

# Committee Agenda



**Epping Forest  
District Council**

## ***Council Housebuilding Cabinet Committee Monday, 29th January, 2018***

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

**Council Chamber, Civic Offices, High Street, Epping  
on Monday, 29th January, 2018  
at 7.00 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Jackie Leither Tel: 01992 564756  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

### **Members:**

Councillors S Stavrou (Chairman), W Breare-Hall, S Kane, G Mohindra and J Philip

#### **1. APOLOGIES FOR ABSENCE**

(Director of Governance) To be announced at the meeting.

#### **2. SUBSTITUTE MEMBERS**

(Director of Governance) To report the appointment of any substitute members for the meeting.

#### **3. DECLARATIONS OF INTEREST**

(Director of Governance) To declare interests in any item on the agenda.

#### **4. MINUTES (Pages 5 - 14)**

(Director of Governance) To confirm the minutes of the last meeting of the Cabinet Committee held on 12 December 2016.

#### **5. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution require 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.

## 6. 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
12	Request to purchase a potential Council housing development site – Whitehills Road, Loughton	1 and 3

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 - Access to Information, Procedure Rules of the Constitution 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 for four years after the date of the meeting one copy of each of the documents on the list of background papers.

## 7. DELIVERY OF FUTURE PHASES OF THE HOUSE-BUILDING PROGRAMME (Pages 15 - 42)

(Director of Communities) To consider the attached report, CHB-001-2017/18.

## 8. PROGRESS REPORT FOR PHASES 1-6 (Pages 43 - 56)

(Director of Communities) To consider the attached report, CHB-002-2017/18.

## 9. FINANCIAL POSITION (Pages 57 - 64)

(Director of Communities) To consider the attached report, CHB-003-2017/18.

**10. NEW DEVELOPMENT SITES (Pages 65 - 68)**

(Director of Communities) To consider the attached report, CHB-004-2017/18.

**11. CHANGE OF NAME AT QUEENS ROAD, NORTH WEALD DEVELOPMENT (Pages 69 - 72)**

(Director of Communities) To consider the attached report, CHB-005-2017/18.

**12. REQUEST TO PURCHASE POTENTIAL DEVELOPMENT SITE AT WHITEHILLS ROAD, LOUGHTON (Pages 73 - 78)**

(Director of Communities) To consider the attached report, CHB-006-2017/18.

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Council Housebuilding Cabinet **Date:** Monday, 12 December 2016  
**Place:** Council Chamber, Civic Offices, **Time:** 7.00 - 8.30 pm  
High Street, Epping

**Members Present:** S Stavrou (Chairman), W Breare-Hall, J Philip, H Kane and A Lion

**Other Councillors:** R Baldwin, S Heap, C Whitbread and J M Whitehouse

**Apologies:** G Mohindra and G Waller

**Officers Present:** A Hall (Director of Communities), P Pledger (Assistant Director (Housing Property)) and J Leither (Democratic Services Officer)

**Also in attendance:** I Collins (Pellings LLP), N Penfold (Pellings LLP) and A Hooper (East Thames Group)

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### 7. SUBSTITUTE MEMBERS

The Cabinet Committee noted that Councillor H Kane substituted for Councillor G Mohindra and Councillor A Lion substituted for Councillor G Waller.

### 8. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor H Kane declared a personal interest in Agenda Item 7, by virtue of being the Ward Councillor for Woollard Street, Waltham Abbey. The Councillor had determined that her interest was non-pecuniary and would remain in the meeting for the consideration of the item.

### 9. MINUTES

#### Resolved:

That the minutes of the meeting held on 22 September 2016 be taken as read and signed by the Chairman as a correct record.

### 10. ANY OTHER BUSINESS

The Cabinet Committee noted that there was no other urgent business for consideration.

### 11. REVISED FEASIBILITY STUDIES

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that each of the two sites at Pentlow Way, Buckhurst Hill and Woollard Street, Waltham Abbey had previously had their feasibility studies and viability approved by the Cabinet Committee. However, the designs presented

were restricted by the presence of either a mains sewer or a mains electrical sub-station. As discussed at the respective Cabinet Committee meetings, revised feasibility studies had been undertaken based on diverting these mains services.

The Assistant Director introduced the Council's agent from Pellings LLP, who gave details on the two sites.

#### Pentlow Way, Buckhurst Hill

There was a large underground foul sewer that ran through this site and an electricity sub-station on the site. After discussions with planners it was suggested that the underground foul sewer could be diverted and a more appropriate design could be created.

The original feasibility study consisted of 4 x 1 bedroomed units and the revised feasibility study would consist of 5 x 1 bedroomed units and 2 x 2 bedroomed units. Therefore the revised feasibility study gave an additional 3 units.

#### Woollard Street, Waltham Abbey

There was an underground foul and surface water sewer which ran along the boundaries of this site. After discussions with planners it had been suggested that there was a shortage of one bedroomed properties in the district and the site would be better utilised to consist of 9 x 1 bedroomed units with 18 parking spaces.

The original feasibility study consisted of 5 x 2 bedroomed units and the revised feasibility study consisted of 9 x 1 bedroomed units. Therefore the revised feasibility study gave an additional 4 units.

#### **Decision:**

(1) That the Cabinet Committee considers that each of the following 2 revised feasibility studies previously approved by the Cabinet Committee are viable for inclusion in a future phase of the Council House-building Programme;

- a) Pentlow Way, Buckhurst Hill; and
- b) Woollard Street, Waltham Abbey.

#### **Reasons for Decision:**

Whilst the 2 sites included in this report are from the original list of 65 sites approved by the Cabinet in 2012, each site was presented on its own merits at this stage, and will feature in Phases 5 and 6 respectively.

#### **Other Options Considered and Rejected:**

- (1) Not to progress with any of the schemes presented in this report and adopt one of the options included in recommendation 2 a-f.
- (2) To develop the sites with a different number of homes, or with an alternative mix of property types or parking allocation; or
- (3) To revert to the original feasibility study as previously agreed.

## 12. SITES UNSUITABLE FOR DEVELOPMENT

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that the two sites in Pyrles Lane, Loughton, and the site at Pound Close, Nazeing had been identified as being undevelopable because they did not receive planning permission by the relevant Area Planning Sub-Committees in relation to their applications to deliver affordable housing for applicants on the Council's Housing Register.

The Assistant Director advised that, in the view of officers, all three sites met the relevant requirements. If revised schemes were prepared, according to the way forward suggested by the Planning Sub-Committees for the two sites in Pyrles Lane, Loughton, the costs would make the schemes unviable. The way forward for the site at Pound Close, Nazeing suggested by the Area Planning Sub-Committee was that there should be no built development but a use of the land for allotments would be acceptable.

Members expressed concerns over the time and money spent on preparing these feasibility studies and submitting planning applications, only for them to be refused at the relevant Planning Sub-Committees. They commented that if a private developer were to buy the land and submit a Planning Application which was refused they would then have the right to appeal. Members therefore felt that the best option would be to sell the sites on the open market with any receipt being recycled back into the Council House-building Programme.

### **Decision:**

(1) That the Council's garage sites to the rear of numbers 109 to 127 and to the rear of numbers 100 to 108 Pyrles Lane, along with Land and garages adjacent to 14A Pound Close, Nazeing, be sold on the open market, to a private developer, with any capital receipt being recycled back into the Council House-building Programme.

### **Reasons for Decision:**

The Cabinet Committee was required to decide on the future use of garage sites unsuitable for development in line with the Council's Policy and its terms of reference.

### **Other Options Considered and Rejected:**

To adopt any other of the options within the existing Policy on the future use of undevelopable sites, as set out in the body of the report. However, if any option other than the use recommended is chosen, then the Committee must appropriate the sites to suit the alternative use.

## 13. TENDER AWARDS FOR PHASE 3 CONTRACTS

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that the Cabinet Committee agreed in January 2016 that, for Phase 3, the Council should adopt an alternative procurement strategy and breaks down the 8 sites making up Phase 3 into 7 separate contracts with a mixture of Design and Build contracts and traditional fully designed contracts and tender them in accordance with the Council's Procurement Rules using a price and quality assessment which was made up of 60% of the tender evaluation and 40% on quality.

The Assistant Director stated that all contractors invited to tender were checked on Constructionline for suitability and their capability to undertake the works, in addition to credit checks undertaken by the Council's Finance Team. Each tenderer had also been asked to specify the construction period on which they had based their tender.

**Decisions:**

(1) That TSG be awarded the contract for the construction of two affordable 3-bed houses and two affordable 2-bed houses at Stewards Green Road, Epping in the contract sum of £752,340.41 based on a 34 week contact period based on a price and quality tender;

(2) That Denmark & White Ltd be awarded the contract for the construction of two affordable 2-bed houses and two affordable 1-bed flats at Parklands, Coopersale in the contract sum of £716,756.74 based on a 56 week contact period based on a price and quality tender;

(3) That Storm Building Ltd be awarded the contract for the construction of ten affordable 3-bed houses and two affordable 2-bed houses at Queens Road, North Weald in the contract sum of £2,320,493.00 based on a 82 week contact period based on a price and quality tender;

(4) That TSG be awarded the contract for the construction of two affordable 3-bed houses and two affordable 2-bed flats at Bluemans End, North Weald in the contract sum of £753,034.23 based on a 36 week contact period based on a price and quality tender;

(5) That VSN Enterprises Ltd be awarded the contract for the construction of one affordable 3-bed house at Centre Drive, Epping in the contract sum of £300,285.00 based on a 38 week contact period; and

(6) That Denmark & White Ltd be awarded the contract for the construction of two affordable 2-bed houses and two affordable 1-bed bungalows at Springfield (Site C), Epping and one affordable 3-bed house and three affordable 2-bed houses at Centre Avenue, Epping in the contract sum of £1,408,126.30 based on a 60 week contact period based on a price and quality tender.

**Reasons for Decision:**

The Council's Procurement Rules requires a Cabinet decision when awarding contracts in excess of £1m. However, the Cabinet have delegated authority to the Cabinet Committee to agree all tenders associated with the Council's house-building programme as set out in its Terms of Reference.

**Other Options Considered and Rejected:**

To award the contracts to any other contractor that has tendered for the works.

**14. STREET/BUILDING NAMING FOR PHASE 3**

The Director of Communities presented a report to the Cabinet Committee. He advised that the Cabinet Committee had previously agreed to consult local town and parish councils on suggested names for building and street names developed under the Council Housebuilding Programme, and to also consult the relevant Ward Members on the local councils' suggestions. Epping Town Council and North Weald

Parish Council had been consulted on the developments within Phase 3 that require names, both of whom had provided names for each development.

The Director of Neighbourhoods, who was responsible for administering the Council's Street Naming and Numbering Policy, has been consulted on the Town and Parish Council's suggestions and had raised no objections to the names now proposed. The five Ward Members involved had also been consulted on the Town and Parish Council's suggestions and had raised no objections, with one member actively expressing support. It was therefore proposed that the four developments be named in accordance with the Town and Parish Council's suggested names.

Councillor J M Whitehouse, one of the Ward Members for Epping Hemnall Ward advised that the Springfield, Epping name of Pantins Close should be Pantin Close as this was the family name. The Cabinet Committee noted and agreed with this minor change.

**Decision:**

(1) That, following consultation with Epping Town Council and the three Ward Members, and as suggested by the Town Council, the new developments:

- (a) Between 15 and 17 Springfield, Epping be called "Pantin Close";
- (b) To the rear of 44 and 51 Parklands, Coopersale be called "Verrall Close";
- (c) Between 16 & 18 Centre Avenue, Epping be called "Matthews Close"; and
- (d) Between 39 and 52 Stewards Green Road, Epping be called "Thorn Terrace";

(2) That the three bedroom houses;

- (a) Between 71 and 73a Centre Drive, Epping be numbered 71a Centre Drive; and
- (b) Adjacent to 79 London Road, Stanford Rivers be numbered 79a London Road;

(3) That, following consultation with North Weald Parish Council and the two Ward Members, and as suggested by the Parish Council, the new developments;

- (a) Between 16 and 17 Bluemans End, North Weald be called "Centenary Close"; and
- (b) To the rear of 9 - 19 Queens Road, North Weald be called "Elizabeth Close"; and

(4) That formal applications be submitted to the Director of Neighbourhoods for the above names and numbering, in accordance with the Council's Street Naming and Numbering Policy, and that the Director of Communities be authorised to make minor changes if necessary.

**Reasons for Decision:**

Six of the developments in Phase 3 of the Council Housebuilding Programme require names. The Cabinet Committee has been authorised by the Leader of the Council to decide the names of new developments.

**Other Options Considered and Rejected:**

The main option appears to be to agree different names, proposed by the Cabinet Committee.

**15. PROGRESS REPORT**

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that as set out in the Terms of Reference, the Cabinet Committee was to monitor and report to Cabinet on an annual basis the progress and expenditure in relation to the Council Housebuilding Programme.

The Assistant Director advised that by the end of Quarter 4 of 2016/17 there would likely be a £1.6 million deficit below the spend target for the 1-4-1 Receipts. Part of the reason why this had occurred was due to the delays that had occurred with Phases 1 and 2 of the house-building programme.

Phase 1

The Council formally determined the contract with Broadway Construction Limited on the 1 June 2016. This occurred as Broadway Construction Limited was failing to regularly and diligently progress with the works. At its meeting on 22 September 2016 The Cabinet Committee awarded the contract for the recovery phase for the construction works to P A Finlay & Co Limited in the negotiated contract sum of £2,674,335.10.

The works recommenced on site on the 31 October 2016 with phased completion for each site reflecting the work that remained outstanding. The target completion dates for each site were as follows:

Site	Start on site	Target Completion
Harveyfields	31 October 2016	31 October 2017
Red Cross (Houses)	31 October 2016	1 May 2017
Red Cross (Duplex Units)	31 October 2016	12 June 2017
Roundhills Site 4	31 October 2016	13 March 2017
Roundhills Site 7	31 October 2016	1 May 2017

Phase 2

Mullalley & Co. Limited was appointed on 7 March 2016; the company had undertaken site and soil investigations and progressed with detailed design works. The garages had been demolished and the site secured. Highways diversions had been submitted and agreed in relation to the public footpath, vehicle cross-overs and the bus stands.

During the ground contamination surveys asbestos waste had been found and the detection of methane gas. The extended ground monitoring had led to a 9 week delay in the contractor's programme. However the Contractor has reported that this time will be clawed back and had anticipated that the completion date would remain the same, which was 9 April 2018. If events led to a claim for an extension of time in

the future, it was noted that the Council would not be liable for loss and expense as a result of any delays.

### Phase 3

The Cabinet Committee, at an earlier meeting, agreed to procure the Phase 3 sites as a mixture of design and build and traditionally designed contracts. Tenders had been issued, returned, evaluated and reported.

Subject to the Cabinet Committee agreeing the various contract awards, work will start on site early in 2017. Each contract was based on its own contract period, which were as follows:

Site	Contractor	Tender Sum	Contract Period
Stewards Green Road, Epping	TSG	£727,340.41	34-weeks
Parklands, Coopersale	Denmark and White	£716,756.74	56-weeks
Queens Road, North Weald	Storm Building Ltd	£2,230,493.00	82-weeks
Bluemans End, North Weald	TSG	£725,366.18	36-weeks
Centre Drive, Epping	VSN Enterprises Ltd	£300,285.00	36-weeks

### Phases 4-6

The Cabinet had previously decided to impose a temporary moratorium on work to progress Phases 4-6 of the Housebuilding Programme with immediate effect, with the exception of progressing planning applications up to their determination.

#### Barnfield, Roydon (Purchase of 8 affordable homes - Section 106 Development)

Following a joint bid from the Council and B3Living that had been accepted by Linden Homes, the Council had entered into an agreement to purchase 8 x affordable rented homes, with B3Living purchasing the 3 x shared ownership homes. The works were now on site with the target completion date for the works being October 2017.

#### Purchase of Street Properties

Following the Cabinet Committee's decision to spend around £2m on the purchase of street properties in January 2016 in order to utilise 1-4-1 Receipts, six 2 & 3-bed houses in Waltham Abbey had been purchased at a total cost of around £2.1m including fees and stamp duty. Each of these required works and were currently in the process of being let at affordable rents.

#### Financial Position

The Cabinet Committee regularly monitored expenditure on the Council Housebuilding Programme. This included income by way of 1-4-1 Receipts and other affordable housing contributions as well as expenditure on a quarterly basis.

As reported earlier, since the time that decisions had been made that led to the HCA grant not being taken up and unspent 1-4-1 Receipts being returned to the Government, the delays to Phases 1 and 2 reported earlier, had resulted in

expenditure not keeping up with the projected cash flow required to spend the accrued 1-4-1 Receipts. Whilst every effort was being made to claw the slippage back, it was likely that some further 1-4-1 Receipts would have to be paid to the Government, with interest.

Members expressed concern about the possibility of having to pay money to the Government with interest and asked Officers if there was a way the money could be utilised, perhaps by buying more street properties.

The Assistant Director advised that not only was there insufficient time left in this financial year to purchase street properties as they would have to be in the Council's possession by 31 March 2017, the remaining 70% of the acquisition costs would have to be met from sources other than 1-4-1 Receipts, which would be contrary to the moratorium placed on the Housebuilding Programme and the reasons for implementing the moratorium. However, he advised that consideration could be given to the Council giving the 1-4-1 Receipts to a Housing Association who were building in this area, in the form of grant, for which the Council would receive nomination rights secured on the properties purchased.

On discussion members were in agreement, in principle, that consideration should be given to the 1-4-1 Receipts being given to a Housing Association currently on site, developing in this district.

