be achieved by 2033 in order to demonstrate ‘no adverse effect’ are as follows:

Targets to be included once modelling work and analysis has been completed.

5.3 The following measures have been identified as those which provide the greatest level of certainty in terms of their efficacy, either because they are capable of being modelled, or because they are measures which will help to support the delivery of those modelled measures. They are collectively shown to be likely to be effective.

5.4 The measures set out are those which the Council will bring into effect now and those which it will develop further so that they can inform what else may need to be implemented based on monitoring and evaluation to inform the statutory review of the Local Plan which needs to be completed within five years of its adoption.

Measures that will be implemented now

Initiatives to support walking, cycling and increased public transport use

- 5.6 Policy T 1 of the LPSV seeks to secure reductions in the use of private vehicles for journeys, and in particular journeys during the peak hours. The spatial strategy for the LPSV has also been developed in order to maximise the opportunities for reducing vehicle usage. This is a well-established approach to plan-making and decision-making and has multiple benefits. In this instance securing modal shift will have benefits for the Forest and is a positive mitigation measure. It will reduce the level of growth in the number of vehicles using roads through the Forest which would contribute to air pollution than would otherwise be the case and support reductions in the length of queues on roads through the Forest, particularly at peak times, which is known to be a contributing factor to that air pollution. The Harlow and Gilston Garden Town, within which a significant proportion of the new homes in the District will be located, has set ambitious targets for reducing the use of the private car. There are real opportunities by working collaboratively, both with the other local authorities involved and site developers to achieve a step change in modal shift. The Council's expectation that the strategic allocations (both housing focused and employment focused) outside of the Garden Town also invest in the delivery of enhanced public transport, walking and cycling opportunities will support reductions in the use of the private car. The scale of development proposed for these strategic sites and the Garden Town communities means that there is a critical mass of development to make such expectations viable.

Can the benefits of the mitigation be modelled?

- 5.7 Only a limited amount of modal shift has been modelled recognising that what is achieved can be difficult to predict. In addition the interventions will also provide opportunities for existing residents of Epping Forest District to change the way that they chose to travel but the limited amount of modal shift assumed does not take account of this wider benefit. Therefore securing modal shift has the potential to make an additional contribution to improvements in air pollution within the Forest.

How it will be delivered.

- 5.8 The Council has recently appointed a Sustainable Transport Officer who will be leading on the development of this initiative. This will include taking forward the development of an area wide public transport strategy and working with the Conservators of Epping Forest in the development of an Epping Forest Transport Strategy to support the objective of getting more visitors to come to the Forest by means other than the car.
- 5.9 These strategies will help to then further develop the package of measures to be brought forward. A current package of measures include the provision of public transport, walking and cycling infrastructure and supporting measures as identified in the Infrastructure Delivery Plans developed to support the LPSV and the Harlow and Gilston Garden Town. The delivery of these measures will be secured primarily in partnership with Essex County Council and through the design of new development including as a result of individual development proposals over a certain size being required to submit site specific travel plans.

Taking forward the implementation of these measures is a key task for the Council's recently appointed Sustainable Transport Officer. The measures and, where appropriate, funding for off-site measures will be secured through the imposition of planning conditions or Section 106 planning obligations on individual planning permissions and implemented by site developers or Essex County Council. For larger sites the provision of infrastructure to support public transport, walking and cycling related infrastructure will be provided on, or in close proximity to the site and the design and layout of schemes will be required, primarily through Policies SP 3 (Place Shaping) SP 4 (Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) T 1 (Sustainable Transport Choices), DM 9 (High Quality Design), D 1 (Delivery of Infrastructure) and the site specific requirements set out in Appendix 6 of the LPSV.

How it will be funded.

- 5.10 Through a number of funding schemes including through the securing of monies from planning applications, Essex County Council Local Transport Funding, Department for Transport funding and where appropriate funding bids such as the Housing Infrastructure Fund.

How its success will be monitored.

- 5.11 Through the monitoring of site specific travel plans, the delivery of infrastructure through investment programmes including the LPSV and Harlow and Gilston Infrastructure Delivery Plans and through future traffic surveys.

Electric Vehicle charging points.

- 5.12 Policy T 1 (Sustainable Transport Choices) of the LPSV requires that all development which results in a net increase in vehicle parking spaces must ensure that those spaces have direct access to an electric vehicle parking space. The requirement ensures that there will be greater opportunities for people to be able to access charging points. This will support future decision-making by residents and businesses when making vehicle purchases. Automatic Number Plate Recognition (ANPR) data collected has shown that the Vehicle Fleet Mix for vehicles using roads through the Forest is older than the national average and therefore purchase decisions may come forward sooner than might be expected.
- 5.13 As the requirement relates to 'destination' sites as well as 'origin' sites it will give people greater comfort that, if they are purchasing cheaper electric vehicles which have greater range limitations, that charging options will be available. This also supports the wider role out of measures for the provision of electric vehicle charging points (i.e. autonomous measures) being encouraged and supported by the UK Government.
- 5.14 It is also important to ensure that provision is made in support of Government decisions to introduce the ban of sales of new petrol, diesel and hybrid cars and vans by 2035 but that the motor industry has indicated that it will be implementing such actions sooner. In addition the UK Government has introduced financial incentives to support the uptake of electric vehicle purchases through Road Vehicle Taxation differentiation and company car tax rates.

Can the benefits of the mitigation be modelled?

- 5.15 Not with certainty. Therefore, no account has been taken of the uptake in electric vehicles over and above those included in national projections to represent the policy. The modelling has, however, now included the proportion of electric and other low-emission vehicles that are currently using roads through the Forest based on the data collected through the ANPR surveys.

How it will be funded.

- 5.16 This is a requirement for new development sites and will be funded by individual developers.

How it will be delivered.

- 5.17 The measures will be secured through the imposition of planning conditions on individual planning permissions and implemented by site developers.

How its success will be monitored.

- 5.18 Through future ANPR surveys. Nevertheless it is acknowledged that the take up of electric vehicles will be influenced by a number of factors and not solely on the provision of electric vehicle charging points. Therefore any initiatives which result in an increase in electric vehicle charging points is considered to be a supportive and necessary measure but does not act as mitigation in its own right. Further measures to encourage the purchase of electric vehicles are being investigated as the electrification of the fleet will benefit both human health (AQMA) and the integrity of the EFSAC.

Strategic Road Signage Strategy

- 5.19 Highway signage can play an important part in directing people to key destinations, especially those who are unfamiliar with the local road network. Signage that has been in place for many years may no longer be appropriate within the context of the present day and may contribute to issues such as those being faced by the Forest in relation to air pollution. For example, reviewing and implementing changes to the brown signs which denote tourist attractions could be an effective way of directing visitors away from key air pollution 'hot spots'. As an example, the brown tourist sign for the Forest Visitor Centre at High Beech located on the roundabout at Junction 26 of the M25 directs people along the A121 Honey Lane east up to the Wake Arms Roundabout (WAR), and then from the WAR down to the Robin Hood Roundabout. Replacing these signs and directing visitors instead along Dowding Way, Sewardstone Road and Avey Lane to access High Beech and the Forest car parks in that area would remove some traffic off the WAR and Robin Hood Roundabout and on roads through the Forest generally.
- 5.20 In developing such a strategy it will need to also have regard to the need for providing passing bays on more constrained parts of the more rural roads such as Avey Lane, and working with the Conservators of Epping Forest both in terms of the signage, but also ensuring that their own website and mapping focuses on those routes that reduce traffic

movements through the Forest. The review of the brown tourist signs in particular is an identified action in the Epping Forest Transport Strategy 2009-2016.

How it will be funded.

5.21 TBC

How it will be delivered

5.22 In partnership between EFDC, ECC and the Conservators of Epping Forest.

How its success will be monitored.

5.23 Through future ANPR surveys.

HGV Route Management Strategies

5.24 Route Management Strategies will be required for developments which will generate HGV movements. This is a well-established planning mechanism and will enable HGV restrictions to be placed on, primarily, employment development within the District to prevent an increase in HGVs on roads through the Forest. HGVs contribute to atmospheric pollution in two ways. Firstly, they are primarily diesel fuelled. Secondly, they contribute to queuing traffic both in terms of their size (an HGV is on average equivalent to 2.3 passenger car units) but also because they are slower moving vehicles when they move through junctions they take a greater amount of time and therefore contribute to queuing at those junctions. The use of Route Management Strategies will help to reduce the number of new HGVs that will use roads through the Forest from the larger employment allocations proposed in the LPSV.

How it will be funded.

5.25 This will be a requirement of any planning application in relation to principally new employment development sites or extensions to existing sites. Therefore, there is no specific financial cost associated with this measure.

How it will be delivered.

5.26 The measures will be secured through the imposition of planning conditions or Section 106 planning obligations on individual planning permissions and implemented by site developers.

How its success will be monitored.

5.27 Through future ANPR surveys.

Communications Infrastructure

- 5.28 The promotion and enhancement of communications infrastructure supports the objective of reducing car usage, and will support reductions in work based travel. This will therefore have some benefit in slowing increases in traffic growth on roads through the Forest.

Can the benefits of the mitigation be modelled?

- 5.29 Not specifically. Therefore this intervention is not considered to be a mitigation measure but rather will support the LPSV objective of reducing reliance on the private car, which will have a beneficial effect on the Forest through reductions in traffic growth.

How it will be delivered.

- 5.30 Through the application of Policy D 5 of the LPSV. The Policy requires all major development proposals to demonstrate how high speed broadband infrastructure will be accommodated. In addition other initiatives that are in place which are not linked to development, such as the Superfast Essex programme, will result in improved communications infrastructure for existing residents and businesses which will support home-working for existing residents.

How it will be funded.

- 5.31 This is a requirement for new development sites and will be funded by individual developers.

How its success will be monitored.

- 5.32 Through traffic monitoring.

Awareness Raising Campaign

- 5.33 The issues of air pollution and the climate crisis are becoming far more widely known about and actions to address them are going higher up the agenda in terms of peoples priorities. However, beyond the development world little is currently known by the majority of residents and businesses within the District of the issues facing the Forest. Beginning an awareness raising campaign about the issues, and the fact that everyone within the District who drives a vehicle through the Forest is contributing to the issues affecting its long-term health. Undertaking an awareness raising campaign which includes information about the range of grants and incentives that exist, together with an understanding of what the longer-term financial savings that could be achieved by switching to electric, or other alternative technologies can help to influence decision making when looking to buy a new car or making decisions as to how they want to travel in the future. Such a campaign can begin the conversation and help to support other initiatives within the strategy and help achieve the targets that need to be met in terms of improvements in air pollution.

How it will be funded

- 5.34 By Epping Forest District Council.

How will it be delivered

- 5.35 By Epping Forest District Council

How its success will be monitored.

- 5.36 Through traffic monitoring, air quality monitoring and ANPR surveys.

'Novel' Measures

- 5.37 Recognising the challenges that many places are experiencing in relation to the effects of air quality on both human and ecological health there are a number of new technologies that the Council considers could be trialled in the Forest to support the other mitigation and support measures identified above. It is important that we consider trying some of these measures, which in some cases, may actually involve using the Forest as a real world opportunity to test their effectiveness. We need to do this so that we have done everything we can to reduce air pollution before we have to introduce more 'draconian' measures such as a CAZ or banning HGVs and possibly LGVs from using roads through the Forest. There are two measures in particular that we are investigating implementing.

City Trees

- 5.38 The ability of certain moss cultures to filter pollutants such as particulate matter and nitrogen oxides from the air makes them ideal natural air purifiers. But in cities, where air purification is a great challenge, mosses are barely able to survive due to their need for water and shade. This problem can be solved by connecting different mosses with fully automated water and nutrient provision based on unique Internet of Things technology. Air filtering performance is quantitatively proven and the plants' requirements are measured in real time. The City Tree came into being in order to address these issues by providing the world's first bio-tech filter to quantifiably improve air quality.
- 5.39 City Trees have been installed by the London Borough of Waltham Forest at Leytonstone Station and The Thatched House (at the junction of two heavily trafficked roads – Leytonstone High Road / Leytonstone Road and Cann Hall Road / Crownfield Road). Whilst these have been developed in order to respond to the effects of air pollution on human health they target one of the key pollutants that we are trying to address. They are self-sustaining structures that contain a water tank, with automatic irrigation and plant sensors all powered by on board solar panels and batteries. Consequently, they could be suitable for locating at Wake Arms Roundabout and Robin Hood Roundabout in particular. More information can be viewed [here](#).



A road based pollution extraction system

5.40 This is a new patented technology which captures pollution at the source of production - in the roadway, next to vehicle exhausts. A series of partially submerged pods are installed in the centre of the roadway at "hotspot areas" of high pollution, slow moving and or stationary traffic. These pods are connected under the surface to pipework which extracts the polluted air into a roadside cleaning unit. The air that leaves the roadside unit is cleaned to a rate of 99%, removing particulate matter (PM1 - PM10) along with a range of harmful gases including Nitrogen Oxide (NOx), Carbon Monoxide (CO), Hydrocarbons (HC) and Ozone (O3). The road based pods can also be used for "lane delineation" also known as "white lines". The maintenance required by the roadside air cleaning unit varies depending on the density of pollution and volume of traffic but timescales vary between 3 and 12 month intervals.

Further investigative work prior to implementation

Introduction of a Clean Air Zone:

- 5.41 The air quality modelling that has been undertaken to support the development of this strategy and to inform an update to the LPSV Habitats Regulations Assessment (HRA) has demonstrated that, based on current information and assumptions, in order to achieve the conservation objectives for the EFSAC a key mitigation measure will be the need to implement a Clean Air Zone (CAZ) prior to the end of the Local Plan period in 2033.
- 5.42 The approach set out below is in accordance with [Government guidance](#) for the development of a CAZ. A CAZ is a recognised measure for securing improvements in air quality with a particular focus on addressing emissions from vehicles. A CAZ is normally implemented as a mechanism for addressing concerns about high levels of traffic related pollution on human health i.e. NO_x and particulate matter. However, a CAZ could be equally effective in securing improvements in atmospheric pollution which is having an adverse effect on the integrity of the EFSAC, when targeted appropriately.
- 5.43 In undertaking the air quality modelling work to support the development of this strategy the Council has collected data on the type and age of vehicles using roads through the EFSAC on a daily basis which means that we have a much better understanding of which vehicles are having the greatest impact on the EFSAC in terms of emissions of NO_x and ammonia. This has helped us to focus on the type of CAZ that would need to be implemented.

Clean Air Zones

- 5.44 There are four types, or classes, of conventional CAZ, that have been used by local authorities in other parts of the country as follows:

Class	Vehicle type
A	Buses, coaches, taxis, private hire vehicles
B	Buses, coaches, taxis, private hire vehicles, heavy goods vehicles
C	Buses, coaches, taxis, private hire vehicles, heavy goods vehicles, vans, minibuses
D	Buses, coaches, taxis, private hire vehicles, heavy goods vehicles, vans, minibuses, cars, the local authority has the option to include motorcycles

- 5.45 The aim of a conventional CAZ is to discourage older vehicles, and in particular diesel vehicles, from using areas which have significant air quality issues such as Air Quality Management Areas (AQMA), as these vehicles make the greatest contribution to emissions of NO_x. Emissions of ammonia however, are greater from petrol vehicles. As such, a potential fifth CAZ class, or type, may need to be considered which favours electric vehicles

or vehicles using other technologies which have zero on-road emissions of NOx and ammonia, and would therefore benefit both the integrity of the EFSAC and also AQMAs, designated to protect human health.

- 5.46 We know from data we have collected that the following vehicle types have the greatest effect on the integrity of the EFSAC³:

Vans: Approximately 18% of the daily traffic using roads through the EFSAC is made up of diesel vans but they contributed up to 45% of NOx emissions in 2017.

HGVs: Approximately 2% of the daily traffic using roads through the EFSAC is made up of diesel HGVs but they contributed up to 37% of NOx emissions in 2017.

Older private cars: Approximately 28% of the daily traffic using roads through the EFSAC is made up of older diesel cars (pre-Euro 6) which contributed up to 45% of NOx emissions in 2017.

Petrol cars: Approximately 40% of the daily traffic using roads through the EFSAC is made up of petrol cars which contributed up to 88% of ammonia emissions in 2017.

What minimum emission standards apply to a CAZ?

- 5.47 In terms of NOx, each vehicle type has a minimum emission standard to avoid charges for entering the CAZ, however there are currently no limitations on emissions of ammonia. A vehicle's emission standard can be found in a vehicle logbook or from the vehicle manufacturer, although there is also a useful vehicle emissions checker on the Transport for London (TfL) website.
- 5.48 To avoid being charged in a traditional CAZ, a vehicle must meet the following minimum standard.

Vehicle type	CAZ minimum standard
Buses, coaches, heavy goods vehicles	Euro VI
Vans, minibuses, taxis, private hire vehicles, cars	Euro 6 (diesel) and Euro 4 (petrol)
Motorcycles	Euro 3

³ Vehicle fleet composition data for EFSAC from 2017 ANPR data survey. Emissions data is the maximum contribution by vehicle type, which varies according to road, fleet mix and speed (NOx only), derived in the air quality modelling assessment.

5.49 There are some national exemptions from the charge for the following:

- vehicles that are ultra-low emission
- disabled passenger tax class vehicles
- military vehicles
- historic vehicles
- vehicles retrofitted with technology accredited by the [Clean Vehicle Retrofit Accreditation Scheme](#) (CVRAS)⁴

What type of CAZ might need to be applied for the EFSAC?

5.50 Based on the most up-to-date evidence the type of conventional CAZ that would need to be applied would be a Class D CAZ. This means that the following vehicles would be included:

Buses, coaches, taxis, private hire vehicles, heavy goods vehicles, vans, minibuses, and cars.

We also have the option to include motorcycles and can bring in some local exemptions. In particular we will need to think about how this might apply to vehicles operated by the emergency services.

Further consideration of the potential implications on emissions of ammonia is currently underway. The feasibility of a potential 'Class E' CAZ, which further promotes the use of electric vehicles, should be considered.

What does this mean in practice?

5.48 The standards for a conventional Class D CAZ are as follows:

- **Euro 3** for motorcycles, mopeds, motorised tricycles and quadricycles (L category).
- **Euro 4** for petrol cars, vans, minibuses and other specialist vehicles.
- **Euro 6** for diesel cars, vans and minibuses and other specialist vehicles.
- **Euro VI** for lorries, buses and coaches and other specialist heavy vehicles.

This means that vehicles which comply with the appropriate NO_x standard would be able to enter the CAZ without being charged.

5.49 With regard to NO_x, **Euro 3** became mandatory for all new motorcycles in 2007. **Euro 4** became mandatory for all new cars in 2005 and light vans in 2006. **Euro 6** became mandatory for all new heavy-duty engines for goods vehicles and buses from January 2014, from September 2015 for cars and light vans, and from September 2016 for larger vans up to and including 3.5 tonnes gross vehicle weight.

⁴ The key retrofit technologies are:

- Exhaust after treatment systems – these use a diesel particulate filter (DPF) to reduce emissions of particulate matter and a selective catalytic reduction (SCR) system which reduces nitrogen oxide emissions. They are applied to an existing vehicle powertrain.
- Re-power systems – this involves completely stripping out the existing engine and replacing it with a brand-new powertrain which could be a cleaner diesel engine, a petrol engine + LPG system, a 100% electric powertrain or a hybrid electric powertrain.

5.50 In developing a CAZ for the Forest careful consideration will need to be given to what categories are included to ensure that we are addressing both NO_x and ammonia. To provide an understanding of the current situation in relation to the vehicles using the Forest we have used the data that we collected in 2019 to set out the proportion of vehicles currently using the roads within the Forest which would not comply with the CAZ standards is as follows:

Euro 3: xx % would not comply *Data to be provided*

Euro 4: xx% would not comply *Data to be provided*

Euro 6: xx% would not comply *Data to be provided*

5.51 Vehicles that comply with the CAZ standards set will be able to be driven within the CAZ without having to pay a daily charge. Vehicles which do not comply with the standards can still be driven within the CAZ but would be subject to a daily charge.

5.52 The following are examples of the level of charging, or proposed levels of charging, for other schemes of a similar nature.

The London Ultra Low Emission Zone (ULEZ):

- £12.50 for most vehicle types, including cars, motorcycles and vans (up to and including 3.5 tonnes).
- £100 for heavier vehicles, including lorries (over 3.5 tonnes) and buses/coaches (over 5 tonnes).

Birmingham CAZ:

- £8 for cars, vans and minibuses
- £50 for HGVs, buses and coaches.

When would a CAZ for the Epping Forest SAC be put in place?

5.53 There is currently no date set for introducing a CAZ on roads through the EFSAC. A significant amount of practical work needs to be undertaken before a CAZ would be introduced, including undertaking further monitoring of vehicles and emissions. The work the Council will be undertaking, which will be concluded to support the statutory review of the Local Plan within five years of adoption includes:

- Undertaking more detailed feasibility work to be clear as to whether the CAZ should apply to all roads through the EFSAC or just some.
- Developing a better understanding of where existing vehicles would go if they chose another route to make their journey. This is to ensure that we understand the effects that could occur in other places as a result of the introduction of a CAZ. For example, displaced journeys could end up going through places which also have air quality issues which affect human health.
- Setting up a partnership of key organisations to determine the exact nature of any scheme. Organisations would include Essex County Council, Transport for London,

adjoining local authorities, the Road Haulage Association, the Federation of Small Businesses, and the Emergency Services.

- Undertaking further monitoring of air quality in to provide an understanding of vehicle fleet mix profile to be assessed against the targets set in this strategy.
- Identifying whether any financial initiatives are needed over and above any national schemes to support the achievement of the targets and to minimise the financial impacts on those who need to use the Forest roads including small businesses.

The process for developing a CAZ is set out at Appendix X ***To be completed.***

- 5.54 This further monitoring will be a key component of the preparatory work. This is because there are already some initiatives which may influence the take up of less polluting vehicles or reduce the level of polluting vehicles on roads within the EFSAC. If these changes occur then it may be that the introduction of a CAZ is not needed. However, at this point in time the evidence we have points to the need for a CAZ, although consideration must be taken regarding the impact on ammonia emissions. Some examples of these initiatives are set out below.

Changes to London Low Emission Zone

- 5.55 The Mayor of London is introducing higher standards for heavier vehicles entering the London Low Emission Zone (LLEZ) on 26 October 2020 (with new charges being introduced at the end of February 2021). The LLEZ operates to encourage the most polluting heavy diesel vehicles driving in London to become cleaner. The LEZ covers most of Greater London and is in operation 24 hours a day, every day of the year. This includes roads within LB Waltham Forest such as Woodford Green which then links into Epping New Road.

Extension of London Ultra Low Emission Zone

- 5.56 The Mayor of London is introducing changes to the London Ultra Low Emission Zone (ULEZ) in October 2021. The changes involve extending the current central London ULEZ out to the North and South Circulars. The North Circular (A406) lies close to the administrative boundary of EFDC and it is likely that some journeys that originate in EFD would have destinations within the extended ULEZ area. As a result individuals and organisations whose vehicles currently do not comply with the ULEZ standards may already be making decisions about purchasing less polluting vehicles, and in particular looking toward purchasing electric or other zero-emission vehicles.

Tax incentives

- 5.57 Government has introduced a number of fiscal incentives and grants for businesses and individuals designed to encourage the take up of electric and low emission vehicles including:
- Reduced car tax
 - Significantly lower tax levels for users of company cars. For company car drivers and fleet operators choosing an electric car from April 2020, there will be zero tax on Benefit in Kind (BIK) during 2020 / 2021. This zero rate also applies to hybrid vehicles with

emissions from 1 - 50g/km and a pure electric range of over 130 miles. There are now 11 new tax bands for vehicles with emissions of 75g/km and below, some of which are linked to the electric mile range that the vehicle offers. The government has also announced the tax rate for the next three years, helping businesses to plan ahead. The electric car tax on benefit in kind rate will increase to 1% in 2021 / 2022 and 2% in 2022 / 2023.

- Cars bought by a business with CO2 emissions of less than 50g/km are eligible for 100% first year capital allowances. This means with electric cars, the business can deduct the full cost from its pre-tax profits. On a car costing around £40,000 this could amount to a tax relief of £7,600 in the first year.
- Employers who provide electricity at a place of work can qualify for an exemption to this being taxed as a benefit-in-kind if the electricity is provided via a dedicated charge point, if the charging facilities are provided at or near the workplace and the charging must be available to either all employees or all the employer's employees at a particular location.
- There are also grants available for businesses and private individuals towards the costs of buying electric charging infrastructure and towards the cost of purchasing a vehicle.

This is currently being checked

Scrappage schemes

- 5.58 It is understood that the government is potentially exploring introducing a vehicle scrappage scheme which, if introduced, would be incentivising those with the oldest and most polluting vehicles to replace them with an electric vehicle. Notwithstanding this a number of the larger car manufacturers have initiated their own scrappage schemes. A shift toward electric vehicles would reduce emissions of both ammonia and NOx and would therefore be of great benefit to the integrity of the EFSAC.

Increases in home working

- 5.59 Government provides a traffic modelling tool which provides assumptions on growth in traffic over time. There are suggestions that these growth assumptions under-estimate the increase in home-working and this was before more people experienced working from home during the COVID-19 crisis. There is the potential that, if more people work from home on a more regular basis then the level of growth in background traffic that we have had to assume in our traffic modelling which has then informed our air quality modelling may be over-estimating the amount of traffic that will be using roads through the EFSAC by the end of the Local Plan in 2033.
- 5.60 All of these examples can have an influence on the level and type of traffic that will use the roads within the EFSAC in the future. However, we cannot take these into account as there is insufficient certainty as to by how much any of these factors will change the quantum of traffic and profile of vehicle types.

The importance of monitoring and review

- 5.61 The Council fully recognises that the introduction of a CAZ will have a real impact on both individuals and businesses. Therefore, committing to develop and, if necessary,

implementing a CAZ covering roads within the EFSAC has not been taken lightly. However, if we don't take this approach then we would be prevented from bringing forward much needed homes and job opportunities across the District. That is why as part of the detailed work that we will be starting to undertake we need to make sure that the final decision on introducing a CAZ is based on the most up-to-date information so that we can be certain that we are focusing our efforts in the correct way. It also means that we can look at focusing any financial assistance that may be needed by individuals and businesses in particular can be properly targeted. It is also important to recognise that although the CAZ would be put in place to protect the Epping Forest itself, which is an important resource to residents across the District, the more cleaner vehicles we have in the District the better the District's air quality will be for all of our residents.

How it will be funded

- 5.62 There are currently a number of Government funding initiatives in place to support the development of CAZs. Whilst these are focused on addressing issues of air pollution as they affect human health the Council will be discussing with the Department for the Environment, Farming and Rural Affairs and the Ministry of Housing, Communities and Local Government the potential of securing Government funding recognising the unique challenges that the District is facing.