The Director of Communities advised that the Terms of Reference of the Council Housebuilding Committee did not give delegated authority to the Cabinet to decide this issue, which would have to be a Cabinet decision.

Members agreed that this should be referred to Cabinet as soon as possible, perhaps with a special meeting of the Cabinet being convened if necessary.

**Decision:**

- (1) That the contents of this Progress Report on Council house-building be noted;
- (2) That, if necessary, the Leader of Council be asked to convene a special Cabinet Meeting, to be held before the next scheduled meeting on 2 February 2017, to consider the use of 1-4-1 Receipts that will not be able to be used before their 3-year deadline at the end of March 2016; and
- (3) That a recommendation be made to the Cabinet that these 1-4-1 Receipts be passed to a Housing Association currently on site with an affordable rented housing development in the District, to enable the 1-4-1 Receipts to be used for the benefit of the District and to avoid the Council incurring interest payments to the DCLG, subject to the Council having nomination rights to the properties built with this money.

**Reasons for Decision:**

The Cabinet Committee was required to monitor progress and expenditure in relation to the Council House-building Programme, as set out in its Terms of Reference.

**Other Options Considered and Rejected:**

This report was on the progress made over the last 12-months and was for noting purposes only. There are no other options for action.

**16. EXCLUSION OF PUBLIC AND PRESS**

The Cabinet Committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**

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## **Report to the Council Housebuilding Cabinet Committee**



**Epping Forest  
District Council**

**Report reference:** CHB-001-2017/18

**Date of meeting:** 29 January 2018

**Portfolio:** Housing – Cllr S. Stavrou

**Subject:** Delivery of future phases of the House-building Programme

**Responsible Officer:** Paul Pledger – Asst. Director (Housing Property & Development) (01992 564248)

**Democratic Services:** Jackie Leither

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### **Recommendations:**

- (1) That, following the decision made by East Thames to terminate its contract after 4-years as the Council's Development Agent, the Cabinet Committee notes the approach now being taken to deliver the future phases of the house-building programme; and
- (2) That the contract with Pellings LLP, who are currently in contract with East Thames and (for which the Council has a Collateral Warranty in place) be novated to Epping Forest District Council and the existing building contracts with the Contractors for Phases 1, 2 and 3 be amended to remove reference to East Thames.

### **Reasons for Proposed Decision:**

East Thames were appointed following a competitive EU tender exercise to act as the Council's Development Agents on the Council House-building Programme. The appointment was for 4-years with the option to extend by a further 3-years. However, after 4-years, East Thames have decided to exercise the exit clause in the contract and terminate their appointment giving 6-months' notice. This has led to the Council having to act quickly to put in place an alternative delivery model for future phases. This report sets out that approach, and is for noting at this stage.

### **Other Options for Action:**

1. To re-tender and appoint another Development Agent to replace East Thames.
2. To employ the relevant resources in-house to deliver the programme directly.

### **Background**

1. In September 2017, East Thames, who are the Council's Development Agents, gave notice of their intention to invoke Schedule 8 (Exit Management Plan) of the Housing Development Agency Services Agreement that they no longer wish to act as Development Agents on behalf of the Council. Whilst a 3-month exit management term is set out in the Agreement, East Thames have agreed to extend this term to 6-months, ending on 9 March 2018 to enable as smooth a hand-over as possible.

2. To back-fill some of the immediate Project Management functions previously undertaken by East Thames, the Council has directly recruited and appointed a Senior Project Management Officer, based on a temporary 3-year fixed term contract. This is being funded from savings that has been identified through the withdrawal of East Thames and is discussed later in the report.
3. This has given the Council an opportunity to review its approach, based on its experiences over the last 4-years, and to put in place arrangements that could deliver a more efficient service and if possible, de-risk some of the aspects of the programme that have so far resulted in additional costs across schemes that are on site. However, due to a (relatively short) 6-month Exit Management Plan, it was necessary to act quickly taking account of the fact any future appointments would require an EU procurement exercise, which is a lengthy process.
4. Listed below are some of the problems the Council has faced on previous phases, which have led to delays or additional costs to the Council:

- a. Ground Contamination

Issue - Across each site, soil surveys have been undertaken to give an idea of contamination for contractors to base their risk and price accordingly in their tenders. The level of detail has resulted in that risk being understated and Contractors claiming additional costs and time where the contamination was later found to be more extensive. This was particularly the case for Phases 1 & 2.

Way Forward – To undertake a more extensive set of soil surveys and to consult with the Council’s Planning Officers at the earliest opportunity to agree a method statement and soil contamination remediation plan that will satisfy the Planning Conditions allowing these conditions to be discharged prior to the Contractor submitting their costs.

- b. Drainage

Issue – Drainage design is the responsibility of the Contractor under a Design and Build contract. However, connection to local sewers is not always practical due to invert depths, thus resulting in local pumping stations or sewerage treatment stations on sites. This is not only more expensive but could lead to more expensive on-going maintenance liabilities.

Way Forward – To appoint an EU compliant Framework Agreement of Consultant Civil Engineers to undertake a detailed sewer investigation and to fully design the sewerage strategy for each site in advance of appointing the Contractor. This will be done in conjunction with any soil contamination remediation plan.

- c. Foundation Design

Issue – Foundation design is the responsibility of the Contractor under a Design and Build Contract. However, foundation design follows any decision on how to deal with any ground contamination. Since ground contamination has often led to significant variations following more detailed surveys after the Contractors have been appointed, the design of the foundations often changes as a result of the final soil contamination remediation plan being agreed with the Planning Authority.

Way forward – To appoint an EU compliant Framework Agreement of Consultant Structural Engineers to undertake detailed foundation designs taking account of the detailed soil contamination remediation plan and the drainage design.

d. Detailed Design

Issue – Most of the current contracts have been let on a Design and Build basis, whereby the Contractor takes over responsibility for the detailed design from the planning stage design drawings. This has, on occasions, led to changes in the design and layouts of the properties resulting in either the Employers Requirements not being met or additional costs to ensure the Employers Requirements are met.

Way Forward – To appoint an EU compliant Framework Agreement of Consultant Architects to undertake detailed technical drawings up to and including RIBA Stage 3, whereby key aspects of the design can be achieved; including kitchen and bathroom layouts, as well as room sizes. This Framework would be used also to undertake future feasibility studies and to take forward sites to the planning stage.

e. Selection of Contractors and Fixed Price Tenders

Issue – The Council has had difficulty identifying suitable, competent and willing Contractors to tender for works that are spread over multiple sites, for example, some of the larger developers were not interested in low value contracts (sub £5m) and SME Contractors had very little experience in Design and Build Contracts.

When tenders have been sought, they have been based on a fixed price Design and Build Contract. When the problems described above have surfaced, the onus has been on the Contractors Design team to remedy the problem, and in most cases resulting in delays and increased costs.

Way Forward – To appoint an EU compliant Framework Agreement of Contractors based on a two stage tender to allow early appointment of a preferred partner, prior to the completion of all the information required to enable them to offer a fixed price. In the first stage, tenders are sought based on overheads, prelims and profit, whilst seeking preliminary views on phasing, programme, site management, opportunities to drive improved efficiency. Selected parties are then invited to participate in Stage Two, having undertaken the detailed design in a collaborative manor amongst the Project Team, after which the schemes are priced to form a fixed price.

f. Employers Agents

Issue – For each of the phases already let, the Council has relied on the Employers Agents appointed by East Thames as the Development Agents. This has led to a less responsive service as any issues raised would have to go via the Development Agents and sometimes the communication broke down.

Since the current Employers Agents, Pellings LLP, were appointed by East Thames directly, the Council would need to appoint its own Employers Agents

in any case. This would require an EU procurement exercise due to the overall value of the fee.

Way Forward – For Phases 4 onwards, to appoint an EU compliant Framework of Employers Agents with whom the Council would work directly with. This would allow a better working relationship and a better understanding of the Council's needs and expectations.

g. Site Supervision

Issue – Site supervision has not presented itself as a particular issue. However, this essential role has previously been undertaken by East Thames directly. Since they are terminating their contract it will be necessary to directly appoint a Clerk of Works to undertake all client site supervision functions.

Way forward – To seek quotes from suitable organisations that provide Clerk of Works Services and to engage their services on a frequency to suit the progress of building works.

5. To assist with this, the Council has appointed Cameron Consulting to undertake the specialist EU Procurement exercise to pull together the framework of various Consultants and Contractors. Their appointment was approved by the Housing Portfolio Holder in November 2017. The programme for appointing the various specialists should be completed by May 2018, which will enable the Council to pick up the 24 x Phase 4-6 sites and progress them as quickly as possible.
6. In order to maintain continuity for the sites currently in progress, it is recommended that Pellings LLP, who are currently in contract with East Thames and (for which the Council has a Collateral Warranty in place) be novated to Epping Forest District Council and the existing building contracts be amended to remove reference to East Thames, based on advice from the Council Legal Services.
7. It should be noted that based on the fees paid to East Thames, which were agreed following a competitive tender exercise, there will be an overall saving of £550,000 to the Council should Pellings LLP be appointed directly to complete the schemes currently on site (Phases 1-3 inclusive) by novating the contract on their current terms.

### **Resource Implications**

The Council will benefit from a saving of £550,000 should Pellings LLP be appointed directly to complete the schemes currently on site (Phases 1-3 inclusive) by novating the contract on their current terms.

The cost of appointing the Framework Consultants will be determined once the tenders are received and presented to the Cabinet Committee for approval in due course.

### **Legal and Governance Implications**

EU Procurement Rules dictate that any contract for works with a value in excess of £4,104,394 for works and £106,047 for Services must be tendered in accordance with European Procurement legislation.

The Council has its own set of Procurement Rules, which refers all contracts in excess of EU thresholds must be procured in accordance with European Procurement legislation.

## **Safer, Cleaner and Greener Implications**

None

## **Consultation Undertaken**

None relevant at this stage

## **Background Papers:**

- Previous reports to the Cabinet Committee on procurement options in July 2013 and January 2016
- The Council's Development Strategy

## **Risk Management**

There is a comprehensive risk register that has been compiled and is being monitored in respect of the house-building programme. Each risk, where appropriate has a risk mitigation action plan.

Advantages and disadvantages have highlighted risks throughout the body of the report.

## **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

<b>Section 1: Identifying details</b>
<b>Your function, service area and team:</b> Housing Property and Development
<b>If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team:</b>
<b>Title of policy or decision:</b> Council House Building
<b>Officer completing the EqIA:</b> Mary Masterson <b>Tel:</b> X2132 <b>Email:</b> <a href="mailto:mmasterson@eppingforestdc.gov.uk">mmasterson@eppingforestdc.gov.uk</a>
<b>Date of completing the assessment:</b> 15/01/18

<b>Section 2: Policy to be analysed</b>	
<b>2.1</b>	<p><b>Is this a new policy (or decision) or a change to an existing policy, practice or project?</b></p> <p>This is linked to an existing agreed programme of works. The wider Equality Impact Assessment for Housing Repairs and Maintenance (incorporating Council house-building programme and work to Void Properties) covers this project.</p>
<b>2.2</b>	<p><b>Describe the main aims, objectives and purpose of the policy (or decision):</b></p> <p>EFDC undertakes responsive repairs to all of its 6,500 Council homes, undertakes works to around 300 void properties per annum making properties ready for re-letting and has a planned maintenance programme over a 30-year business plan cycle that aims to renew around 3,300 key components per annum. EFDC also plans to build 300 new affordable homes over the next 10 years.</p>
	<p><b>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</b></p> <p>That all Council homes meet the “Decent Homes Standard”.          The Council House-building (CHB) programme aims to provide well-designed, quality homes that are affordable, sustainable and suitable for the needs of people across all protected groups.          This assessment intends to fully evaluate the effect the programme could have on protected groups, and therefore aims to give an overview of the actual and potential impacts of actions set out within the programme.          This assessment will continually evolve as the programmes of work progress</p>
<b>2.3</b>	<p><b>Does or will the policy or decision affect:</b></p> <ul style="list-style-type: none"> <li>• <b>service users</b></li> <li>• <b>employees</b></li> <li>• <b>the wider community or groups of people, particularly where there are areas of known inequalities?</b></li> </ul>
	All of the above
	<b>Will the policy or decision influence how organisations operate?</b>
	No

<b>2.4</b>	<b>Will the policy or decision involve substantial changes in resources?</b>
	No

<b>2.5</b>	<p><b>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?</b></p> <p>The delivery of new affordable housing is part of a wider Corporate objectives namely to deliver new homes to meet the needs of local people while also supporting economic development; and design and building our services around the needs of our ageing population and residents living in deprivation.</p>
------------	---

## Section 3: Evidence/data about the user population and consultation<sup>1</sup>

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).

### 3.0 Reference Material

Age	Disability	Gender	Gender reassignment	Marriage / civil partnership	Pregnancy / maternity	Race	Religion/belief	Sexual orientation	other																																								
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Appendix ref.001 – NOMIS Data	<b>2011 ONS EFDC Area Age Structure</b> <table border="1"> <thead> <tr> <th>Age</th> <th>%</th> <th>Age</th> <th>%</th> <th>Age</th> <th>%</th> <th>Age</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>5.9% (7366)</td> <td>15</td> <td>1.2% (1519)</td> <td>25-29</td> <td>5.3% (6624)</td> <td>65-74</td> <td>9.2% (11464)</td> </tr> <tr> <td>5-7</td> <td>3.4% (4193)</td> <td>16-17</td> <td>2.5% (3094)</td> <td>30-44</td> <td>20.5 (25542)</td> <td>75-84</td> <td>6.2% (7743)</td> </tr> <tr> <td>8-9</td> <td>2.1% (2638)</td> <td>18-19</td> <td>2.2% (2771)</td> <td>45-59</td> <td>21% (26169)</td> <td>85-89</td> <td>1.7% (2178)</td> </tr> <tr> <td>10-14</td> <td>5.8% (7235)</td> <td>20-24</td> <td>5.3% (6663)</td> <td>60-64</td> <td>6.7% (8295)</td> <td>90+</td> <td>0.9% (1165)</td> </tr> </tbody> </table> <p>Ageing population will require dwellings that are adaptable.</p> <ol style="list-style-type: none"> <li>45-59 yrs – 21% (26169)</li> <li>30-44 yrs – 20.5 (25542)</li> <li>65-74 yrs – 9.2% (11464)</li> <li>60-64 yrs – 6.7% (8295)</li> <li>75-84 yrs - 6.2% (7743)</li> <li>0-4 yrs – 5.9% (7366)</li> <li>0-14 yrs – 5.8% (7235)</li> </ol>									Age	%	Age	%	Age	%	Age	%	0-4	5.9% (7366)	15	1.2% (1519)	25-29	5.3% (6624)	65-74	9.2% (11464)	5-7	3.4% (4193)	16-17	2.5% (3094)	30-44	20.5 (25542)	75-84	6.2% (7743)	8-9	2.1% (2638)	18-19	2.2% (2771)	45-59	21% (26169)	85-89	1.7% (2178)	10-14	5.8% (7235)	20-24	5.3% (6663)	60-64	6.7% (8295)	90+	0.9% (1165)
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Appendix ref.002 – ONS Data: Population																																																	
Appendix ref.003 – ONS Data: Homelessness	<b>Homeless (Statutory) 2017</b> Total as of 31 March 2017 (all age ranges) 116 - Temporary accommodation    31 - B&B    45 – Hostel    40 – Other The attached ONS of 2011 showed the following: - 47 - Temporary accommodation    5 - B&B    32 – Hostel    10 – Other																																																
Appendix ref.004 – EFDC HRA Business Plan 2016/7	Within the Housing Service the ratio of staff is: - <ul style="list-style-type: none"> <li>Over 70% are over 45 years of age</li> <li>10% are under 35 years of age</li> <li>Pg 11 Para 19 - EFDC Council Housing Services compares the protected characteristics of those people who we have housed with those people on the Housing Register. This exercise showed that generally the 'protected characteristics' of housing applicants and those that have been given council accommodation are similar. No amendments to the Housing Allocations Scheme have been necessary to avoid discrimination.</li> </ul>																																																
<b>Residents consultations –</b> Appendix ref.005 – EFDC Planning EFDC Statement of Community Involvement Appendix ref.006 - EFDC Neighbour Consult Template letter																																																	

Neighbour consultation letters are sent out once a planning application is registered. Where any comments are invited to be returned within 21 days. Site notices are erected and more consultations are carried out if development was on a major scale (dwellings over 10). This enables members of the local community to contact the planning department raise an issue if there is one.

Appendix ref.008 – Epping Forest Census 2014

Over half of all tenants (57%) responded.

47% of those tenants were 65 or over and 26.9% were 75 and over.

At the time of the Tenant census the respondents were older than the wider EFD population, with a median age of tenants being 63 compared to 48 for the overall population of EFDC.

- Age profile of those tenants that replied: -



- Wards with an elderly population with a median age over 70:
  - Lower Nazeing (median age 71)
  - Waltham Abbey North East (71)
  - North Weald Bassett (72)
  - Moreton and Fyfield (73)
- Wards with the youngest tenants: -
  - Grange Hill (47)
  - Loughton Fairmead (56)
  - Loughton Roding (56)
  - Waltham Abbey Honey Lane (57)
  - Waltham Abbey South West (58)

Appendix ref.009 – Epping Forest Draft Local Plan Consultation 2016

Ageing population – will require dwellings that are adaptable and accessible for disabilities/ Pg 13 Paragraph 2.4 states:

*“The District’s population increased by almost 17,000 between 1961 and 2011. Government estimates that the District’s population had risen by just over 5,000 since 2011.”*

*“In 2011, compared to the rest of England, the District had smaller proportions of people aged under 30 and a larger proportion of people aged 45 to 64 years and 65 years and over.”*

*“by 2033, projections suggest the proportion of people aged over 65 years will rise sharply compared to the other age bands”*

& [BGP1 Housing Background Paper](#)

	Affordable Housing Need (in households)*				
	East Herts DC	Epping Forest DC	Harlow DC	Uttlesford DC	HMA Total
<b>Unmet need for affordable housing in 2011</b>					
<b>Total unmet need for affordable housing</b>	1,632	1,171	1,597	818	5,218
<b>Supply of housing vacated</b>	471	544	849	242	2,106
<b>Overall impact of</b>	1,161	627	748	576	3,112

<b>current affordable housing need</b>					
<b>Future need for affordable housing 2011-33</b>	4,128	3,152	3,289	2,724	13,291
<b>Percentage of overall housing need</b>	31%	34%	67%	27%	35%

The above table (Epping Draft Local Plan) shows the projected need for affordable housing (measured in households) in the District from 2011-2033 (for households not dwellings). These figures take into account current unmet need for affordable housing and starter homes, projected future need arising from new households which will form in the future, and also the number of existing households which are likely to fall into need in the future.  
*'3,152 of the new homes need to be affordable'*  
 Ageing population. Demand on health services. Need dwellings that are accessible and adaptable.

**EFDC KPI COM004 - How many households were housed in temporary accommodation**

An increase in the number of households in temporary accommodation provided under homelessness legislation: -  
 2016-17 (all age ranges) Q1 – 103      Q2 – 111      Q3 – 101      Q4 – 116  
 2017-18 (all age ranges) Q1 – 21  
 Total number of homeless households in temporary accommodation at the end of Q1 was 97.

**ONS Subnational population projections for England 2012 – based on 2011 Census**  
 &  
 Appendix ref.010 – EFDC Population Forecast 2012

Council considers all new homes should be built to category 2 'accessible and adaptable dwellings' – dependent on site specific viability testing ensuring no compromise to delivery of development.

- 22.3% of the EFD population is aged 65 years and over and life expectancy is increasing;
- 5% population growth rate for the Epping Forest District.

**EFDC ER's Vol 1-5 JCT DB11**  
 Appendix ref.011 – Employers Requirements - Generic

Contractors are required to produce a plan to target employment for the existing estate and local labour and discuss opportunities that will be available on any project to enable the placement of apprentices and trainees.

Also, contractors are required to recruit new apprentices and trainees from approved sources - 'The Contractor shall employ apprentices and trainees for supervised waged work experience, throughout the duration of this contract.

Contractor will agree numbers of apprentices. Trainees or waged trainees weeks on site with the Employed based on the thresholds contained within the Framework Agreement.

Appendix ref.012 – Strategic Housing Market Assessment for West Essex & East Herts 2015 Pg101 & 108

- ECC demand analysis assessment - identified a shortfall in independent living units.
- EFDC needs to provide approximately 11,300 (market housing & affordable) new homes over the Local Plan period (up to 2033) (specific split of houses vs. flats, numbers of bedrooms etc.).
- Older people are living longer, healthier lives and specialist housing offered today may not be appropriate for the future years.
- Accessible housing in the district is needed with a view of adaptable lifetime homes.
- Government's reform of Health and Adult Social Care is underpinned by sustaining people at home for as long as possible. Dwellings to meet cat. 2 requirements (dependent on viability).

Appendix ref.013 –

Adopted by EFDC based on a combination of the East Thames Design Standards and the HCA Design Standards.

### Gracelands CMS Equality and Diversity Policy

Gracelands CMS Ltd has embedded equality into its service provision, targeting resources where they are needed and in ways that ensure tenants have equal access to services. Their Policy extends to monitoring its suppliers. Their tender submission sets out how the company positively reflects the mix of the team delivering the Service with the community in which the Service is provided.

### Mears PLC Equality and Diversity Policy

Mears operates an ethos of respect for all and are fully committed to ensuring accessible service and opportunities to all. This extends from the Board and includes all staff, supply chain partners they work with, residents and customers across all of its contracts. Their Policy is reviewed and updated bi-annually or sooner if required. Their tender submission sets out how the company positively reflects the mix of the team delivering the Service with the community in which the Service is provided.

#### Appendix ref.014 – East Thames Priority Needs Policy

East Thames Single Equality Scheme which included their equality and diversity statement, aims and action plan. The document includes the Equality Act 2010 and due to the nature of the document it goes further than promoting equalities internally. The action plan sets out clear equalities responsibilities for meeting the aims of the Scheme including a range of tasks working with residents/community/service users.

#### Appendix ref.015 - Pellings Equality Diversity Policy

Pellings is committed to upholding and developing the principles of equality and diversity throughout the organisation and in the preservation of an individual's dignity at work. They recognise the need to encourage a positive attitude towards diversity amongst their employees as part of their culture. This commitment extends to the Contractors and other Consultants that they contract with.

#### Appendix ref.016 - Secure by Design – Designing out crime of new developments

Consideration is given to designing safe places to live (vulnerable older people).

### EFDC Repairs and Improvements & Repairs recharge costs 2017

Council residents are able to report the faults by phone, email or via the mobile app.

### Impact of an ageing population study Epping Forest District

- Between 2015 and 2025 it is anticipated that the number of over 65's in Epping Forest will increase from 25,400 to 30,000 and over 50's – 64's, from around 24,200 to 27,400.
- Services in preventative healthcare and activities to help people to remain active and health in later life, could help increase the proportion of life spent in good health and reduce costs to a wide range of organisations.
- Loughton Alderton is one of the wards that have some of the lowest life expectancy and this is identified as being linked to deprivation and less positive lifestyles.
- Evidence shows good physical and mental health are essential to living longer and a better quality of life.
- 2013 there were 1,855 Dementia sufferers, by 2025 the number is expected to be 2,553 (37.6%).

### EFDC Housing Register & housing-allocations-scheme-2015-v3

#### Total number of applicants on Epping Forest District Council's Housing Register

*Priority Bands	Q1	Q2	Q3	Q4	
Housing Register	1531	1515	1477	1462	
Band A*	135	134	120	125	<i>Urgent medical grounds/disability</i>
Band B*	526	534	516	538	<i>Existing Council tenants aged over 60yrs</i>
Band C*	706	700	706	683	<i>moderate medical grounds relating to disability</i>
SWL	164	147	134	116	

## Careline Annual Report 2015-16

Epping Forest Careline currently has approximately 2,500 clients. Years of experience managing a community alarm service and enabling independent living. Customers to feel more secure in their home, as help is at the press of a button. The service is beneficial to those that feel vulnerable in some way: they are unwell, may have previously fallen, been injured, experienced an intruder in their property or garden or have an on-going illness or been recently discharged from hospital.

- A new Careline call handling provider will be used to enable the service to facilitate the demand from an increasing older generation living longer healthier independent lives.

Nov 2016 random Careline survey of 300 clients (12% of the user base).

- 99.3% satisfied with the quality of service;
- 99.3% happy with time taken to respond to calls;
- 100% found Epping Forest Careline staff helpful;
- 98% service was good value for money – this was a reduction from 99.2% in 2015. *There was a marginal rise in monitoring fees for the 1<sup>st</sup> time in 3 years which may account for this.*
- 99.3% found equipment easy to use;
- 100% would recommend Epping Forest Careline to friends and family;
- 347 new installations across the district in 2016. Yearly call total - 61,162, averaging 168 daily;

## Sheltered Housing Guide

- EFDC provides sheltered housing for older residents that are capable of living on their own but feel more secure with the support of a visiting Scheme Manager;
- Self-contained flats, bungalows and studios. Housing with communal lounge -social activities;
- Currently located in Loughton, Watham Abbey, Buckhurst Hill and Epping.
- Once the new Careline provider is agreed a Sheltered Housing Review will be undertaken to identify all future options for the current properties and provide recommendations.

## Downsizing Scheme

- EFDC enables older residents to downsize to a smaller more manageable property;
- Financial incentive as they could be eligible for a lower rent and receive up to £4,000;
- £1000 for each room "released", plus £500 for removal expenses and £500 to meet decoration costs.
- Younger larger families will benefit from these properties becoming available.

## C.A.R.E Home Improvement Agency, Handyperson Scheme EFDC Internal Decorating Service for the elderly

- Through the Caring and Repairing in Epping Forest (C.A.R.E) Home Improvement Agency, the Council seeks to assist older people and disabled home owners to improve, repair or adapt their houses. They may also assist with home improvements to: -
  - prevent hospital admission;
  - support prompt discharge from hospital.
- C.A.R.E. provides a handy person service to retired home-owners / private tenants over the age of 60 years. Vetted contractors carry out small, low cost repairs / home security work, fall prevention measures. Chargeable service (lower for those on means tested benefits).
- Tenants living in Sheltered Accommodation or in General Needs housing if over 60 years of age or registered disabled are able to access a free of charge handy man service. This recognises that some aspects of the Tenancy Agreement which are the responsibility of the tenant(s) may not be able to be undertaken or place the tenant at risk of harming themselves i.e. fall from a height when changing lightbulbs.
- Tenants over the age of 60 years have access to a free of charge service to decorate a room of their choice every four years.

## The Health Impacts of Cold Homes and Fuel Poverty leaflet (2011)

- Countries which have more efficient housing have lower Excess Winter Deaths (EWDs)
- Link between EWDs, low thermal efficiency of housing / low indoor temperature (SAP rating).
- EWDs are almost three times higher in the coldest quarter of housing than in the warmest.

- 21.5% of all EWDs are linked to the coldest quarter of housing.
- Around 40% of EWDs are attributable to cardiovascular diseases.
- Around 33% of EWDs are attributable to respiratory diseases.
- Strong relationship between cold temperatures and cardio-vascular and respiratory diseases.
- Cold housing negatively affects: -
  - dexterity and increases the risk of accidents and injuries in the home
  - children's educational attainment, emotional well-being and resilience &
  - twice likely to suffer from a variety of respiratory problems
- Fuel poverty negatively affects dietary opportunities and choices.

*"The annual cost to the NHS of treating winter related disease due to cold private housing is £859 million. This does not include additional spending by social services, or economic losses through missed work. The total costs to the NHS and the country are unknown. A recent study showed that investing £1 in keeping homes warm saved the NHS 42 pence in health costs..." [Chief Medical Officer Report, 2009]*

## Disability / Dependents / Caring Responsibilities

['Considerate constructors' reports & site scoring explained](#) Example:([Roundhills 08/07/15](#) )

The Monitor's Site report lists the following headings in the checklist which must be addressed in order for the site to achieve compliance and the scores (1/10) indicate that a site has reached a standard beyond statutory requirements.

1. Care about **Appearance**
2. Respect the **Community**
3. Protect the **Environment**
4. Secure everyone's **Safety**
5. Value their **Workforce**

Sites are not only assessed for compliance, but also to identify measures taken which are above and beyond these requirements, and addressing the non-bolded questions on the checklist may result in a higher score.

The score awarded reflects the Monitor's opinion on how the site is performing based on what they see at the time of the visit and their discussion with the Site Manager.

Residents consultations [EFDC Planning EFDC Statement of Community Involvement](#)

As above category – the local community has a chance to raise any issues.

[JCT D&B contract](#) and JCT Measured Term Contract, 2011 are the industry standard contracts signed by both parties to agree scope cost of works.

Equal Opp Para states Pg 10: -

In all its activities carried out pursuant to this agreement the Contractor shall comply and ensure that its agents and employees comply with: -

- i. the Human Rights Act 1998 as if the Contractor are a public body (as defined in the Human Rights Act)
- ii. all Laws relating to equal opportunity including but without limitation to discrimination on the basis of age, disability, sex or sexual orientation, race, religion or belief; and,
- iii. the Employer's equal opportunities policies and procedures as may be adopted and amended from time to time as notified to the Contractor.

[Appendix ref.017 - ECC Development Management Policies](#) (to be read in conjunction with,

1. [Appendix ref.018 - The Urban Place Supplement](#); and,
2. [The Essex Design Guide](#),

1. The reports reflect the required balance between the need for new housing, protecting the transport network for the safe movement of people.  
Lists design standards, accessibility and transport sustainability policies along with Impact and mitigation policies such as safety audits, congestion, air quality and HGV movement.
2. Provides guidance on the layout of densities below 20 dwellings

3. [Appendix ref.019 - Parking Standards Design and Good Practice.](#)

per hectare/ over 20 dwellings. Provides guidance for accessibility for disabled people to dwellings. Good practice to design new dwellings to be able to be visited unassisted by disabled people as far as the entry to the dwelling. There will need to be a flat area 900mm x 900mm minimum on the same level as the threshold outside the entrance to each dwelling. (pg80)

3. Provides guidance on parking standards. 1 car parking space for every 4sqm of GFA. (Gross Floor Area. If a development has a GFA of 17sqm, a calculation 17 divided by 4 gives 4.25 spaces, rounded up to the nearest whole number giving a total number of 5 spaces.  
Bus routes within the residential developments will require a min clear passage of 6 metres.

[Appendix ref.020 - ECC Development and Public Rights of Way](#)

Considers access issues.

[Feasibility Studies](#)

The project team undertakes a desktop analysis of each site enabling the team to rule out any sites that are not suitable for development, due to legal, financial or technical reasons. Suitable sites will then have initial feasibility plans produced, where initial views are sought from planners. An investment appraisal will be conducted. This requires rents to be agreed with the officer of the council. The contractor will work closely with the council Legal Team to identify any issues that need to be resolved and determine the best route to proceed. It is certain that issues regarding rights of way, access etc. will have to be dealt with. In these cases the necessary use of appropriation, under the planning act, will be used. The Contractor and council legal team will liaise to ensure the legal risks are fully explored and mitigated.

[Strategic Housing Market Assessment for West Essex & East Herts 2015](#) Pg108

Report supports the need for 15% of affordable housing to meet Category 3 requirement to aid accessibility for wheelchair users. Currently, 1-30 households in England (3.3%) have at least one wheelchair user. These proportions are likely to increase over the period to 2033.

[Appendix ref.021 - Epping Forest Draft Local Plan 2016](#) Will require dwellings that are adaptable & accessible.

**EFDC E-Learning Module – Disability Awareness**

All EFDC staff undertakes this learning course to improve disability awareness.

[EFDC – HRA Business Plan 2016](#) & R&M Business Plan 2016-17

Around 10% of the EFDC Housing Service staff have a disability

The Council endeavours to carry out adaptations to properties to meet the reasonable needs of disabled tenants. This is based on assessments and recommendations from Social Services Occupational Therapists.

[Appendix ref.008 - Epping Forest Tenant Census 2014](#)

- 30.2%% stated they had a disability
- 34% of households contained at least one person who had a disability
- North Weald Bassett Ward contained the highest proportion of tenants with a disability (39%), followed by Waltham Abbey North East (38%). *These Wards had a higher than average number of older residents.*
- 1.4% of tenants needed assistance in communicating due to hearing difficulties, with 14 of these tenants understanding British Sign Language. 45 of the tenants that responded could lip read.