Banning HGVs and, if necessary LGVs from using roads through the Forest

- 5.63 This is currently being investigated as an extension of the Route Management Strategy approach. This can be modelled in the future if monitoring data indicates that this may be necessary. There are some practical challenges in looking at this approach which are still being considered over and above the potential economic impact for local businesses. These challenges include:
- The impacts on communities which are located on routes that HGVs would use as an alternative to roads through the Forest.
 - The impact on the capacity of other parts of the road network to accommodate additional HGV movements.
 - The impacts on communities where there is no other routing option in terms of the need for HGVs to serve them. This includes local businesses including supermarkets.
 - How much of an air quality benefit would arise which would justify this approach.
 - Who would pay for the implementation of the scheme this as it may be difficult, on the face of it, to demonstrate that development proposals should pay when applying the CIL Section 122 tests.
- 5.64 Variants could be to ban HGVs during peak hours and also consider extending this to include LGVs. A key consideration for this approach would be how practical it would be for deliveries to businesses which have planning conditions restricting hours of delivery and the effects on small businesses and customers in relation to LGVs.

Inclusion of a trigger policy for the release of larger sites

- 5.65 This approach would involve identifying sites which have the potential to make a material contribution to increases in traffic on roads through the Forest. The development of a ‘trigger’ policy so that a site or only a certain proportion of a site could come forward for development when it could be demonstrated through future monitoring and modelling that the development of the site would not have an adverse effect on integrity or an unacceptably delayed achievement of the conservation objectives for the Forest. This might be considered to be a more certain mechanism for HRA purposes as these schemes could be removed from the modelling so that it would be possible to provide air quality data with and without such developments. This would mean that they remain allocated in the Plan but that their release would be managed based on evidence. This type of approach is not a ‘novel’ one in planning policy terms.

6 Monitoring and Review

- 6.1 The Council, as local planning authority, is legally required to undertake a review of its Local Plan every five years. Whilst this does not automatically mean that the Local Plan itself will be updated the review should be informed by the monitoring of data to understand if key indicators in the Local Plan are being achieved, and if they are not, then this can act as a ‘trigger’ which requires the Council to undertake an update to its Local Plan in order to rectify/remedy any issues identified through the review.
- 6.2 In this regard, undertaking a planned approach to air quality monitoring to assess progress on improvements to air quality is a necessary and key component of this strategy. This will involve a number of elements as follows:
- Provision of a continuous air quality monitoring unit. The pollutants to be monitored and the most effective location for doing so will be discussed and agreed with Natural England and the Conservators of Epping Forest. The permanent facility will provide an important source of information based on continuous monitoring which takes account of different seasons and changes in traffic levels across the year.
 - Undertaking on-site passive monitoring of Ammonia and NO₂ (e.g. diffusion tubes) within the Epping Forest Special Area of Conservation) using the same sites and methodology as that undertaken for the air quality monitoring undertaken over the period May 2018 – February 2019. The monitoring will be undertaken every **xx** years for a period of **x** months and will cover the months of **xx**. This will allow for an analysis of conditions with and without leaf cover and across periods where traffic levels are not reduced as a result of school and public holidays. This monitoring will build on the outputs from the continuous air quality monitoring station.
 - Use the results of the on-site monitoring to assess against the ‘predicted’ air quality conditions as assessed through the Updated HRA 2019.
 - Undertake traffic counts at key parts of the road network through the Forest which aligns with air quality monitoring to provide a comparable basis for review and assessment.

The above monitoring proposals are subject to further advice and input including from Natural England and the Conservators of Epping Forest

- 6.3 This monitoring information will inform the review of the Local Plan which will be assessed by undertaking further air quality modelling work, using the same methodology and utilising the most up-to-date projections from DEFRA. On the basis of the most up-to-date modelling outputs the Council will undertake an assessment as to whether the Local Plan should be updated in relation to the level and location of development across the District in consultation with Natural England as the statutory body responsible for oversight of European site protection. This will include consideration as to whether any issues regarding expected improvements are as a result of local issues or are related to regional or national effects, and to which pollutants these issues relate to.
- 6.4 The cost of undertaking the monitoring and comparative assessments will be secured through contributions from all development proposals which are proposed to be approved under the Town and Country Planning Acts, which have required a transport assessment or transport statement. The cost to be secured is £xx per dwelling/self-contained unit or £xx per square metre for non-residential development where a net increase in traffic as a result of the development has been identified.

Appendix 1: Non-planning related activities

Wider activities being undertaken or proposed to be undertaken by the Council

1.1 As well as its function as a local planning authority the Council has duties under the Environment Act 1995 with respect to Local Air Quality Management (LAQM). Whilst the Council's LAQM role is focused on the effects of air quality on human health some of these activities will also have a benefit with respect to supporting improvements in air quality which will be beneficial to ecological health. The Council has decided to incorporate all activities that support air quality improvements for both human and ecological health to ensure that a complete and comprehensive approach is provided in one place. Some of the activities that the Council is undertaking or exploring are as follows:

- Clean Air Day – undertake additional promotional work outside schools, focussing on known problem areas, speaking to parents in vehicles and also raising awareness with the children.
- Idling vehicles promotion campaign – Raise awareness of the impacts of idling vehicles and that idling is an offence that may lead to the issuing of an FPN Enforcement of Idling Vehicles by EFDC – officers have been given the necessary authority to serve Fixed Penalty Notices (May 2018). It is intended for this power to be targeted where complaints are received and it will follow a promotional campaign to highlight this power to residents. There are opportunities to consider whether there are opportunities to include the use of FPNs at sensitive parts of the Forest.
- Effective regulation of Part B and Part A2 regulated activities including solvent emission activities.
- Investigation of complaints regarding, and regular reviews to search for unpermitted industrial activities.
- Investigation of complaints and effective regulation in respect of industrial and domestic bonfires.
- Investigation of complaints, provision of information and effective regulation of smoke control areas (Loughton and Waltham Abbey).
- Participation in 'Clean Air Day' anti-idling promotion initiatives with a focus outside schools.

Providing electric vehicle charging points in Council owned car parks

1.2 The Council is exploring the provision of electric vehicle charging points within its network of car parks across the District.

Working with Partners and Landowners

1.3 There are a number of areas where the Council will use its influence with Partners and Landowners, including though the Green Arc Partnership, in respect of the following:

- Encouraging the change to cleaner buses
- Working with the Conservators of Epping Forest, as a landowner, with regard to management of its agricultural landholdings and use of buffer lands for grazing
- Working with the Conservators of Epping Forest and Essex County Council to encourage the development of an up-to-date Transport and Access Management Strategy for the Forest, including an appropriate approach to encouraging visits to the Forest by means other than the Car such as charging for car parking.
- Working with landowners to encourage changes to land management and agricultural practices by promoting, for example, the government's national Code of Good Agricultural Practice.

Activities outside of the Council's sphere of influence

Note: The government's approach to managing ammonia emissions has been included to provide a 'complete picture' recognising that although not in place and therefore not certain for the purposes of undertaking the HRA nevertheless there will be positive actions taken over the course of the Plan period.

1.4 The government's Clean Air Strategy 2019 has identified a number of actions that it will undertake which will support reductions in the effects on habitats from ammonia, which primarily arises from agricultural practices. It should be noted that these measures have not been taken into account in modelling the 'Mitigated' scenarios in relation to understanding the effects of development on air quality on the Forest. These actions are as follows:

- Government has provided a national code of good agricultural practice (COGAP) to reduce ammonia emissions.
- Government will require and support farmers to make investments in the farm infrastructure and equipment that will reduce emissions.
- A future environmental land management system will fund targeted action to protect habitats impacted by ammonia.
- Government will continue to work with the agriculture sector to ensure the ammonia inventory reflects existing farming practice and the latest evidence on emissions.
- Government will regulate to reduce ammonia emissions from farming by requiring adoption of low emissions farming techniques.
- Government will extend environmental permitting to the dairy and intensive beef sectors.
- Government will regulate to minimise pollution from fertiliser use, seeking advice from an expert group on the optimal policy approach.
- A future environmental land management system will fund targeted action to protect habitats impacted by poor air quality. Achievement of our 2030 air quality targets will reduce the pressure of emissions on semi-natural habitats. However, despite projected improvements, some vulnerable habitats will still be exposed to nitrogen deposition and atmospheric levels of ammonia that are greater than they can tolerate. Natural England is currently examining options to improve the effectiveness of incentive schemes for mitigating ammonia emissions to air and

protecting natural ecosystems. In addition, we have commissioned further work to investigate how these habitats might be protected most effectively through new environmental land management schemes.

1.5 Government proposes to introduce rules on specific emissions reducing practices including:

- a requirement to take action to reduce emissions from urea-based fertilisers. Government proposes to consult on this policy in 2019 with a view to introducing legislation in the shortest possible timeframe;
- a requirement for all solid manure and solid digestate spread to bare land (other than that managed in a no-till system) to be incorporated rapidly (within 12 hours) with legislation to be introduced in the shortest possible timeframe;
- a requirement to spread slurries and digestate using low-emission spreading equipment (trailing shoe or trailing hose or injection) by 2025. Government will also consider options for phasing in this requirement so that those spreading digestate or large volumes of slurry may be required to adopt the practice at an earlier date;
- a requirement for slurry and digestate stores to be covered by 2027. Government will consider options for phasing in this requirement so that those producing or storing digestate or large volumes of slurry may be required to adopt the practice at an earlier date.
- mandatory design standards for new intensive poultry, pig and beef livestock housing and for dairy housing. The standards will be designed in collaboration with industry experts and will include design features to improve animal health and welfare and minimise environmental pollution to air (including greenhouse gas emissions), water and land as far as practicable
- Emissions of ammonia fell by 13% between 1980 and 2015. However, since then there has been an increase in emissions, largely as a result of fertiliser use. Government's aim is to reduce emissions of ammonia against the 2005 baseline by 8% by 2020 and 16% by 2030.

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Date: 15 June 2018
Our ref: 247581
Your ref:



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Dear Mr Richardson,

Emerging Strategic Approach Relating to the Epping Forest Special Area of Conservation (SAC) Mitigation Strategy – Interim Advice for Development

Thank you for your letter dated 21st May 2018, requesting advice from Natural England on how your authority should respond to planning applications for minor development. Having considered your request, we have taken the view that until the updated Habitats Regulations Assessment (HRA) has been produced, all development needs to be considered in the same way, due to the complexities and uncertainties relating to air quality impacts on Epping Forest SAC.

Natural England is keen to work with Epping Forest District Council (EFDC) and other stakeholders to address the challenges of dealing with planning advice at this interim stage. Based on the information we have currently received, Natural England advises that minor developments will require a Habitats Regulations Assessment with EFDC acting as the competent authority. We recognise this is not an ideal situation but nevertheless sets out the situation if EFDC needs to determine planning applications at this moment in time in a manner that is compliant with the requirements of the Habitats Regulations. Natural England understands that further relevant information will be available soon (e.g. the Mitigation Strategy for Recreation and a revised HRA for the EFDC Local Plan) to enable us to review this initial interim advice.

Background to Local Plan Habitats Regulations Assessment (HRA) and Mitigation Strategy

We welcome the productive working relationship we have established with you regarding the development of the Mitigation Strategy to address air pollution and recreational pressure impacts on Epping Forest SAC and SSSI. We also welcome and support the additional work you are undertaking to update the Local plan HRA which we understand will include consideration of the following:

- Visitor Survey assessment (undertaken by Footprint Ecology)
- Updated transport and air pollution modelling
- Identification of proposed mitigation measures to address recreational and air pollution impacts
- Updated conclusions on whether there will be any adverse impacts, either alone or in-

combination.

We therefore recognise that there is going to be a period of difficulty for you in determining planning applications until these additional pieces of information are available. In our view it is going to be very difficult to identify suitable mitigation measures to minimise or remove any air quality impacts to enable a conclusion of no adverse effect on site integrity of the SAC to be reached at the individual planning application until the updated HRA has been prepared. It may therefore not be possible for you to determine such planning applications until the updated Local Plan Habitats Regulations Assessment has been finalised

Recreational Impacts

As part of the work required to produce the Mitigation Strategy, Footprint Ecology undertook a visitor survey to identify a recreational zone of influence and to identify the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC. *Natural England therefore advises that in this interim period a zone of influence of 6.2Km is used to determine whether residential applications will have a recreational impact on Epping Forest SAC.*

Air Pollution Impacts

Given the above Natural England considers that significant uncertainty remains and that this uncertainty undermines the conclusions drawn in section 9. At this stage Natural England advises that neither an adverse effect nor a likely significant effect on Epping Forest SAC can be ruled out.

Work is now ongoing by your authority to update the HRA with respect to the likely air pollution impacts on Epping Forest SAC from the Epping Forest District Local Plan. Natural England has outlined our concerns in relation to the impacts the proposed level of growth and development could have on Epping Forest SAC as part of the local plan consultation process. Whilst we are of the view that there will be impacts *until the HRA has been updated Natural England doesn't have the following critical information to provide any interim advice* regarding how to deal with air pollution impacts:

- The severity of the in-combination air pollution impacts, especially with respect to whether there are any adverse effects and
- The mitigation measures which will be applied to reduce or remove any impacts to enable a conclusion of no adverse effects to be reached (where adverse effects have been identified)

In the absence of this information we are unable to identify additional mitigation measures which could be applied. Also there is uncertainty with respect to how long this interim approach would need to be in place, particularly given the current delay with the local plan.

Interim Approach

Normally minor development would not be considered to be complex or difficult. However, in this instance, due to the in-combination impacts of air pollution and recreational pressure, such cases should be considered as being complex. This is due to the difficulty in identifying mitigation solutions which are compliant with the Habitats Regulations ahead of the strategic approach which will be developed by the Mitigation Strategy, which in turn will be informed by the updated HRA. You might therefore want to regard these applications as complex and outside of routine planning decision targets.

We note that your authority has issued an interim statement detailing how planning applications will be considered in this interim period. In light of this statement we would advise that:

- All residential planning applications which are within 6.2Km of Epping Forest SAC need to be subject to a project level HRA to address recreational impacts,
- All residential and employment proposals within Epping Forest District likely to have an air pollution impact on Epping Forest SAC will need to be subject to a project level HRA. The Habitats Regulations Assessment requires the likely effect of plans to be considered alone and in combination with other plans/projects.

The factors which need to be considered to determine if the proposals are likely to have an air pollution impact are as follows:

- a) The proximity of the development to Epping Forest SAC and whether the proposal gives rise to emissions which are likely to contribute to adverse air quality effects (e.g. exceedances of AQ thresholds) alone, and in combination within Epping Forest SAC.
- b) Whether the proposal will result in an increase in traffic on roads in close proximity to Epping Forest SAC alone and in combination with other plans/projects and,
- c) Whether the SAC habitats and species features that are sensitive to air pollution effects are within 200m of the relevant key roads (i.e. all roads relevant to alone and in combination assessments including the EFDC HRA and MoU listed roads).

We have also provided some additional information which should be considered (Annex 1) when undertaking a HRA for impacts on the SAC.

Should you have any queries please do not hesitate to contact Jamie Melvin (e: Jamie Melvin: e: jamie.melvin@naturalengland.org.uk T: 02080261025)

Yours sincerely,



Aidan Lonergan
Area Manager – West Anglia Team

Annex 1

Natural England's Additional Advice for Consideration When Undertaking a Habitats Regulations Assessment for Development Affecting Epping Forest SAC

1. Epping Forest SSSI

A helpful description of the SSSI area and features is provided in the [Epping Forest SSSI citation](#)

Many of the SAC features are also SSSI interest features, for example: the listed woodland types, heathlands and greater stag beetle. In addition to this, the SAC feature transitions and mosaics include grasslands, freshwater habitats (including bogs) and other woodland types that are SSSI features. This mosaic of forest-wood pasture habitats supports a nationally important assemblage of ancient and veteran trees, bryophytes, fungi, invertebrates (including dragonflies and saproxylics such as stag beetle), amphibians, breeding birds and nationally notable lichens. In addition to this, the Forest supports features of significant interest that contribute to its overall character and quality, including natural sections of spring-fed watercourses; archaeological sites, ancient soils with seedbanks and complex communities, and many species of national and county significance.

Not all of the SSSI is also notified as SAC, and so it is recommended that the above links are used to confirm which legislation applies, and what assessment criteria apply. Further information on the Habitats Regulations tests is provided below. Preferably, the application (or request for pre-application advice) should reference the SSSI / SAC and include sufficient information to enable an assessment of impacts and mitigation requirements to be made. The range of most likely impacts are outlined below, along with mitigation measures which may be appropriate.

Further background information on the Epping Forest SAC, SSSI; its notified interest features and conservation objectives can be found on the MAGIC website

2. Epping Forest SAC

The Conservation Objectives for Epping Forest SAC can be viewed at <http://publications.naturalengland.org.uk/category/6490068894089216>

For the purposes of preparing for or undertaking an assessment required by the Conservation of Habitats and Species Regulations 2010 (as amended), all of the qualifying features listed below must all be treated equally.

2.1 The following Annex I natural habitat types and/or Annex II species of European importance were the primary reason for the initial selection of this SAC:

- **H9120. Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*); Beech forests on acid soils**

This qualifying habitat comprises beech *Fagus sylvatica* forests with holly *Ilex*, growing on acid soils, in a humid Atlantic climate. Epping Forest is within the north-eastern part of the habitat's UK range. Sites of this habitat type often are, or were, managed as wood-pasture systems, in which pollarding of beech and oak *Quercus* spp. was common. This is known to prolong the life of these trees.

The vegetation which comprises this habitat falls within three UK National Vegetation Classification (NVC) community types:

- W14 *Fagus sylvatica* – *Rubus fruticosus* woodland

- W15 *Fagus sylvatica* – *Deschampsia flexuosa* woodland
- W10 *Quercus robur* – *Pteridium aquilinum* – *Rubus fruticosus* woodland

Typical species include holly *Ilex aquifolium*, bracken *Pteridium aquilinum* and bramble *Rubus fruticosus*, with wavy hair-grass *Deschampsia flexuosa* in the most acidic areas.

Epping Forest SAC contains an extensive area of former beech *Fagus sylvatica* wood-pasture with many old pollards and associated beech and oak *Quercus* spp. Holly *Ilex aquifolium* and honeysuckle *Lonicera periclymenum* are significant components of the shrub layer of the woodlands, with occasional Yew *Taxus baccata* and presence of *Ruscus aculeatus*. The ground flora is frequently dominated by Bracken *Pteridium aquilinum* and brambles *Rubus fruticosus* agg., but more varied mosaics and transitions include scattered patches of wavy hair-grass *Deschampsia flexuosa*; cushions of the distinctive moss *Leucobryum glaucum*; and acid grassland-heathland plants such as *Teucrium scorodonia* and *Calluna vulgaris*.

Although the epiphytes at this site have declined, largely as a result of air pollution, it remains important for a range of rare species, including the Knothole moss *Zygodon forsteri*. The long history of pollarding, and resultant large number of veteran trees, ensures that the site is also rich in fungi, dead-wood invertebrates and notable bryophytes and lichens.

- **S1083. *Lucanus cervus*; Stag beetle.**

The decaying timber in the large woodland area of *Epping Forest* supports a large population of stag beetle *Lucanus cervus*. The stag beetle requires decaying wood to complete its lifecycle. Its eggs are laid underground in the soil next to logs or the stumps of dead trees (typically apple *Malus* spp., elm *Ulmus* spp., lime *Tilia* spp., beech *Fagus sylvatica* and oak *Quercus* spp.). The beetle larva (or grub) will spend up to seven years in the wood, slowly growing in size. Timber is also utilised, especially sunken fence posts.

Adult stag beetles emerge from mid-May until late July. Males emerge earlier to actively search for females to mate, and can often be seen flying on sultry summer evenings an hour or two before dusk. As adults they are short-lived and generally die after mating, although occasionally some may over-winter in sheltered warm places.

Epping Forest SAC has a large number of ancient trees with decaying timber and a diversity of tree species, habitat structure and canopy conditions characteristic of former royal forests and wood-pasture. The site straddles the Essex and east London population centres of the species and records are widespread and frequent in the SAC. Epping Forest is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.

2.2 The following natural habitat types and/or Annex II species of European importance form important qualifying features of the site and added further justification for the selection of the Epping Forest as a SAC within the Natura 2000 network;

- **H4010. Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath**

Wet heath usually occurs on acidic, nutrient-poor substrates, such as shallow peats or sandy soils with impeded drainage. The vegetation is typically dominated by mixtures of cross-leaved heath *Erica tetralix*, heather *Calluna vulgaris*, grasses, sedges and *Sphagnum* bog-mosses.

At this site, this Annex 1 habitat feature is known to predominantly comprise the following UK National Vegetation Classification (NVC) community; *M16 Erica tetralix - Sphagnum compactum*

wet heath.

- **H4030. European dry heaths**

European dry heaths typically occur on freely-draining, acidic to circumneutral soils with generally low nutrient content. Ericaceous dwarf-shrubs dominate the vegetation. The most common is heather *Calluna vulgaris*, which often occurs in combination with gorse *Ulex* spp., bilberry *Vaccinium* spp. or bell heather *Erica cinerea*, though other dwarf-shrubs are important locally. Nearly all dry heath is semi-natural, being derived from woodland through a long history of grazing and burning. Most dry heaths are managed as extensive grazing for livestock or, in upland areas, as grouse moors.

At this site, this Annex 1 habitat feature is known to predominantly comprise the following UK National Vegetation Classification (NVC) community; *H1 Calluna vulgaris - Festuca ovina heathland*.

- **Additional Site Notes**

The habitat features will comprise a number of associated semi-natural vegetation types and their transitional zones, reflecting the geographical location of the site, altitude, aspect, soil conditions (especially base-status and drainage) and vegetation management. In the UK the core habitats have been broadly categorised by the National Vegetation Classification (NVC) but it should be acknowledged within assessments that conserving the transitions and mosaics with other habitat-types and NVC communities may be important component of favourable conservation status. Maintaining or restoring these characteristic and distinctive vegetation types, and the range of types as appropriate, will be important to sustaining the overall habitat feature and the biodiversity it supports. For example, Wet Heathland (M16) may include transitions and mosaics with *Sphagnum* bogs (M-type) and wet acid grasslands. Dry Heathland (H1) may include transitions and mosaics with dry acid grasslands (U1 –types).

This SAC classified area within Epping Forest includes three of the main wood pasture types in Britain namely Beech-Oak, Hornbeam–Oak and mixed Oak. The H9120 community and the broader mosaics and transitions characteristic of ancient forests and wood-pastures are well-represented within the site. Maintaining this characteristic diversity and range is critical for the conservation of site features (e.g., H9120 and stag beetles) and site integrity.

3.0 Assessing Recreational Pressure and Urbanisation Impacts

Epping Forest SAC features are vulnerable to impacts from recreational pressure, including:

3.1 **Trampling pressure** – many SAC habitats (e.g., woodland, heathlands – grasslands/wetlands) support typical and character species that are sensitive to direct damage by trampling, excessive soil compaction and erosion. The Forest is a mosaic of habitats with areas that are subject to a range of recreational pressures. Whilst these are managed overall by City of London Epping Forest, some of these areas are currently experiencing prolonged exceedances of recreational pressure and/or are vulnerable to further increases to the detriment of notable SAC features.

3.2 **Dog waste** – many SAC habitats (e.g., woodland, heathlands – grasslands) support typical and character species that can establish and survive in low nutrient soil conditions. Dog faeces adds a significant input of phosphate and nitrate into these Forest soils, locally impacting on ancient soil quality, its seedbank, ground flora and soil fungi. This can change the character vegetation and the overall resilience of the SAC habitat. This is particularly relevant to the root health of

ancient trees in areas of high daily visitor access with the increase in daily visits from the proposed increases in local residential populations

- 3.3 Vandalism** – many SAC habitats (e.g., woodlands, heathlands – grasslands/wetlands) support typical and character features that are vulnerable to physical damage (e.g., breaking tree branches, breaking up old stumps, smothering, digging etc.). Other vandalism can adversely impact on infrastructure necessary for conservation management (e.g., interpretation promotes best practice, bridges/culverts/dams manage water flow, fencing manages livestock & access), and/or resources (e.g., repair costs and staff time)
- 3.4 Erosion and soil compaction** – many SAC habitats (e.g., woodlands, heathlands – grasslands/wetlands) support typical and character features that are vulnerable to excessive soil erosion (e.g., mountain biking trails can impact on moss habitats, veteran tree roots and heathlands). The Forest is a mosaic of habitats with areas that are subject to a range of recreational pressures. Whilst these are managed overall by City of London Epping Forest, some of these areas are currently experiencing prolonged exceedances of recreational pressure and/or are vulnerable to further increases to the detriment of notable SAC features. The impacts of erosion and compaction are very difficult to ameliorate or reverse or mitigate and avoidance is most important.
- 3.5 Disturbance** – many SAC habitats (e.g.- woodlands, heathlands – grasslands/wetlands) support typical and character species (e.g., breeding birds, reptiles) that are vulnerable to excessive disturbance from noise, dogs and people. Whilst these may not be SAC listed features, they may be either listed SSSI features and/or S41 species, and therefore notable within a statutory planning context.
- 3.6 Litter & Pollution** – many SAC habitats (e.g., woodlands, heathlands – grasslands/wetlands) support typical and character features that are vulnerable to litter/pollution. The litter may be non-biodegradable thus cumulatively altering local niches (e.g., affecting soil/water quality, trapping small animals) and/or leach contaminants that can impact on habitats/species either acutely or chronically (e.g. affecting soil/water quality) to the detriment of the overall quality of the SAC feature. Whilst some vulnerable species may not be SAC listed features, they may be either listed SSSI features and/or S41 species, and therefore notable within a statutory planning context.
- 3.7 Fire** - many SAC habitats (e.g., woodlands, heathlands – grasslands/wetlands) support typical and character features that are vulnerable to fire. For example, these habitats with constituent soils and wildlife they support may be adversely impacted by fires. For example, some veteran trees may be centuries old with nationally significant rarities associated with them (e.g., saproxylic invertebrates, lichens, mosses etc.) and arguably irreplaceable. Fires can also adversely impact on the character of the topsoil causing impacts to the vegetation and fungal communities.
- 3.8 Increase in access by vehicle or Foot** Where the application shares a boundary with the SSSI / SAC, our default position is that no new access should be created into the Forest. Boundaries (see below) should not include any gated access or driveways, and the Forest should not be used temporarily by construction vehicles to access a development site (neither should the Forest be used to store construction materials or waste products (such as skips etc.), or erect, assemble or maintain related equipment.

Where appropriate for the location and agreed with City of London Epping Forest, a suitably robust boundary fence of suitable design should be installed (for example, full height fencing, light penetrating where necessary), with monitoring and maintenance responsibilities (in perpetuity) described. For larger sites which may be passed to a grounds maintenance

company, the specification of their responsibilities should include any boundary treatment monitoring and maintenance

There may be additional recreational activities that adversely impact on Epping Forest SAC, that have been identified by City of London Epping Forest as part of their site management and management plan consultations. Individual applications need to be considered based on the information available and the risks they may pose. Some generic information about the impacts of recreation on woodland may be available via

[https://www.forestry.gov.uk/pdf/FCRP020.pdf/\\$FILE/FCRP020.pdf](https://www.forestry.gov.uk/pdf/FCRP020.pdf/$FILE/FCRP020.pdf)

4.0 Assessing air quality impacts

Epping Forest SAC features are considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it. Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats are not likely to occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition. There are currently no critical loads or levels for other pollutants such as Halogens, Heavy Metals, POPs, VOCs or Dusts. These should be considered as appropriate on a case-by-case basis. Ground level ozone is regionally important as a toxic air pollutant but flux-based critical levels for the protection of semi-natural habitats are still under development. More information about site-relevant Critical Loads and Levels for this SAC is available by using the 'search by site' tool on the Air Pollution Information System (see www.apis.ac.uk). It is recognised that achieving this target may be subject to the development, availability and effectiveness of abatement technology and measures to tackle diffuse air pollution, within realistic timescales.