	<ul style="list-style-type: none"> <li>6% of tenants preferred to receive information in other formats due to sight problems, and 7 of these preferred information on audio tape. Braille was preferred by 2 tenants, but the vast majority (240).</li> <li>Grange Hill Ward - youngest population, smallest proportion of tenants with a disability (1.4%)</li> <li>Under a third of tenants stated they had a disability (30.2%), higher than the overall population of EFDC (15.7%).</li> </ul>																																				
<p>Appendix ref.022 - EFDC Customer Impact Assessment – Repairs (Sep 2011)</p>	<p>The 2011 CIA showed that the working procedure could give rise to difficulty when reporting repairs dependent on the disability. Or residents with a visual disability cannot identify tradesmen.</p>																																				
<p>Appendix ref.023 - East Thames Priority Needs Policy</p>	<p>Staff undertake the necessary training to ensure they have 'disability awareness'.</p>																																				
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Housing Register	1531	1515	1477	1462																																	
Band A*	135	134	120	125	<i>Urgent medical grounds/disability</i>																																
Band B*	526	534	516	538	<i>Existing Council tenants aged over 60yrs</i>																																
Band C*	706	700	706	683	<i>moderate medical grounds relating to disability</i>																																
SWL	164	147	134	116																																	
<p>Appendix ref.024 – Strategic Housing Market Assessment</p>	<ul style="list-style-type: none"> <li>Pg 108: Report supports the need for 15% of affordable housing to meet Category 3 requirement to aide accessibility for wheelchair users.</li> <li>Currently, 1-30 households in England (3.3%) have at least one wheelchair user. These proportions are likely to increase over the period to 2033.</li> <li>Therefore, adaptable accessible housing is needed.</li> </ul>																																				
<p>Local Authority District - Indices of Deprivation via <a href="http://www.gov.uk">www.gov.uk</a> Mental Health JSNA</p>	<p>Mental Health JSNA Page 31</p> <p>"...70% of people accessing homelessness services have a mental health problem. Many of these people do not receive the support they need to overcome their mental health and substance misuse problems."</p> <p>Within this document it states:-</p> <p>"a survey of 152 homeless people in Essex.." "...the majority suffered from stress, anxiety or depressions. 84% of participants experienced at least 1 of these and 63% experienced all three."</p> <p>Nearly half reported using drugs and alcohol as coping mechanisms. Approx. 41% had been diagnosed with a mental health condition (0.7% of the Essex population is on a GP Mental Health Conditions Register). Approx. 1 third with mental health issues are currently receiving support.</p>																																				
<p>Decent Home Definition</p>	<p>EFDC meets the Decent Home Standard.</p> <p>To meet the Decent Homes Standard the Council or Housing Association home must: -</p> <ul style="list-style-type: none"> <li>Meet the <a href="#">HHSRS minimum safety standards for housing</a></li> <li>Be in a reasonable state of repair</li> </ul>																																				

	<ul style="list-style-type: none"> <li>• Have reasonably modern facilities and services</li> <li>• Have efficient heating and effective insulation.</li> </ul> <p>If the property does not meet all four of the criteria it will fail the Decent Home Standard.</p>
<p><b><u>EFDC Repairs and Improvements &amp; Repairs recharge costs 2017</u></b></p>	
<p>Council residents are able to report the faults by phone, email or via the mobile app.</p>	
<p><b><u>ECC Independent Living Programme Position Statement</u></b> <i>(published Oct2016)</i></p>	
<p>Pg 7:ECC's most recent assessment of need for Independent Living Accommodation in the Epping Forest District shows a shortfall of 44 rental units and 143 market ILA homes are required by 2020.</p>	
<p><b><u>Essex coalition of disabled people (ECDP)</u></b></p>	
<ul style="list-style-type: none"> <li>• Disabled people are underrepresented in the workplace and work with employers is required to increase the number of disabled adults in the work place.</li> <li>• Almost half (48%) of disabled people were dissatisfied with access to high street services in general. This is despite the view that 'things are slowly getting better' 65% of respondents felt that there had been no improvement to disabled access in the past five years.</li> </ul> <p><a href="http://www.ecdp.org.uk/">http://www.ecdp.org.uk/</a> &amp; <a href="http://www.bluebadgestyle.com/">http://www.bluebadgestyle.com/</a></p>	
<p><b><u>The Health Impacts of Cold Homes and Fuel Poverty leaflet (2011)</u></b></p>	
<ul style="list-style-type: none"> <li>• Mental health is negatively affected by fuel poverty and cold housing for any age group.</li> <li>• More than 1 in 4 adolescents living in cold housing are at risk of multiple mental health problems compared to 1 in 20 adolescents who have always lived in warm housing.</li> <li>• Cold housing increases the level of minor illnesses such as colds and flu and exacerbates existing conditions such as arthritis and rheumatism.</li> <li>• Improving the energy efficiency of the existing stock is a long-term, sustainable way of ensuring multiple gains, including environmental, health and social.</li> </ul>	
<p><b>Gender</b></p>	
<p>Appendix ref.025 – ONS Data for Epping</p>	<p>Epping Forest district population: -</p> <ul style="list-style-type: none"> <li>• 64219 – 51.5% - female</li> <li>• 60440 – 48.5% - male</li> </ul>
<p>Appendix ref.026 – 'Considerate constructors' reports &amp; site scoring explained</p> <p>Appendix ref.027 - Example: Roundhills 08/07/2015</p>	<p>As above category, and: predominately male workforce in the building industry. The number of female workers is increasing across the building industry.</p>
<p><b><u>EFDC – HRA Business Plan 2016</u></b></p>	
<p>Within the Housing Service the ratio of staff is: -</p> <ul style="list-style-type: none"> <li>• Around 60% are women</li> <li>• Over 70% are over 45 years of age</li> <li>• 10% are under 35 years of age</li> </ul>	
<p>Appendix ref.022 - EFDC Customer Impact Assessment – Repairs (September 2011)</p>	<p>The CIA in 2011 showed a low impact and that residents may feel at risk when strangers are in their property. The Council employs a Tenant Liaison Officer, who can attend whenever a resident feels uneasy or threatened. The Council can arrange for a female Officer to attend in conjunction with a tradesman if needed.</p>

**Chapter 2**  
**Setting the**  
**Scene -**  
**EFDC**

		<b>Epping Forest (%)</b>	<b>East of England (%)</b>	<b>England (%)</b>
<b>All people aged 16-64</b>	<b>Economically Active</b>	<b>80.4</b>	80.2	78
	In Employment	76.9	77	73.9
	Employees	63	66.4	63.1
	Self Employed	13.9	10.3	10.4
	Unemployed	3.4	3.8	5.1
<b>Males aged 16-64</b>	<b>Economically Active</b>	<b>86.6</b>	86.2	83.6
	In Employment	80.4	82.7	79.2
	Employees	59.5	68.7	64.7
	Self Employed	20.9	13.8	14.1
	Unemployed	#	3.9	5.1
<b>Females aged 16-64</b>	<b>Economically Active</b>	<b>74.5</b>	74.3	72.5
	In Employment	73.5	71.4	68.8
	Employees	66.2	64.3	61.6
	Self Employed	#	6.8	6.8
	Unemployed	#	3.8	5

*# These numbers are not available as Government's sample size is too small to provide an estimate, or because the numbers are so small they would disclose personal data.*

<b>Gender</b>	<b>All persons</b>	<b>Males</b>	<b>Females</b>
<b>Occupation</b>			
All categories: Occupation	61,609	32,614	28,995
1. Managers, directors and senior officials	9,051	<b>6,071</b>	2,980
2. Professional occupations	10,107	5,112	4,995
3. Associate professional and technical occupations	9,039	5,265	3,774
4. Administrative and secretarial occupations	9,269	1,624	<b>7,645</b>
5. Skilled trades occupations	7,167	6,481	686
6. Caring, leisure and other service occupations	4,845	766	<b>4,079</b>
7. Sales and customer service occupations	3,681	1,261	2,420
8. Process plant and machine operatives	3,839	<b>3,521</b>	318
9. Elementary Occupations	4,611	2,513	2,098

<b>Economic Activity – Epping Forest District Council</b>	<b>Total</b>	<b>Male</b>	<b>female</b>
<b>All usual residents aged 16-74</b>	<b>90,622</b>	<b>44,089</b>	<b>46,533</b>
<b>Economically active</b>	65,304	34,651	30,653
<b>In employment</b>	59,936	31,837	28,099
<b>Employee: Part-time</b>	12,023	2,105	<b>9,918</b>
<b>Employee: Full-time</b>	34,722	19,966	14,756
<b>Self-employed</b>	13,191	9,766	3,425
<b>Unemployed</b>	3,259	1,819	1,440
<b>Full-time student</b>	2,109	995	1,114
<b>Economically inactive</b>	25,318	9,438	<b>15,880</b>
<b>Retired</b>	12,746	5,308	7,438
<b>Student (including full-time students)</b>	4,055	2,005	2,050
<b>Looking after home or family</b>	<b>4,459</b>	<b>261</b>	<b>4,198</b>
<b>Long-term sick or disabled</b>	2,378	1,189	1,189
<b>Other</b>	1,680	675	1,005
<b>Unemployed: Age 16-74</b>	922	563	359
<b>Unemployed: Age 50-74</b>	655	418	237
<b>Unemployed: Never worked</b>	438	250	188
<b>Long-term unemployed</b>	1,298	672	626

## Marriage / Civil Partnerships

Appendix ref.028 – NOMIS Data

		All persons	Males	Females
<b>All categories: Living arrangements</b>		<b>100,672</b>	<b>48,322</b>	<b>52,350</b>
Living in a couple		60,592	30,292	30,300
Married or in a registered same-sex civil partnership		49,472	24,745	24,727
Living arrangements				
Age	All categories:	couple	Married/in a registered same-sex civil partnership	
16-19	5,862	72	1	
20-24	6,652	870	127	
25-29	6,614	3,005	1,223	
30-34	7,506	4,923	3,295	
35-39	<b>8,367</b>	<b>6,107</b>	4,614	
40-44	<b>9,630</b>	<b>6,996</b>	5,524	
45-49	<b>9,909</b>	7,378	<b>6,104</b>	
50-54	<b>8,609</b>	<b>6,414</b>	<b>5,526</b>	
55-59	7,602	5,707	<b>5,101</b>	
60-64	<b>8,266</b>	<b>6,278</b>	<b>5,769</b>	
65-69	6,394	4,683	4,371	
70-74	4,980	3,314	3,158	
75-79	4,193	2,547	2,451	
80-84	3,294	1,536	1,482	
85+	2,794	762	726	

## Appendix ref.029 – ONS Data 2011 - Population

Of the Epping Forest District population:

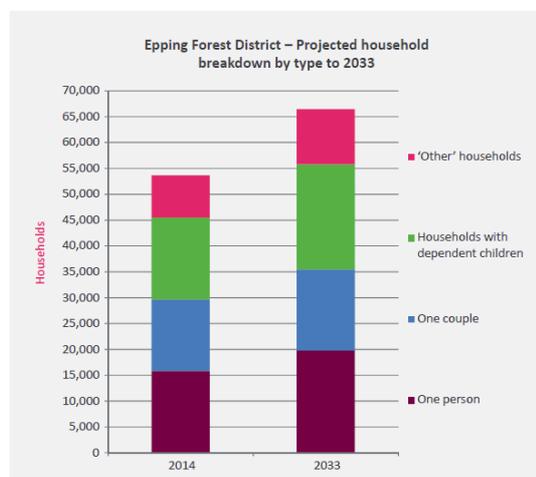
- 49.9% are married
- 0.2% are in a same-sex civil partnership

Appendix ref.012 - Strategic Housing Market Assessment for West Essex & East Herts (Sep 2015)

- Population projection information gathered from the census shows the changing of household trends and provision for the future needs for existing families and new family unit trends.
- EFDC needs to provide approximately 11,300 (as mentioned above)
- The approximate affordable housing need by tenure and dwelling size 3,200.

## Pregnancy / maternity & Dependents/Carers

Appendix ref.009 - Epping Forest Draft Local Plan Consultation 2016



*'It is expected that the total number of households (a household being a single person who lives alone, or a group of people who live together) in 2011 was roughly 52,000. This is expected to rise to approximately 66,460 by 2033. The household projections suggest that by 2033, there will be proportionately more households consisting of one person, or a family with dependent children, and proportionately less households consisting of one couple.'*

## Affordable Rents Policy

The Council Housebuilding Cabinet Committee approved the recommendations to: -

1. Charge affordable rents for Council properties built under the Council's Housebuilding Programme be re-affirmed;
2. Properties (re)let, the Council's affordable rents be set at a level equivalent to the lowest of: -
  - a. 80% of market rents for the locality in which the property is situated, as assessed by the Council's Estates and Valuations Division;
  - b. The Local Housing Allowance level for the Broad Market Rental Area (BMRA) in which the property is situated; and
  - c. A rent cap of £180 per week, irrespective of the size of the property.
3. Affordable rent be increased annually by the Retail Price Index (as at the preceding September) + 0.5% (or any other maximum increase determined by the Government), until the tenant vacates, when the affordable rent will be re-based in accordance with the Homes and Communities Agency's (HCA's) Affordable Rent Model and the policy at (2)
4. Council's rent cap level be reviewed annually by the Council Housebuilding Cabinet Committee; and
5. That the Director of Housing be authorised to enter into Short Form Agreements with the Homes and Communities Agency for all developments, to enable affordable rents to be charged for the properties built under the Housebuilding Programme, and the 'Provider Representative' names in the Agreements be a senior figure at East Thames Group.

## Race

### **EHRC review 'Race Right in the UK' July 2016**

Inequalities re: housing, education and health. Poorer employment prospects and lower pay

Appendix ref.030 – ONS Data 2011 – Ethnic Groups	85.2	White; English/Welsh/Scottish/Northern Irish/British	0.7	Asian/Asian British; Pakistani
	4	White; Other White	0.6	Mixed/Multiple Ethnic Groups; White and Asian
	2.4	Asian/Asian British; Indian	0.6	Mixed/Multiple Ethnic Groups; Other Mixed
	1.1	White; Irish	0.5	Asian/Asian British; Chinese
	1	Black/African/Caribbean/Black British; African	0.5	Other Ethnic Group; Any Other Ethnic Group
	0.9	Asian/Asian British; Other Asian	0.2	Mixed/Multiple Ethnic Groups; White and Black African
	0.8	Black/African/Caribbean/Black British; Caribbean	0.2	Asian/Asian British; Bangladeshi
	0.7	Mixed/Multiple Ethnic Groups; White and Black Caribbean	0.2	Black/African/Caribbean/Black British; Other Black
			0.1	White; Gypsy or Irish Traveller
			0.1	Other Ethnic Group; Arab
Appendix ref.008 – Epping Forest Census 2014	Just over half of all tenants responded: -			
	36%	White Irish	5%	Bangladeshi
	87%	White – Other	9%	Asian – Other
	23%	Black – African	3%	Mixed – White and Black African
	11%	Black – Caribbean	16%	Mixed – Other
	4%	Black – Other	1%	Chinese
	7%	Indian	9%	Other ethnic group
	3%	Pakistani	3%	Gypsy / Roma / Traveller background

Appendix ref.031 – EFDC Street numbering and naming policy - Para 4.7 (4)

No street or property names considered or construed as racist, obscene, or contravene any aspect of the council's equal opportunities policies will not be acceptable.

### Updating Overall Housing Need 2014

#### **Migrant trends.**

EFDC has housed two Syrian families in the district so far. Introductory information has been translated into Arabic.

Appendix ref.004 - EFDC HRA Business Plan 2016

- Over 90% of the EFDC Housing service staff are white.
- Pg 11 Para 19 - EFDC Council Housing Services compares the protected characteristics of those people who we have housed with those people on the Housing Register. This exercise showed that generally the 'protected characteristics' of housing applicants and those that have been given council accommodation are similar. No amendments to the Housing Allocations Scheme have been necessary to avoid discrimination.

[JCT D&B contract](#) and JCT Measured Term Contract, 2011

Equal Opp Para states Pg 10: -

In all its activities carried out pursuant to this agreement the Contractor shall comply and ensure that its agents and employees comply with: -

- the Human Rights Act 1998 as if the Contractor are a public body (as defined in the Human Rights Act)
- all Laws relating to equal opportunity including but without limitation to discrimination on the basis of age, disability, sex or sexual orientation, race, religion or belief; and,
- the Employer's equal opportunities policies and procedures as may be adopted and amended from time to time as notified to the Contractor

[EFDC Customer Impact Assessment – Repairs](#)

The 2011 CIA showed low impact that working procedure can give rise to possible language problems. The Council has access to translation services.

Appendix ref. 032 – EFDC Census 2011 Data

	All categories: Ethnic group	White: Gypsy or Irish Traveller
All categories	51,991	71
All tenure %	100%	0.1%
<b>Owned or shared ownership: Total</b>	<b>37,771</b>	<b>33</b>
<b>Owned outright</b>	<b>18,070</b>	<b>25</b>
Mortgage/loan/shared ownership	19,701	8
<b>Social rented total</b>	<b>7,803</b>	<b>29</b>
Social rented total %	100%	0.4%
<b>Social rented from council (Local Authority)</b>	<b>6208</b>	<b>26</b>
Social rented: Rented from council (LA) %	100%	0.4%
Social rent: Other social rented	1,595	3
Private rented or living rent free: Total	6,417	9
Private rented: Private landlord or letting agency	5,307	4
Private rented: Other private rented or living rent free	1,110	5

## Religion / belief

Appendix ref. 033 – ONS Data

Of the EFDC Population

- Christian - 61.8% (77053)
- Buddhist – 0.3% (416)
- Hindu – 1.4% (1745)
- Jewish – 3.2% (3972)
- Muslim – 1.9% (2377)
- Sikh – 1% (1253)
- Other religion – 0.3% (432)
- No religion – 22.5% (28061)
- Do not wish to disclose – 7.6%

Appendix ref.008 – Epping Forest Census 2014

Just over half of all tenants responded: -

- 61% stated they were Christian
- 21% said they had no faith or religious beliefs

Residents consultations –

Neighbour consultation letters are sent out once a planning

Appendix ref.034 – EFDC Planning EFDC Statement of Community Involvement	application is registered. Any comments are invited to be returned within 21 days. Site notices are erected and more consultations are carried out if development was on a major scale (dwellings over 10).
Appendix ref.031 – EFDC Street numbering and naming policy - Para 4.7 (4)	No street or property names considered or construed as racist, obscene, or contravene any aspect of the council's equal opportunities policies will not be acceptable.
Appendix ref.004 - EFDC HRA Business Plan 2016	Pg 11 Para 19 - EFDC Council Housing Services compares the protected characteristics of those people who we have housed with those people on the Housing Register. This exercise showed that generally the 'protected characteristics' of housing applicants and those that have been given council accommodation are similar. No amendments to the Housing Allocations Scheme have been necessary to avoid discrimination.

### Sexual orientation and Gender reassignment

Appendix ref.008 – Epping Forest Census 2014	57% of all tenants responded stating – <ul style="list-style-type: none"> <li>• 62.2% were heterosexual</li> <li>• 0.6% were gay or bisexual</li> <li>• 26% did not state their sexuality</li> <li>• 10% did not specify</li> </ul>
Appendix ref.008 – Epping Forest Census 2014	57% of all tenants responded stating - <ul style="list-style-type: none"> <li>• 62.2% were heterosexual</li> <li>• 0.6% were gay or bisexual</li> <li>• 26% did not state their sexuality</li> <li>• 10% did not specify.</li> </ul>
EFDC Hate Crime	Data does not indicate that sexual orientation is a focus for hate crime in the district.

[Inequality among lesbian gay bisexual and transgender groups in the UK - A review of evidence](#)  
by Nathan Hudson-Sharp & Hilary Metcalf, National Institute of Economic and Social Research July 2016

The evidence base is insufficient to properly assess inequality and relative disadvantage by sexual orientation and gender identity

- Homophobic bullying in schools
- LGBT people are at greater risk of crime, particularly gay men, young people, and BME groups
- LGBT people's health is worse than heterosexual people
- LGBT people prefer and are more engaged with specialist rather than mainstream services
- Discrimination in the workplace
- LGBT familial rejection resulting in mental health problems and homelessness
- LGBT housing needs not addressed with homelessness services
- Improvement in acceptance of LGBT people in public positions however fear or abuse and expectation of discrimination are barriers to engagement in public and political life.
- Improvement in public acceptance of LGB people
- LGBT asylum seekers face additional barriers to securing housing employment and financial stability
- Young LGBT people face hostility in education, at home, and in wider society.
- Older LGBT people have more concerns than heterosexual people about moving into care homes, independence, mobility, health, housing, and mental health.

### Other

[Draft-OAHN-MoU-v8 Chapter-3-2016-08-18-OAN-update-based-on-2014-based-projections](#) – August 2016

	Page 8 - The revised OAN shows that the full objectively assessed need for housing 2011-33 was 46,058 but is now 54,608.
Appendix ref. 035 – ONS Data - Tenure	In 2011 the census showed the following tenure: - <ul style="list-style-type: none"> <li>• Social rented – 7802</li> <li>• Private rented – 5472</li> <li>• Owned outright – 18069</li> <li>• Owned with a mortgage – 19699</li> <li>• Living rent free - 675</li> </ul>
Appendix ref.004 - EFDC HRA Business Plan 2016	The housing register is assessed and housing need is reflected in the new build plans.
Appendix ref.004 - EFDC HRA Business Plan 2016	
The above includes the Repairs and Maintenance Business Plan 2016 - Sets the Council's standards, Policies, strategies and targets for all Responsive Repairs, Voids and Planned Maintenance programmes.	
<a href="https://www.gov.uk/government/publications/national-planning-policy-framework--2">https://www.gov.uk/government/publications/national-planning-policy-framework--2</a> (NPPF)	
<p>The report highlights the important of quality open spaces for sport and recreation as this has a positive effect on the health and well-being of communities.</p> <p>Deliver a wide choice of high quality homes, widen communities for home ownership and create sustainable, inclusive and mixed communities local planning authorities should:</p> <ul style="list-style-type: none"> <li>• Plan for a mix of housing based on current and future demographic trends, market trend and the needs of different groups in the community (including but not limited to those with protected characteristics).</li> <li>• Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.</li> </ul>	
<a href="http://www.turn2us.org.uk/What-is-fuel-poverty">www.turn2us.org.uk/What-is-fuel-poverty</a>	
<p>In June 2013 <a href="#">Department-of-Energy-and-Climate-Change-(DECC)</a> published a 'framework for Energy and Climate Change'. Definition states that a household is said to be in fuel poverty if: -</p> <ul style="list-style-type: none"> <li>• they have required fuel costs that are above the average (the national median level); and</li> <li>• were they to spend that amount they would be left with a residual income below the official poverty line</li> </ul>	
<a href="#">The Health Impacts of Cold Homes and Fuel Poverty leaflet</a> (2011)	
<ul style="list-style-type: none"> <li>• Investing in the energy efficiency of housing can help stimulate the labour market and economy, as well as creating opportunities for skilling up the construction workforce.</li> <li>• Estimated half of homes in sparsely populated English communities have an energy efficiency rating of below SAP30, (considered a significant health hazard). In 2006, 21% in rural areas were in fuel poverty compared with 11% in suburban and 10% in urban areas.</li> <li>• Rural homes are likely to be detached, larger in size than urban homes, more difficult and more expensive to heat, or to make more energy efficient.</li> <li>• Access to mains gas is rare (about 5 or 10 miles from an urban area). Rural homes pay more for their fuel leading to a high percentage in fuel poverty. Heating by electric, oil or solid fuel, tends to be more expensive and less efficient.</li> <li>• Many rural homes are older buildings. Likely to have solid walls (almost all homes built before 1919 are solid walled), which are generally less well-insulated than cavity walls (as can be found in nearly all homes built after 1945). Over 60% of homes in urban areas and rural towns are cavity walled and on mains gas, 32% in villages and 21% in hamlets.</li> <li>• These factors mean that it is on average more difficult and more expensive to improve the energy efficiency of a rural home and need to be considered when developing policies and interventions aimed at reducing fuel poverty.</li> </ul>	

## Draft-local-plan

- None of the areas within the District ranked within the 10% most deprived nationally
- Parts of Loughton Alderton and Waltham Abbey Paternoster wards were ranked within the 20% most deprived (2nd decile), with parts of Grange Hill, Waltham Abbey North East and Waltham Abbey High Beach wards in the 30% most deprived (3rd decile).
- Housing affordability in the District has been a significant problem in more recent times. Areas situated on the border of Greater London, are attractive to city commuters.
- 2001-2013 housing was less affordable in the District than in England as a whole, and broadly comparable to that in East Herts District, Uttlesford District and Greater London as a whole.

## Enjoy good health wellbeing - Essex County Council (2010)

The data within the EFDC Home Energy Conservation report 2017 table (below) shows the number of households in the district has increased 224 but the number of households in fuel poverty has reduced from approx. 5,257 to approx. 4,185 (2.1%)

### Fuel Poverty in Local Authorities

LA Code	LA Name	English region	All Households	Fuel Poor Households	Percent Fuel Poor	
22UB	Basildon	East of England	72,359	4,997	6.9%	
22UC	Braintree	East of England	60,447	5,520	9.1%	
22UD	Brentwood	East of England	30,708	3,144	10.2%	
22UE	Castle Point	East of England	36,789	3,493	9.5%	
22UF	Chelmsford	East of England	70,896	6,347	9.0%	
22UG	Colchester	East of England	73,275	7,666	10.5%	
22UH	Epping Forest	East of England	53,235	5,257	9.9%	
22UJ	Harlow	East of England	35,191	2,196	6.2%	
22UK	Maldon	East of England	25,740	2,393	9.3%	
22UL	Rochford	East of England	33,675	3,195	9.5%	
22UN	Tendring	East of England	65,180	7,777	11.9%	
22UQ	Uttlesford	East of England	31,139	3,441	11.1%	
2017 EFDC Report			Epping Forest	53,459	4,185	7.8%
2010 Essex County Council Report			Epping Forest	53,235	5,257	9.9%

## Private Sector House Condition Survey 2011

- EFDC District has an ageing population with a higher rate of heads of household aged 65 and over than that found nationally (30.0% compared with 25.1%). This will potentially place increasing demands on the authority for adaptations and works to allow frail and vulnerable occupiers to live in their own homes, with the current potential cost for Disabled Facilities Grant being estimated at £3.6 million.
- Given the findings in relation to energy efficiency, vulnerable occupiers and Fuel Poverty, a logical approach to private sector housing assistance and enforcement would include a focus on energy efficiency.

Housing Service Strategy on Energy Efficiency - 2015

Provision of energy efficiency advice and measures in residential properties across the district;

a) Improving SAP ratings: Currently the number of properties in the lowest SAP Bands is:

- Band G = 0 properties, Band F = 6 properties, Band E = 393 properties

Over the next two years, the Council aims to undertake energy efficiency measures on low SAP properties such that there:

- Are no Council properties with inefficient gas boilers in SAP bands E, F and G;
- Is an annual reduction in properties in SAP band D; and,
- Is an increase in the number of properties in SAP bands C and B.

Between 2014 and 2017 percentage of properties in bands D, E, F and G have been reduced by:

- Band G 100%, Band F 92%, Band E 31%, Band D 16%

and properties in bands C and B have increased as follows:

- Band C 73%, Band B 58%

b) Installing energy efficient boilers

- Currently the total number of properties in our own housing stock with inefficient boilers is:
- SEDBUK Band G = 85, SEDBUK Band F = 56, SEDBUK Band E = 298 properties.

3.1	<p><b>What does the information tell you about those groups identified?</b></p> <p>Increasing population, especially an increasing older generation. Therefore, a greater need for housing that can be easily adapted to suit the resident's needs. Quality housing is vital to ensure both the mental and physical wellbeing - investing in energy efficiency housing.</p>
3.2	<p><b>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?</b></p>
3.3	<p><b>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:</b></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	<p><b>Positive:</b></p> <ul style="list-style-type: none"> <li>• Increase dwelling numbers across the district.</li> <li>• New builds will be built to Lifetime Homes Standard so will be adaptable to suit occupier's needs.               <ul style="list-style-type: none"> <li>○ All accessible (ground floor flats and Sheltered accommodation flats) without level access showers and are in need of a replacement bathroom will be fitted with a graded floor shower as standard.</li> <li>○ All existing adaptations that are fit for purpose will remain in place.</li> <li>○ Light fittings in bathrooms (when replaced) are LED type that requires no bulb replacement.</li> <li>○ Blending valves are installed to all taps to avoid scalding.</li> <li>○ Adaptations will be undertaken to properties to meet the reasonable needs of disabled tenants, based on assessments and recommendations from Social Services Occupational Therapists.</li> </ul> </li> <li>• Better quality housing (Decent Homes Standard) has a beneficial impact for physical and mental well-being. Reduces the chance of falling into 'fuel poverty'. Colder homes have a detrimental effect on a family's health and development.</li> </ul> <p><b>Adverse:</b> Temporary access restrictions and noise while homes are under development but will include methods to manage works to reduce impact.</p> <p><b>Positive :</b> With the increase of property numbers it enables Council tenants to downsize enabling larger families to be housed. Also enables families to stay in the community and provide support.</p> <p><b>Positive:</b> Improving services and housing within the community enables people from different backgrounds to form relationships with one another and improve social interaction. Breaks down barriers.</p> <p><b>Neutral</b></p>	M
Disability		M
		L
Pregnancy/maternity		L
Race		L
Religion/belief		L
Sexual orientation		L

	For households who cannot allow male workers - as restricted by their religion or belief the Council employs a Tenant Liaison Officer, who can attend whenever a resident feels uneasy or threatened. The Council can arrange for a female Officer to attend in conjunction with a tradesman if needed.	
Gender	<b>Neutral</b>	L
Gender reassignment	For households who cannot allow male workers - as restricted by their religion or belief the Council employs a Tenant Liaison Officer, who can attend whenever a resident feels uneasy or threatened. The Council can arrange for a female Officer to attend in conjunction with a tradesman if needed.	L
Marriage/civil partnership		L

## 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 type="checkbox"/>	
		Yes <input type="checkbox"/>	If 'YES', use the action plan at <b>Section 6</b> 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.
Temporary access restrictions and construction noise during council house-building.	To communicate with residents through-out the building process	Ongoing
Affordable rent – the most significantly impacted will tend to be those with lower incomes. They will be unlikely to afford the new affordable rent.	Affordable rent prices will be made clear to tenants when properties are advertised.	Ongoing

## Section 7: Sign off

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

Signature of Head of Service:	
Signature of person completing the EqlA: Mary Masterson	

**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.

## **Report to the Council House Building Cabinet Committee**



**Epping Forest  
District Council**

**Report reference:** CHB-002-2017/18  
**Date of meeting:** 29 January 2018

**Portfolio:** Housing

**Subject:** Progress Report for Phases 1-6

**Responsible Officer:** Matt Rudgyard - Development Manager (01992 564000)

**Democratic Services:** Jackie Leither

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### **Recommendations/Decisions Required:**

That the contents of this Progress Report on Phases 1 - 6 of the Council House-building Programme be noted, and presented to the Cabinet in line with the Terms of Reference.

### **Executive Summary:**

This report sets out the progress that has been made across each of the three phases of the House-building programme that are on site, and the future phases that will make up future phases 4-6.

### **Reasons for Proposed Decision:**

Set out in its Terms of Reference, the Cabinet Committee is to monitor and report to the Cabinet on an annual basis progress and expenditure in relation to the Council House-building Programme. This report sets out the progress made over the last 12-months.

### **Other Options for Action:**

This report is on the progress made over the last 12-months and is for noting purposes only. There are no other options for action.

#### **Phase 1 (Recovery Phase)**

1. Further to the determination of the contract with Broadway Construction Ltd, a contract was awarded to P.A. Finlay and Company Limited to complete the works on Phase1 as approved by the Cabinet Committee on the 22<sup>nd</sup> September 2016.
2. The Phase 1 recovery work was completed on the 31<sup>st</sup> October 2017 with the last two homes on the Red Cross site being handed over and occupied. The homes built are now in the defects liability period (a 2 year period where the Contractor retains responsibility for contractual defects reported). The defects liability period for Phase 1 will end on the 31<sup>st</sup> October 2019.

3. The original contract with Broadway Construction Ltd was let on the 27<sup>th</sup> October 2014 with completion expected on the 13<sup>th</sup> November 2015. With the delays that built up under the contract with Broadway Construction, together with the Council determining the contract and the subsequent procurement of a new contract with P.A. Finlay and Company Limited meant an overall delay of 102 weeks on the original anticipated handovers.
4. The determination of the contract with Broadway Construction Limited also led to a significant increase in costs with the works costs rising from £2,331,170.02 to £5,852,557.98. Overall, the recovery project was 66% more expensive than the original contract. The increased costs were mainly due to remediation works, additional drainage works and utility works. This can be seen as the premium paid for appointing a contractor to take on another contractor's unfinished work and all the risks associated with the project.

#### **Notice of Adjudication from Broadway Construction Ltd**

5. On 22 November 2017 the Council received a notice of Adjudication, which was referred by Broadway Construction Ltd (BCL). The dispute concerns the termination of the contract by the Council on 1st June 2016. BCL maintains and claims that the termination was wrongful and constituted a repudiatory breach of contract.
6. In April 2016, the Council served a default notice on BCL claiming that BCL was not proceeding with the contract works regularly and diligently. Later on 1 June terminated the Contract on the ground that BCL had continued with the default specified in its notice served in April 2016. BCL assert that this is contrary to the true facts and progress of the works on the Project, and that they do not accept the validity of the default notice or the termination of the Contract.
7. BCL have therefore given notice to refer the dispute to adjudication in accordance with the Contract.
8. BCL are seeking the following relief and decision from the Adjudicator:
  - a. That the Council wrongfully terminated the Contract;
  - b. That the Council is liable for repudiatory breach of contract;
  - c. That the Council is liable to pay Broadway the costs, damages and expenses that are proven to have been incurred by Broadway as a result of the wrongful termination of the Contract and repudiatory breach of contract;
  - d. That the Council has no entitlement to retain or withhold liquidated damages improperly withheld prior to and following the termination of the Contract because no demand for payment of liquidated damages has been made in accordance with the Contract; and
  - e. That the Council shall pay the Adjudicator's costs and expenses incurred in this adjudication.
9. The Council has appointed Trowers and Hamlins as its expert Solicitors to defend the adjudication. The Adjudicator has indicated that he should reach his decision by 2 February 2018.

10. A previous adjudication served on the Council by BCL in February 2017, which was contested at the time, centred on the final payment made to BCL at the time of the contract termination. The key points in that claim were:

- a. Whether the second payless notice was given beyond the permissible date set out in the Contract;
- b. Whether the second payless notice failed to explain how the proposed sum of £0 had been calculated;
- c. Whether the Council through previous correspondence had derogated from the payment mechanism under the Contract and guaranteed payment of £74,494.02 to Broadway; and
- d. Whether the Council had a contractual entitlement to serve a second payless notice.

11. The adjudicator found in favour of the Council on the first three points but on the fourth he found in favour of Broadway, namely that the Council was not entitled to serve more than one pay less notice in relation to a payment notice, which resulted in the Council being ordered to pay BCL £74,494.02 (plus £2,985.88 interest) along with the adjudicators fees (£3,107) bringing the total to £80,586.90.

**Phase 2 - Burton Road, Loughton – 15 x 3 bed houses, 2 x 2 bed houses, 23 x 3 bed flats & 11 x 1 bed flats**

12. Works on site are progressing at various stages across the site. It should be noted though that due to additional works that were not anticipated at the point the contract was let, that a 17 week extension of time has been granted to the contractor taking the contract completion date to 25<sup>th</sup> June 2018. The extension of time that has been granted also incurs a loss and expense amounting to around £680,000 (see below). The Contractor is currently forecasting a further 9 week delay with completions expected at the end of August 2018.

13. The issues that have led to the extension of time noted above have also contributed to significant additional costs. The two most significant cost increases have related to

- contamination remediation – additional costs of £443,504.11
- Utilities and cable disconnections - additional costs of £237,531.13

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Burton Road	Mullally & Co. Ltd	7 <sup>th</sup> March 2016	103 weeks	26 <sup>th</sup> February 18
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
27 <sup>th</sup> August 18	+ 26 weeks	£9,582,179.00	£10,534,354.85	+ £952,175.85

### Phase 3 - Bluemans End, North Weald - 2 x 3b houses, 1 x 2b Flat & 1 x 2b flat

14. The contract is close to completion, with handovers expected by the end of January 2018. The two week delay reported was caused by the discovery of further asbestos in the ground and delays to the installation of a water main.

15. The cost variation of £47,758.77 is due to additional works required to provide permeable block paving; additional clearance of the watercourse on the developments boundary; boundary wall works; further soil contamination remediation and further

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Bluemans End	TSG Building Services Ltd	2 <sup>nd</sup> May 2018	36 weeks	17 <sup>th</sup> January 18
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
31 <sup>st</sup> January 18	+ 2 weeks	£753,034.23	£800,793.00	+ £47,758.77

asbestos removal.

### Stewards Green Road - 4 x 2b houses

16. Works at Stewards Green Road are at an advanced stage, with works focusing on internal and external finishes. A six week delay was reported at the last site meeting due to a dispute between the Contractor and the Architect. The Contractor disputing the EA's assertion that the stairs were not fitted as per the drawings. In addition, further asbestos was found in the ground, which added to the delay.