4.1 **H4010. Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath**

The critical levels for NH₃ and critical loads for Nitrogen deposition are being exceeded for the wet heath habitats (and their transitional communities). In addition to this, site-based evidence indicates that the Critical Levels for NO_x are also being exceeded. The relevant Critical Levels and Critical Loads for the H4010 wet heath feature at Epping Forest are as follows:

1) NO_x – Critical Level: 30ug NO_x m⁻³ for an annual mean and 75ug µg NO_x m⁻³ for a 24 hour mean

This level is linked to effects that are mainly on growth, photosynthesis and nitrogen assimilation/metabolism within photosynthetic plants. The level is also regarded as likely to cause direct damage to the mosses, liverworts and lichens of the wet heath community (and mosaic communities) because they receive nutrients from atmospheric deposition leading to reduced species diversity and an increase in nitrogen-loving species. Furthermore, the wet heath community (and its mosaic/ transitional communities including bog pools etc.) is vulnerable to adverse changes in vegetation composition such as reduced species diversity and an increase in nitrogen-loving species. There is also an increased risk of heather beetles infesting *Calluna vulgaris*, encouraged by higher N levels in plants

2) NH₃ – Critical Level: 1 µg NH₃ m⁻³ for an annual mean.

This level is linked to a loss of sensitive mosses and lichens communities. Communities become dominated by robust nitrogen-loving plants at the expense of typical and character

lichens and mosses of an open sward.

3) Nitrogen Deposition – Critical Loads: maximum 10kg N/ha/year (see comments)

This level is linked to changes in species composition with a marked decline in *Calluna vulgaris* and ericoids and an increased dominance of grasses. There are also likely to be losses of bryophytes and lichens as per (2) above. There may also be negative effects on ericoid mycorrhiza and an increase in drought sensitivity. There is an increased risk of heather beetle infestation and vulnerability to insect pests and frost.

It should be noted that the bog pools and transitional bog communities supporting *Sphagnum* moss species may be more vulnerable to Nitrogen deposition than the overall M16 habitat and require a lower critical load of between 5 – 10kg N/ha/year. This should be taken into account when making judgments about the restoration and conservation of the wet heath mosaic, either on a unit basis where detailed survey based information exists or on a precautionary basis for the whole wet heath resource.

4) Sulphur Dioxide – Critical Level: 10 µg SO₂ m⁻³ for an annual mean

This level is linked to the vulnerability of lichens (and possibly bryophytes) within the wet heath community. SO₂ dissolves in water to produce acidic ions which are readily absorbed through the lichen thalli disrupting photosynthesis. SO₂ has also been shown to inhibit the activity of nitrogenase, which is used by cyanobacterial photobionts to fix atmospheric nitrogen.

4.2 H4030. European dry heaths

The critical levels for NH₃ and critical loads for Nitrogen deposition are being exceeded for the dry heath habitats (and their transitional communities). In addition to this, site-based evidence indicates that the Critical Levels for NO_x are also being exceeded. The relevant Critical Levels and Critical Loads for the H4030 dry heath feature at Epping Forest are as follows:

1) NO_x – Critical Level: 30ug NO_x m⁻³ for an annual mean and 75ug µg NO_x m⁻³ for a 24 hour mean

This level is linked to effects that are mainly on growth, photosynthesis and nitrogen assimilation/metabolism within photosynthetic plants. The level is also regarded as likely to cause direct damage to the mosses, liverworts and lichens of the dry heath community (and mosaic communities) because they receive nutrients from atmospheric deposition leading to reduced species diversity and an increase in nitrogen-loving species. Furthermore, the dry heath community (and its mosaic/ transitional communities) is vulnerable to adverse changes in vegetation composition such as reduced species diversity and an increase in nitrogen-loving species. There is also an increased risk of heather beetles infesting *Calluna vulgaris*, encouraged by higher N levels in plants

2) NH₃ – Critical Level: 1 µg NH₃ m⁻³ for an annual mean.

This level is linked to a loss of sensitive mosses and lichens communities. Communities become dominated by robust nitrogen-loving plants at the expense of typical and character lichens and mosses of an open sward.

3) Nitrogen Deposition – Critical Loads: maximum 10kg N/ha/year (max – see comments)

This level is linked to changes in species composition with a marked decline in *Calluna*

vulgaris and ericoids and an increased dominance of grasses. There are also likely to be losses of bryophytes and lichens as per (2) above. There may also be negative effects on ericoid mycorrhiza and an increase in drought sensitivity. There is an increased risk of heather beetle infestation and vulnerability to insect pests and frost.

It should be noted that the bog pools and transitional bog communities supporting *Sphagnum* moss species of the H1/M16 mosaic may be more vulnerable to Nitrogen deposition than the overall dry heath habitat and therefore require a lower critical load of between 5 – 10kg N/ha/year. Furthermore, areas where transitions include acid grasslands may also require a lower critical load of 8 kg N/ha/year. This should be taken into account when making judgments about the restoration and conservation of the H1/M16 mosaic and H1/acid grassland areas, either on a unit basis where detailed survey based information exists or on a precautionary basis for the whole heathland resource.

4) Sulphur Dioxide – Critical Level $10 \mu\text{g SO}_2 \text{ m}^{-3}$ for an annual mean

This level is linked to the vulnerability of lichens (and possibly bryophytes) within the dry heath community. SO_2 dissolves in water to produce acidic ions which are readily absorbed through the lichen thalli disrupting photosynthesis. SO_2 has also been shown to inhibit the activity of nitrogenase, which is used by cyanobacterial photobionts to fix atmospheric nitrogen.

4.3 H9120. Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer (Quercion robori-petraeae or Ilici-Fagenion); Beech forests on acid soils

The critical levels for NH_3 and critical loads for Nitrogen deposition are being exceeded for the H9120 woodland feature (and the defined mosaic). In addition to this, site-based evidence indicates that the Critical Levels for NO_x are also being exceeded. The relevant Critical Levels and Critical Loads for the H9120 woodland feature at Epping Forest are as follows:

1) NO_x – Critical Level: $30 \mu\text{g NO}_x \text{ m}^{-3}$ for an annual mean and $75 \mu\text{g NO}_x \text{ m}^{-3}$ for a 24 hour mean

This level is linked to effects that are mainly on growth, photosynthesis and nitrogen assimilation/metabolism within photosynthetic plants. The level is also regarded as likely to cause direct damage to the mosses, liverworts and lichens of the dry heath community (and mosaic communities) because they receive nutrients from atmospheric deposition leading to reduced species diversity and an increase in nitrogen-loving species.

Responses to nitrogenous pollutants can be further modified and exacerbated by interactions with other environmental factors, including frost, drought and pest organisms. These interactions generally include increased susceptibility to these factors, which may in turn lead to major ecological changes. Nitrogen oxides are known to have greater adverse effects in the presence of SO_2 or O_3 , and hence the critical level should apply where these pollutants are also close to their critical level.

2) NH_3 – Critical Level: $1 \mu\text{g NH}_3 \text{ m}^{-3}$ for an annual mean.

This level is linked to a loss of sensitive mosses and lichens communities. Communities become dominated by robust nitrogen-loving species at the expense and virtual loss of acidic-loving species, as bark pH becomes less acidic. The threshold needs to ensure there is a suitable air quality for significant species such as Knothole moss and nationally scarce lichens. Prolonged exceedances may cause direct damage to foliage, (e.g. leaf discoloration, premature senescence and loss) and reduce the ability of stomata to close

under drought conditions, leading to plant water stress. There may be increased sensitivity to drought and spring frost and increased risk of pest and pathogens attack. There may also be a loss of mycorrhiza and fungal fruit bodies and through stimulated nitrification, an increasing soil acidity. Furthermore, there may be changes in the composition of the ground flora, bryophyte and lichen communities and an increase in grasses and ruderal species within the understorey. Collectively, these factors are likely to reduce the H9120 feature's resilience against the pressures of climate change and increasing recreation.

3) Nitrogen Deposition – Critical Loads: 10kg N/ha/year (max – see comments)

This level is linked to changes in ground vegetation and mycorrhiza; nutrient imbalance and changes in soil fauna. Prolonged exceedances may cause a change in mycorrhizal flora and reduction in the numbers of large sporocarps, fruiting bodies, which appear particularly sensitive to NH_4^+ . Sensitive mycorrhizas are replaced by those preferring rich conditions, which tend to be those that are efficient at taking up Phosphate. The characteristic tree species may also develop increased sensitivity to abiotic and biotic stress - reduced frost hardiness, associated with effects on late growth cessation and early bud burst, as young tissue is highly frost sensitive. Notably, Beech may be vulnerable to winter desiccation; increased defoliation by leaf feeders; increased pathogen infection. There may also be a loss of species diversity in the understorey and ground flora (including forbs and mosses), with increased abundance of nitrophilous plants especially grasses. Epiphytes growing on Oak are particularly vulnerable due to their high sensitivity (notably to ammonia) and this is probably brought about by increases in bark pH. Furthermore, pleurococcoid algae can be stimulated and outcompete other epiphytes in areas subject to elevated nitrogen deposition, particularly if P and K are available. Prolonged exceedances of Nitrogen deposition may also affect the composition of leaf litter through changes in species composition and changes in leaf litter chemistry. For example, cellulose activity may be stimulated and the level of lignins and phenol compounds can restrict fungal activity. Additionally, the activity of phenol oxidase often goes down, leading to increased rates of decomposition. Overall mineralisation tends to be increased by N deposition, potentially increasing nutrient availability.

It should be noted that the transitional wetlands and bog communities supporting *Sphagnum* moss species within the ancient Forest - wood pasture mosaic may be more vulnerable to Nitrogen deposition than a typical H9120 woodland community and therefore require a lower critical load of between 5 – 10kg N/ha/year. Similarly, areas of acid grassland/lowland heathland within Forest Wood pasture may be regarded as requiring a critical load of 8kg N/ha/year. It would be nonsensical to deal with the ancient Forest mosaic as isolated community types, so the most sensitive features should be taken into account when making judgments about the restoration and conservation of compartments within the SAC. This may be best achieved by considering thresholds on a unit basis where detailed survey based information exists or on a precautionary basis for the whole ancient Forest – Wood Pasture resource.

4) Sulphur Dioxide – Critical Level: 10 $\mu\text{g SO}_2 \text{ m}^{-3}$ for an annual mean

This level is linked to the vulnerability of lichens (and possibly bryophytes) within the H9120 feature (for example, these include species growing on trees, dead wood and on the ground). Prolonged exceedances above these levels may impact on tree health in a number of ways. There may be visible decline symptoms (e.g., abnormal branching patterns, reduced crown density and leaf discoloration); poor general health and subtle changes in morphology, physiology and biochemistry which do not affect tree growth but

increase the sensitivity of trees to environmental factors such as wind, frost, drought and pests. The most sensitive component is often the epiphytic lichen flora. A large number of foliose and fruticose lichens are particularly sensitive to SO₂ exposure leading to the use of lichens as bio indicators for SO₂.

4.4 S1083. *Lucanus cervus*; Stag beetle

The relevant Critical Levels and Critical Loads for the S1083 stag beetle feature at Epping Forest broadly align with the thresholds for the H9120 woodland feature and the defined habitat mosaic. Site-based evidence also indicates that the Critical Levels for NO_x are being exceeded. Noting the principle reliance of stag beetles on the decaying wood of trees, it may be argued that the higher Critical Level threshold of 3µg NH₃ m⁻³ for Ammonia is relevant for areas beyond the SAC and SSSI boundary. However, the prolonged effect of levels above 1µg NH₃ m⁻³ on fungi mycorrhiza and host tree sustainability (when considered in combination with pests, climate change, recreational pressures) is unclear, so it is recommended that the relevant NH₃ threshold for this feature aligns with the precautionary position of 1µg NH₃ m⁻³ to ensure a viable and resilient supporting habitat is maintained within the SAC and SSSI.

5.0 Other impacts

5.1 Root Zone Protection - Mature or veteran trees close to the boundary of the application site may have roots extending outwards crossing the red-line boundary. An appropriate root protection zone should be clearly marked on plans, and no buildings (or other operations likely to result in soil compaction) should be constructed within this zone. The root protection zone should be in accordance with British Standard BS 5837:2012 ("Trees in relation to design demolition and construction"). We recommend the advice of a suitably experienced arboriculturalist is sought. In some situations, where there are vulnerable veteran trees the root protection zone may need to be greater, perhaps fifteen times the trunk diameter (see <http://www.ancienttreeforum.co.uk/wp-content/uploads/2015/02/ancient-tree-guide-3-development.pdf>).

5.2 Tree Surgery Works - Trees growing within the SSSI / SAC close to the boundary of the application site may also have boughs and branches extending within the red-line boundary. Our advice is that these should not be removed or cut back for aesthetic reasons (e.g. to increase light levels to a garden, or reduce leaf drop in Autumn), and might only be permitted for health and safety reasons. The advice of a professional arboriculturalist should be sought, and a full survey commissioned prior to permission being granted. The site layout may need to be adjusted to take account of both limitations on tree surgery works as well as the root protection zone.

5.3 Drainage - The application should confirm that drainage (foul and grey water) will be to mains sewer, or suitable alternative arrangements proposed (separate advice may be needed in this circumstance). Care should be taken to ensure that the development will adhere to Environment Agency best practice and avoid polluting local watercourses or clear pathways (e.g., surface run-off) that may enter the SSSI, SAC. This will be achieved through the implementation of an appropriate design and methodology during the construction phase and through activities enabled by the development (e.g., operations, occupancy etc.).

The application should ensure through appropriate design and methodology implemented that the proposed development (at construction phase and activities enabled) will not adversely impact on the natural drainage of the habitats within the adjacent SSSI, for example, by increasing flows to and/or impeding flows to the SSSI areas.

5.4 Dust - Best practise measures should be deployed to minimise dust arising from construction, which in excess can smother leaves and hinder normal photosynthetic functioning of plants. It can also impact on lower plants (e.g., mosses, lichens, liverworts etc.) that grow on the trunk and branches of trees.

5.5 Soil and ground vegetation protection - No cut vegetation, compost, soil or construction materials will be deposited into the SSSI or on the SSSI boundaries and if there is a need for temporary placement within the application site in adjacent areas this will require effective containment during the development works and disposal to an appropriate Council Waste facility outside the SSSI, as part of development completion.

5.6 Lighting - Outside lighting should be directed into the boundaries of the property and should avoid illuminating areas within the SSSI. Light pollution has been shown to impact on bats, invertebrates and birds, and may have a detrimental affect on vegetation.

5.7 Stag Beetles The SSSI / SAC is notified for stag beetles and land adjacent to the designated site may contain mature or veteran trees which provide valuable supplementary habitat for this species (whose larvae rely on dead wood for their growth and maturity to adulthood). Stag beetles are also a s41 species of principal importance for the purpose of conserving biodiversity under the NERC Act 2006. National planning policy¹ sets out that where these species are present and affected they are material planning considerations. We recommend that any trees within the red-line boundary are surveyed by an experienced arboriculturalist for their suitability to support stag beetle larvae, and advise on their retention where possible. In this scenario, it is beneficial for such trees to be integrated within a larger area of long grass to provide optimal habitat conditions, which could be designed into a landscaping scheme (see [Extant ODPM Circular: Biodiversity & Geological Conservation paragraph 84](#))

Advice should be sought on how standing / fallen / felled dead wood could be accommodated to provide a feature such as stag beetle pyramids etc. Further advice is available from [Peoples Trust for Endangered Species Stag Beetles](#) and additional pages.

6.0 Application of the Habitats Regulations Tests

6.1 This applies to plans or projects affecting the Epping Forest SAC only. The planning authority is the competent authority under the Habitats Regulations, and must ascertain that the project will not adversely affect the integrity of the European site in question before granting planning permission, for any plan or project that is likely to have a significant effect on that site (Regulation 61). This process is preferably set within the framework of a Habitats Regulations Assessment (HRA), which covers all the necessary tests in a sequential manner. There is no set format for HRA assessment, however as the competent authority you may request any information you require from the applicant to complete this assessment.

6.2 Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website.

6.3 You should also take into account Natural England's advice (within these notes) when undertaking your HRA.

6.4 In most instances, the assessment of effects under the Habitats Regulations will also cover the assessment of impacts to nationally designated Sites of Special Scientific Interest (SSSI), under

the Wildlife & Countryside Act 1981 (as amended). However, this should not be presumed, and the SSSI notified interest features should be checked as part of the assessment process.

6.5 Other Strategic Impacts to Epping Forest SSSI / SAC Please note that Natural England's remit for this proposed development is specific and narrow with respect to the adjacent designated SSSI. The Council should ensure that it consults more widely with other parties and stakeholders with a wider interest in the Forest (in particular the City of London Corporation as the Conservators of Epping Forest), noting the Forest's additional non designated wildlife and biodiversity importance, as well as its local and historic landscape setting and context. In reaching its decision on any subsequent planning application, the Council should ensure that the full range of impacts to the Forest have been afforded due consideration, assessment and mitigation where appropriate.

If the developer requires substantive pre-application advice in addition to that provided above, Natural England advises that the applicant/developer consults Natural England directly, so that they have the opportunity to express an interest in using DAS. The first step is for the developer to fill out a simple form, so we can register their interest, and make sure they have the right adviser for their case. Please visit our website

(<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/das/default.aspx>) for more information and a downloadable request form here .

Report to the Cabinet

Report reference: C-014-2020/21

Date of Meeting: 20 July 2020



**Epping Forest
District Council**

Portfolio:	Planning and Sustainability – Cllr. N Bedford
Subject:	Implementation of the Local Plan: Update on progress
Responsible Officer:	Alison Blom-Cooper (01992 564066)
Democratic Services:	Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

That the progress of Masterplans and Concept Frameworks, including the use of Planning Performance Agreements and the progress of other proposals at pre-application and application stage be noted (see Appendices 1- 4).

Executive Summary

Following the October 2018 Cabinet meeting which agreed the governance arrangements for the implementation of the Local Plan, the Implementation Team made a commitment to provide members with regular updates on the progress of Masterplans and Concept Frameworks within Epping Forest District to ensure that members are kept fully up to date.

This report therefore provides members with an update on the progress of Strategic Masterplans, Concept Frameworks and Planning Performance Agreements within the District. Discussions with site promoters and developers have continued during the COVID-19 pandemic with meetings taking place virtually. Project programmes are being adjusted where necessary to account of the need for revised community engagement arrangements.

The Council is currently consulting on the Draft Green Infrastructure Strategy which focusses on the future use of existing, and the introduction of new open spaces in the District to form a network of multi-purpose spaces for both people and wildlife to thrive. It will also make provision for Suitable Alternative Natural Greenspace to support the action identified in the Inspector's advice of 2 August 2019 to mitigate the impacts of increased recreational pressure on the Special Area of Conservation. The closing date for responses is 16 July 2020.

Following receipt of leading Counsel advice, the Council is continuing to work proactively to identify an interim strategy to address the backlog of planning applications held in abeyance following the advice from Natural England pending completion of the additional Habitats Regulations Assessment.

Reasons for Proposed Decision

- To ensure that members are kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.

Other Options for Action:

Not to update members on the progress on the above issues would be contrary to the commitment made by the Implementation Team as noted in the 18 October 2018 Cabinet Report.

Report:

Strategic Masterplans, Concept Frameworks and other allocated sites

1. [The Local Plan Submission Version 2017](#) (LPSV) promotes a joined up, collaborative and proactive approach to the planning and implementation of key strategic sites across Epping Forest District. The production of Masterplans and Concept Frameworks will ensure that development proposals are brought forward in accordance with the Council's priorities and policies and facilitate the delivery of necessary infrastructure. Such an approach is an important step towards boosting the timely delivery of high quality development and infrastructure within the District.

2. Strategic Masterplans and Concept Frameworks provide an overarching framework to ensure that development is brought forward in a coordinated and coherent way in accordance with high quality place making principles. The planning applications which follow must demonstrate general conformity with an endorsed Masterplan or Concept Framework. As set out in the [18 October 2018 Cabinet Report](#), the Council's Local Plan Cabinet Committee (LPCC) has the authority to approve Draft Strategic Masterplans and Concept Frameworks for consultation. Following the six-week consultation period, Strategic Masterplans will then be taken to Cabinet for formal endorsement as a material planning consideration. The process for Concept Frameworks is broadly similar, however owing to their smaller scale, these will only be taken to LPCC once for formal endorsement.

3. As set out in paragraph 15 of the report to Cabinet on 18 October 2018 a commitment was made to provide members with regular updates on the progress of masterplans and concept frameworks within Epping Forest District to ensure that members are kept fully informed of the progression of each plan.

4. The LPSV has identified site allocations which should be subject to the Strategic Masterplanning approach (see LPSV para 2.90 and 2.91). These include the following masterplans:

- Latton Priory
- Water Lane
- East of Harlow
- North Weald Bassett
- North Weald Airfield
- South Epping
- Waltham Abbey North

And Concept Frameworks (see LPSV paras 2.99 and 2.100) for sites in:

- West Ongar
- South Nazeing.

Inspector's advice following examination hearings

5. Work continues to progress the Actions identified by the Inspector following the hearing sessions for the Independent Examination the Local Plan held between February and June 2019. The Inspector's Advice to the Council on 2 August 2019 ([ED98](#)) and her subsequent reply dated 25 November 2019 ([ED102](#)) sets out a number of changes to the Plan which are required to remedy issues of soundness in the form of Main Modifications.

6. The Actions identified within the advice are being progressed and the Council's latest response to the Inspector, dated 24 April 2020, sets out revisions to the high level programme as submitted in January 2020 ([ED106](#)). This recaps the way in which the Council is approaching matters relating to the Habitats Regulations Assessment (HRA) and updating and consolidating the Infrastructure Delivery Plan and viability documents supporting the Local Plan. Following discussions with the Council's consultants and dialogue with Natural England including the incorporation of their comments the Council has submitted the agreed methodology to the Inspector ([ED105](#)). In accordance with the high level programme agreed with the Inspector the Council submitted the third tranche of Main Modifications (MMs) during the week in early June 2020.

7. As previously reported the Council is continuing to work actively to resolve the current situation that has restricted housing and economic development coming forward in the District since 2018 and is working with Natural England to identify potential opportunities to address the backlog of underdetermined applications. The Council continues to undertake work to identify whether an interim approach to managing atmospheric pollution impacts on the EFSAC can be identified to address the backlog of applications. An updated position statement dated 30 April 2020 is available on the website at [ED108](#).

Green and Blue Infrastructure Strategy

8. The report to Cabinet on [15 April 2020](#) advised that to support the policies set out in the emerging Local Plan in relation to Green and Blue Infrastructure, the protection of ecological assets and high quality design a draft Green and Blue Infrastructure Strategy had been developed. The Strategy seeks to address the requirement to provide suitable avoidance or mitigation measures to manage any potential impacts of growth on protected sites, primarily the Epping Forest SAC and a number of SSSI's. This will ensure high quality Green and Blue Infrastructure, including the provision of Suitable Alternative Natural Green Spaces (SANG), is delivered alongside the proposed growth in the District.

9. The public consultation for the Green Infrastructure Strategy commenced on 4 June and runs for a period of 6 weeks until 16 July 2020. This includes a series of workshop/forum events for Members, Youth Council and developers in the District. The intention is that following the consultation and any updates arising that the Final strategy will be brought back to Cabinet for endorsement as a material consideration in the determination of planning applications, masterplans/concept frameworks and guide design and implementation processes.

Current progress on the masterplans

10. Work on the masterplans for the Garden Town sites has continued with EFDC officers liaising with key stakeholders across the 5 Garden Town authorities and relevant site promoters. EFDC and Harlow District Council (HDC) met in early May to discuss the masterplanning options for the land at East of Harlow as well as HDC's Main Modifications consultation that closed on 31 May 2020. HGGT Partners have also met with John Lawson Partnership working on behalf of Princess Alexandra Hospital (PAH) to discuss the masterplanning proposals. The Partners are developing the project programme with PAH for the masterplanning process leading up to the submission of a planning application. EFDC and HDC are also arranging a meeting with the main site promoter, Miller Homes, on the land East of Harlow to discuss and agree how to progress the masterplan and prepare a statement of common ground.

11. With respect to Latton Priory, the Garden Town Partners have commissioned a piece of work to evaluate the provision of the access road and sustainable transport corridor to Latton Priory. The initial work prepared by Phil Jones Associates was presented to Garden Town Members in June and is due to be finalised in July. This technical work is needed to address Action 15 identified by the Inspector in her advice note of 2 August 2019 (EB98) and her comments set out in paragraph 33 of that note to review the access proposed to service the site and either modify it or provide further justification for its route. Until this work is completed it is difficult to progress the masterplan work further.

12. A series of meetings have been held between EFDC and the main site promoters at Water Lane to discuss key technical matters, including site access and the Sustainable Transport Corridor (STC). ECC has been involved in these meetings and EFDC continues to liaise closely with them on key matters.

13. The Implementation Team has been proactively engaging with relevant site promoters to progress the other Strategic Masterplan and Concept Frameworks in the District. Some strategic sites are more advanced than others, but good progress has been made. Meetings are being held with the site promoters/developers for the North Weald Bassett, South Epping and Waltham Abbey North Masterplan areas. Initial internal meetings on North Weald Airfield have been undertaken and the contract for masterplanning is now being progressed based on the project brief agreed at the Cabinet meeting on 15 April 2020. Officers are preparing a Planning Performance Agreement in relation to the masterplanning programme.

14. EFDC officers met with the site promoters for the South Epping masterplan area in February to discuss the Inspector's concerns regarding the proposed level of housing on the site and the subsequent technical evidence prepared by their consultants has been reviewed and is being fed into the Main Modifications to the LPSV.

15. The site promoters for the Waltham Abbey North Masterplan area are preparing a community engagement strategy and have been working with EFDC officers to agree the details of a Planning Performance Agreement. Discussions on the two Concept Frameworks are still at an early stage in the masterplan process.

Other allocated sites

16. Alongside the Strategic Masterplan and Concept Framework sites, the Implementation and Development Management Teams have been progressing some of the smaller sites proposed for allocation within the LPSV. As with the strategic sites, some of these proposed allocations are further advanced than others, but officers are encouraged by the progress which has been made to date and work continues to progress their delivery in accordance with the Housing Trajectory.

17. The development proposals for the five Epping town centre sites (St John's, Cottis Lane, Bakers Lane, Civic Centre, Hemnall Street) that Qualis are promoting are the subject of a Planning Performance Agreement and regular meetings are being held between Qualis and planning officers to discuss the development proposals coming forward across the town.

18. A revised planning application was submitted in October 2019 for the Next development proposals at land at Dowding Way. Although the new application represents an amendment to the previous scheme, it has been subject to detailed design discussion with EFDC officers and sent for review to the Quality Design Panel. The Council continues to work with the applicant and Highways England to resolve these issues and those matters concerning the Epping Forest Special Area of Conservation (SAC) and officers anticipate reporting the application to District Development Management Committee in July.

19. Appendix A provides an update on the progress of the Masterplans and Concept Frameworks; Appendix B provides an update on the progress of each of the strategic and other allocated sites and Appendix C provides information on other proposals on non allocated sites over 0.2 hectares in size or more than 6 dwellings. Appendix D provides information on the schemes reviewed by the Quality Review Panel.

Resource Implications:

As set out in the 18 October 2018 Cabinet Report, the successful delivery of the Garden Town and the other strategic sites within Epping Forest District will require considerable commitment of officer time from EFDC. The noting of the contents of this report do not give rise to additional resource implications.

Legal and Governance Implications:

The work on the Strategic Masterplans and Concept Frameworks has been developed in accordance with Government policy (NPPF) and Planning Law.

Safer, Cleaner, and Greener Implications:

The Local Plan contains a policy designed to promote the notion of making good places to live, work and visit. This will include safer by design principles, sustainable development, the provision of alternatives to the car, energy efficiency and environmental considerations as well as sustainable drainage systems and quality green infrastructure. Strategic Masterplans and Concept Frameworks will be the mechanism for these place-making measures to be delivered in identified Masterplan Areas.

Consultation Undertaken:

Some of the Strategic sites have been the subject of informal public consultation and engagement. However as set out in the Councils Masterplan and Concept Framework Plan Briefing note, these sites will be subject to public consultation in accordance with an endorsed Statement of Community Involvement.

Background Papers:

C-015-2018/19: Governance arrangements for Local Plan Implementation, 18 October 2018

C-034-2019/20: Implementation of the Local Plan: update on progress 15 April 2020

Inspector's advice after hearings (ED98) 2 August 2019

Housing Implementation Strategy EB401A and B January 2019

Habitat Regulations Assessment (EB209) January 2019

Methodology review for the HRA for the Local Plan (ED105) February 2020

Update on progress of Inspector's actions in her Advice after Hearings (ED106) April 2020

Epping Forest Special Area of Conservation Position Statement (ED108) April 2020

Risk Management:

If the Council was not to take a pro-active stance on the delivery of Masterplans and major applications arising from the Local Plan, there is a real risk of or development occurring of a type that does not extract maximum value for the provision of social infrastructure and poor quality development may occur.

Section 1: Identifying details
Your function, service area and team: Planning Service
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A
Title of policy or decision: Update on the progress of strategic masterplans, concept frameworks, planning performance agreements, the Quality Review Panel and contributions from developers towards infrastructure
Officer completing the EqIA: Tel: Lydia Grainger Email: lgrainger@eppingforestdc.gov.uk
Date of completing the assessment: 16 June 2020

Section 2: Policy to be analysed	
2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? No
2.2	Describe the main aims, objectives and purpose of the policy (or decision): <i>The report is to update members on the progress of Strategic site allocations in the LPSV.</i> What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? <i>To ensure members are fully briefed on the progress made on strategic planning issues.</i>
2.3	Does or will the policy or decision affect: <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? No
2.4	Will the policy or decision involve substantial changes in resources? <i>No – the report is for information only.</i>
2.5	Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?

<p><i>It fulfils a commitment made to Cabinet in the report of 18 October 2018 to keep members updated on the progress of masterplans, concept frameworks and other site allocations.</i></p>

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p><i>This is not applicable – the report is for noting only.</i></p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p><i>N/A – as above</i></p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p><i>N/A for reason noted in 3.1</i></p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	None	N/A
Disability	None	N/A
Gender	None	N/A
Gender reassignment	None	N/A
Marriage/civil partnership	None	N/A
Pregnancy/maternity	None	N/A
Race	None	N/A
Religion/belief	None	N/A
Sexual orientation	None	N/A

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	✓ No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

No actual or likely adverse impacts have come to light.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Alison Blom-Cooper

Date: **XXX**

Signature of person completing the EqlA: Lydia Grainger

Date: 16 June 2020

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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Appendix 1 - Masterplan and Concept Frameworks

Masterplan Area / Concept Framework Area	Local Plan policy and site reference	Description of proposed allocation	PPA status	Delivery due to commence (Housing Implementation Strategy 2019)	QRP	Timescales / progress update	Proposal stage	Section 106	Case officer
Latton Priory	Policy SP 4 & SP 5: SP 5.1	New Garden Town Community consisting of approximately 1,050 homes, 2 hectares of employment land, up to 5 traveller pitches, a new primary and secondary school and a local centre.	Signed - August 2018	2022/23	11/10/2018 and 05/04/2019	Series of masterplanning meetings have been held and are ongoing between key stakeholders including EFDC, the main site promoters (Commercial Estates Projects Ltd and Hallam Land), ECC (Highway and Education), and HDC. Stakeholder Workshops have taken place. First round of public consultation and engagement took place in October 2019.	Masterplan	Not commenced	Simone Williams
Water Lane	Policy SP 4 & SP 5: SP 5.2	New Garden Town Community consisting of approximately 2,100 homes, up to 5 traveller pitches, a new primary school and a local centre.	West Summers signed - July 2018 West Katherines signed - May 2019	2022/23	28/03/2019 - joint 06/09/2019 - West Summers	Series of masterplanning meetings have been held and are ongoing between key stakeholders including EFDC, the main site promoters (a consortium of housebuilders including Persimmon, Taylor Wimpey and Martin Grant Homes - West Katherines, and Manor Oak Homes - West Summers), ECC (Highway), and HDC. Representatives of the smaller sites contained within Tylers Cross have recently begun to engage in the Masterplanning process and engagement has begun with representatives of Redwings. West Summers seeking to go out to informal public engagement early 2020.	Masterplan	Not commenced	Simone Williams
East of Harlow	Policy SP 4 & SP 5: SP 5.3	New Garden Town Community consisting of approximately 750 homes, up to 5 traveller pitches, a new primary school, a local centre, and a potential new secondary school and potential relocation of PAH.	Seeking to secure PPA	2024/25	N/A	Meetings have been held between key stakeholders including EFDC, the main site promoters (Miller Homes), ECC, HDC and PAH NHS Trust. Draft PPA with site promoters. Awaiting response from Miller Homes as to whether they will commence Masterplanning. HDC and EFDC to meet with Miller Homes to seek progress on PPA/Masterplanning. Communication has taken place with three smaller land promoters within the masterplan area about bringing their sites forward as part of the new development.	Masterplan	Not commenced	Claudia Nicolini
North Weald Bassett	Policy P 6: NWB.R1, NWB.T1, NWB.R2, NWB.R3, NWB.R4 and NWB.R5	Provision of approximately 1,050 homes and 5 traveller pitches, a new local centre including retail, community and health facilities and the erection of a new primary school.	Advanced stage of discussion	2022/23	14/07/2019	The draft PPA is now at an advanced stage of negotiation between the parties and meetings have been progressing in the meantime. To date, meetings have taken place on transport issues, green infrastructure, SANGS provision, urban design and land drainage. In addition, workshops have been held with the North Weald Bassett Neighbourhood Plan Steering Group.	Masterplan	Not commenced	James Rogers
North Weald Airfield	Policy P 6: NWB.E4	Provision of new B1/B2/B8 employment uses on NWB.E4 and retention and expansion of aviation uses to the west of the main runway.	Not commenced	2022/23	N/A	The draft PPA is currently under negotiation between the parties and seeks to set a commitment that the residential led Masterplan and the Airfield Masterplan will be coordinated in their approach. It is envisaged that the PPA will be agreed and signed in July 2020 and it will include a Masterplanning project plan.	Masterplan	Not commenced	James Rogers
South Epping	Policy P 1: EPP.R1 and EPP.R2	Provision of approximately 950 homes, a new neighbourhood centre to include community facilities, employment, health facilities and retail uses as well as a new primary school and early years childcare provision.	Advanced stage of discussion	2023/24	N/A	The Local Plan Inspector's advice from August 2019 raised concerns regarding the potential impact of development on landscape character and the Green Belt. EFDC and the site promoters/developers have held meetings to discuss technical matters including noise, landscape/SANGS, access and education. The site promoters have prepared technical evidence in support of the proposed masterplan site. EFDC are reviewing this evidence in conjunction with the preparation of Main Mods to the LPSV.	Masterplan	Not commenced	James Rogers
Waltham Abbey North	Policy P 3: WAL.R1, WAL.T1, WAL.R2 and WAL.R3	Provision of approximately 740 homes and 5 traveller pitches as well as a new local and community centre.	Advanced stage of discussion	2022/23	N/A	The draft PPA is now at an advanced stage of negotiation and has been agreed in principle by the site promoters and EFDC. A meeting has been held on community engagement in February 2020 and further topic meetings are being arranged. Site promoters have been undertaking technical studies in order to progress the Masterplan process. Upon signing of the PPA, the topic meetings will begin to support the masterplanning process.	Masterplan	Not commenced	James Rogers
Jessel Green	Policy P 2: LOU.R5	Provision of approximately 154 homes.	Not commenced	2028/29	N/A	Following the advice received from the Local Plan Inspector, the proposed allocation is to be deleted from the plan via Main Modification.	Not commenced	Not commenced	N/A
Limes Farm	Policy P 7: CHIG.R6	Regeneration led development to provide an additional 100 homes on the site as well as new community and local service facilities.	Not commenced	2028/29	N/A	Following the advice received from the Local Plan Inspector, the proposed allocation is to be deleted from the plan via Main Modification.	Not commenced	Not commenced	N/A
West Ongar Concept Framework Area	Policy P 4: ONG.R1 and ONG.R2	Provision of approximately 234 homes	Initial discussions	2022/23	N/A	Discussions regarding a PPA and a project plan are at an early stage	Concept Framework	Not commenced	James Rogers
South Nazeing Concept Framework Area	Policy P 10: NAZE.R1, NAZE.R3 and NAZE.R4	Provision of approximately 93 homes.	Initial discussions	2021/22	N/A	Discussions regarding a PPA and a project plan are at an early stage	Concept Framework	Not commenced	TBC

Masterplan Area / Concept Framework Area	Local Plan policy and site reference	Description of proposed allocation	PPA status	Delivery due to commence (Housing Implementation Strategy 2019)	QRP	Timescales / progress update	Proposal stage	Section 106	Case officer
St John's Road	EPP.R4	Comprehensive redevelopment of the site.	Advanced stage of discussion - not yet signed	2028/29	04/10/2019	Meetings have been held and are ongoing between key stakeholders. Member workshop has taken place. Draft proposals presented to the Council's QRP in October 2019. Draft PPA prepared.	Masterplan	Not commenced	Nick Finney

Appendix 2 - Allocated Sites

Site	Local Plan site Reference	Description of proposal	PPA status	Delivery due to commence (Housing Implementation Strategy 2019)	Application Stage	Local Plan Officer Working Group	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
Pre application proposals												
Former Waltham Abbey Swimming Pool, Roundhills, Waltham Abbey	WAL.R6	Redevelopment of the site to provide residential development.	N/A	2028/29	Pre application ref: EF\2018\ENQ\01422	Sep-19	TBC	12-Jul-19	Discussions ongoing regarding revisions following QRP. Public consultation carried out by the Site Promoters in September 2019.	Under preparation	?	?
Land at Forest Drive, Theydon Bois	THYB.R1	Mixed development up 39 dwellings.	N/A	2021/22	Pre application ref: EF\2018\ENQ\00400	Jun-19	N/A	N/A	Under consideration.	Not commenced	Marie Claire Tovey	Development Management
Greensted Croft, Greensted Road, Ongar	ONG.R5	Erection of up to 115 residential units.	Agreed and signed	2022/23	Pre application ref: EF\2018\ENQ\01132	Nov-18	TBC - Was intended for Apr 20 but shelved due to Covid-19	1st review - 28 Mar 19. 2nd review - 17 Apr 20	Awaiting applicants response to second QRP, outline application expected before end 2020.	Not commenced	Ian Ansell	Development Management
Chigwell Convent	CHIG.R7	Redevelopment of site for various residential uses , 3.4 hectares 136 -194 dwellings.	N/A		Pre application ref: EF\2019\ENQ\00562	Jul-19	TBC	TBC	Heritage assessment submitted in February 2020 showing the redevelopment of the site including proposed site allocation in Local Plan, following concerns raised by Inspector.	Not commenced	James Rogers	Development Management
57a - 57b Fyfield Road, Ongar	ONG.R3	Erection of 20 houses with garages; and construction of an additional car parking area for Ongar medical centre.	N/A		Pre application ref: EF\2017\ENQ\01613	No	TBC	TBC	Under consideration.	Not commenced	Sukhi Dhadwar	Development Management
Wain and Green Hedges, Coppice Row, Theydon Bois	THYB.R3	Demolition of existing properties and construction of 9 new apartments with car parking.	N/A		Pre application ref: EF\2019\ENQ\00630	Aug-19	N/A	N/A	Pre-app response sent. Case closed.	Not commenced	Honey Koujouri	Development Management
Stanford Rivers Road, Ongar	ONG.R6	Erection of 39 residential units.	Discussions ongoing		Pre application ref: EF\2019\ENQ\00630	Feb-20	N/A	TBC	Pre-application meeting held February 2020 with planning and design officers. Awaiting applicant's response to feedback.	Not commenced	Ian Ansell	Development Management
Planning applications submitted awaiting decision												
Land North of Dowding Way	WAL.E8	Hybrid Planning Application: Phase 1 - Erection of large scale distribution warehouse and phase 2 - Outline application for other employment uses.	Agreed but not yet signed	2026/27	EPF/2503/19	Oct-18	15/05/2018	26-Apr-18 11-Oct-18 and 09-Aug-19	Highways England currently have a holding direction on the application since there is concern regarding the potential impact of the development on junction 26 of the M25. The Council is also considering whether it has been demonstrated beyond a reasonable scientific doubt that there would not be harm caused to the Epping Forest SAC. Officers are working with the site promoters on all matters in an effort to overcome the issues which have been raised.	Draft S106 Heads of Terms	James Rogers	Implementation
Land west of Froghall Lane, Chigwell	CHIG.R4	Proposed assisted living development to provide apartments and communal and support facilities.	N/A	Site allocated for C2 use	Planning application - EPF/1182/18	Nov-18	N/A	N/A	Application held up by SAC issue.	Not commenced	Ian Ansell	Development Management
Land Corner of Mill Lane / Millfield, High Ongar	HONG.R1	Erection of 8 three bedroom houses including new access from Millfield, provision of parking spaces, amenity space and landscaping.	N/A	2020/21	Planning application - EPF/1718/18	Jul-17	N/A	N/A	Application held up by SAC issue.	Not commenced	Ian Ansell	Development Management
Lake View, Moreton	MORE.T1	Application for variation of condition 10 on planning application EPF/1356/98 (allowed on appeal) (Use of land for Showmen's permanent quarters (relocation of existing established overcrowded site) to enable up to 62 caravans to be located within the site).	N/A	Regularisation of existing use	Planning application EPF/0499/18	Jun-18	N/A	N/A	Additional information received from applicants - report to Area Planning Committee July/August 2020 anticipated.	Existing use	Ian Ansell	Development Management
Gypsy Mead, Ongar Road, Fyfield	FYF.R1	Proposed development of x 24 no. new homes with associated parking facilities, cycle stores and rubbish disposal.	N/A	2022/23	Planning application - EPF/0016/19	Apr-19	Awaiting further information on wider issues	22-Nov-18	New architect appointed reviewing scheme.	Not commenced	Ian Ansell	Development Management
St Thomas More Church, Willingale Road, Loughton	LOU.R16	Demolition of redundant church and associated buildings and erection of 16 house, 10 flats and a new community hall.	N/A	2021/22	Planning application - EPF/0304/19	Nov-18	N/A	N/A	Issues relating to SAC still to be resolved.	Not Commenced	Marie Claire Tovey	Development Management
Unit 20, Oakwood Hill Industrial Estate	LOU.E1	Proposed new 5 storey office building with associated parking.	N/A		Planning application - EPF/1908/19	No	N/A	N/A	Under consideration. Decision due 6 August 2020	Not Commenced	Marie Claire Tovey	Development Management
Epping Forest College, Borders Lane, Loughton	LOU.R9	Redevelopment of the site to provide x139 no. residential units in 3 buildings ranging from 3-5 storeys, car parking spaces, communal landscaped amenity areas, secure cycling parking & other associated development.	Pre-app PPA signed, Planning application PPA under negotiation	2023/24	Planning application - EPF/2905/19	Jun-19	TBC	09-Aug-19	Under consideration	Not commenced	Marie Claire Tovey	Development Management
Land rear of 287-291 High Street, Epping	EPP.R10	1 no. 3 storey and 1 no. 2 storey buildings for five residential units with creation of a communal open space, landscaping and associated works.	N/A		Planning application - EPF/1080/19	No	N/A	28-Mar-19	Application held up by SAC issue	Not commenced	Caroline Brown	Development Management
Nazeing Glassworks	NAZE.E3	Redevelopment of the site to provide approximately 5,000sqm of employment space and 230 residential dwellings.	Payment received	Not an allocated site for housing	Planning application: EPF/2712/19 (Pre application ref: EF\2018\ENQ\00219)	May-18	TBC	16-Aug-18	Simon Drummond-Hay reviewing Viability Assessment to see whether it complies with employment policy.	Not commenced	Sukhi Dhadwar	Development Management
Oak Hill Green, Oak Hill Road, Stapleford Abbots	STAP.R1	Residential development around 40 units and community facilities.	N/A	2021/22	Planning application: EPF/0216/20	May-18	N/A	Second review 17-May-19	Applicants reviewing consultation responses	Not commenced	Ian Ansell	Development Management
Applications awaiting S106 to be signed (excluding S106 only relating to the SAC)												
JW Fencing, Pecks Hill, Nazeing	NAZE.R2	Outline planning application for the demolition of all existing buildings on the site and erection of 25 dwellings.	N/A	2022/23	Outline Planning application	Jul-18	No	No	Approved by Committee subject to S106 for SAC.	Awaiting signature	Sukhi Dhadwar	Development Management
Planning applications determined and issued												
256 High Road, Loughton	LOU.R8	Demolition of existing buildings and construction of 29 apartments in a single building of 3, 4 and 5 storeys in height, alongside associated access, amenity space, landscaping and parking.	N/A	2022/23	Planning permission granted	Jan-18	No	No	Development complete.	Complete	James Rogers	Implementation

Site	Local Plan site Reference	Description of proposal	PPA status	Delivery due to commence (Housing Implementation Strategy 2019)	Application Stage	Local Plan Officer Working Group	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
126 Manor Road, Chigwell	CHIG.R3	To retain the existing dwelling at No. 126 Manor Road and add a new extension to the front and rear; creating 12 x no. residential units in total; with associated parking, cycle storage, refuse store and amenity space.			Planning Application - EPF/3281/16	No			Development complete.		Ian Ansell	Development Management
Grange Court, 72 High Road, Chigwell	CHIG.R9	Conversion of Listed building into 8 dwellings and extensions to create a further six dwellings.	N/A		EPF/3264/17	No	N/A	N/A	Planning permission granted.	Not commenced	Ian Ansell	Development Management
Proposals at appeal												
Old Epping Laundry Site, Bower Hill, Epping	EPP.R9	Demolition of existing buildings and erection of 58 new residential dwellings.	N/A	2021/22	Planning application - EPF/3174/18 refused	Yes	?	?	Hearing on 8 July.	Not commenced	Sukhi Dhadwar	Development Management
13 - 15a Alderton Hill, Loughton	LOU.R14	Demolition of three dwellings and erection of residential development to provide 89 apartments.	N/A	2028/29	Public inquiry appeal: ref APP/J1535/W/18/3203410	Oct-18	No	No	Planning permission refused and appeal dismissed following a public enquiry on grounds of design and impact on Epping Forest SAC.	Not commenced	Sukhi Dhadwar	Development Management

Appendix 3 - Non allocated Sites

Site	Description of proposal	PPA status	Application Stage	Local Plan Implementation Forum	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
Pre application submissions										
Crown House, 151 High Road, Loughton	Demolish Crown House and the car park and create a new landmark building consisting of Offices, Retail and Residential accommodation.	N/A	Pre application ref - EF\2019\ENQ\00417	Jun-19	TBX	TBC	Pre application meeting held. Issues raised over scale of development, number of units and impact on Epping Forest SAC. Revised proposal to be submitted.	Not commenced	Graham Courtney	Development Management
Upper Clapton RFC	New all weather pitch, alterations to function hall, improved drainage to pitches, alterations to car park and relocation of floodlights, together with enabling development comprising 9 residential dwellings.	N/A	Pre application ref - EF\2019\ENQ\000352	No	N/A	N/A	Pre application meeting held. Issues raised over impact on green belt, inappropriate development with no very special circumstances demonstrated. Applicant reconsidering position.	Not commenced	Graham Courtney	Development Management
Land North of Pick Hill Waltham Abbey EN9 3LF	123 Dwellings and open space.	TBD	EF\2019\ENQ\00338	May-19	TBC	TBC	Pre-app response sent - case closed.	Not commenced	Sukhi Dhadwar	Development Management
Howards Nursery, Epping Road, Nazeing	Erection of 8 new dwellings.	N/A	EF\2019\ENQ\00511	No	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Caroline Brown	Development Management
Kingsfield Nursery, Sewardstone Road, Waltham Abbey	9 Residential properties, associated access, ancillary development, landscaping and public open space.	N/A	Pre application ref - EF\2019\ENQ\00474	Sep-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Sukhi Dhadwar	Development Management
11 The Shrubberies, Chigwell	Demolition of existing single dwelling house and erection of new structure housing 9 flats across 3 floors, including dedicated off-street parking.	N/A	Pre-app ref EF\2019\ENQ\00406	Sep-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Ian Ansell	Development Management
Conquest House, Church Street, Waltham Abbey	Change of use of office (B1a) to residential (C3) to provide 49 self-contained 1 bed units.	N/A	Pre application ref EF\2019\ENQ\00609	No	TBC	TBC	Pre application submitted - 28/06/2018	Not commenced	Graham Courtney	Development Management
Eastbrook Hall, Broomstick Hall Road, Waltham Abbey	Erection of 3 storey building containing 12 units and the re-development of residential building for more units.	N/A	Pre-application ref EF\2019\ENQ\00605	No	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Sukhi Dhadwar	Development Management
Land on the southern side of Honey Lane, Waltham Abbey	Proposed construction of a new 75 bed care home, 5 key worker houses, 8 supported living apartments, 4 affordable houses and 6 market houses. Site area 1.06 hectares, Care Home (GIA) - 4030 sq.	N/A	Pre application ref EF\2019\ENQ\00585	No	TBC	TBC	Pre-app response sent - case closed.	Not commenced	Francis Saayeng	Development Management
Loughton Health Centre, the Drive, Loughton	Erection of 14 residential units and rebuild health centre.	N/A	Pre application re EF\2019\ENQ\00600	Aug-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Sukhdeep Jhooti	Development Management
Springfield Nursery, Pick Hill, Waltham Abbey	Erection of 50 new dwellings and associated infrastructure.	N/A	Pre application ref EF\2018\ENQ\01076	Aug-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Sukhi Dhadwar	Development Management
25 Theydon Park Road, Theydon Bois	Demolition of existing dwellings and replacement with 7 no. new dwellings.	N/A	Pre application ref EF\2019\ENQ\00737	No	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Muhammad Rahman	Development Management
Land adjacent to Epping Road and School Road, Toot Hill, Essex	Erection of five new homes and the provision of public open space.	N/A	Pre application ref EF\2019\ENQ\00616	No	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Graham Courtney	Development Management
Hornes Farm, Mount Road, Epping, CM16 7PH	Proposed redevelopment to provide six agricultural buildings and nine new dwellings.	N/A	Pre application ref EF\2019\ENQ\00715	Sep-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Honey Kojouri	Development Management
Land rear of 176 Honey Lane Waltham Abbey EN9 3BA	Proposed construction of x4 no. dwellings.	N/A	Pre application ref EF\2019\ENQ\00648	No	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Caroline Brown	Development Management
Land east of Forest Glade North Weald Essex CM16	Proposed redevelopment to provide 1,548sqm of employment floor space.	N/A	Pre application ref EF\2019\ENQ\00645	Sep-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Honey Kojouri	Development Management
Paternoster House 69A Paternoster Hill Waltham Abbey EN9 3JY	Two storey block to provide 40 no. additional bedrooms.	N/A	Pre application ref EF\2019\ENQ\00563	Sep-19	N/A	N/A	Pre-app response sent - case closed.	Not commenced	Sukhi Dhadwar	Development Management
Hill House, Waltham Abbey	New build independent living scheme comprising 48 no. 1 1 bed flats and 12 no. 2 bed flats, communal facilities and dining cafe area. Landscaped ground and parking for 30 no. cars including 3no. disabled spaces.	N/A	Pre-application ref EF\2018\ENQ\00665	Oct-19	04/03/2019	24-Jan-19	Now an application. Appealing first one, negotiation second one	Not commenced	Sukhi Dhadwar	Development Management
Warlies Nuseries, Horseshoe Hill, Waltham Abbey	18 retirement dwellings within walled garden	N/A	Pre-application ref EF\2019\ENQ\00958	Dec-19	N/A	N/A	Advice provided on general issues, awaiting additional information on listed building issues.	Not commenced	Ian Ansell	Development Management
Land at Chimes Garden Centre, Old Nazeing Road, Nazeing	Residential redevelopment on 'brownfield land'	N/A	Pre application re EF\2019\ENQ\00807	Dec-19	n/A	N/A	Pre-app response sent - case closed.	Not commenced	Ian Ansell	Development Management