17. The variation in costs relates to additional works required to make alterations to the MVHR system, alterations made to party wall insulation and alterations made to the kitchen windows.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Stewards Green Road	TSG Building Services Ltd	22 <sup>nd</sup> May 2017	34 weeks	24 <sup>th</sup> January 18
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
7 <sup>th</sup> March 2018	+ 6 weeks	£752,340.41	£777,430.22	+ £25,089.81

### London Road – 1 x 3b House

18. Construction work is proceeding well at London Road, with works on target to be completed by the contract completion date.

19. There has been an increase in costs of £20,415.00 which is due largely to the changes needed to ensure that the completed homes meets Code for Sustainable Homes Level 4.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
London Road	VSN Enterprises Ltd	19 <sup>th</sup> June 2017	36 weeks	17 <sup>th</sup> March 2018
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
17 <sup>th</sup> March 2018	Nil	£235,695	£261,485.00	£20,415.00

### **Parklands, Coopersale – 2 x 2b Houses & 1 x 1b Flats**

20. The work is progressing well, with just a 1-week delay being reported by the Contractor. This is due to inclement weather over the contract.

21. The variation in costs relates to additional works required to the boundary of the site.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Parklands	Denmark and White Ltd	18 <sup>th</sup> April 2017	56 weeks	24 <sup>th</sup> May 2018
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
31 <sup>st</sup> May 2018	+ 1 weeks	£716,756.74	£721,756.74	+ £5,000,00

### **Springfield and Centre Avenue – 1 x 3b House, 5 x 2b Houses & 2 x 1b Bungalows**

22. Springfield and Centre Avenue are two separate sites which due to their proximity are being managed under one contract. The work is progressing well, with just a 1-week delay being reported by the Contractor, which is due to an initial problem determining the ownership of some garages/sheds.

23. The variation in costs mostly relates to additional works required to the boundary wall of the site.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Springfield and Centre Avenue	Denmark and White Ltd	18 <sup>th</sup> April 2017	60 weeks	21 <sup>st</sup> June 2018
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
28 <sup>th</sup> June 2018	+ 1 weeks	£1,408,126.30	£1,573,126.30	£165,000.00

### **Centre Drive – 1 x 3b House**

24. Construction work is proceeding well at Centre Drive, with works on target to be completed by the contract completion date.

25. There are no cost variations noted on this project to date.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Centre Drive	VSN Enterprises Ltd	30 <sup>th</sup> October 2017	36 weeks	27 <sup>th</sup> June 2018
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
27 <sup>th</sup> June 2018	Nil	£300,285.00	£300,285.00	£0.00

#### **Queens Road, North Weald – 10 x 3b Houses & 2 x 2b Houses**

26. Due to the nature of the site a package of initial enabling works needs to be completed, including the relocation of a UKPN substation, before construction works can commence.

27. A letter of intent was issued to Storm Building Ltd up to a works value of £250K to allow them to undertake the enabling works. The enabling works are expected to take three months to complete.

28. Construction works are expected to commence on the 5<sup>th</sup> March 2018 giving a completion date in October 2019.

29. The cost variations are related to the contract uplift previously reported to and approved by the Portfolio Holder in October 2017 and represent the increase in construction cost indices due to a delay of almost a year.

<b>Scheme</b>	<b>Contractor</b>	<b>Start on site date</b>	<b>Contract Period</b>	<b>Contract comp. date</b>
Queens Road	Storm Building Ltd	5 <sup>th</sup> March 2018	82 weeks	30 <sup>th</sup> Sept 19
<b>Anticipated completion date</b>	<b>Variation</b>	<b>Contract Sum</b>	<b>Anticipated Final Account</b>	<b>Variation</b>
TBC	TBC	£2,320,493.00	£2,441,240.00	£120,747.00

#### **Phase 4 - 6**

30. In September 2017, East Thames, who are the Council's Development Agents, gave notice of their intention to invoke Schedule 8 (Exit Management Plan) of the Housing Development Agency Services Agreement that they no longer wish to act as Development Agents on behalf of the Council. Whilst a 3-month exit management term is set out in the Agreement, East Thames have agreed to extend this term to 6-months, ending on 9 March 2018 to enable as smooth a hand-over as possible.

31. Outside of the 6-month Exit Management Plan, East Thames has agreed to continue to assist the Council with the on-going adjudication claim submitted by Broadway Construction Ltd, until such time as the claim is either withdrawn or settled.

32. In order to achieve this hand-over deadline, and to ensure no disruption in service or deterioration in quality of the service, the following actions are required:

- To novate the appointment of Pellings LLP for each of the contracts that are currently on site, which makes up Phases 1-3 inclusive (Pellings LLP have acted as Employers Agent across the Council House Building Programme since its inception). This will involve transferring all of the contract terms and fees previously agreed between East Thames and Pellings LLP to the Council. These have been reviewed by the Council's Solicitor who has not expressed any adverse concerns.
- To amend each of the Building Contracts that are currently in existence across each of the sites making up Phases 1-3 inclusive, removing East Thames and substituting with either Pellings LLP or the Council as appropriate.
- To engage site inspection (Clerk of Works) services to undertake weekly site visits to ensure that the Contract Specification and Employers Requirements are being adhered to, as well as monitoring progress on site and advising the Employers Agent/EFDC on construction and programme matters requiring intervention.
- To take over the IMS Login details to the Homes England (formerly the Homes and Communities Agency) development progress checker database from East Thames and to put in place arrangements to complete the quarterly progress updates.
- To ensure that there are procedures in place to manage the Defects Liability Period on each contract. It is important that the Council is able to provide a good level of service to its customers moving into their new homes and the management of defects is crucial to this as it is likely to be one of the first interactions that customers have with the Council.
- To set up OJEU compliant Frameworks to allow for the selection of Contractors and Consultants on Phases 4, 5 and 6 and any future developments yet to be identified. The Council has already appointed Cameron Consulting as specialist Procurement Consultants who are already working on these appointments. The intention is to have the necessary frameworks in place by May 2018.
- To introduce a financial appraisal model, which will enable the Council to undertake its own financial feasibility studies as well as being able to consider financial risks to projects prior to approval?

33. On the whole, the projects that make up the future phases 4-6 of the Council House-building Programme have continued to be progressed up to the point of achieving Planning Permission. A full list of these sites is reproduced from the Planning Tracker at Appendix 1 of this report. From this, it can be seen that 24 sites have achieved planning consent, which will deliver 74 new affordable homes. There is a separate report on the options the Council may wish to adopt for the 13 sites that have so far failed to achieve planning consent.

#### **Resource Implications:**

Estimated expenditure for Phase 1 (inc. fees) - £6,263,985

Estimated expenditure for Phase 2 (inc fees) - £11,438,325

Estimated expenditure for Phase 3 (inc fees) - £7,451,175  
Estimated expenditure for Phase 4 - 6 (inc fees) - £16,500,000

**Legal and Governance Implications:**

It is set out in its Terms of Reference that the Cabinet Committee is to monitor progress and expenditure in relation to the Council House-building Programme and report to the Cabinet on an annual basis.

**Safer, Cleaner and Greener Implications:**

None

**Consultation Undertaken:**

- Ward Councillors have been consulted on each feasibility study that falls within their respective Ward.
- Local Residents, Town and Parish Councils and other statutory bodies have been consulted as part of the planning process where planning applications have been submitted.

**Background Papers:**

- Decisions of the Cabinet committee associated with the feasibility studies for each of the sites that make up Phases 1-6 inclusive.
- Decisions of the relevant Area Planning Sub-Committee, Cabinet, District Development Management Committee or Council associated with the Planning process for each site already approved up to and including Phases 1-6 inclusive.
- Decisions of the Cabinet Committee in respect of Policies or progress monitoring for each of the phases.

**Risk Management:**

There is a comprehensive risk register that has been compiled and is being monitored in respect of the house-building programme. Each risk, where appropriate has a risk mitigation action plan. A programme wide risk register is included for information at Appendix 2.

**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 the report and is attached at CHB-001-2017/18.

# Appendix 4 - Planning Tracker

PHASE		UNITS	APPLICATION NUMBER	SUBMISSION DATE	PLANNING AREA	DATE APPROVED/REFUSED/ED/DEFERRED	APPROVED/REFUSED/DEFERRED	NOTES/COMMENTS
MARDEN/FAVERSHAM	MARDEN CLOSE	10 x 1B Flat	EPF/1645/13	15/08/2013	DC SOUTH	31/10/2013	APPROVED	Grant Permission (With Conditions)
	FAVERSHAM HALL	3 X 1B Flat	EPF/2414/13	05/12/2013	DC SOUTH	16/01/2014	APPROVED	Grant Permission (With Conditions)
PHASE 1	HARVEY FIELDS	5 X 2B Flat 4 X 1B Flat	EPF/2040/13	03/10/2013	DC NORTH	20/11/2013	APPROVED	Grant Permission (With Conditions)
	RED CROSS HALL SITE, ROUNDHILLS	4 X 3B House 2 X 1B Duplex	EPF/2456/13	09/12/2013	DC NORTH	26/02/2014	APPROVED	Grant Permission (With Conditions)
	SITE 4, ROUNDHILLS	2 X 3B House	EPF/2510/13	09/12/2013	DC NORTH	24/02/2014	APPROVED	Grant Permission (With Conditions)
	SITE 7, ROUNDHILLS	6 x 2B House	EPF/2511/13	09/12/2013	DC NORTH	26/02/2014	APPROVED	Grant Permission (With Conditions)
PHASE 2	BURTON ROAD	2 X 2B House 15 x 3B House 11x 1B Flat 23 x 2B Flat	EPF/1007/15	26/05/2015	DC SOUTH	11/09/2015	APPROVED	Grant Permission (With Conditions)
PHASE 3	BLUEMANS END	2 X 3B House 2 x 2B Flats	EPF/1527/15	13/07/2015	DC EAST	11/12/2015	APPROVED	Grant Permission (With Conditions)
	CENTRE AVENUE	2 x 3B House	EPF/1530/15	31/07/2015	DC EAST	11/12/2015	APPROVED	Grant Permission (not proceeding)
	CENTRE AVENUE	3 x 2B House 1 x 3B House	EPF/2351/15	07/10/2015	DC EAST	11/12/2015	APPROVED	Grant Permission (With Conditions)
	CENTRE DRIVE (SITE B)	1 x 3B House	EPF/1529/15	08/07/2015	DC EAST	14/09/2015	APPROVED	Grant Permission (With Conditions)
	LONDON ROAD	1 x 3B House	EPF/1772/15	05/08/2015	DC EAST	10/09/2015	APPROVED	Grant Permission (With Conditions)
	PARKLANDS (SITE A)	2 X 2B House 2 x 1B Flat	EPF/1770/15	03/08/2015	DC EAST	28/10/2015	APPROVED	Grant Permission (With Conditions)
	QUEENS ROAD	2 x 2B House 10 X 3B House	EPF/1771/15	03/08/2015	DC EAST	02/12/2015	APPROVED	Grant Permission (With Conditions)
	SPRINGFIELD (Site B)	2 x 1B Bungalow	EPF/1769/15	21/07/2015	DC EAST	11/12/2015	WITHDRAWN	CHBCC agreed to demolish garages and leave as open parking
	SPRINGFIELD (Site C)	2 x 2B House 2 x 1B Bungalow	EPF/1767/15	06/08/2015	DC EAST	11/12/2015	APPROVED	Grant Permission (With Conditions)
STEWARDS GREEN ROAD	2 x 2B House 2 x 3B House	EPF/1531/15	13/07/2015	DC EAST	02/12/2015	APPROVED	Grant Permission (With Conditions)	
PHASE 4	BUSHFIELDS	2 x 2B House	EPF/0258/16	19/02/2016	DC SOUTH	03/05/2016	APPROVED	Grant Permission (With Conditions)
	CHEQUERS ROAD (Site A)	3 X 3B House	EPF/2608/15	05/11/2015	DC SOUTH	05/02/2016	APPROVED	Grant Permission (With Conditions)
	CHEQUERS ROAD (Site B)	5 x 2B House	EPF/2609/15	04/11/2015	DC SOUTH	09/02/2016	APPROVED	Grant Permission (With Conditions)
	CHESTER ROAD	3 x 2B House	EPF/2590/15	06/11/2015	DC SOUTH	04/03/2016	APPROVED	Grant Permission (With Conditions)
	ETHERIDGE ROAD	2 X 3B House 1 X 2B Bungalow	EPF/2592/15	29/10/2015	DC SOUTH	30/08/2016	APPROVED	Grant Permission (With Conditions)
	HILLYFIELDS	2 x 2B House	EPF/2593/15	09/11/2015	DC SOUTH		WITHDRAWN	Site to be sold at Auction
	KIRBY CLOSE	4 x 2B House	EPF/2996/15	10/12/2015	DC SOUTH	04/03/2016	APPROVED	Grant Permission (With Conditions) Second application to be submitted
	KIRBY CLOSE (Revised layout)	4 x 2B House	EPF/2035/16	22/08/2016	DC SOUTH	21/09/2016	APPROVED	Grant Permission (With Conditions)
	LADYFIELDS	6 X 2B House 1 x 3B House	EPF/2997/15	16/12/2015	DC SOUTH	04/03/2016	REFUSED	SUPERCEDED
	LADYFIELDS (Revised scheme)	6 X 2B House	EPF/1758/16	19/07/2016	DC SOUTH	21/09/2016	APPROVED	Grant Permission (With Conditions)
	LOWER ALDERTON HALL	2 X 2B House	EPF/2620/15	04/11/2015	DC SOUTH	04/03/2016	APPROVED	Grant Permission (With Conditions)
	PYRLES LANE (Site A)	2 X 2B House	EPF/2637/15	03/11/2015	DC SOUTH	05/07/2016	REFUSED	Site to be sold at Auction
	PYRLES LANE (Site B)	3 X 3B House	EPF/2638/15	02/11/2015	DC SOUTH	27/04/2016	REFUSED	Site to be sold at Auction
	THATCHER'S CLOSE	1 X 2B House	EPF/2618/14	01/11/2015	DC SOUTH	02/05/2016	APPROVED	Grant Permission (With Conditions)
VERE ROAD	4 x 1b2p Flats, 6 x 2b4p Flats	EPF/2171/17	22/08/2017	DC SOUTH				
WHITEHILLS ROAD	3 X 3B House	EPF/2621/15	03/11/2015	DC SOUTH	10/02/2016	REFUSED	Superceded - Revised application submitted	
WHITEHILLS ROAD	2 x 2B Bungalow	EPF/1759/16	15/07/2016	DC SOUTH	21/09/2016	APPROVED	Grant Permission (With Conditions)	
PHASE 5	BOURNE HOUSE	2 x 3B House	EPF/0213/16	08/02/2016	DC SOUTH	04/08/2016	APPROVED	Grant Permission (With Conditions)
	HORNBEAM CLOSE (Site A)	2 x 2B House 1 x 3B House	EPF/0216/16	08/02/2016	DC SOUTH		WITHDRAWN	SUPERCEDED
	HORNBEAM CLOSE (Site A)	2 x 2B House	EPF/0634/16	31/03/2016	DC SOUTH		WITHDRAWN	
	HORNBEAM CLOSE (Site B)	3 x 3B House	EPF/0215/16	08/02/2016	DC SOUTH	04/08/2016	APPROVED	Grant Permission (With Conditions)
	HORNBEAM HOUSE	2 x 2B House	EPF/0234/16	08/02/2016	DC SOUTH	04/08/2016	APPROVED	Grant Permission (With Conditions)
	MILLFIELD	2 x 1B Bungalow	EPF/0214/16	02/03/2016	DC SOUTH	20/06/2016	APPROVED	Grant Permission (With Conditions)
	PENTLOW WAY	5 x 1B Flats 2 x 2B Flats	EPF/2650/17	09/10/2017	DC SOUTH	20/12/2017	APPROVED	Grant Permission (With Conditions)
	QUEENSWAY, ONGAR	4 x 1b Bungalow	EPF/0212/16	02/03/2016	DC SOUTH	20/06/2016	APPROVED	Grant Permission (With Conditions)
ST PETERS AVENUE	8 x 3B Houses					DEFERRED		