Site	Description of proposal	PPA status	Application Stage	Local Plan Implementation Forum	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
Old Farm, Green Lane Chigwell	residential development - 100 dwellings	N / A	Pre application ref - EF\2019\ENQ\01078	No	N / A	N / A	Pre-app response sent - case closed.	Not commenced	Ian Ansell	Development Management
Planning applications awaiting decision										
North Weald Park (Quinn)	Erection of up to 690 dwellings, including new access route, vehicle parking, landscaping and associated infrastructure.	Signed 18/05/18	Planning application - EPF/1413/18	Jul-18	08/09/2018	27-Sep-18 and 05-Apr-2019	Unders consideration. Highways England advised not to make decision until November 2020.	Not commenced	Sukhi Dhadwar	Development Management
Land to the north of the Nags Head Public House, Moreton	Application for Outline Planning Permission for the erection of x 7 no. new homes and provision of associated parking, landscaping and access improvements.	N/A	Planning application - EPF/0496/19	No	N/A	N/A	Application withdrawn.	Not commenced	Sukhi Dhadwar	Development Management
Pickerells Farm, Dunmow Road, Fyfield	Change of use of existing building to form 6 no. dwellings with associated amenity space, parking space bin store, bike store, passing bays and skip enclosure.	N/A	Planning application - EPF/0537/19	No	N/A	N/A	Application registered - 12/04/2019.	Not commenced	Alastair Prince	Development Management
Netherhouse Farm, Sewardstone Road, Waltham Abbey	Change of use of land to a woodland cemetery and crematorium with the erection of a meeting hall and associated buildings. (Variation to previously approved application ref. EPF/0526/17).	N/A	Planning application - EPF/0599/19	No	N/A	N/A	Held in abeyance due to SAC.	Not commenced	Graham Courtney	Development Management
Low Hill Nursery, Sedge Green, Nazeing	Replacement of existing caravans with permanent building containing accommodation for 10 nursery workers.	N/A	Planning application - EPF/3339/18	No	N/A	N/A	Held in abeyance due to SAC.	Not commenced	Graham Courtney	Development Management
Woodredon House, Woodredon Farm Lane, Waltham Abbey	Conversion and change of use of former care home including the removal of side extensions and replacement with one storey side extension to provide x 10 no. apartments (C3) with cart-lodge style garaging.	N/A	Planning application - EPF/0729/19	No	N/A	N/A	Held in abeyance due to SAC. However TS information currently being assessed. Likely that a decision will be issued on this.	Not commenced	Graham Courtney	Development Management
New Barns Farm, Epping Road, Roydon	Conversion of redundant farm buildings to seven residential (C3) units, demolition of sections of buildings and associated works.	N/A	Planning application - EPF/3120/18	No	N/A	N/A	Held in abeyance due to SAC. (Were directed by Conservation to look at redevelopment rather than conversion, however they have been informed that this would be unacceptable in Green Belt terms).	Not commenced	Graham Courtney	Development Management
Garages to the rear of nos.13-43, Charles Street, Epping	Demolition of the existing garage buildings and the erection of 9 x 2 bedroom mews houses, with associated landscaping, parking, bike and refuse stores.	N/A	Planning application - EPF/3426/18	No	N/A	N/A	Approved at Committee subject to SAC. Nicky Linihan reviewing.	Not commenced	Sukhi Dhadwar	Development Management
Langley and Mile Nurseries, Crooked Mile, Waltham Abbey	Outline planning application for a residential development comprising up to x 52 no. dwellings (including 40% affordable housing) with vehicular access from Crooked Mile, associated open space, children's play area and ancillary works.	N/A	Planning application - EPF/0695/19	Apr-19	TBC	TBC	Recommended for refusal.	Not commenced	Graham Courtney	Development Management
Land at Nine Ashes Road, High Ongar	Erection of 8 affordable dwellings and 3 open market dwellings.	N/A	Planning application - EPF/1137/18	Jun-19	N/A	N/A	Recommended for refusal.	Not commenced	Graham Courtney	Development Management
Chigwell Garden Centre, High Road, Chigwell	Demolition and removal of existing dwelling, storage buildings, associated commercial structures and car park, and the erection of a 100 bedroom high-quality care home with associated access, vehicle parking, hard and soft landscaping, structural landscaping and site infrastructure.	N/A	Planning application EPF/3195/18	Apr-19	N/A	17-May-19	Additional information submitted awaiting comments from Policy Team, Brownfield Status and Implementation Team (Urban Design).	Not commenced	Ian Ansell	Development Management
Mossford Green Nursery, Abridge Road, Theydon Bois	Demolition of existing buildings, clearance of open storage and dwelling and erection of 19 dwellings (8 x 3 bed, 11 x 4 bed).	N/A	Planning application EPF/3379/18	2019	N/A	N/A	Applicant awaiting outcome of SAC issues	Not commenced	Ian Ansell	Development Management
Site 2, Chigwell Grange, High Road, Chigwell	Redevelopment to provide a new residential building comprising a total of 57 homes with associated amenity space, landscaping, car and cycle parking.	N/A	Planning application EPF/2155/18	Nov-18	TBC	Intended, current delay at applicants request	Application withdrawn. Applicants seeking further review through possible inclusion on brownfield register.	Not commenced	Ian Ansell	Development Management
113 Church Hill, Loughton	Residential development of x10no. apartments with associated parking and external amenity space. (Revised application to EPF/0610/18).	N/A	Planning application - EPF/1471/19	Sep-19	N/A	N/A	Applicant awaiting outcome of SAC issues	Not commenced	Ian Ansell	Development Management
The Orchard, Fingirth Hall Lane, High Ongar	Demolition of existing house and outbuildings and erection of 9 dwellings.	N/A	Planning application - EPF/1402/19	Aug-19	N/A	N/A	Revised scheme under consideration for 5 units, held by SAC issues.	Not commenced	Ian Ansell	Development Management
Station House, 114 High Road, Chigwell, IG7 6NT	Demolition of existing buildings & erection of x6 no. residential units alongside associated access, open space, landscaping and parking.	N/A	Planning application - EPF/1621/19	No	N/A	N/A	Refused and gone to appeal	Not commenced	Marie-Claire Tovey	Development Management
Piggotts Farm, Abridge Road, Theydon Bois, Epping, RM4 1TX	Proposed total of x6 no. residential houses, of x2 no. two-bedroom houses, x2 no. three bedroom houses & x2no. four-bedroom houses to replace the 8 existing barns on site.	N/A	Planning application - EPF/1656/19	Aug-19	N/A	N/A	Revised scheme for three units being prepared, held by SAC issues	Not commenced	Ian Ansell	Development Management
51 High Road, Loughton	Demolition of existing dwelling and erection of 9 new apartments.	N/A	Planning application EPF/1860/19	Dec-19	N/A	N/A	Held in abeyance due to SAC.	Not commenced	Muhammad Rahman	Development Management
101 Manor Road, Chigwell	Demolition of existing pair of semi-detached dwellings and erection of seven self-contained units part three and part two with roof space storeys (3x three bed and 4x two bed) creating low level 14 car park spaces and 9 cycle park spaces within the low level building.	N/A	Re-submission EPF/2174/19	Oct-19	N/A	N/A	Under consideration.	Not commenced	Sukhdeep Jhooti	Development Management

Site	Description of proposal	PPA status	Application Stage	Local Plan Implementation Forum	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
C W S Nursery Hoe Lane Nazeing Essex EN9 2RJ	Application for Variation of Condition (additional proposed condition) for the erection of glasshouses (6.9ha) together with associated access roads, parking areas and balancing ponds.(Ref: EPF/2555/17).	N/A	Planning application - EPF/2000/19	No	N/A	N/A	Application registered 22/08/2019.	Not commenced	Sophie Ward Bennett	Development Management
Chime Garden Centre Old Nazeing Road Nazeing Essex EN10 6RJ	Application for Variation of Condition 2 -"completed strictly in accordance with the approved drawings" for EPF/1351/18. (Demolition of site buildings and redevelopment to provide x 33 no. new homes).	N/A	Planning application - EPF/1954/19	No	N/A	N/A	The grant of permission is subject to the applicant entering into a legal agreement which bring forward the obligations from the previous consent.	Not commenced	Francis Saayeng	Development Management
Threeways Nursery Sedge Green Roydon Essex CM19 5JS	Demolition of a part of existing glasshouses; change of use, conversion and extension of remainder to form x 12 no. units of mixed light industrial and storage use. (Amendment to EPF/2278/17).	N/A	Planning application - EPF/2041/19	No	N/A	N/A	Application held up by SAC issue	Not commenced	Caroline Brown	Development Management
Moor Hall Stables Moor Hall Road North Matching Essex CM17 0LP	Proposed replacement of stable buildings with new dwellings along with new dwellings to provide 6 new units with associated parking and landscaping.	N/A	Planning application - EPF/1305/19	Sep-19	N/A	N/A	Under consideration.	Not commenced	Sukhi Dhadwar	Development Management
18 Russell Road Buckhurst Hill Essex IG9 5QJ	Proposed erection of x 5 no. dwellings with associated infrastructure and landscaping.	N/A	Planning application - EPF/1909/19	Sep-19	N/A	N/A	Recommended for refusal.	Not commenced	Muhammad Rahman	Development Management
4 Kendal Avenue Epping CM16 4PN	Demolition of the existing detached house and replacement with a highly detailed new mansion building containing six apartments.	N/A	Planning application - EPF/2206/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Francis Saayeng	Development Management
1 Buttercross Lane, Epping	Demolish existing house and replace with x6 no. apartments.	N/A	Planning Application ref EPF/2447/19	No	N/A	N/A	Original application refused, new scheme submitted by applicants.	Not commenced	Sukhi Dhadwar	Development Management
2 Princes Road, Bukhurst Hill	Development of an underused piece of land with a single house, replaced with a new building consisting of 2 commercial units and 6 fully accessible apartments.	N/A	Planning Application ref EPF/2378/19	No	N/A	N/A	Under consideration. Issues regarding CPZ	Not commenced	Marie-Claire Tovey	Development Management
Police Station, 230 High Street, Epping	Change of use from former police station to x6 no residential units & provision of A3 use at ground floor and basement level.	N/A	Planning Application EPF/2300/19	No	N/A	N/A	Application withdrawn on 03/03/2020.	Not commenced	Francis Saayeng	Development Management
1-6 Shernbroke Road Hostel, Shernbroke Road, Waltham Abbey	Erection of 26 flats with associated parking and landscaping following demolition of the former Shernbroke Hostel.	N/A	Planning Application EPF/2609/19	Dec-19	N/A	N/A	Negotiations ongoing, decision delayed by SAC issues.	Not commenced	Ian Ansell	Development Management
75, 75a-c, 77 Queens Road, Buckhurst Hill	Demolition of No. 75, 75a-c, 77 Queens Road and the construction of fifteen new dwellings with a ground floor retail units.	N/A	Planning Application EPF/2514/19	No	N/A	N/A	Application registered 13/01/2020	Not commenced	Natalie Price	Development Management
69 Farm Hill Road, Waltham Abbey	Demolition of bungalow and erection of two, two storey linked blocks to provide 4 x 1 bedroomed flats and 2 x 2 bedroomed flats with associated car parking, bin and bike stores, amenity and landscaping.	N/A	Planning application - EPF/3381/18	No	N/A	N/A	Held in abeyance due to SAC. Unlawful works on site have now ceased. Will continue to be monitored by Enforcement	In progress	Graham Courtney	Development Management
Garden Centre, Crown Hill, Waltham Abbey, EN9 3TF	Proposed construction of x6 no semi-detached dwellings (revised application to EPF/0318/20).	N/A	EPF/0770/20	No	N/A	N/A	Under consideration.	Not commenced	Sukhi Dhadwar	Development Management
233 - 235 Fencepiece Road, Chigwell	Demolition of two existing semi-detached dwellings and replacement with single structure containing 10 new apartments.	N/A	EPF/0633/20	No	N/A	N/A	Under consideration.	Not commenced	Marie-Claire Tovey	Development Management
Taw Lodge, Epping Lane, Stapleford Tawney	Demolition of existing buildings & erection of x7 no. residential dwellings.	N/A	EPF/0511/20	No	N/A	N/A	Under consideration.	Not commenced	Ian Ansell	Development Management
Applications awaiting S106 to be signed										
1 Tomswood Road, Chigwell	Demolition of existing and proposed apartment block (seven flats).	N/A	Planning application EPF/0840/18	No	N/A	N/A	Awaiting Section 106 (SAC recreation and air quality).	In progress	Ian Ansell	Development Management
Tylers Cross Nursery, Epping Road, Nazeing	Demolition of part of existing glasshouses; change of use and conversion of remainder to form 20 units in mixed light industrial and storage use (Class B1/B8).	N/A	Planning application - EPF/1619/18	No	N/A	N/A	Held in abeyance due to SAC.	In progress	Graham Courtney	Development Management

Site	Description of proposal	PPA status	Application Stage	Local Plan Implementation Forum	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
Land at Gainsborough House, Sheering Lower Road, Sheering	Change of use of Gainsborough House from offices to residential and erection of a two and a half storey extension to create 10 no. flats and revised parking layout.	N/A	Planning application - EPF/0438/19	No	N/A	N/A	Application approved by Area Planning East in June 2020 subject to S106 agreement now in preparation. Start on site expected by October 2020.	In progress	Ian Ansell	Development Management
Chigwell Primary School, High Road, Chigwell	Construction of new Chigwell Primary Academy school, followed by demolition of existing buildings and creation of new playing field and playground, together with residential development comprising 59 number dwellings, together with car parking, garden spaces, vehicular access from High Road (A113), external landscaping & associated development.	N/A	Planning application - EPF/1681/19	Pre-app March 2019	No	TBC	Application approved by DDMC in March subject to S106 agreement currently progressing. Start on site anticipated by August 2020.	In progress	Ian Ansell	Development Management
Land at the former Chimes Garden Centre, Old Nazeing Road	Proposed erection of x 14 no. dwellings (4 flats and 10 dwellings). (Phase 2).	N/A	Planning Application EPF/3040/19	No	N/A	N/A	Recommended for Grant Permission (With Conditions) subject to legal agreement (e.g. S.106, unilateral undertaking).	Not commenced	Francis Saayeng	Development Management
6 Church Street, Waltham Abbey	Proposed conversion of office building B1 to 12 residential apartments C3 and installation of 8 x Velux windows in the roof slopes.	N/A	Planning application - EPF/0741/18	No	N/A	N/A	Decision issued, planning permission granted.	Complete	Alex Taylor	Development Management
Broadbanks, 23 Ivy Chimneys Rad, Epping	Demolition of all on site stables and hardstanding; the excavation of part of the site to reduce the levels (with the excavated material to be removed); the provision of access road and turning head along with the erection of x 9 no. detached and semi-detached dwellings including ancillary works and landscaping.	N/A	Planning application ref: EPF/0289/19	No	N/A	N/A	Application refused 14/08/2019.	Not commenced	Sukhi Dhadwar	Development Management
1, 3 and 5 Stonards Hill, Epping	Redevelopment to form 28 no. apartments for older people, guest apartment, communal facilities, access, car parking and landscaping (Amended application to EPF/0947/17).	N/A	EPF/0887/19	Sep-19	N/A	N/A	Recommended for refusal.	Not commenced	Sukhi Dhadwar	Development Management
38 Honey Lane, Waltham Abbey	Demolition of existing dwelling and erection of residential apartment block to contain 14 dwellings.	N/A	Planning application - EPF/0140/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Alastair Prince	Development Management
Former Haulage Yard Sewardstone Road	Outline permission for the demolition of existing buildings and erection of up to 40 homes	n/a	EPF/2828/19	20-Feb	n/a	n/a	In progress	Not commenced	Sukhi Dhadwar	Development Management
land adjacent 168 Upshire Road	Erection of two buildings 1 containing 7 C2 units and 1 containing 8 residential units provided by an housing association	n/a	EPF/1678/19	20-Feb	n/a	n/a	in progress	Not commenced	sukhi dhadwar	Development Management
Cock and Magpie PH Epping Road Epping Upland	demolition of existing PH and replacement with 10 dwellings	n/a	EPF/0952/19	No	n/a	n/a	iin progress	Not commenced	sukhi dhadwar	development Management
Duke of Wellington PH, 36 High Street, Epping	Demolition of existing public house & ancillary outbuildings & erection of three storey building addressing High Street comprising 189 square metres of ground floor flexible retail/financial and professional services/food and drink/drinking establishments/hot food and takeaway (Use Classes A1/A2/A3/A4/A5) with six x two bedroom flats and two x one bedroom flats at first and second floors, one pair of two storey, three bedroom, semi-detached houses addressing Hemnall Street and formation of one altered vehicle accesses onto High Street and one new access onto Half Moon Lane to serve parking and manoeuvring areas.	N/A	Planning application - EPF/1047/19	Jul-19	N/A	N/A	Recommended for refusal.	Not commenced	Sukhi Dhadwar	Development Management
42 Stradbroke Drive, Chigwell	Demolition of existing house including garage and pool annex and construction of x 10 no. residential units.	N/A	Planning application EPF/0531/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Ian Ansell	Development Management
160 Manor Road Chigwell Essex IG7 5PX	Application for Variation of Condition 2 'plan numbers' for EPF/3438/17. (Building slightly extended and internal layout changed to allow for x 9 no. flats. Rear extension at basement level. Compliant parking and updated landscape).	N/A	Planning application - EPF/1990/19	No	N/A	N/A	Application approved 20 December 2019	Not applicable	Ian Ansell	Development Management
404 Fencepiece Road, Chigwell	Demolition of existing dwelling and erection of a building comprising of x8 no apartments with associated car parking and emnities (Revised application to EPF/1051/19).	N/A	Planning Application EPF/2351/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Sukhdeep Jhooti	Development Management
36 Highbridge Street, Waltham Abbey	site redevelopment, comprising retention of the commercial use at ground floor level and conversion of the existing building at partial ground floor and upper levels to provide 6 dwellings, incorporating the removal extensions; the provision of two new build blocks to provide 4 dwellings.	N/A	Planning application - EPF/2841/18	Sep-19	N/A	N/A	Recommended for refusal.	Not commenced	Sukhi Dhadwar	Development Management
Cock and Magpie Public House, Epping Road, Epping Green, Essex, CM16 6PU	Application for Outline Planning Permission for the demolition of an obsolete former Public House, change of use of land and re-development to provide x 10 no. new dwelling houses, including ancillary works.	N/A	Planning application - EPF/0952/19	Sep-19	N/A	N/A	Recommended for refusal.	Not commenced	Sukhvinder Dhadwar	Development Management
Middlebrook Industrial Estate, Hoe Lane, Nazeing	Demolition of existing commercial buildings and erection of 20no. detached/semi-detached dwellings and 13no. 'affordable' houses with associated off-street parking, private gardens and landscaping.	N/A	Planning application - EPF/1201/19	Jul-19	N/A	N/A	Recommended for refusal.	Not commenced	Sukhi Dhadwar	Development Management

Site	Description of proposal	PPA status	Application Stage	Local Plan Implementation Forum	Development Management Forum	Quality Review Panel	Timescales / progress update	Section 106 status	Case officer	Team responsible
Playing Fields Waltham Abbey Leisure Centre & Community Centre Hillhouse Ninefields Waltham Abbey Essex EN9 3EH	Reserved matters application to EPF/2207/16 following outline consent for Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) minimum 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall) ; Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; Ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building.	N/A	Planning application-EPF/1876/19	Oct-19	N/A	N/A	Outline application approved	Not commenced	Graham Courtney	Development Management
168 Upshire Road, Waltham Abbey	Erection of x2 no. new buildings, one containing flats for 7 supported living residential units, staff office for carers and social and healthcare professionals, day room and gardens to front and rear. The second building is for Housing Association accommodation and contains 8 flats. There are 7 new parking spaces & a new access off Upshire Road.	N/A	Planning Application EPF/1678/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Sukhvinder Dhadwar	Development Management
Middlebrook Industrial Estate Hoe Lane Nazeing Essex EN9 2RJ	Demolition of existing commercial buildings and erection of 20 no. detached/semi-detached dwellings and 13 no. 'affordable' houses with associated off-street parking, private gardens and landscaping. Amendment: reduce the number of units to 29 dwellings and provision of open space.	N/A	Planning application - EPF/1201/19	No	N/A	N/A	Recommended for refusal.	Not commenced	Sukhi Dhadwar	Development Management
Stapleford Farm, Oak Hill Road, Stapleford Abbots	Cease existing use of land as a breakers yard, car repairs and storage with removal of all associated buildings and replacement with x 8 no. single storey dwellings.	N/A	Planning application EPF/0238/19	No	N/A	N/A	Permission issued December 2019.	Complete	Ian Ansell	Development Management
Proposals at appeal										
69 Church Hill, Loughton	Demolition of the existing bungalow and replacement with a block of 10 apartments.	N/A	Written reps appeal: APP/J1535/W/19/3224739	No	N/A	N/A	Appeal dismissed.	N/A	Sukhi Dhadwar	Development Management
60 Traps Hill, Loughton	The demolition of an existing 2-3 storey detached house and the development of a new 2-3 storey building consisting of 7 flats (2 x 1 bed, 5 x 3 bed) and including 9 no. car parking spaces, cycle stores and bin stores.	N/A	Written reps appeal: APP/J1535/W/18/3209460	No	N/A	N/A	Appeal dismissed.	N/A	Ian Ansell	Development Management
158 Queens Road, Buckhurst Hill	Erection of a new, part two and part three storey building to the rear of the property containing 7 flats.	N/A	Planning application EPF/0694/19	No	N/A	N/A	Appeal dismissed.	Not commenced	Ian Ansell	Development Management
Land adj. to Ninnings Middle Street Nazeing Essex EN9 2LH	Outline application for erection of up to x 7 no. dwellings with new vehicular access.	N/A	Planning application - EPF/0265/19	No	N/A	N/A	Refused on 04/06/2019 - dismissed on appeal 11/11/2019	Not commenced	Caroline Brown	Development Management

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Appendix 4 - Quality Review Panel

Scheme reviewed	Epping Forest Dsitrict Council (EFDC) / Harlow and Gilston Garden Town (HGGT) review	Pre-application/ Application/ Other	Date of review	Scheme Type	Local Plan reference	Type of review	Report: Confidential/ On website	Lead Officer	Team responsible	EFDC AMR (no. of Homes)	EFDC AMR (floorspace in sqm)
Land North of Dowding Way	EFDC	Pre-application	26/04/2018	Commercial Site	WAL.E8	Formal	Confidential	James Rogers	Implementation	x	75354
HGGT Spatial Vision	HGGT	Other	24/05/2018	Strategy document	n/a	Formal	On website	HGGT	HGGT	x	x
HGGT Design Charter	HGGT	Other	19/07/2018	Strategy document	n/a	Formal	On website	HGGT	HGGT	x	x
Gilston Masterplan	HGGT	Pre-application	19/07/2018	Strategic Masterplan	n/a	Formal	n/a	East Herts	East Herts	x	x
HGGT Sustainable Transport Corridor Study	HGGT	Other	26/07/2018	Evidence-base document	n/a	Formal	Confidential	HGGT	HGGT	x	x
Nazeing Glassworks	EFDC	Pre-application	16/08/2018	Mixed use masterplan	NAZE.E3	Formal	Confidential	Graham Courtney	Implementation	250	5500
North Weald Park	EFDC	Application	27/09/2018	Mixed use masterplan	Not allocated	Formal	On website	Sukhi Dhadwar	Development Management	690	4944
Land North of Dowding Way	EFDC	Application	11/10/2018	Commercial Site	WAL.E8	Second Formal	Confidential	James Rogers	Implementation	x	75354
Latton Priory	EFDC / HGGT	Pre-application	11/10/2018	Strategic Masterplan	SP 5.1	Formal	Confidential	Graham Courtney	Implementation	1050	10000
HGGT Design Guide	HGGT	Other	11/10/2018	Strategy document	n/a	Chair's Review	On website	HGGT	HGGT	x	x
HGGT Transport Strategy	HGGT	Other	11/10/2018	Strategy document	n/a	Formal	Confidential	HGGT	HGGT	x	x
13-15a Alderton Hill	EFDC	Application	02/11/2018	Specialist Housing	LOU.R11	Formal	On website	David Baker	Development Management	89	12800
Gypsy Mead site	EFDC	Pre-application	22/11/2018	Housing (under 50 units)	FYF.R1	Formal	Confidential	Nigel Richardson	Development Management	24	x
Land at Oak Hill Road	EFDC	Pre-application	14/12/2018	Housing (under 50 units)	STAP.R1	Formal	n/a	Jonathan Doe	Development Management	46	x
Harlow Town Centre AAP	HGGT	Other	11/01/2019	Policy document	n/a	Formal	Confidential	Harlow	Harlow	x	x
Hill House	EFDC	Pre-application	24/01/2019	Specialist Housing	Previous Outline application	Formal	Confidential	Ishita Sheth	Development Management	60	16000
Gilston Village 7	HGGT	Pre-application	22/02/2019	Strategic Masterplan	n/a	Formal	n/a	East Herts	East Herts	x	x
Gilston River Crossings	HGGT	Pre-application	22/02/2019	Infrastructure	n/a	Formal	n/a	East Herts	East Herts	x	x
287-291 High Street, Epping	EFDC	Pre-application	28/03/2019	Housing (under 50 units)	EPP.R10	Chair's Review	Confidential	Ishita Sheth	Development Management	5	x
Land at Greensted Road	EFDC	Pre-application	28/03/2019	Housing (50+ units)	ONG.R5	Formal	Confidential	Ian Ansell	Development Management	115	x
Water Lane	EFDC / HGGT	Pre-application	28/03/2019	Strategic Masterplan	SP 5.2	Formal	Confidential	Graham Courtney	Implementation	2100	x
Latton Priory	EFDC / HGGT	Pre-application	05/04/2019	Strategic Masterplan	SP 5.1	Second Formal	Confidential	Graham Courtney	Implementation	1050	10000
North Weald Park	EFDC	Application	05/04/2019	Mixed use masterplan	Not allocated	Second Formal	On website	Sukhi Dhadwar	Development Management	690	4944
HGGT Healthy Town Framework	HGGT	Other	03/05/2019	Framework document	n/a	Chair's Review	Confidential	HGGT	HGGT	x	x
Chigwell Nursery Site	EFDC	Application	17/05/2019	Specialist Housing	Not allocated	Formal	On website	Ian Ansell	Development Management	65	1500
Land at Oak Hill Road	EFDC	Pre-application	17/05/2019	Housing (under 50 units)	STAP.R1	Second Formal	Confidential	Ian Ansell	Development Management	45	21300
Harlow Town Centre AAP	HGGT	Other	17/05/2019	Policy document	n/a	Chair's Review	n/a	Harlow	Harlow	x	x
North Weald Bassett Masterplan	EFDC	Pre-application	14/06/2019	Strategic Masterplan	NWB.R1-R5, NWB.T1	Formal	Confidential	James Rogers	Implementation	1050	x
Round Hills, Former Swimming Pool site	EFDC	Pre-application	12/07/2019	Housing (under 50 units)	WAL.R6	Formal	Confidential	James Rogers	Implementation	27	6000
Borders Lane Playing Fields	EFDC	Pre-application	09/08/2019	Housing	LOU.R4	Formal	Confidential	Michael Johnson	Development Management	217	47200
Land North of Dowding Way	EFDC	Pre-application	19/08/2019	Commercial Site	WAL.E8	Formal	Confidential	James Rogers	Implementation	x	75354
Land at former Epping Forest College site	EFDC	Pre-application	09/08/2019	Residential	LOU.R9	Formal	Confidential	Marie Claire	Development Management	111	10200
Water Lane - West Sumners	EFDC / HGGT	Pre-application	06/09/2019	Strategic Masterplan	SP 5.2	Formal	Confidential	Graham Courtney	Implementation	2100	x
St John's Road	EFDC	Pre-application	04/10/2019	Mixed use masterplan	EPP.R4	Formal	Confidential	Graham Courtney	Implementation	30	
Gilston Area Charter	HGGT	Other	15/11/2019	Strategy document	n/a	Chair's Review	Confidential	East Herts	East Herts	x	
Borders Lane Wellness Centre	EFDC	Pre-application	14/01/2020	Leisure	LOU.R4	Second Formal	Confidential	Michael Johnson	Development Management	x	
HGGT Sustainability Guidance and Checklist	HGGT	Other	24/01/2020	Guidance document	n/a	Chair's Review	Confidential	Tara Gbolade	HGGT	x	
Hunsdon, Eastwick & Gilston Neighbourhood Plan	HGGT	Other	20/02/2020	Neighbourhood Plan	n/a	Formal Review	Confidential	Adam Halford	HGGT	x	
EFDC Green Infrastructure Strategy	EFDC	Other	06/03/2020	Strategy document	n/a	Chair's Review	Confidential	Rosie Sargen	Implementation / Policy	x	
Epping Town Centre Sites Strategy	EFDC	Pre-application	20/03/2020	Strategy	EPP.R4, EPP.R5, EPP.R6, EPP.R7, EPP.R8	Formal Review	Confidential	Nick Finney	Implementation/Policy		
Land at Greensted Road	EFDC	Pre-application	17/04/2020	Housing (50+ units)	ONG.R5	Chair's Review (Second)	Confidential	Ian Ansell	Development Management	115	x
Gilston Villages 1-6 Outline Application	HGGT	Application	17/04/2020	Strategic Masterplan	n/a	Second Formal	n/a	East Herts	East Herts	x	
North-Centre STC	HGGT	Pre-application	17/04/2020	Infrastructure	n/a	Chair's Review/ Workshop	Confidential	Paul Wilkinson	HGGT		
EHDC Gilston Workshop	HGGT	Application	05/06/2020	Strategic Masterplan	n/a	Chair's Review/ Workshop	n/a	Kevin Steptoe	East Herts		

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Report to the Cabinet

Report reference: C-012-2020-21

Date of meeting: 20 July 2020



**Epping Forest
District Council**

Portfolio: Housing and Community Services – Cllr H Whitbread

Subject: Adopting A 2-Part Register for Self-build and Custom Housebuilding

Responsible Officer: Deborah Fenton (01992 564221)

Democratic Services: A Hendry (01992 564246)

Recommendations/Decisions Required:

- (1) That Cabinet agree the recommendation to adopt a 2-part register; and**
- (2) That Cabinet agree the recommendation to adopt and implement local connection and financial solvency tests.**
- (3) That Cabinet agree the adoption of the overarching policy, in which the above recommendations sit. (Appendix 1)**

Executive Summary:

Following the initial review at the Council Housebuilding Cabinet Committee this report be presented to Cabinet on 20th July to recommend the adoption of both the 2-part register and the local connection and financial solvency tests.

The Council currently has a single Self-build and Custom Housebuilding Register which is not divided into 2 parts.

The registration process in its current form counts all entries in the register as demand for Self-build and Custom Housebuilding (SBCH) in the District. A 2-Part registration will be beneficial in terms of prioritising applicants with local connections to the area and establishing a more realistic assessment of local demand.

Access to Part 1 of the Register should be subject to a local connection test based on living or working in the District and a financial assessment of capability to purchase plots.

The Self-build and Custom Housebuilding register came into effect through the Self-build and Custom Housebuilding Act 2015 amended by the Housing and Planning Act 2016, to promote the Government's Right to Build Scheme supporting individuals and associations wishing to build their own homes.

The legislation creates a duty on the Relevant Authorities, including District Councils, to keep a register; and have regard to the register when carrying out their planning, housing, land disposal and regeneration functions. Furthermore, a duty to grant planning permission for enough suitable serviced plots of land to meet the demand for Self-build and Custom Housebuilding in the area. This level of demand is established by reference to the number of entries added to an authority's register during each base period.

Reasons for Proposed Decision:

The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) requires the Council to keep a register of individuals and associations who are seeking to acquire serviced plots of land in the District for self-build and custom housebuilding.

With the housing pressure and limited capacity to meet all housing needs, it is essential that the Self-build and Custom Housebuilding Register is effective, by adopting the eligibility criteria noted above and implementing a 2-part register, it provides the necessary prioritisation to support local applicants and their housing need.

Other Options for Action:

To continue to use a single register means that the Council has a statutory requirement to provide permissioned serviced plots to all applicants on the register regardless of local connection. This option makes it difficult to prioritise limited land supply and meet local need with multiple applications from applicants across various local authorities.

Report:

1. The Self-build and Custom Housebuilding Register was formalised in 2017. Due to a lack of dedicated staffing resources, progress was, limited to establishing and maintaining the SBCH Register only.
2. The registration process in its current form counts all entries in the Register as demand for self-build and custom housebuilding in the District and the District Council has a legal duty to provide permissioned serviced plots for those entries.
3. Relevant Authorities are required to grant development permissions equivalent to the number of entries on the register within 3 years from the end of each 'base period'. Base periods are for 12-months as outlined below:

Base Period	Date	Grant development permission by
1	Date of register established to 30 October 2016	October 2019
2	31 October 2016 - 30 October 2017	October 2020
3	31 October 2017 - 30 October 2018	October 2021
4	31 October 2018 – 30 October 2019	October 2022
5	31 October 2019 – 30 October 2020	October 2023

4. Responsibility for developing the Self-build and Custom Housebuilding scheme was initially started by Planning, but this was later transferred to the Housing Development Team. A registration process has been developed, advertised and applications for Self-build and Custom Housebuilding are being registered using a single-part register.

5. In addition to the Right to Build legislations which places a duty on the District Council to deliver the required serviced plots, the Strategic Housing Market Assessment (SHMA) 2015 noted that "half of the population (53%) in the housing market area, say that they would

consider building their own home (either directly or using the services of architects and contractors); but it's likely that this figure conflates aspiration with effective market demand." However, it recognised that there was clearly some interest and desire for some to build their own home. Although, it acknowledged it was a small proportion of the overall housing need, it recommended that Councils should put arrangements in place to comply with the legislation.

In view of the above assertion, the Local Plan (submission Version) 2017 provided a collaborative framework to ensure delivery of these types of housing.

6. Council Officers will engage with developers and landowners through the Developer's Forum and any other forums including masterplanning processes. They will also continue to work with its strategic housing association partners.

7. It may also be useful to consider unsuitable sites for the EFDC affordable housing pipeline, although the suitability of these sites maybe questioned due to the location and difficult nature of the sites. Additionally, it may also, be necessary to consider other Council-owned land to facilitate the delivery of Self-build and Custom Housebuilding.

Demand – Self Building and Custom Housing Register

8. As at May 2020, there were 80 applicants on the register. However, under a 2-part registration system this reduces to 38 as shown in the table below.

Base Period	Period	Enquires	Registered interest and Current Demand	Indicative demand under 2-part registration based on "local connection"
1	31/10/15 – 30/10/16	10	0	0
2	31/10/16 – 30/10/17	110	21	7
3	31/10/17 – 30/10/18	15	11	7
4	31/10/18 – 30/10/19	0	28	16
5	30/10/19 – 30/10/20	0	20	8
	Total	135	80	38

9. For the relevant base year, which is 31st October 2016 – 30th October 2017, The District Council has a duty to provide 21 consented serviced plots. With the local connection test applied, this figure significantly reduces to 7. However, it is anticipated that the total figure is likely to rise during the Local Plan period.

10. With a 2-Part Register, only entries in Part 1 are counted towards demand for Self-build and Custom Housebuilding in the District, provided they meet both the eligibility criteria of the local connection and the financial solvency tests. It is recommended that the local connection test should be based on being resident or permanently working in the District for a minimum of 24 months with an exemption for those serving or who have recently left the armed forces. Financial capability tests should also be carried out requiring applicants to demonstrate their financial ability to pay for and build out the serviced plots. This can be proof of assets and/or mortgage offer letters.

11. With 92% of the District covered by Green Belt, environmental and physical constraints for development, and limited supply of land, competing development needs, and the efforts to identify a 5-year housing land supply based on already objectively identified housing need can be challenging. These challenges can be considered a strong justification for a move away from the current registration process to a 2-part register.

Resource Implications:

An initial one-off and a subsequent 3-year funding programme was launched in 2016 to enable Local Authorities to fulfil their new statutory duties. The District Council was subsequently allocated the sum of £90,000 of New Burdens funding from Central government between 2016/17 and 2019/20. All this funding has now been received.

The funding has been used to recruit a Housing Enabling Officer to support the Housing Development Team with implementation of the Self-build and Custom Housebuilding project as well as the anticipated increasing workload arising from the new Local Plan (Submission Version) 2017.

The successful delivery of the Self-build and Custom Housebuilding may also require a small additional expenditure for capacity building and marketing.

Legal and Governance Implications:

Not to have this policy will make it very difficult for the District Council to deliver the high number of consented service plots required under the single-part Register, therefore, exposing the District Council to risk of not meeting its legal obligations.

The legislation, regulations and guidance which imposes duties to relevant local authorities are:

The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)

The Self-build and Custom Housebuilding Regulations 2016, and

The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016.

The Planning Practice Guidance on Self-build and Custom Housebuilding (April 2016 and was last updated 28 July 2017).

Safer, Cleaner and Greener Implications:

This policy seeks to extend the Government's right to build options; it encourages choice, creativity and a desire to keep communities together, thus promoting social cohesion.

Consultation Undertaken:

No consultation necessary at this stage but will review and consult if appropriate.

Background Papers:

Self-build and Custom Housebuilding legislation and guidance.

Risk Management:

The main risks are that developers do not provide suitable sized plots in the required locations to enable applicants to build a range of units and sizes either for family homes or downsizing. Further, that the plots provided do not sell.

The mitigation would be to engage early with developers to encourage provision of different sized plots and where necessary they could be asked to demonstrate that the number of plots provided reflected the local need.

Council Officers will continue to work with developers to ensure that the plots provided are actively marketed taking into consideration the local land values and local income. Finally, reversion clauses may be included to ensure that those plots not sold after a reasonable period of time are able to be built out by the developers.

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided as an Appendix to this report.

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Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. All **Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA**. An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms
 - Factsheet 4: Common misunderstandings about the Equality Duty
 - Factsheet 5: Frequently asked questions
 - Factsheet 6: Reporting equality analysis to a committee or other decision-making body

Section 1: Identifying details

Your function, service area and team: Housing Development Team

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: None

Title of policy or decision: **Adopting a 2-part Register for Self-build and Custom Housebuilding.**

Officer completing the EqIA: Francisca Muonweokwu-Egbunike Tel: ext. 2538
Email: FMuonweokwuegbunike@eppingforestdc.gov.uk

Date of completing the assessment: **28th May 2020**

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>Change in existing policy.</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>1) That the Council reviews and adopts a 2-part register.</p> <p>(2) To adopt and implement local connection and financial solvency tests.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>To prioritise limited supply of land to applicants with a local connection who can demonstrate enough financial resources to purchase the serviced plots.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>All these groups may potentially benefit from this policy change.</p> <p>Will the policy or decision influence how organisations operate?</p> <p>Developers may be required to provide serviced plots on their sites.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No.</p>

2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>If adopted, it will support the Local Plan (Submission Version) 2017.</p>
-----	--

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>The Self-build and Custom Housebuilding Policy is intended to support applicants wanting to buy serviced plots, design and build their own homes in the areas of their choice. This policy will ensure that local applicants benefit from plot prices linked to local land values and local income.</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Not necessary now.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>We will review and consult if necessary. However, consultation may not be necessary since the 2-Part Register prioritises limited supply of land to local residents. Further, multiple applications from applicants in other local authority areas does not provide a good gauge of need in the District.</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral	Low
Disability	Neutral	Low
Gender	Neutral	Low
Gender reassignment	Neutral	Low
Marriage/civil partnership	Neutral	Low
Pregnancy/maternity	Neutral	Low
Race	Neutral	Low
Religion/belief	Neutral	Low
Sexual orientation	Neutral	Low

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No X <input type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
None		
None		
None		
None		
None		
None		
None		
None		
None		

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service:

Date:

Signature of person completing the EqIA:

Date:

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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Epping Forest District Council

Self-Build and Custom Housebuilding Policy

DRAFT

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1. Scope:

- 1.1. The purpose of this policy is to support individuals and associations of individuals who wish to buy consented serviced plots, design and build or by working with developers in the Epping Forest District to build their own homes in accordance with the Government's Right to Build agenda which is consolidated in the Self-build and Custom Housebuilding Act 2015 as amended by the Housing and Planning Act 2016 and associated guidance.
- 1.2. This policy explains what the Self-build and Custom Housebuilding Register is, the 2-Part Register, the eligibility criteria, what serviced plots of lands are and how to acquire them.
- 1.3. It concludes by highlighting how we will support and monitor the Self -build and Custom Housebuilding in the District.

2. Policy Statement

- 2.1. A large part of the Epping Forest District is covered by Green Belt with physical and environmental constraints; with limited supply of land and competing development demands, permissioned serviced plots for self-build and custom building may not always be available.
- 2.2. In accordance with statutory requirements and the limited supply of development land, Epping Forest District Council has adopted a 2-Part Register as its preferred approach to prioritising serviced plots to meet local demand.
- 2.3. The register is divided into 2 parts. Part 1 of the register will include those applicants who meet the local connection test. There is a requirement to meet the demand from applicants on Part 1 with the provision of consented serviced plots. Part 2 of the register includes those who meet all other criteria except the local connection test and there is no requirement to grant permissioned serviced plots.
- 2.4. The District Council will aim to grant planning permission for serviced plots equivalent to the number of applicants on Part 1 of the register, 3 years from the end of each base year (31st October).
- 2.5. The District Council will work with private developers and landowners to help secure these permissioned serviced plots.

3. Statutory Framework:

The following legislation and guidance provide the statutory framework for the Government's Right to Build Agenda and set out the duties given to Responsible Authorities to set up Self-build and Custom Housebuilding Registers:

- 3.1. The Self-build and Custom Housebuilding Act 2005(as amended by the Housing Planning 2016).
- 3.2. The Self-build and Custom Housebuilding Regulations 2016
- 3.3. The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016.
- 3.4. The Planning Practice Guidance on Self-build and Custom Housebuilding (April 2016 and last updated 28 July 2017).
- 3.5. The legislation creates a duty for the District Council to keep a register, stipulates the type of details the District Council can keep on the register, defines the eligibility criteria, how to allocate permissioned serviced plots of land and in what time period.
- 3.6. The District Council must also take account of the Self-build and Custom Housebuilding Register when carrying out its planning, housing, land disposal and regeneration functions.

4. The 2-part Register:

- 4.1. The Council has introduced the 2-part Register to help ensure that local demand is met.
- 4.2. The Self-build and Custom Housebuilding Register is a list of applicants looking to buy land to design and build new housing or to work with developers to build bespoke new homes to their design and requirements.
- 4.3. Applicants can join the Self-build and Custom Housebuilding Register by completing and returning the application form which is attached to this policy at Appendix 1.
- 4.4. The District Council will not recognise any other register or list to determine the need for self-build and custom housebuilding.
- 4.5. Joining the Register does not provide a guarantee that permissioned serviced plots will be provided or that the plots will be sold at a discounted price.
- 4.6. The Register provides evidence of demand for self-build homes within the District over a 12 months base period which ends on the 31st October of each year.
- 4.7. Each of the following 12 months forms the next base period.

4.8. The District Council is required to grant planning permission for serviced plots within three years of the end of each base period. This duty applies to those applicants entered in Part 1 of the register.

4.9. The permissioned serviced plot must be suitable by having access to essential services and highway.

5. Eligibility Criteria:

5.1. Applicants must meet all the following eligibility criteria to be entered onto the Register. Each individual applicant and every member of the association of individuals that applies for entry on the register must:

- be aged 18 or over.
- be a British citizen, a national of a EEA state other than the United Kingdom, or a national of Switzerland.
- be seeking (either alone or with others) to acquire a serviced plot of land in Epping Forest District for their own self build and custom housebuilding.
- Individuals who wish to register as an association must appoint a member or an officer to act as the lead contact for the purpose of correspondence between the association and the District Council.

5.2. Appropriate documents will be requested and submitted to verify applications.

5.3. In addition to the above, the District Council has introduced two additional local eligibility tests for entry on Part 1 of the Register:

- Applicants must have been resident or permanently working in the District for a minimum of 2 years; an exemption applies to those serving in the armed forces or who have left in the last 2 years.
- Applicants must pass a financial solvency test demonstrating their financial ability to pay for a serviced plot.

5.4. No fees are currently chargeable to join or remain on the Register, but the District Council will regularly review this and reserves the right to introduce a fee in the future. Applicants will be notified in advance if fees become chargeable.

5.5. The District Council will process and hold applicant's' data in accordance with Data Protection legislation.

6. What happens when registered:

6.1. The District Council will contact applicants to acknowledge applications.

6.2. The District Council will endeavour to determine the application within 28 days of

when the application was received and requested information and evidence has been provided.

6.3. The District Council will process and hold applicant's data in accordance with the Data protection legislation.

6.4. The District Council will contact applicants periodically to re-confirm interest; this ensures that the register is up to date. Applicants should also contact the District Council if their details change or they are no longer interested.

6.5. Any applicant constantly refusing suitable plots will be removed from the Register.

7. How the District Council will deliver permissioned serviced plots.

7.1. A serviced plot is a plot of land that either has access to a public highway and connections for electricity, water, wastewater and gas or that these can be provided within the duration that development permission is granted.

7.2. The District Council will seek secure plots through masterplanning on its strategic sites if there is evidence of demand in those areas, and work with developers and landowners.

7.3. The District Council will work with developers and landowners to ensure that the permissioned service plots are appropriately marketed and valued.

7.4. This policy offers applicants the opportunity to develop bespoke designs for their new homes. However, planning applications for self-build and custom housing developments will still be subject to the policies in the Local Plan and national policies prevailing at the time.

8. Promoting and Supporting the Self-Build and Custom Housebuilding:

8.1. The District Council will promote self-build and custom housebuilding where possible including a webpage on the Council's website dedicated to self-build and custom housebuilding.

8.2. Further, the District Council work with external partners providing capacity building support to self-builders, and sign-post applicants for information, advice and training where needed.

9. Partnership:

9.1. The District Council will work with developers, landowners and its Registered Social Landlord (RSL) partners to identify suitable serviced plots for self-build and custom housebuilding.

9.2. The District Council will build partnerships with organisations providing capacity building support for self-builders.

10. Reviewing the Policy:

10.1. The District Council will monitor, review and update the Self-build and Custom housebuilding Register annually. This will ensure that the required serviced plots are provided to meet demand although that this may not always be the case.

10.2. The District Council will publish the following data in its annual monitoring report:

- the number of individuals and associations on the register;
- the number permissioned serviced plots of land sought; and
- the number by location, plots sizes and the types of housing intended to be built

11. Appendices

11.1. Self-Build and Custom Housebuilding Register application form.

12. Version control log

Version no.	Date	Details of changes included in update	Author
1		Publication	

Epping Forest District Council
Civic Offices, High Street, Epping, Essex CM16 4BZ

Telephone: 01992 564000
Email: housingoptions@eppingforestdc.gov.uk

www.eppingforestdc.gov.uk/housing

(Insert date)

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Report to the Cabinet

Report reference: C-010-2020-21

Date of meeting: 20 July 2020



**Epping Forest
District Council**

Portfolio: Housing and Communities – Cllr H Whitbread

Subject: Housing Rents Policy

Responsible Officer: Jennifer Gould (01992 564073)

Democratic Services: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

That the Cabinet agrees to the adoption and implementation of the updated Housing Rents Policy which sets out Epping Forest District Council's approach to the setting of rent and service charges ensuring compliance with current legislation, the requirements of the Regulator's Rent Standard and recognised best practice.

Executive Summary:

A Housing Rents Policy is required in order to outline how the Council will calculate, consult and charge rent and service charges for Housing Revenue Account (HRA) owned stock that the Council has responsibility to manage and maintain.

The previous Housing Rents Policy 2016-17 has been updated, resulting in a Housing Rents Policy 2020 which reflects the requirements of the Social Housing Regulator's new Rent Standard which came into force on 1 April 2020.

Reasons for Proposed Decision:

There is a statutory requirement to have a Housing Rents Policy. The purpose of which ensures compliance with government legislation when setting rent and service charges. It also ensures that the HRA does not fall into a deficit position, helps the Council to plan for future investments, and protects tenants from excessive rent increases.

Report:

1. Since 2001, rents for properties let at social rent have been set based on a formula set by government. This creates a formula rent for each property, which is calculated based on the relative value of the property, relative local income levels, and the size of the property. The aim of this formula-based approach is to ensure that similar rents are charged for similar social rent properties. The basis of the Government's formula for calculating social rents is:
 - 30% of a property's rent should be based on relative property values compared to national property values¹;
 - 70% of a property's rent should be based on relative local earnings compared to national earnings²;
 - A bedroom factor so that, all other things being equal, smaller properties have lower rents.
2. The Welfare Reform and Work Act 2016 required local authorities and housing associations to reduce their rents by 1% per annum for four years from April 2016. In 2017 the Government announced that, from April 2020, council and housing association social rents could increase rents by CPI (as at the preceding September) + 1% per annum, for a period of at least five years.
3. On 1 April 2020 the Regulator of Social Housing set a new rent standard for all registered providers of social housing, and, for the first time, the Government directed the Regulator to apply its rent standard to local authorities. This is because the previous arrangements for limiting the welfare costs associated with local authority rents (the Rent Rebate Subsidy Limitation Scheme) will not operate alongside Universal Credit.
4. The Rent Standard sets out the basis on which social rents and affordable rents are set.
5. In response to the Regulator's new rent standard it is prudent for EFDC to adopt a formal Rent Policy that sets out how rents are calculated for existing stock and how they will be calculated for new additions to the HRA stock. This ensures a consistency of approach, transparency around rent charges and serves to reassure tenants that EFDC are charging fair and affordable rents.

Resource Implications:

None.

¹ Relative property value means an individual property's value divided by the national (England) average property value, as at January 1999 prices.

² Relative local earnings means the average earnings for the district in which the property is located divided by national average earnings, both at 1999 levels.

Legal and Governance Implications:

The Policy has been written in order to comply with:

- Policy Statement on Rents for Social Housing issued by the Secretary of State on 6 February 2019;
- Direction on the Rent Standard 2019;
- Housing Acts 1980, 1985, 1988, 1996 and 2015; and
- Welfare Reform and Work Act 2016.

The absence of an updated Housing Rents Policy would result in the Regulator of Social Housing issuing a non-compliance notice.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Initial consultation has been undertaken with the Portfolio Holder.

Background Papers:

N/A

Risk Management:

The updating of the Housing Rents Policy ensures compliance with the new Rent Standard 2020. Having this Policy mitigates the risk of rents being set too low so that the HRA isn't self-sustaining (able to repay debt and invest in new stock), or having rents set too high that they are unaffordable.

The Policy ensures that a consistent approach to rent and service charges is adopted by the Council to all residents, regardless of tenure. It does this by following best practice and defining the different elements that need to be taken into consideration when setting both social and affordable rents, and service charges.

The Policy will enable the Council to be proactive in managing risk in relation to rents by ensuring:

- The correct rents are charged for each category of property;
- Rents are increased accordingly in line with CPI levels each year;
- Rent caps are increased accordingly in line with CPI levels each year;
- Service charges are reviewed each year;
- Developments and investments are viable.

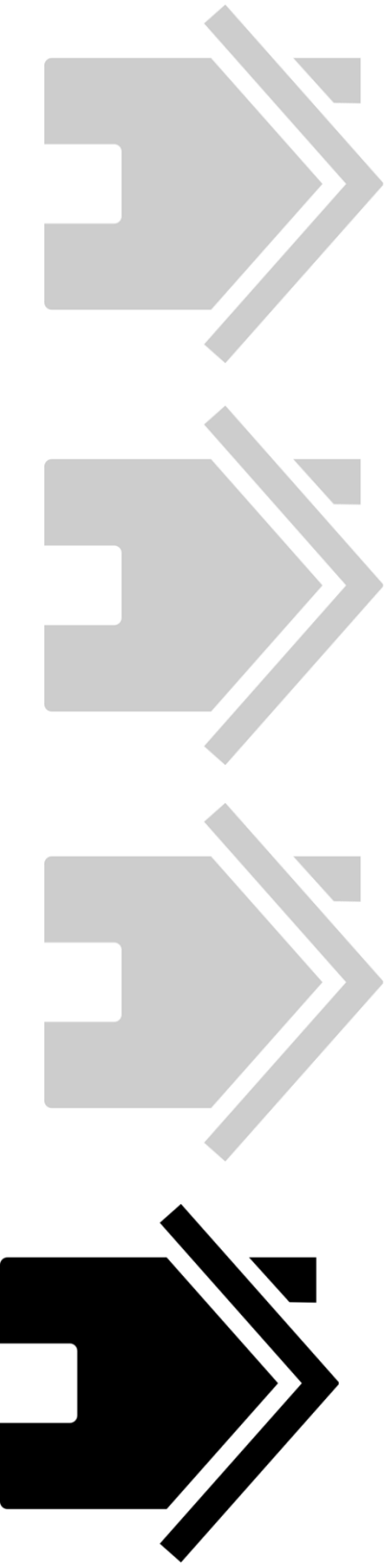
Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided as an Appendix to this report.

1.1.4.2
HP Rent



Housing Rents Policy 2020



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1. Policy statement

- 1.1. This policy sets out Epping Forest District Council's approach to the setting of rent and service charges. It aims to ensure that the Council complies with current legislation, the requirements of the Regulator's Rent Standard and recognised best practice.
- 1.2. The policy aims to ensure that a consistent approach to rent and service charges is adopted by the Council to all residents, regardless of tenure.
- 1.3. The Council aims to set rents and service charges that tenants can afford, and which will enable properties to be well managed and maintained to a high standard, whilst providing new council housing in accordance with council objectives and the aspirations of tenants.

2. Related documents

- 2.1. This policy should be read in conjunction with other relevant policies and procedures published by the Council.

Related documents include:

- Rent Arrears Housing Service Strategy;
- Rent Recovery Policy;
- Rent Setting Procedure; and
- Tenancy and Lease Agreements.

Related legislation includes:

- Housing Acts 1980, 1985, 1988, 1996 and 2015;
- Landlord and Tenants Acts 1985 and 1987;
- Commonhold and Leasehold Reform Act 2002;
- Welfare Reform and Work Act 2016; and
- Direction on the Rent Standard 2020 (MHCLG).

3. Rent setting

3.1. The policy for rent setting varies according to the category of property:

Property category	Rent type
The Council's original housing stock	Formula rent
Sheltered housing	Formula rent
Properties built under the Council's Housebuilding Programme or purchased from the open housing market	Affordable rent
Temporary properties	In accordance with the licence

3.2. The Council's Stronger Communities Select Committee are consulted on the proposed level of change to rents each year before final approval from the Council's Cabinet.

4. Rents policy – social rents

4.1. Background

4.1.1. Since 2001, rents for properties let at social rent have been set based on a formula set by government. This creates a formula rent (also known as target rent) for each property, which is calculated based on the relative value of the property, relative local income levels, and the size of the property. The aim of this formula-based approach is to ensure that similar rents are charged for similar social rent properties. The basis of the Government's formula for calculating social rents is:

- 30% of a property's rent should be based on relative property values compared to national property values;
- 70% of a property's rent should be based on relative local earnings compared to national earnings;
- A bedroom factor so that, all other things being equal, smaller properties have lower rents.

4.1.2. The Welfare Reform and Work Act 2016 required local authorities and housing associations to reduce their rents by 1% per annum for four years from April 2016. In 2017 the Government announced that, from April 2020, council and housing association social rents could increase by CPI (as at the preceding September) + 1% per annum, for a period of at least five years.

4.1.3. On 1 April 2020 the Regulator of Social Housing set a new rent standard for all registered providers of social housing, and, for the first time, the Government directed the Regulator to apply its rent standard to local authorities. This is because the previous arrangements for limiting the welfare costs associated with local authority rents (the Rent Rebate Subsidy Limitation Scheme) will not operate alongside Universal Credit.

4.1.4.

4.2. The Council's Social Rents Policy

4.2.1. In accordance with the Social Housing Regulator's Rent Standard, social rents are charged for all council properties that have not been provided through the Council's Housebuilding Programme (see Affordable Rents section below) or purchased from the open housing market.

4.2.2. Properties let to existing tenants:

From April 2020 all social rents will increase by CPI (as at the preceding September) + 1% each year.

4.2.3. Properties re-let to new tenants:

Vacant properties will be re-let at their formula rent (if they are not already at the formula rent), and not the same rent level as charged to the previous tenant.

4.3. Rent Caps

4.3.1. Formula rent is subject to a rent cap. Rent caps apply as a maximum ceiling on the formula rent and depend on the size of the property. Where the formula rent would be higher than the rent cap for a particular size of property, the rent cap must be used instead.