## Appendix 4 - Planning Tracker

PHASE		UNITS	APPLICATION NUMBER	SUBMISSION DATE	PLANNING AREA	DATE APPROVED/REFUSED/DEFERRED	APPROVED/REFUSED/DEFERRED	NOTES/COMMENTS
PHASE 6	BEECHFIELD WALK	4 x 3B House 1 x 2B House	EPF/3217/16		DC WEST	22/03/2017	APPROVED	Grant Permission (With Conditions)
	BROMEFIELD COURT	1 x 2B Bungalow	EPF/3025/16		DC WEST	25/01/2017	APPROVED	Grant Permission (With Conditions)
	COLVERS	2 x 2B House	EPF/2368/16		DC WEST	14/12/2016	REFUSED	Cabinet Committee to decide on future use
	DENNY AVENUE	1 x 2B House 2 x 3B House	EPF/2871/16		DC WEST	25/01/2017	APPROVED	Grant Permission (With Conditions)
	GANT COURT	3 x 2B House	EPF/2884/16		DC WEST	22/02/2017	REFUSED	Cabinet Committee to decide on future use
	GRAYLANDS	1 x 3B Bungalow					NOT PROCEEDING	Cabinet Committee to decide on future use
	MALLION COURT	4 x 2B House	EPF/2936/16		DC WEST	25/01/2017	REFUSED	Cabinet Committee to decide on future use
	MASON WAY	1 x 1B Bungalow					NOT PROCEEDING	Cabinet Committee to decide on future use
	PALMERS GROVE	3 x 3B House 1 x 2B House	EPF/2620/16	25/10/2016	DC WEST	14/12/2016	REFUSED	Cabinet Committee to decide on future use
	PARKFIELDS/HANSELLS MEAD	2 x 3B House	EPF/1972/16	24/08/2016	DC WEST	19/04/2017	REFUSED	Cabinet Committee to decide on future use
	PICK HILL	2 x 3B House	EPF/3089/16			25/01/2017	APPROVED	Grant Permission (With Conditions)
	POUND CLOSE	2 X 3B House 2 x 2B House	EPF/1829/16	08/08/2016	DC WEST	16/11/2016	REFUSED	Cabinet Committee to decide on future use
	ST THOMAS'S COURT	2 x 3B Houses 1 x 2B House	EPF/3216/16		DC WEST	22/03/2017	REFUSED	Cabinet Committee to decide on future use
	SHINGLE COURT	1 x 2B Bungalow	EPF/2977/16			25/01/2017	APPROVED	Grant Permission (With Conditions)
	STONYSHOTTS	1 x 2B house	EPF/2853/16		DC WEST	22/02/2017	APPROVED	Grant Permission (With Conditions)
	WOOLLARD STREET	9 x 1B flats	EPF/2170/17	21/08/2017	DC North	13/12/2017	APPROVED	Grant Permission ??
WRANGLEY COURT	1 x 1B Bungalow	EPF/2975/16		DC WEST	22/02/2017	APPROVED	Grant Permission (With Conditions)	

Risk ID	Date	Vulnerability	Trigger	Consequence	Likelihood (A, B, C, D)	Impact (1, 2, 3, 4)	Rating	Risk Owner	Existing Controls / Actions to Address Risk	Effectiveness of Controls / Actions	Required further Management Action	Responsibility for Action	Critical Success Factors and Measures	Review Frequency
<b>POLITICAL</b>														
1	26-Jun-13	Basis of house building programme.	Change in Government and/or Local Plan.	Reputational risk.	C	1	C1	EFDC	Establishment of high level demand, design, and financial parameters on which to base the programme together with clear and defined outputs.	Scheme proceeds to comply with Local Plan.	Ongoing review and monitoring.	EFDC	Scheme is completed to Local Plan.	Quarterly
2	26-Jun-13	Land availability.	Land not available within required timeframe.	Scheme may not be able to go-ahead. Increase in cost(s) and delay to programme.	C	1	C1	EFDC	Initial appraisals of existing garage sites demand and opportunity for development undertaken by EFDC.	Land is available within required timeframe and budget.	Ongoing review and monitoring.	EFDC	Land is obtained to enable scheme to proceed.	Quarterly
3	26-Jun-13	Resistance from local community.	Planning application.	Increase in cost(s) and delay to programme.	B	2	B2	EFDC	Engage local community. Encourage use of local labour by contractors and encourage provision of training and apprenticeships. Undertake resident consultation and formulate a publicity strategy.	Local Community are receptive to scheme.	Ongoing review and monitoring.	EFDC	Local Community accept the completed scheme.	Six-Weekly
4	26-Jun-13	Compliance with public procurement regulation	Procurement process etc. not followed.	Procurement process may need to be halted / aborted / repeated / extended.	D	3	D3	EFDC	Proposed use of third party contractor framework - OJEU compliant and ensure processes are consistent with EFDC standing orders. ETG to advise on framework renewal dates.	Third party Contractor Framework used and implemented.	Ongoing review and monitoring.	ETG	Scheme complies with all necessary procurement regulation.	Quarterly
<b>FINANCIAL</b>														
5	26-Jun-13	Funding availability.	Decrease in funding for the scheme.	Insufficient funds for scheme to proceed as intended.	C	1	D1	EFDC	Continuous monitoring of available funding from a) 1 to 1 RTB replacement, b) Section 106 contributions, c) Sale of sites, and d) Third Party funding.	Sufficient funds are available for the scheme to proceed.	Ongoing review and monitoring.	EFDC	Sufficient funds are obtained for the scheme to proceed.	Quarterly
6	24-Sep-15	Loss of available funding.	Payments not made in time (e.g. 1:1 monies after 3 years).	Loss of funding.	B	1	B1	EFDC	Acceleration of programme, other sources of housing procurement/expenditure considered.	Funding receipts committed, programme maximised.	Continual review of programme/ expenditure. Programme accelerated as far as possible.	EFDC	All funding receipts expanded.	Six-Weekly
7	26-Jun-13	Design parameters	Design criteria and parameters not established and/or established late.	Increase in cost(s) and delay to programme.	C	1	C1	Architect / Principal Designer / EFDC	Early meeting and engagement with local planning authority to establish design criteria and parameters. Review of ETG Design Brief/ER document at each phase.	Design criteria and parameters established in good time to enable programme to be met.	Ongoing review and monitoring.	Architect / Principal Designer / EFDC	Design criteria and parameters established within required timeframe to enable programme to be met.	At each phase
8	26-Jun-13	Financial control	Unknown or unexpected costs. (Pre-contract)	Insufficient funds for scheme and/or budget overspend.	B	2	B2	EFDC	Undertake financial gateway review at each stage of feasibility / design / procurement.	Ensuring sufficient funds are available for the scheme.	Continuous monitoring of anticipated cost(s) against budget.	EFDC	Ensuring scheme is within budget.	Six-Weekly
9	26-Jun-13	Financial control	Unknown or unexpected costs. (Post-contract)	Insufficient funds for scheme and/or budget overspend.	C	1	C1	EA	Implement Change Control mechanism - ensure the effects of any changes / variations are known to the team ahead of instruction. Agree levels of retention and insurance. Agree wording for performance bond / parent company guarantee provision.	Ensuring sufficient funds are available for the scheme.	Continuous monitoring of anticipated cost(s) against budget.	EA	Ensuring scheme is within budget.	Ongoing
10	26-Jun-13	Contractor financial failure	Contractor may cease trading during the course of the scheme and/or not be able to finance the works.	Scheme may halted / stopped.	C	1	C1	EA	Updated financial references and checks to be undertaken. Ensure adequate financial surety included in build contract, including provision of Performance Bond.	Financial standing of contractor is known. Recovery of any losses is maximised.	Ongoing review and monitoring.	EA	Contractor is able to finance / complete the scheme and provide all necessary resources.	Each contract
11	04-Jan-16	Volatile construction market/rising construction costs.	Setting/meeting preliminary budgets.	Tender returns over budget.	B	1	B1	EA	Soft market testing and analysis of tender/cost data.	Accurate budget forecasts.	Continuous monitoring of anticipated cost(s) against budget.	EA	Schemes procured to budget.	At each phase
<b>PROGRAMME</b>														
12	24-Sep-15	Appetite of contractors to undertake the works.	Procurement.	Inadequate tender returns.	B	2	B2	EFDC	Soft market testing undertaken to gauge interest from market. Consideration of traditional procurement to enable engagement of local SME contractors.	Confirmation from market that they are willing to engage/tender.	Agreement of procurement/ contractor list.	EA	Correct size and type of contractor are engaged.	At each phase

Risk ID	Date	Vulnerability	Trigger	Consequence	Likelihood (A, B, C, D)		Rating	Risk Owner	Existing Controls / Actions to Address Risk	Effectiveness of Controls / Actions	Required further Management Action	Responsibility for Action	Critical Success Factors and Measures	Review Frequency
						Impact (1, 2, 3, 4)								
13	26-Jun-13	Programme management - impact on programme of site specific reports not being commissioned until post planning permission.	Late and/or untimely commissioning and/or receipt of site specific reports.	Increase in cost(s) and delay to programme.	B	2	C2	EA	Provide early feasibilities to formulate the whole of the six year programme. Undertake site specific report ahead of or as part of planning application to mitigate delays between planning consent and tender action.	Early identification to site specific risks / issues.	Ongoing review and monitoring.	EA	Site specific risks and issues are identified early on in the project to minimise any increase in costs and/or delay to programme.	Six-Weekly
14	26-Jun-13	Impact on programme of party wall issues.	Proposed scheme design.	Increase in cost(s) and delay to programme.	C	2	C2	EFDC	Establish ownership of properties adjacent to or affected by proposed development. Ensure that party wall notices are issued promptly (possibly outside of the build contract requirements).	Early identification of any party wall issues.	Ongoing review and monitoring.	EFDC	Any party wall risks and issues are identified early on in the project to minimise any increase in costs and/or delay to programme.	At each phase
<b>TECHNICAL</b>														
15	26-Jun-13	Legal issues including rights of title, boundary ownership, easements on or over the site.	Proposed scheme design.	Increase in cost(s) and delay to programme.	B	1	B1	EFDC	Establish clear line of responsibility for each of the legal issues and engagement of EFDC Legal Directorate.	Early identification of legal issues and rights.	Ongoing review and monitoring.	EFDC	Any legal issues and rights are identified early on in the project to minimise any increase in costs and/or delay to programme.	At each phase
16	26-Jun-13	Overlooking to/from adjoining residents.	Design affects adjoining owner's Right to Light and/or view.	Adjoining owner's Right to Light affected. Possible complaints from adjoining owners. Increase in cost(s) and delay to programme.	C	1	C1	Architect / Principal Designer / Contractor	Consideration of appropriate screening or single storey development. Insurances taken out against any ROL injury risk.	Adjoining owner's Right to Light not affected.	Ongoing review and monitoring.	Architect / Principal Designer / Contractor	Adjoining Owner's Right to Light and/or views not adversely affected.	At each phase
17	26-Jun-13	Impact of existing trees	Existing trees may affect the design and/or below ground works.	Increase in cost(s) and delay to programme.	C	2	C2	EFDC	Commissioning of Arboricultural report - site specific.	Review Arboricultural report before proceeding with detailed design.	Ongoing review and monitoring.	EFDC	Substructure works are designed and installed to budget/programme.	At each phase
18	26-Jun-13	Impact of ground conditions and contamination.	Ground contamination present. Ground conditions not suitable.	Increase in cost(s) and delay to programme.	B	1	B1	EFDC	Assessment of initial reports to be undertaken by EFDC to inform desktop study and commissioning of the site investigation requirements.	Review site / ground investigations report before proceeding with detailed design. All SI reports to be included in contract documents.	Ongoing review and monitoring.	EFDC	Substructure works are designed and installed to budget/programme.	At each phase
19	25-Sep-15	Planning consents not secured or delayed.	Planning applications rejected or delayed.	Development programme reduced or delayed.	C	1	C1	Architect / Principal Designer / EFDC	Preliminary designs prepared, pre-application discussions held to inform applications. All required reports submitted to meet requirements.	Planning applications to meet design and policy criteria.	Meeting to be considered with planning team leaders.	Architect / Principal Designer / EFDC	Planning consents secured to meet programme requirements.	At each phase
20	26-Jun-13	Flood risk	Site may lie within / on a flood risk zone.	Increase in flood prevention measures as part of scheme. Increase in cost(s) and delay to programme.	C	1	C1	EA	Consider advice of local planning authority and Environment Agency. Ensure such advice taken forward to tender documents.	Advice from planning authority and Environment Agency taken on-board and reviewed.	Ongoing review and monitoring.	EA	Scheme is completed to minimise any potential affects of flooding (within acceptable limits).	Quarterly
21	26-Jun-13	Accurate design at planning application stage	Unknown topography of existing site.	Scheme not designed to accommodate existing topography.	C	2	C2	Architect / Principal Designer / EFDC	Commission topographical surveys.	Existing topography is established early and in good time. Tender documents are accurate.	Ongoing review and monitoring.	Architect / Principal Designer / EFDC	Scheme is designed to take into account existing topography where appropriate.	Monthly
22	26-Jun-13	Transport / traffic / parking assessment	Transport / traffic / parking assessments not undertaken.	Planning application cannot be submitted without transport statements. Delay in programme.	C	2	C2	Architect / Principal Designer / EFDC	Commission transport statements to support planning application.	Transport Statement is able to be prepared and submitted with planning application. Highways Authority supports application.	Ongoing review and monitoring.	Architect / Principal Designer / EFDC	Planning application submitted with suitable transport statement.	At each phase
23	26-Jun-13	Clarity of design parameters	Unclear and/or non-existent design parameters.	Scheme not designed to meet Employer's Requirements.	C	2	C2	Architect / Principal Designer / EFDC/EA	Establish consistent set of Employer's Requirements - reference to East Thames Group Design Guidance and requirements of the Essex Design Guide.	Clear design parameters are established early on in the project.	Ongoing review and monitoring.	Architect / Principal Designer / EFDC/EA	Design able to proceed with clear design parameters in place.	At each phase

Risk ID	Date	Vulnerability	Trigger	Consequence	Likelihood (A, B, C, D)	Impact (1, 2, 3, 4)	Rating	Risk Owner	Existing Controls / Actions to Address Risk	Effectiveness of Controls / Actions	Required further Management Action	Responsibility for Action	Critical Success Factors and Measures	Review Frequency
24	26-Jun-13	Inexperienced contractor design team	Appointment of inexperienced contractor.	Contractor design team not able to fulfil their duties and meet the Employer's Requirements.	C	1	C1	EA	Include a requirement for the contractor's design team to be clarified at tender stage of each project / phase.	Experienced Design Team.	Ongoing review and monitoring.	EA	Contractor's Design Team is able to produce a design that is compliant with the Employer's Requirements.	At each phase
25	26-Jun-13	Effect on design of site risks	Unknown or unexpected site risks.	Increase in cost(s) and delay to programme.	A	1	A1	EA	Commission surveys early.	Site risks established early which contractor can price.	Ongoing review and monitoring.	EA	Site risks identified can be eliminated or minimised.	At each phase
26	26-Jun-13	Loss of control of design through Design & Build procurement	Poorly defined Employer's Requirements.	Increase in cost(s) and delay to programme.	B	2	B2	EA	Develop robust set of Employer's Requirements that control design to meet Client's brief.	Employer's Requirements are clearly defined.	Ongoing review and monitoring.	EA	Employer's Requirements are fulfilled.	At each phase
27	26-Jun-13	Poor durability of materials	Materials do not perform as expected.	Increase in future maintenance and life cycle costs.	C	2	C2	EA /Contractor	Using basis of East Thames Group Design Guidance, complement with cost and use exercises where required.	Acceptable results from Cost and Use exercises undertaken (where required)	Ongoing review and monitoring.	EA/Contractor	Future maintenance and life cycle costs are minimised.	At each phase
28	26-Jun-13	Design liability provided to end user	Collateral warranties with sufficient cover not in place.	End user liable for design as a result of actions / inactions by the design team.	C	2	C2	EA	Ensure that collateral warranties are required from the contractor's design team to end user clients and establish level of professional indemnity insurance.	Collateral warranties obtained from contractor's design team.	Ongoing review and monitoring.	EA	End user is not responsible for any design liability.	At each phase
29	26-Jun-13	Ensure that sustainability criteria supports effective capital cost versus cost in use analysis	Sustainability criteria does not support capital cost versus cost in use analysis.	Scheme is not sustainable and may not achieve relevant compliance.	C	2	C2	Architect / Principal Designer / EFDC/EA	Ensure that Employer's Requirements require the contractor to consider a fabric first approach to thermal performance with bolt-on technologies minimised. Environmental assessments commissioned early.	Fabric first approach undertaken by contractor.	Ongoing review and monitoring.	Architect / Principal Designer / EFDC/EA	Sustainability criteria achieved. Costs in use minimised.	At each phase
30	26-Jun-13	Contractor performance	Lack of KPIs / incentives for contractor to complete the scheme.	Increase in cost(s) and delay to programme.	C	2	C2	EA	Establish KPIs, monitor and incentivise.	Monitoring of contractor's performance against KPIs can take place.	Ongoing review and monitoring.	EA	Contractor's performance meets or exceeds KPIs.	Three-Monthly
31	04-Aug-14	Closing off existing footpaths necessary to facilitate the works.	Existing Rights of Way etc. affected. Objections from residents.	Unknown route for pedestrians and/or persons not connected with these works. Objections from residents.	B	2	B2	Contractor	Principal Contractor to undertake risk assessment and implement a safe system of work. Item included in ERs. Principal Contractor to apply for relevant permits and submit applications / notices etc. in good time,.	Footpaths can be closed off / rerouted in good time with minimal inconvenience to local community.	Ongoing review and monitor.	Contractor	Works can proceed safely and access for residents maintained.	At each phase

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## **Report to the Council Housebuilding Cabinet Committee**



**Epping Forest  
District Council**

**Report reference: CHB-003-2017/18**

**Date of meeting: 29 January 2018**

**Portfolio: Housing**

**Subject: Council House-Building Programme – Financial  
Position**

**Responsible Officer: Matt Rudgyard (01922 564000)**

**Democratic Services Officer: Jackie Leither**

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### **Recommendations/Decisions Required:**

**(1) That the current financial position be noted, in respect of:**

- (a) The amount of additional “Replacement Right to Buy (RTB) Receipts” for utilisation under the Government’s “one-for-one replacement” scheme that has been received; when it is required to be spent; the actual expenditure to date; and the future planned expenditure profile (Appendix 2);**
- (b) The amount and use of financial contributions available to the Council’s Housebuilding Programme from Section 106 Agreements, in lieu of the provision of on-site affordable housing on private development sites, and other sources of funding (e.g. sales of HRA land and non-RTB property, and external funding) (Appendix 3) and;**
- (c) The expenditure profile that reflects the house-building programme (Appendix 4).**

### **Executive Summary**

One of the Cabinet Committee’s Terms of Reference is to monitor expenditure on the Council Housebuilding Programme.