4.3.2. From 2020-21 onwards, the rent caps will increase by CPI (at September of the previous year) + 1.5% each year.

4.3.3. While the rent caps will increase annually by CPI + 1.5 percentage points, the annual change in rent for the tenant in a rent capped property must still be governed by the CPI + 1% limit on rent changes.

4.3.4. However, where a property whose rent has been subject to the rent cap comes up for re-let (and formula rent remains above the rent cap), the new rent may be set at up to the rent cap level – which will have been increasing by CPI + 1.5%, rather than CPI + 1%.

4.4. Property Valuations

4.4.1. The relative property values used to calculate Target Rents under the Government's Social Housing Policy are based on 'existing use value'. The valuation base was set at January 1999.

4.4.2. The Valuation Office, on behalf of the Council, valued 198 separate beacon properties in 2002 for this exercise. Each beacon property was an example of a main property type owned by the Council in each of the main towns and villages and were representative of the total housing stock. These valuations were then used for all the other similar properties sharing the same characteristics and location. These are not revisited, unless an individual property's characteristics have considerably changed.

4.5. Service Charges

4.5.1. A service charge is a charge made to tenants to cover costs incurred in providing services. Only those services detailed in a tenant's original Tenancy Agreement can be charged for, unless such agreements have subsequently been varied to include additional services.

4.5.2. Social rents can only take into account all property related services and those services that may relate to a group of dwellings. Examples of services covered by social rents include:

- Repairs and maintenance;
- Publicity and consultation;
- Administration of rents; and
- Management of properties.

Examples of services provided to tenants, not covered include:

- Grounds maintenance;
- Cleaning of communal areas;
- Lighting of communal areas; and
- Intensive housing management at sheltered schemes.

4.5.3. Service charges are subject to separate legal requirements and are limited to covering the cost of providing the services. They will be reviewed on an annual basis.

4.5.4. Service charges for the Council's leaseholders are in line with their individual Lease Agreements, based on actual expenditure.

4.6. Housing Related Support Charges

4.6.1. Since April 2003, the Council has separated out from its rents the revenue costs of providing housing related support and made a separate housing related support charge for tenants receiving this support.

- The Council's housing related support covers:
- The Council's Scheme Management Service – whereby the Council's Sheltered Housing Officers provide support to older people in sheltered housing schemes and other housing designated for older people; and

4.6.2. The Council's Careline Service – which provides a 24-hour telecare service.

4.6.3. Until April 2017, the Council received funding towards the costs of providing housing related support. However, this funding ceased in April 2017, and it is the Council's policy to ensure that these services are fully funded from its charges. The Council's Careline Service is self-funded, however the support provided by Sheltered Housing Officers is not fully self-funded. These charges are increased each year in line with the 'Annual Fees and Charges – Housing Related Services' list.

5. Rents policy - affordable rents

5.1. Background to Government and Homes England Policy

- 5.1.1. To enable the Government to significantly reduce the amount of grant required to develop new affordable housing, Homes England, the government agency that funds and regulates all registered providers of housing, requires all new affordable rented homes built by housing associations and councils with grant from Homes England to charge affordable rents.
- 5.1.2. Even if Homes England grant is not provided, in order to minimise the amount of subsidy required from other sources, most housing associations now charge affordable rents for newly developed affordable rented housing.
- 5.1.3. Affordable rents are defined by Homes England as being up to 80% of gross market rents (including service charges). This can be compared to social rents which, very generally, are usually around half the level of market rents.
- 5.1.4. As with social rents, The Welfare Reform and Work Act 2016 required affordable rents to be reduced by 1% per annum for four years from April 2016, after which they are increased annually by a maximum of CPI (as at the preceding September) + 1%, until the property is vacated.
- 5.1.5. On re-let, the rent has to be re-based, taking account of market rents at that time.

5.2. The Council's Affordable Rent Policy

- 5.2.1. Prior to embarking on its Housebuilding Programme, the Council decided that affordable rents should be charged for all new and re-let properties built or acquired under the Housebuilding Programme. This is for two main reasons:
 - To ensure that developments are viable, since they would require even greater subsidy if social rents were charged instead of affordable rents; and
 - To charge similar rents to housing associations for similar newly-built affordable rented properties – i.e. to provide an even playing field.
- 5.2.2. In making this decision, the Council recognised that it would be charging significantly different (i.e. higher) rents for properties built or acquired under its Housebuilding Programme, compared to all the Council's existing properties let at social rents.
- 5.2.3. It was also recognised that it was likely that only applicants with either reasonable incomes or who were in receipt of housing benefit would be able to afford newly built properties, let at affordable rents. This was because working applicants on lower incomes, but who are ineligible for housing benefit, may struggle to pay affordable rent levels, and would therefore be less likely to bid for them through the Council's HomeOption Choice Based Lettings Scheme, and only bid for existing council properties let at social rents.
- 5.2.4. If an affordable rent is charged at a level that is higher than the Local Housing Allowance (LHA) for the Broad Market Rental Area (BMRA) in which the property is situated (set by the Valuation Service, based on the 30th percentile of market rents in the BMRA), the difference between the rent and the LHA cannot be met from housing benefit. Therefore, if a tenant is in receipt of housing benefit, they have to pay the difference between the LHA and the affordable rent themselves.

5.3. The Council's Policy on the use of Affordable Rents is that:

5.3.1. When properties are built under its Housebuilding Programme, they are to be (re)let at affordable rents set at a level equivalent to the lowest of:

- 80% of gross market rents (inclusive of service charges) for the locality in which the property is situated; and
- The Local Housing Allowance level for the Broad Rental Market Area in which the property is situated.

5.3.2. To comply with the Welfare Reform and Work Act 2016, affordable rents were reduced from April 2016 by 1% per annum for four years, and then increased annually from April 2020 by CPI (as at the preceding September) + 1% until the tenant vacates;

5.3.3. When an affordable rented property is vacated and re-let, the rent will be re-based in accordance with the Homes England's Affordable Rent Model and (i) above;

5.3.4. This policy is applied to both:

- Financial appraisals for potential developments; and
- To the actual rents charged for properties when they are let, in relation to the market rents and LHAs applicable at that time.

5.4. Broad Market Rental Areas

Epping Forest has three Broad Market Rental Areas (BRMAs) used to assess Local Housing Allowances (LHAs):

- Harlow and Stortford: covering Epping, North Weald, Ongar, Willingale, Nazeing, Sheering and Matching Green.
- South East Herts: covering Waltham Abbey.
- Outer North East London: covering Loughton, Chigwell, Theydon Bois, Abridge, Buckhurst Hill and Stapleford Abbots.

6. Rent weeks

- 6.1. The Council will charge rents for 52 weeks a year. In those years where a 53rd rent week occurs, rent will be charged for the additional week in that year.

7. Temporary properties

- 7.1. The Council has a number of properties designated for use as temporary accommodation. These properties are let on licence and the rent is reviewed annually each April in line with CPI (as at the preceding September) plus 1%.

8. Review and monitoring

- 8.1. This Housing Rents Policy will be reviewed by the Council's Stronger Communities Select Committee following five years of operation in consultation with the Epping Forest Tenants and Leaseholders Panel, who shall recommend any changes to the Council's Cabinet.

Version Control

Version no.	Date	Details of changes included in update	Author
1	2017	Publication	Director of Housing
2	April 2020	Review	Housing Strategy Team Manager

Housing and Property Service
Epping Forest District Council
Civic Offices, High Street, Epping, Essex CM16 4BZ

www.eppingforestdc.gov.uk/housing

April 2020

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Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. All **Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA**. An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms
 - Factsheet 4: Common misunderstandings about the Equality Duty
 - Factsheet 5: Frequently asked questions
 - Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details

Your function, service area and team: **Housing Strategy, Information and Policy**

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: **N/A**

Title of policy or decision: **Housing Rents Policy**

Officer completing the EqIA: **Jennifer Gould, Service Manager – Housing Needs and Older People's Services** Tel: **01992 564073** Email: **jgould@eppingforestdc.gov.uk**

Date of completing the assessment: **6th July 2020**

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>Yes</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>A Housing Rents Policy is required in order to outline how the Council will calculate, consult and charge rent and service charges for Housing Revenue Account (HRA) owned stock that the Council has responsibility to manage and maintain.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>An agreed Housing Rents Policy fit for purpose.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>Will the policy or decision influence how organisations operate?</p> <p>Yes – it will inform how rent and service charges are calculated, applied and charged.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>

2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The Policy is associated with the Tenancy Policy and supports the corporate outcome:</p> <p>Improving the District housing offer</p>
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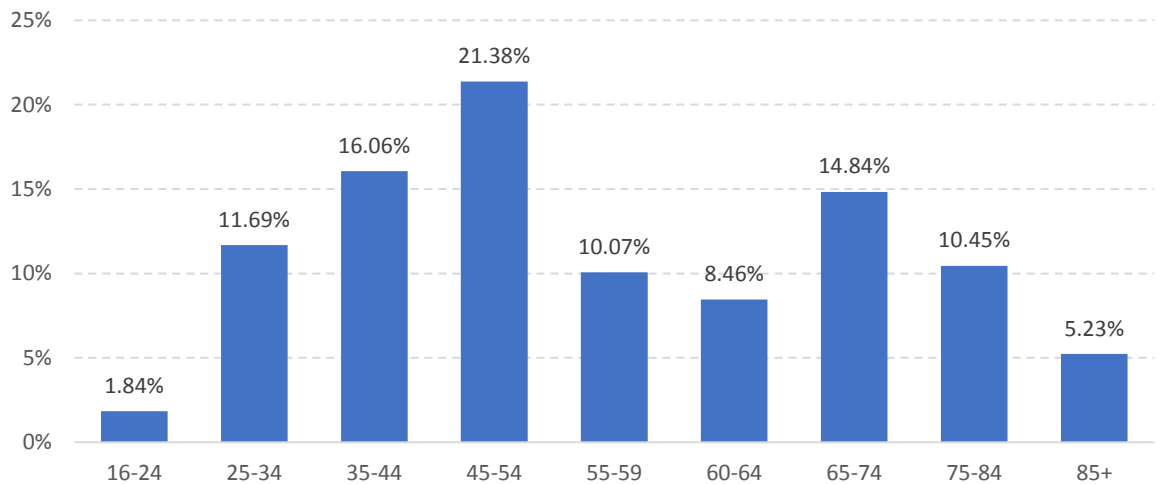
Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

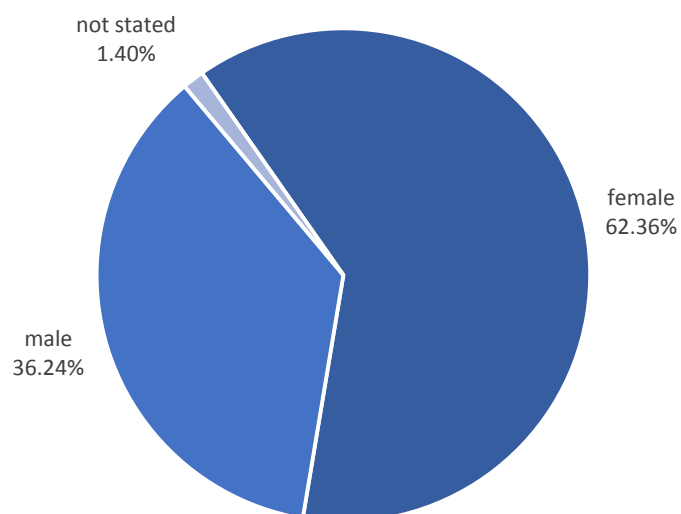
3.1

What does the information tell you about those groups identified?

Age summary of EFDC tenants by year bands (January 2020)

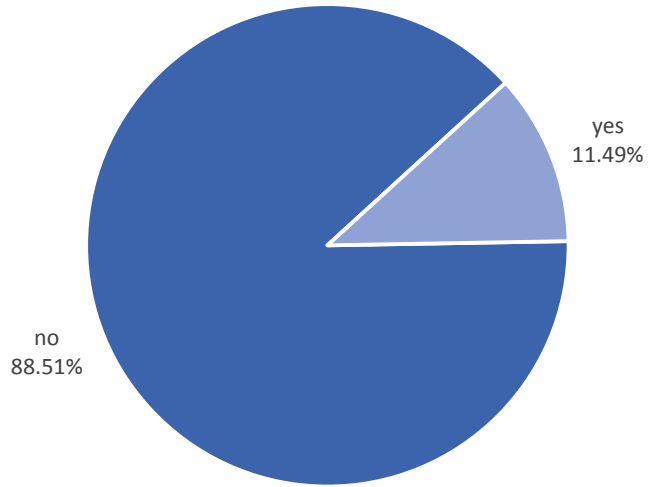


Gender summary of EFDC tenants (January 2020)

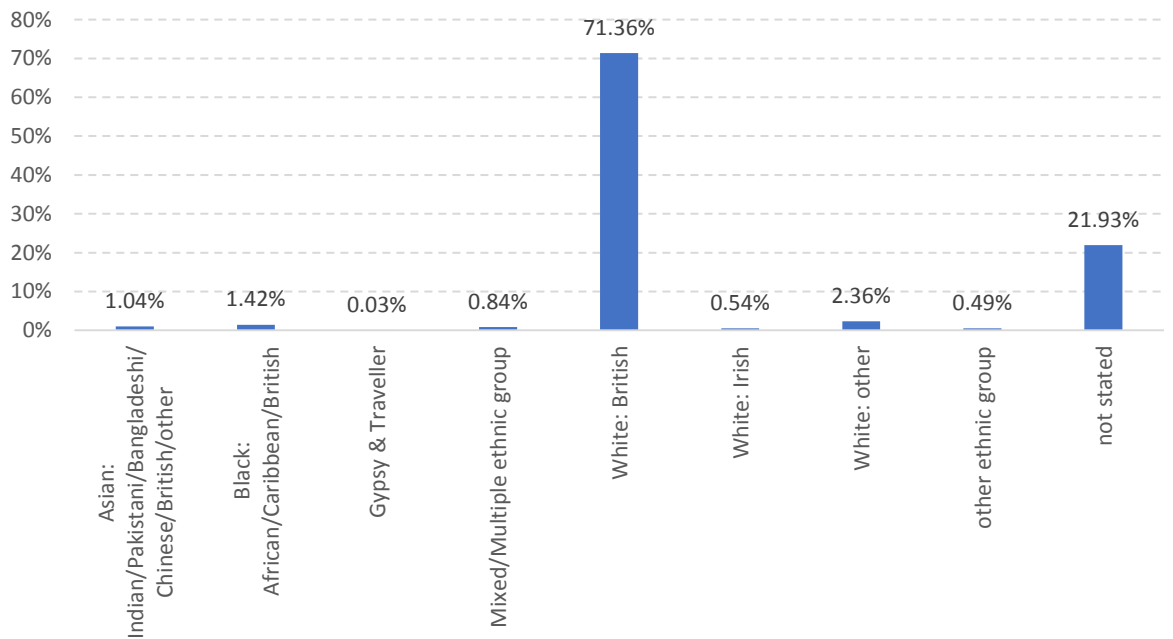


Disability summary of EFDC tenants (January 2020)*

*These figures include all tenants who identify as having a disability. This includes those who also have supporting occupational health or medical evidence.



Ethnic diversity summary of EFDC tenants (January 2020)



3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Consultation has been undertaken with the Portfolio Holder and the amendments to the existing Policy (which was previously consulted on) take into account the new regulatory framework introduced in April 2020.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>The amendments are in line with EFDC's regulatory obligations and are a requirement.</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral – Rent Setting Policy applied equally to all tenants and links with Allocations Policy which has robust EQIA	L
Disability	Neutral – Rent Setting Policy applied equally to all tenants and links with Allocations Policy which has robust EQIA	L
Gender	Neutral – Rent Setting Policy applied equally to all tenants and links with Allocations Policy which has robust EQIA	L
Gender reassignment		
Marriage/civil partnership		
Pregnancy/maternity		
Race		
Religion/belief		
Sexual orientation		

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No X	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service:

Date:

Signature of person completing the EqIA:

Date:

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

Report to the Cabinet

Report reference: C-011-2020-21

Date of meeting: 20 July 2020



**Epping Forest
District Council**

Portfolio: Housing and Communities – Cllr H Whitbread

Subject: Tenancy Policy

Responsible Officer: Jennifer Gould (01992 564073)

Democratic Services: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

- 1. That the Cabinet agrees to extend the life of the current Tenancy Policy (which expires in July 2020) by a further 2 years to July 2022**
- 2. Having agreed the extension to the life of the Policy, Cabinet agrees to the recommended amendments set out below**

Executive Summary:

Under the Localism Act 2011 and the Regulatory Framework for Social Housing in England, Registered Providers must publish clear and accessible policies which outline their approach to tenancy management.

EFDC's Tenancy Policy 2015 (v3) expires and requires renewal in July 2020. Full amendments and renewal of the policy require statutory consultation which has not been possible at the current time. Agreement is, therefore, being sought to extend the life of the current policy by a further 2 years to allow for meaningful consideration and consultation of the policy and in order to bring issue dates in line with the Allocations Policy. This will enable the renewal of both policies, which are intrinsically linked, to be considered, consulted on and renewed together in July 2022.

Agreement is also being sought for several proposed changes to the policy, the main ones of which are as follows:

- Discontinuation of two year fixed-term tenancies
- Introduction of an obligation for tenants to declare any properties/land purchased during their tenancy

Other recommended amendments to the wording of the policy are detailed in the main body of the report.

Reasons for Proposed Decision:

There is a statutory requirement to have a Tenancy Policy. The purpose of the policy ensures compliance with the Regulatory Framework and provides clarity on the circumstances in

which EFDC will grant each type of tenancy. Having the policy ensures we offer tenancies which make the best use of our housing stock, while meeting customers' requirements.

Report:

1. Under the Localism Act 2011 and the Regulatory Framework for Social Housing in England, Registered Providers must publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies preventing unnecessary evictions and tackling tenancy fraud. A Tenancy Policy should also set out:
 - Types of tenancies granted
 - When different types of tenancies will be granted and the length of the term
 - How applicants/tenants can appeal against the length or type of tenancy or the decision not to grant a further tenancy
 - How the needs of vulnerable people will be considered
 - Provision of housing advice and assistance
 - Any discretionary succession rights
2. EFDC's Tenancy Policy is underpinned by the West Essex Tenancy Strategy adopted at Cabinet on 22nd October 2012. The West Essex Tenancy Strategy was produced in partnership with Harlow and Uttlesford District Councils and requires all Registered Providers with housing stock in West Essex to have regard to the West Essex Tenancy Strategy which provides guidance as to the three councils' expectations of how their tenancy policies should be framed.
3. Full consultation was undertaken in 2015 ahead of the adoption of the current Tenancy Policy 2015 (v3) with the following stakeholders being given reasonable opportunity to comment:
 - All registered providers operation in the EFDC area
 - Neighbouring local Councils
 - Tenants and Leaseholders' Federation (tenant representative body)
 - Partner agencies with an interest in the management of the Council's housing stock
4. Given the minor nature of the current proposed changes to the Tenancy Policy and the current circumstances in relation to the public health crisis, it has not been considered necessary to go out to full consultation on these changes at this time.
5. The two main changes being proposed are:
 - Discontinuation of two year fixed-term tenancies
 - Introduction of an obligation for tenants to declare any properties/land purchased during their tenancy

Discontinuation of two year fixed-term tenancies

6. A two-year fixed term tenancy is granted to homeless applicants to whom we have accepted a full rehousing duty under Part VII of the Housing Act 1996 (as amended).
7. The original intention of the two-year fixed term tenancy was to provide some temporary stability in order to enable homeless applicants time to make their own arrangements thereafter.

8. We currently have 118 two-year tenancies of which 6 are due to be renewed within the next 6 months (and 11 in the next 8 months) with more to follow over the coming months/years.
9. Upon review, the following questions are considered before deciding on what should be done at the end of the 2-year period:
 - Has the tenant been able to seek alternative accommodation?
 - Has the tenant's financial situation changed dramatically?
 - Has the rent account been conducted within the guidelines set out in their tenancy?
 - Has the tenant been a perpetrator in any anti-social behaviour during their tenancy so far?
 - Has anyone left or joined the household since the tenancy began?
 - Has the property been kept in a reasonable condition?
10. Reviews of these 2-year fixed term tenancies have found:
 - Nearly 60% are in receipt of full housing benefit or the housing element of Universal Credit indicating a low household income overall
 - Of the remaining 40% just 1 tenant is not receiving any help paying their rent equally indicating low household incomes in all but 1 tenancy
 - One tenant has accrued arrears to the extent that enforcement action is necessary
 - Around 15% have been involved in some level of anti-social behaviour though none to the level that requires enforcement action
 - Just 1 tenant has had an addition to their household, no tenants have had anyone leave their household
 - Out of the 17 tenancies so far reviewed, 1 has looked at alternative accommodation in the private sector but concluded they would be unable to afford the rental charges. The other 16 tenants have not considered alternative accommodation believing their tenancies with the Council would be renewed
 - No tenant has had significant change in circumstances that would enable them to rent privately or move out of social housing accommodation
 - All the tenants reviewed confirmed they would be compelled to apply again as homeless if their current tenancies came to an end
 - Nearly 90% of tenants reviewed were keeping their homes in a reasonable condition with just 2 being asked to bring the property condition up
11. The preparation and review of the 17 tenancies that have so far come up for review have taken up a significant and disproportionate amount of officer time across several teams (Neighbourhoods, Income, Assets).
12. 95% of tenancies reviewed will be granted a 10-year fixed term tenancy with just 1 tenant having further intervention prior to the award of a further tenancy.
13. The 10-year fixed term tenancies that are granted have themselves a 12-month probationary period. This means that homeless applicants are, effectively, subject to a 3-year probationary period before being granted a level of security. This contrasts with all other cohorts of clients who are only subject to a 1-year probationary period.
14. In summary:
 - None of the tenants reviewed have had a significant change in circumstances that

would enable them to successfully pursue and secure alternative accommodation in the private market.

- The process of review is both administratively burdensome and resource intensive for arguably little/no gain.
- Homeless applicants, who are arguably more vulnerable than other cohorts of clients, are subject to a prolonged period of uncertainty which may impact the general health and wellbeing of the household overall.

Introduction of an obligation for tenants to declare any properties/land purchased during their tenancy

15. All tenant applications for the Right to Buy (RTB) are subject to EFDC's counter fraud vetting. As a result, the Corporate Fraud Team have become aware of an increasing number of tenants who own another property which has come into their possession during their EFDC tenancy.
16. Currently, tenants are under no obligation to declare the purchase or inheritance of any other property to the Council unless they apply for RTB. Therefore, the Council has no way of knowing whether other tenants own property that is reasonable for them to reside in and which could, therefore, free up valuable resource to meet other housing need.
17. There are examples of other local authorities who include an obligation to declare purchase or inheritance of property within their tenancy conditions and treat non-disclosure as a tenancy breach which can, therefore, be legally enforceable.

Other amendments

18. There are a number of smaller amendments to the wording of several sections that also proposed as follows:
19. Section 3.26 – *advice and assistance if a further tenancy is not granted*
Amend 6 months to 56 days to align with the Homelessness Reduction Act 2017
20. Section 3.3 – *transfers*
Amend to clarify that this does not apply where tenants choose to move to accommodation let on Affordable Rent terms. This is to comply with section 2.2.8 of the Tenancy Standard:

Registered providers shall grant those who were social housing tenants on the day on which section 154 of the Localism Act 2011 comes into force, and have remained social housing tenants since that date, a tenancy with no less security where they choose to move to another social rented home, whether with the same or another landlord. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms).
21. Section 3.8/7.4 - *introductory tenancies*
Amend to clarify that our tenants can request a review when we extend the probationary tenancy. This is to comply with section 2.2.4 of the Tenancy Standard:

Where registered providers use probationary tenancies, these shall be for a maximum of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has the opportunity to request a review.

22. Re-word section 8.1 – *non-secure tenancies*

This is to comply with section 2.2.9 of the Tenancy Standard:

Registered providers shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

23. Expansion of section 11 of the policy to inform tenants that their applications for succession to a tenancy and joint tenancy applications are subject to anti-fraud vetting

Resource Implications:

None.

Legal and Governance Implications:

The Policy has been written in order to comply with:

- Housing Acts 1980, 1985, 1988, 1996 and 2015;
- The Localism Act 2011; and
- Regulator of Social Housing – Consumer Standards, Tenancy Standard 2012.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Initial consultation has been undertaken with the Portfolio Holder.

Background Papers:

N/A

Risk Management:

The Tenancy Policy ensures that a consistent approach to granting tenancies is adopted by the Council to all tenants. It does this by following best practice and defining the different elements that need to be taken into consideration.

Updating the Tenancy Policy with the required changes will enable the Council to be proactive in managing risk in relation to tenancies by ensuring:

- The correct tenancies are issued for each circumstance;
- There is an efficient use of housing stock;
- Accommodation is used according to its purpose;
- The needs of individual households are considered;
- The Council is proactive in tackling tenancy fraud; and
- The Council continues to meet its legal duties.

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided as an Appendix to this report.

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
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 - disability
 - gender
 - gender reassignment
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 - pregnancy/maternity
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3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
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 - Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details

Your function, service area and team: **Housing Strategy, Information and Policy**

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: **N/A**

Title of policy or decision: **Tenancy Policy**

Officer completing the EqIA: **Jennifer Gould, Service Manager – Housing Needs and Older People’s Services** Tel: **01992 564073** Email: **jgould@eppingforestdc.gov.uk**

Date of completing the assessment: **6th July 2020**

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>Yes (amendments to existing policy)</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>The purpose of the Tenancy Policy is to provide clarity and transparency on the circumstances in which EFDC will grant each type of tenancy and ensure compliance with the Regulatory Framework. It is a statutory requirement that EFDC has a Tenancy Policy.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>An agreed Tenancy Policy fit for purpose.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>Will the policy or decision influence how organisations operate?</p> <p>Yes – it will inform which tenancies can be granted in which circumstances</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>

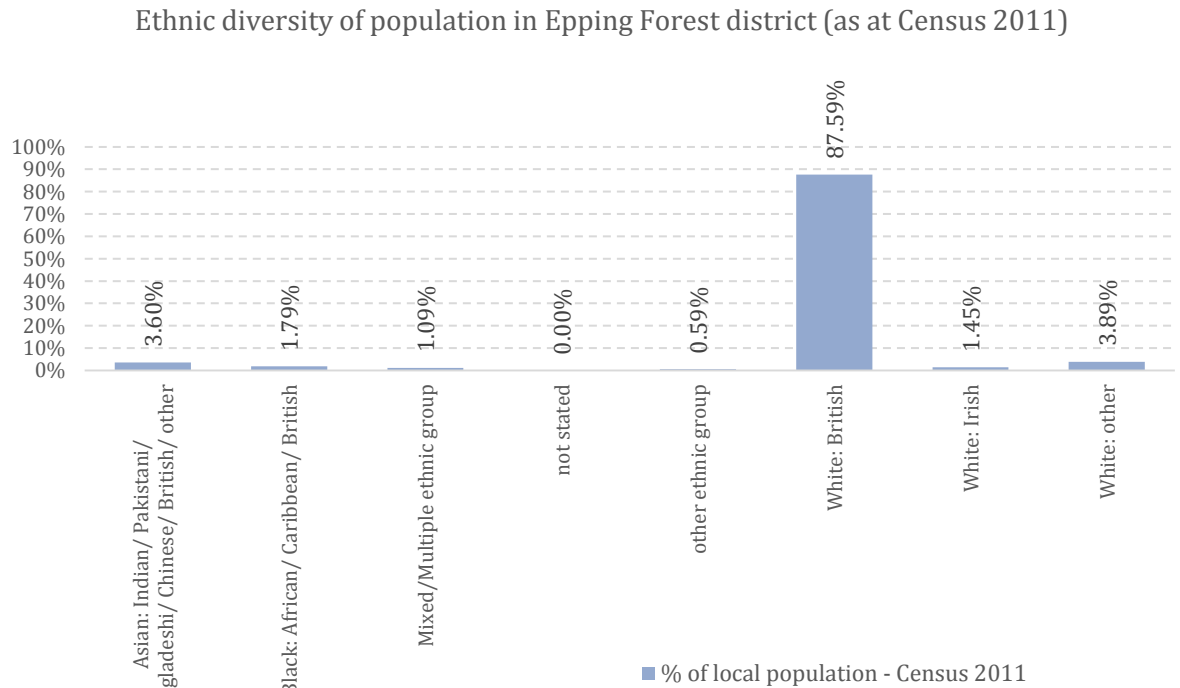
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The Policy is associated with the Allocations Policy and supports the corporate outcome:</p> <p>Improving the District housing offer</p>
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Section 3: Evidence/data about the user population and consultation¹

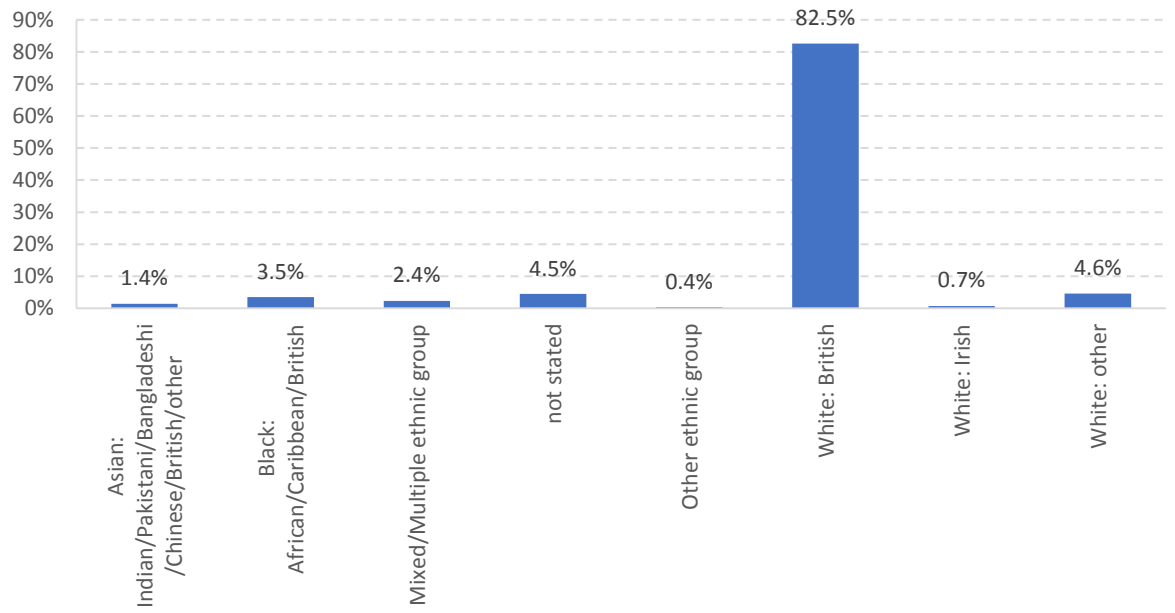
As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1

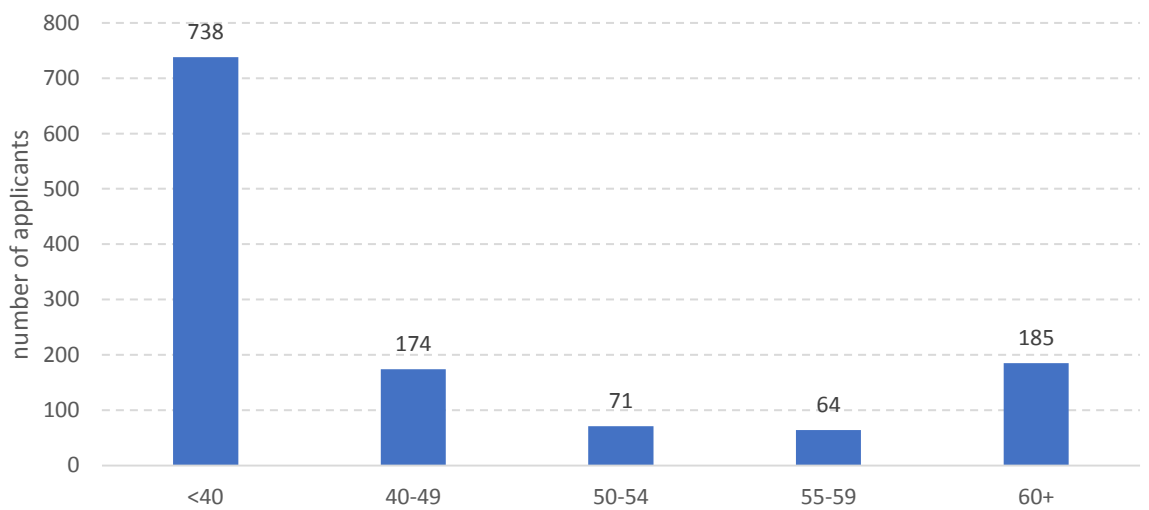
What does the information tell you about those groups identified?



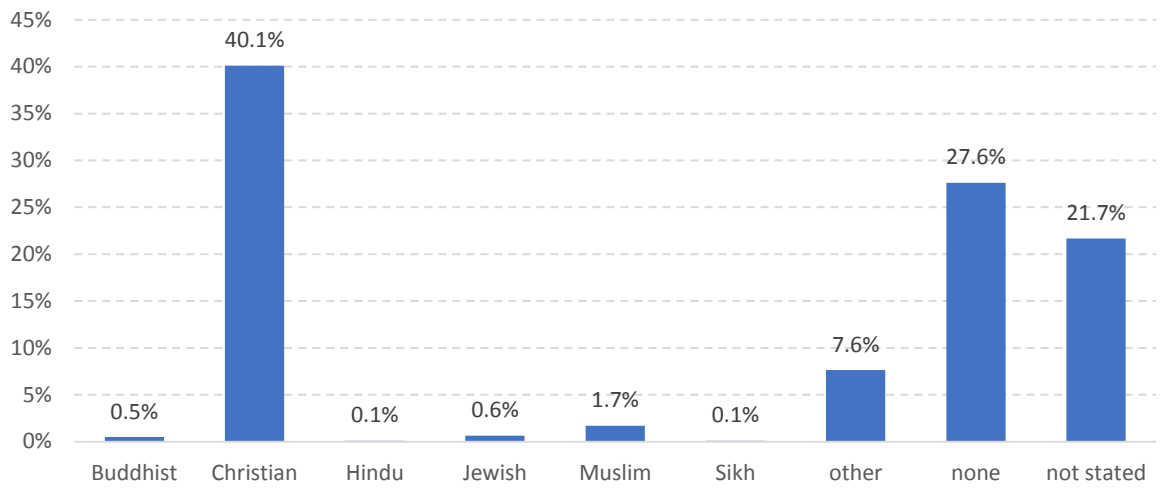
EFDC housing waiting list by ethnicity (June 2020)



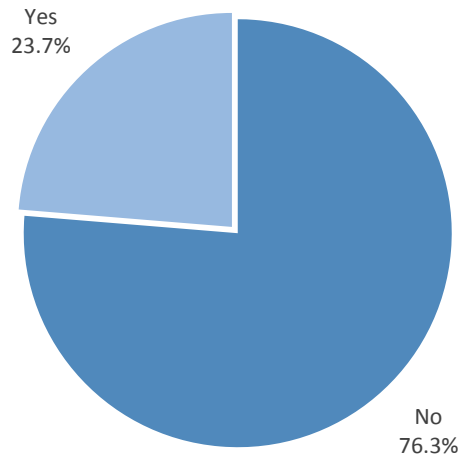
EFDC housing waiting list by age band in years (June 2020)



EFDC housing waiting list by religion (June 2020)



EFDC housing waiting list by disability* (June 2020) *These figures include all applicants who identify on their application that they have a permanent disability. The totals include those who also have supporting occupational health or medical evidence.



	<p style="text-align: center;">EFDC housing waiting list by gender of main applicant (June 2020)</p> <table border="1"> <caption>EFDC housing waiting list by gender of main applicant (June 2020)</caption> <thead> <tr> <th>Gender</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>67.9%</td> </tr> <tr> <td>Male</td> <td>32.1%</td> </tr> </tbody> </table>	Gender	Percentage	Female	67.9%	Male	32.1%
Gender	Percentage						
Female	67.9%						
Male	32.1%						
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Full consultation was undertaken when the current Tenancy Policy was adopted. An extension to the current policy has been sought and further full consultation with tenants, applicants and other stakeholders will be undertaken ahead of the adoption of any new Policy in 2022 (when the extension to this currently policy expires)</p>						
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>The amendments being requested are minor and are largely in response to requirements set out in the new regulatory framework that came into force 1 April 2020.</p> <p>In terms of planned full consultation it is intended that this will be undertaken ahead of a new policy being adopted in July 2022 when the requested extension to this Tenancy Policy expires.</p>						

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	N – Tenancy Policy applied equally to all applicants and in line with the Allocations Policy which already has a robust EQIA	L
Disability	N - Tenancy Policy applied equally to all applicants and in line with the Allocations Policy which already has a robust EQIA	L
Gender	N - Tenancy Policy applied equally to all applicants and in line with the Allocations Policy which already has a robust EQIA	L
Gender reassignment		
Marriage/civil partnership		
Pregnancy/maternity		
Race	N - Tenancy Policy applied equally to all applicants and in line with the Allocations Policy which already has a robust EQIA	L
Religion/belief	N - Tenancy Policy applied equally to all applicants and in line with the Allocations Policy which already has a robust EQIA	L
Sexual orientation		

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No X	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service:

Date:

Signature of person completing the EqIA:

Date:

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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Report to the Cabinet

Report reference: C-015-2020/21

Date of meeting: 20 July 2020



**Epping Forest
District Council**

Portfolio: Housing & Community Services – Cllr Holly Whitbread

Subject: Acceptance of Tenders – Contracts 690 and 790, Inspection, Maintenance and Improvements of Void Properties 2020-25.

Responsible Officer: Kurtis Lee (01992 562681).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

- (1) That, Gracelands CMS Ltd and Mackie Contracts Essex Ltd be awarded 1-year contracts renewable annually for up to a maximum of 4-further years, for the inspection, maintenance and improvement work to Council-owned void properties in the sum of £277,324.66 and £411,929.58 with an overall weighted price and quality score of 90.96% and 63.04% respectively; and
- (2) That, the overall value of the works be capped to the allocated budgets included in the Capital Programme identified for void works on an annual basis; and
- (3) That, this contract be designated as a serial contract to facilitate the annual adjustment to the tendered rates in accordance with the Royal Institution of Chartered Surveyors (RICS) BCIS ALLCOS Resource Cost Index of All Construction: All Repair and Maintenance Work #7419.

Executive Summary:

In order to undertake the inspection, maintenance and improvement work to Council-owned void properties during the financial year 2020-21 and over the following 4-year period, it was necessary to undertake a procurement exercise based on the Most Economically Advantageous Tender (MEAT) taking cost and quality into account to satisfy the requirements of the Council's Procurement Rules.

Reasons for Proposed Decision:

The existing framework agreements for the inspection, maintenance and improvement work to Council-owned void properties with the current contractors has reached the end of its term.

Qualis Management plan to undertake all the inspection, maintenance and improvement work to Council-owned void properties effective from September 2020 as set out in the Qualis Management Business Plan 2020-26. In order to ensure continuity of service provision until the Qualis Management void team have the resources in place to undertake all the work a new framework contract for the inspection, maintenance and improvements of Council-owned

void properties is to be procured for a five-year period based on annual renewals.

The new framework contract will be let with a high degree of flexibility incorporated in the contract conditions to enable Qualis Management to vary, suspend or terminate the contract for Operational reasons without cost or penalty to the Council. Having a flexible framework contract in place enables Qualis Management to utilise the external contractors' resources if required during busy void periods.

Other Options for Action:

The main alternative options considered are:

- (1) To re-tender the contract on an annual basis. However, this would be time consuming and inefficient. Re-tendering would not guarantee more competitive tenders.
- (2) To re-tender the works based on price alone. However, this would not necessarily return a more competitive tender and would not identify or quantify a quality commitment from the lowest tenderer.
- (3) To seek quotations on an individual basis for every void property on an ad-hoc basis. However, this is very time consuming and is not a cost-effective exercise given the volume of ad-hoc void properties carried out per annum, this would breach the Council's Procurement Rules C2 (9b) with the works exceeding £25,000 in value during one financial year.
- (4) Procuring the works with just one Contractor. However, from experience, a lack of competitive benchmarking can lead to increases in resources and costs incurred by the Council for administration and management to ensure the performance of the appointed Contractor. Also, due to ad-hoc nature of void work appointing two Contractors enable the Council to better manage potential peaks in void work ensuring the void turn around periods are kept down to a minimum.

Report:

1. The existing contracts for the inspection, maintenance and improvement work to Council-owned void properties has reached the end of its term and therefore it is necessary to re-tender the works.
2. The total budget for the Inspection, Maintenance and Improvements of Void Properties 2020-21 is split between Revenue and Capital expenditure.
3. A tendering exercise has been undertaken for the Inspection, Maintenance and Improvements of Void Properties 2020-25 and due to the ad-hoc nature of void work the contract documents have incorporated a high degree of flexibility.
4. Incorporating the lessons learnt from previous contracts, the Council has undertaken a tender exercise in accordance with the Council's Procurement Rules, based on and assessed in terms of the MEAT with the criteria based on quality and cost. The tenderers' qualitative responses make up a maximum of 30% of the overall evaluation with cost representing a maximum of 70%.
5. Tenderers were advised that the qualitative assessment would be based on a possible maximum total score of 30% which is split across a set of weighted quality assessment questions shown in the table below;

Quality Method Statement Questions;	Reference;	Maximum Score;
Management and Resources;	1.1 – 1.3	5%
Voids Processes and Security;	2.1 – 2.3	10%
Management of Programme and Targets;	3.1 – 3.3	10%
Customer Satisfaction;	4.1 – 4.2	5%
Total		30%

6. Tenderers were also advised that the Cost Element Submission of the tender would be based on a possible total maximum score of 70% which is split across the 11-Schedules of Rates which make up the price framework shown in the table below;

Cost Element Submissions;	Reference;	Maximum core;
NHFv7 Schedule of Rates (including percentage adjustments);	01	10%
Hourly Day Work Rates (including Contractors profit);	02	5%
Total Nett Value of Capital Works Pricing;	03-08	40%
Void Property Inspection Rates;	09	5%
Contractors Profit;	10	5%
Multiple Void Capital Works Contractors Discount;	11	5%
Total		70%

7. Tenderers were required to provide individual costs for every schedule of rate item contained in the schedules of rates even if the value of the item is a £0.00 cost. This will ensure a level and transparent tender exercise and that the tenderer has considered and competitively priced every item.
8. The contract, initially for a period of one-year is renewable annually up to a maximum of five-years, subject to the budget allocation within the Capital Programme and the Housing Revenue Account. The contractor's benchmarked performance in terms of service delivery and quality of workmanship is also taken into account.
9. The Interim Asset and Property Manager authorised the Contractor Selection Record Sheet for Invitations to Tender to be sent to 6-Contractors who are registered on Constructionline on the 17th May 2020.
10. Invitations to tender were issued by the Interim Assets and Property Manger on the 19th May 2020, to the following 6 contractors shown in the table below, who are registered on Constructionline and are experienced in undertaking this type of work.

Contractor;		Constructionline Registration Number;
1.	Breyer Group Plc	6041
2.	Gracelands CMS Ltd	51468
3.	Mackie Contracts Essex Ltd	118057
4.	Mears Group Plc	4889
5.	Mitre Construction Company Ltd	6041
6.	VSN Enterprises Ltd	55187

11. The tenderers were advised that their completed scanned Tender Submission for the Inspection, Maintenance and Improvements of Void Properties 2020-25, must be uploaded into the Delta eSourcing Tender-box no later than 12 o'clock midday on Friday 19th June 2020.
12. The tenders were opened on the 22nd June 2020, through the Delta eSourcing platform, and present at the tender opening were the Housing Portfolio Holder and three representatives of Epping Forest District Council, a Committee Officer, the Interim Asset and Property Manager and the Team Manager Operational Assets and Compliance.
13. Invitations to tender were sent to 6-Contractors and 4-Contractors uploaded tender return documents into Delta eSourcing Tender-box before the return date and time. The results of the tender opening based only on the Contractors Cost Element Submission is shown in the table below:

Contractor;		Tender Sum £;	Position;
1.	Breyer Group Plc	545,181.54	3 rd
2.	Gracelands CMS Ltd	277,324.66	1 st
3.	Mackie Contracts Essex Ltd	411,929.58	2 nd
4.	Mears Group Plc	Did not return	
5.	Mitre Construction Company Ltd	564,379.72	4 th
6.	VSN Enterprises Ltd	Did not return	

14. A full Tender Evaluation Report was undertaken on all 4-tenders submitted.
15. The Tender Evaluation Report included a weighted assessment of the tenderers' Quality Method Statement Questions and a weighted assessment of the tenderers' Cost Element Submission which included a full arithmetical check, a comparison of the tenderers' submitted schedule of rate items and the identification of any pricing inconsistencies or omissions.
16. The tenderers' Quality Method Statement and Cost Element Submission have been evaluated strictly in accordance with the MEAT criteria referenced in the tender documents.
17. The tenderers' Quality Assessment Results which were based on a weighted assessment of the tenderers' Quality Method Statement Questions are shown in the table below;

Quality Assessment Method Statement Question Results				
Contractor;		Max total % score available;	Tenderers total % score;	Quality Assessment Result;
1.	Breyer Group Plc	30	21.42	2 nd
2.	Gracelands CMS Ltd	30	21.38	3 rd
3.	Mackie Contracts Essex Ltd	30	22.53	1 st
4.	Mears Group Plc	30	Did not return	
5.	Mitre Construction Company Ltd	30	17.35	4 th
6.	VSN Enterprises Ltd	30	Did not return	

18. The tenderers' Cost Element submission included in the Tender Evaluation Report is based on the results of the tender opening and clarification on a number of Schedule of Rate items are required. The results of the Schedule of Rate clarifications will not alter the Contractors Overall Positions in the Tender Evaluation Report or the value of the submitted tender sums.
19. The tenderers' Cost Element Results were based on a weighted assessment of the tenderers' Cost Element Submission are shown in the table below;

Cost Element Tendered Evaluation Results				
Contractor;		Max total % score available;	Tenderers total % score;	Cost Element Result;
1.	Breyer Group Plc	70	29.29	4 th
2.	Gracelands CMS Ltd	70	69.58	1 st
3.	Mackie Contracts Essex Ltd	70	40.51	2 nd
4.	Mears Group Plc	70	Did not return	
5.	Mitre Construction Company Ltd	70	30.32	3 rd
6.	VSN Enterprises Ltd	70	Did not return	

20. The weighted percentage scores of the Quality Assessment Results and the Cost Element Results achieved by each tenderer are then added together to determine the Overall Tender Evaluation Score.
21. The highest combined weighted percentage scores achieved by the tenderers' Quality Assessment Results and their Cost Element Results demonstrate the most economically advantageous tenders were received from Gracelands CMS Ltd and Mackie Contracts Essex Ltd as shown in the table below:

Overall Tendered Evaluation Results					
Contractor;		Quality Element Result;	Cost Element Result;	Overall Evaluation Result;	Contractors Overall Position;
1.	Breyer Group Plc	21.42	29.29	50.71	3 rd
2.	Gracelands CMS Ltd	21.38	69.58	90.96	1 st
3.	Mackie Contracts Essex Ltd	22.53	40.51	63.04	2 nd
4.	Mears Group Plc	Did not tender			
5.	Mitre Construction Company Ltd	17.35	30.32	47.67	4 th
6.	VSN Enterprises Ltd	Did not tender			

22. The Contractors Overall Position are;
- Gracelands CMS Ltd in overall position 1;
 - Mackie Contracts Essex Ltd in overall position 2;
23. It is therefore recommended that Gracelands CMS Ltd and Mackie Contracts Essex Ltd each be awarded a contract for the Inspection, Maintenance and Improvements of Void Properties 2020-25, to Council-owned properties within Epping Forest District with annual expenditure limited to the budget included in the Housing Revenue Account and the Capital Programme, for up to a maximum of 5-years in the sum of £277,342.66 and £411,929.58 with an overall weighted price and quality percentage score of 90.96% and 63.04%.
24. A review of the Constructionline Supplier Report has been undertaken on Gracelands CMS Ltd and Mackie Contracts Essex Ltd, which includes a financial credit check. The outcome revealed that in the latest set of financial accounts Gracelands CMS Ltd had a turnover in 2019 of £8,160,197 and Mackie Contracts Essex Ltd, had a turnover in 2017 of £886,978. A further Constructionline Supplier Report will be undertaken on both contractors prior to the contract award.
25. It should be noted that when the contract is extended beyond the first year, all tendered schedule of rate items are to be increased annually in accordance with the Royal Institution of Chartered Surveyors (RICS) BCIS ALLCOS Resource Cost Index of All Construction: All Repair and Maintenance Work #7419.

Resource Implications:

£612,000.00 is currently allocated within the existing House Revenue Account for void work and expenditure from this budget is undertaken on relatively low value standard voids.

Expenditure is also allocated from existing budgets within Capital Programme for higher value void work which include work from any of the following budget descriptions;

- Void Gas Heating Installations;
- Void Rewiring;
- Void Structural;
- Void Kitchen Installations;
- Void Bathroom Installations;
- Void Asbestos Removal;

Legal and Governance Implications:

Due to the ad-hoc nature of the works and the long-term plan of Qualis Management to undertake all the inspection, maintenance and improvement work to Council-owned void properties effective from September 2020 as set out in the Qualis Management Business Plan 2020-26, it is difficult to predict annual expenditure.

An estimated financial expenditure annually of £500,000 for both new framework contracts are below that require an OJEU Procurement Exercise. Therefore, this tender complies with the requirements as set out in the Council's Procurement Rules

Safer, Cleaner and Greener Implications:

The Council resolved to declare a Climate Emergency at its meeting on 19 September 2019 and pledged to do everything within its power to make Epping Forest District Council area carbon neutral by 2030.

A small element of the work carried out under the Inspection, Maintenance and Improvements of Void Properties 2020-25, will contribute towards the Council meeting its carbon neutral target by reducing carbon emissions from its housing stock.

Consultation Undertaken:

None

Background Papers:

A Tender Evaluation Report for Contract 690 and 790 - Inspection, Maintenance and Improvements of Void Properties 2020-25, to Council-owned void properties.

Risk Management:

The new framework contracts being let are based on a 1-year term, and renewable for up to a maximum of 5-years. They will be let with a high degree of flexibility incorporated in the contract conditions to enable Qualis Management to vary, suspend or terminate the contract for Operational reasons without cost or penalty to the Council.

All contract extensions are subject to a performance and quality review.

A review of the Constructionline Supplier Report has been undertaken on the current Gold Constructionline Membership of Gracelands CMS Ltd, with a Profile Status listed as;

- Current Level GOLD
- Company Details – **Verified**
- Financial and Insurance Information - **Verified**
- Business and Professional Standing - **Verified**
- Health and Safety - **Verified**
- Equal Opportunity and Diversity - **Verified**
- Environmental Management - **Verified**
- Quality Management - **Verified**
- Building Information Modelling (BIM) - **Verified**
- Supplementary Questions - **Verified**

A review of the Constructionline Supplier Report has been undertaken on the current Silver Constructionline Membership of Mackie Contracts Essex Ltd, with a Profile Status listed as;

- Current Level SILVER
- Company Details – Updates Required
- Financial and Insurance Information - Updates Required
- Business and Professional Standing - Updates Required
- Health and Safety - Updates Required

A further review of the Supplier Report will be undertaken prior to the contract award.

As these works are issued under relatively low value individual Works Orders and the contractors' invoices are not settled until the works have been completed and inspected by Council Officers, these works are therefore considered to represent a low financial risk to the Council.

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. All **Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA**. An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms
 - Factsheet 4: Common misunderstandings about the Equality Duty
 - Factsheet 5: Frequently asked questions
 - Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details

Your function, service area and team: Housing and Property Services.

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team:

Title of policy or decision: Acceptance of a Tender - Inspection and Maintenance Repairs of Void Properties 2020/25.

Officer completing the EqIA: Kurtis Lee - [Tel:01992 56 2681](tel:01992562681)
Email: klee@eppingforestdc.gov.uk

Date of completing the assessment: 25th June 2020.

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>This is referenced in an existing policy - Housing Repairs and Maintenance (incorporating Council house-building programme and work to Void Properties).</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>EFDC undertakes responsive repairs and servicing to all of its 6,500 Council homes and undertakes works to around 300 void properties per annum making properties safe and ready for re-letting. EFDC has a planned maintenance programme over a 30-year business plan cycle that aims to renew around 3,300 key components per annum some of which are carried out during the void period.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>To appoint contractors to continue with the inspection and maintenance repairs of void properties it should be noted that maintenance repairs and redecoration of Council properties prevent the properties falling into disrepair.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>Yes – it will provide safe and secure homes for Council tenants.</p> <p>Will the policy or decision influence how organisations operate?</p> <p>No</p>

2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The Councils Procurement Rules dictates the procedures the Council needs to follow concerning the award of contracts.</p> <p>The Council must undertake maintenance repairs, servicing and redecorating works to void properties to meet the legislative requirements that are imposed on all landlords and to prevent the property falling into disrepair. Defects in the property will have an immediate impact on safety and the integrity of the property these works ensure that when a property is let to a new tenant they;</p> <ul style="list-style-type: none"> • Meet the HHSRS minimum safety standards for housing; • Are in a reasonable state of repair; and • Safe. <p>Well maintained Council housing is essential to meet the legislative requirements that are imposed on all landlords and these works are essential to ensure safe and secure housing.</p>

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>The works are undertaken on void Council owned properties and will not affect individual groups of the population. The priority for works is based on the condition of the property rather than the individual characteristics of the occupants.</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Not required.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>Community engagement is not required as the work is undertaken within Council owned properties.</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Positive; The work will have a positive effect on all of the identified equality groups as both the tenants and visitors to the property will benefit from well maintained and safe properties.	M
Disability		M
Gender		M
Gender reassignment		M
Marriage/civil partnership		M
Pregnancy/maternity		M
Race		M
Religion/belief		M
Sexual orientation		M

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Deborah Fenton

Date: 25 June 2020

Signature of person completing the EqIA: Kurtis Lee

Date: 25 June 2020

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

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