The Financial Reports attached at Appendix 2, 3 and 4 set out the current financial position with the various aspects of the Housebuilding Programme.

### **Reasons for Proposed Decision**

The Council’s Housebuilding Programme is a high profile, high cost activity. It is therefore essential to ensure that budgets, costs and expenditure are properly monitored, to enable corrective action to be taken at the earliest opportunity when necessary.

### **Other Options for Action**

Not to have regular Financial Reports presented to the Cabinet Committee.

## **Background**

1. One of the Cabinet Committee's Terms of Reference is to monitor expenditure on the Housing Capital Programme Budget for the Council Housebuilding Programme, ensuring the use (within the required deadlines) of the capital receipts made available through the Council's Agreement with the Department of Communities and Local Government (DCLG) allowing the use of additional "Replacement Right to Buy (RTB) Receipts" received as a result of the Government's increase in the maximum RTB Discount to be spent on housebuilding.

2. The Cabinet Committee regularly receives a suite of detailed financial reports covering all financial issues relating to the Housebuilding Programme. Since progress on a phase by phase basis is monitored separately (see separate progress report elsewhere on the agenda), it has been possible to consolidate the detailed financial reports into the 3 appendices as set out below.

Appendix 2 - Captures the total amount of Replacement Right To Buy Receipts received and available for use for "One-for-One Replacement" on the Council's House-building Programme, as captured on the Pooling Return to the DCLG and when it is required to be spent. It also captures the actual expenditure to date and compares that to the projected future planned expenditure profile.

Appendix 3 - Sets out the amount and use of financial contributions available to the Council's Housebuilding Programme from Section 106 Agreements, in lieu of the provision of on-site affordable housing on private development sites, and other sources of funding (e.g. sales of HRA land and non-RTB property, and external funding)

Appendix 4 - Sets out the expenditure profile. This has been profiled to reflect the detailed programme that has been included elsewhere on the agenda, which discusses the need to accelerate the house-building programme

3. This information is captured and presented for monitoring purposes.

4. Please note that due to programme spending that we are forecasting that no 1-4-1 receipts need be given back this year. It is also worth noting that if future spend is consistent with the forecast budget we should be able to utilise all 1-4-1 receipts over the lifecycle of the project.

### **Resource Implications:**

These are set out in the detailed Financial Reports at Appendices 2, 3 and 4.

### **Legal and Governance Implications:**

It is good governance to properly monitor costs and expenditure, and keep financial forecasts up to date – especially for such a high profile, high cost programme.

### **Safer, Cleaner and Greener Implications:**

None – in relation to this report.

### **Consultation Undertaken:**

None

**Background Papers:**

None

**Risk Management:**

One of the biggest risks to the Housebuilding Programme is the potential for budgets, costs and expenditure to not be properly monitored, and for them to become out of control as a result. Monitoring the Financial Reports helps mitigate this risk.

**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 the report and is attached at CHB-001-2017/18.

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RTB Receipts - Housebuilding Programme											
Total 1-4-1 Receipts Received					Spend on Programme						
Year	Quarter	Amount Received	Amount Received (Cumulative)	Spend by Date	Year	Quarter	Required Spend To use 1-4-1's (Cumulative)	Actual / Estimated New Build Spend (per Quarter)	Actual / Est New Build Spend (Cumulative)	Difference between Actual Spend - Required Spend	
2012/13	1	£40,461	£40,461	30-Jun-15	2012/13	1			£0	£0	
	2	£34,941	£75,402	30-Sep-15		2			£0	£0	
	3	-£21,135	£54,266	31-Dec-15		3			£0	£0	
	4	£185,840	£240,107	31-Mar-16		4			£48,599	£48,599	£48,599
	Total	£240,107	£240,107			Total			£48,599	£48,599	£48,599
2013/14	1	£647,374	£887,480	30-Jun-16	2013/14	1		£0	£48,599	£48,599	
	2	£92,968	£980,449	30-Sep-16		2			£0	£48,599	£48,599
	3	£1,201,933	£2,182,382	31-Dec-16		3			£74,393	£122,992	£122,992
	4	£1,473,076	£3,655,458	31-Mar-17		4			£10,893	£133,884	£133,884
	Total	£3,415,351	£3,655,458			Total			£85,286	£133,884	£133,884
2014/15	1	£415,795	£4,071,253	30-Jun-17	2014/15	1		£0	£133,884	£133,884	
	2	£526,885	£4,598,138	30-Sep-17		2			£0	£133,884	£133,884
	3	£646,816	£5,244,954	31-Dec-17		3			£307,753	£441,637	£441,637
	4	£1,125,775	£6,370,730	31-Mar-18		4			£353,628	£795,265	£795,265
	Total	£2,715,272	£6,370,730			Total			£661,381	£795,265	£795,265
2015/16	1	£499,942	£6,870,672	30-Jun-18	2015/16	1	£0	£229,111	£1,024,376	£1,024,376	
	2	£506,931	£7,377,603	30-Sep-18		2	£0	£660,096	£1,684,472	£1,684,472	
	3	£219,448	£7,597,052	31-Dec-18		3	£0	£858,199	£2,542,671	£2,542,671	
	4	£232,173	£7,829,225	31-Mar-19		4	£800,353	£1,158,585	£3,701,256	£2,900,903	
	Total	£1,458,495	£7,829,225			Total		£800,353	£2,905,991	£3,701,256	£2,900,903
2016/17	1	£789,273	£8,618,498	30-Jun-19	2016/17	1	£2,958,266	£973,708	£4,674,965	£1,716,698	
	2	-£312,000	£8,306,498	30-Sep-19		2	£3,268,161	£2,335,060	£7,010,025	£3,741,864	
	3	£1,739,466	£10,045,964	31-Dec-19		3	£7,274,605	£1,610,848	£8,620,873	£1,346,268	
	4	£1,070,628	£11,116,592	31-Mar-20		4	£12,184,858	£2,960,993	£11,581,866	-£602,992	
	Total	£3,287,367	£11,116,592			Total		£12,184,858	£7,880,610	£11,581,866	-£602,992
2017/18	1	£1,216,299	£12,332,891	30-Jun-20	2017/18	1	£13,570,843	£2,555,321	£14,137,187	£566,344	
	2	£733,701	£13,066,592	30-Sep-20		2	£15,327,125	£3,242,447	£17,379,634	£2,052,509	
	3	£1,000,000	£14,066,592	31-Dec-20		3	£17,483,179	£2,539,995	£19,919,630	£2,436,451	
	4	£500,000	£14,566,592	31-Mar-21		4	£21,235,764	£4,443,997	£24,363,627	£3,127,863	
	Total	£3,450,000	£14,566,592			Total		£21,235,764	£12,781,760	£24,363,627	£3,127,863
2018/19	1			30-Jun-21	2018/19	1	£22,902,238	£2,994,586	£27,358,213	£4,455,974	
	2			30-Sep-21		2	£24,592,012	£2,690,346	£30,048,559	£5,456,547	
	3			31-Dec-21		3	£25,323,506	£2,365,837	£32,414,396	£7,090,890	
	4			31-Mar-22		4	£26,097,416	£3,348,639	£35,763,036	£9,665,620	
	Total					Total		£26,097,416	£11,399,409	£35,763,036	£9,665,620
2019/20	1			30-Jun-22	2019/20	1	£28,728,325	£4,156,629	£39,919,665	£11,191,339	
	2			30-Sep-22		2	£27,688,325	£4,204,100	£44,123,764	£16,435,439	
	3			31-Dec-22		3	£33,486,547	£4,343,849	£48,467,614	£14,981,067	
	4			31-Mar-23		4	£37,055,306	£3,535,261	£52,002,875	£14,947,569	
	Total					Total		£37,055,306	£16,239,839	£52,002,875	£14,947,569
2020/21	1			30-Jun-23	2020/21	1	£41,109,635	£2,866,312	£54,869,187	£13,759,552	
	2			30-Sep-23		2	£43,555,306	£1,746,472	£56,615,659	£13,060,353	
	3			31-Dec-23		3	£46,888,639	£1,071,180	£57,686,839	£10,798,200	
	4			31-Mar-24		4	£48,555,306	£298,931	£57,985,770	£9,430,464	
	Total					Total		£48,555,306	£5,982,896	£57,985,770	£9,430,464

**Schedule of Other Affordable Housing Funding**  
(Relating to agreements since 1998)

Site	P/P No	Sum Anticipated	Sum Received Plus Interest	Used to Fund New House Build	Unused Funding	Anticipated Outstanding Sums	Year to Fund New House Build	Date Received	Conditions	Comments
<b>Section 106 Contributions</b>										
Garden Centre, Manor Road, Chigwell	EPF/0282/14	40,000	10,000	10,000	-	30,000				
Nine Ashes Farm, (CR204)	EPF/2543/11	25,000	25,234	25,234	-	-	2015/16	5-Nov-13	Use by 3 January 2022	£40,000 plus interest; 1st Payment 1/6/15; £21,233.7 used in 2015/16, £4,000 used in 2016/17
Woolston Manor, Chigwell	EPF/2664/10	813,000	881,366	881,366	-	-	2015/16	3-Feb-15		
High House Farm, Stapleford Road	EPF/1374/06	100,000	-	-	-	100,000			Use within 5 years of receipt	Prior to occupation
Threshers, Hastingwood	EPF/739/10	100,000	100,000	100,000	-	-	2015/16	25-Sep-14		
Green Man PH, Broomstickhall Rd, W/A	EPF/1521/13 and EPF/0339/13	430,000	430,000	430,000	-	-	2015/16	20-May-15	Use within 7 years of receipt	Used in 2015/16
The White House, Epping Upland	EPF/0910/14	10,000	10,000	10,000	-	-	2015/16			Prior to commencement
Tennis Court Site, Alderton Hill, Loughton	EPF/1103/15	699,200	766,316	358,501	407,815	-		28-Feb-17		
Luxborough Lane, Chigwell	EPF/0853/14	120,000	120,000	-	120,000	-				
Chimes Garden Centre		500,000	-	-	-	500,000				Received 17/18 to be used 17/18 S106 agreed on 2nd October 2015. Trigger - Payment in full (£500k) on commencement. Interest to be paid for late payments.
Grange Farm (Initial Payment)	EPF/1862/15	440,345	440,345	440,345	-	-	2016/17			On implementation of planning permission
Grange Farm (Possible Additional Initial Payment)	EPF/1862/15	0	-	-	-	See Comment				£100,000 received but only to be used for a/h if this sum allocated for Chigwell Bus Service is not spent by 1.1.18
Grange Farm (Deferred Sum)	EPF/1862/15	0	-	-	-	-				Deferred Contribution (DC) up to £779,655.30 - not for a/h use. Subject to a further Review Viability Appraisal undertaken to assess any additional surplus - DC calculated 50/50 EFDC/applicant above £540,344.70
Chigwell Primary School	EPF/2899/15	2,000,000	-	-	-	2,000,000				
Stonehall Business Park, Down Hall Road, Matching Green, Essex CM17 0RA	EPF/1349/15	124,000	124,000	70,000	54,000	-		£54,000 received 3.7.17	Affordable Housing Contribution and Community Safety Contribution to be paid prior to commencement	£70,000 RPI Index linked. To be used for Affordable housing within the district. Also, £10,000 Community Safety Contribution Additional £54,000 agreed due to expanded development
Stationbridge House, Ongar	EPF/2432/16	100,000	-	-	-	-				
Woodview, Chigwell	EPF/2550/16	443,885	-	-	-	-				
Brent House Farm, Harlow Commeon	EPF/2523/16	90,000	-	-	-	90,000				£45,000 to be paid on commencement and £45,000 prior to occupation of 10th dwelling - 19 unit scheme
<b>TOTAL</b>		<b>6,035,430</b>	<b>2,907,261</b>	<b>2,325,446</b>	<b>581,815</b>	<b>2,720,000</b>				
<b>Capital Receipts</b>										
Millfield, High Ongar (Actual)		87,000	87,000	87,000	-	-	2014/15	1-Apr-12		Used in 2014/15
Lawton Road		127,500	127,500	127,500	-	-	2014/15	2-Jun-14		Used in 2014/15
Leader Lodge, North Weald		652,001	642,000	642,000	-	-	2015/16	11-Dec-14		Costs of sale offset against receipt
10 Newmans Lane		300,000	300,000	300,000	-	-	2016/17	19-Oct-16		
Rents to Mortgages		124,000	124,000	124,000	-	-	2016/17	30-Nov-16		
Land Sale Butler's Drive		31,406	31,406	-	31,406	-	To be used in 2017/18	30-May-17		
Lindsay House		817,752	-	-	817,752	-	To be used in 2017/18	15-Nov-17		
<b>TOTAL</b>		<b>2,139,659</b>	<b>2,129,658</b>	<b>1,280,500</b>	<b>849,158</b>	<b>0</b>				
<b>Grants</b>										
Harlow Growth Area Fund - Council Housebuild		90,000	90,000	90,000	-	-	2014/15	23-Mar-15	For Red Cross New Build	Used in 2014/15
Harlow Growth Area Fund - Council Housebuild		37,333	37,333	37,333	-	-	2015/16	23-Mar-15	For Harveyfields New Build	To be used in 2015/16
<b>TOTAL</b>		<b>127,333</b>	<b>127,333</b>	<b>127,333</b>	<b>0</b>	<b>0</b>				
<b>GRAND TOTAL</b>		<b>8,302,422</b>	<b>5,164,252</b>	<b>3,733,279</b>	<b>1,430,973</b>	<b>2,720,000</b>				

Expenditure Profile - 1-4-1 Expenditure only										Appendix 4
	Actuals 2012/13 & 2013/14	Actuals Year 1 2014/15	Actuals Year 2 2015/16	Actuals Year 3 2016/17	Estimate Year 4 2017/18	Forecast Year 5 2018/19	Forecast Year 6 2019/20	Forecast Year 7 2020/21	Totals	30% (1-4-1 Usage)
Phase 1 (1-4-1)	£131,370	£467,642	£1,956,484	£2,124,352	£1,723,666				£6,403,513	1,921,054
Faversham Hall (1-4-1)	£1,155	£38,171	£147,220	£11,686	£4,045				£202,278	60,683
Phase 2 (1-4-1)	£1,360	£155,568	£383,622	£2,099,431	£5,357,588	£3,577,350			£11,574,920	3,472,476
Phase 3 (1-4-1)			£157,047	£515,487	£4,529,659	£2,184,865	£445,131		£7,832,190	2,349,657
Phase 4 (1-4-1)			£186,314	£44,931	£71,409	£3,990,063	£4,843,362	£181,068	£9,317,147	2,795,144
Phase 5 (1-4-1)			£67,857	£16,415	£2,880	£1,482,775	£7,061,476	£1,048,090	£9,679,493	2,903,848
Phase 6 (1-4-1)			£588	£166,119	£40,380	£164,357	£3,889,870	£4,753,738	£9,015,051	2,704,515
Barnfield - Linden Homes			£6,858	£798,689	£707,133				£1,512,680	453,804
Norway House Pods					£345,000				£345,000	103,500
<b>Totals</b>	<b>£133,885</b>	<b>£661,381</b>	<b>£2,905,991</b>	<b>£5,777,110</b>	<b>£12,781,760</b>	<b>£11,399,409</b>	<b>£16,239,839</b>	<b>£5,982,896</b>	<b>£55,882,271</b>	<b>£16,764,681</b>
Street Properties				£2,103,500					£2,103,500	631,050
<b>Totals</b>	<b>£133,885</b>	<b>£661,381</b>	<b>£2,905,991</b>	<b>£7,880,610</b>	<b>£12,781,760</b>	<b>£11,399,409</b>	<b>£16,239,839</b>	<b>£5,982,896</b>	<b>£57,985,770</b>	<b>£17,395,731</b>

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## **Report to the Council Housebuilding Cabinet Committee**



**Epping Forest  
District Council**

**Report reference:** CHB-004-2017/18

**Date of meeting:** 29 January 2018

**Portfolio:** Housing – Cllr S. Stavrou

**Subject:** New Development Sites

**Responsible Officer:** Paul Pledger – Asst. Director (Housing Property & Development) (01992 564248)

**Democratic Services:** Jackie Leither

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### **Recommendations:**

- (1) That a recommendation be made to the Cabinet to delegate authority to the Director of Communities to identify new Council House-building development sites and to undertake feasibility studies and viability studies, which will then be presented to the Cabinet Committee for consideration; and
- (2) That a recommendation be made to the Cabinet to amend the Cabinet Committee Terms of Reference to allow the Cabinet Committee to agree any new development sites that may be added to the House-building programme.

### **Reasons for Proposed Decision:**

Currently, the Cabinet Committee is only authorised, in its Terms of Reference, to approve any feasibility studies for sites that appeared on the original list of 65 sites approved by the Cabinet in 2012, each of which has now been considered and has either obtained Planning Permission or an alternative option agreed.

In order to avoid adding work to the Cabinet process, this report seeks to delegate authority to the Director of Communities to identify sites, undertake a feasibility study and viability study before presenting the outcome to the Cabinet Committee, whose Terms of Reference would need to be amended to reflect this process.

### **Other Options for Action:**

1. To take each new site to the Cabinet for approval in the first instance as is the current procedure. However, this creates unnecessary anxiety for local residents where sites may not even be viable in the first place. This also is work that could be delegated to the Cabinet Committee to free up valuable time for the Cabinet.

### **Background**

1. In July 2012 the Cabinet approved a list of potential development sites, made up of a primary and reserve list, which would make up the Council House-building Programme. At that time, it was agreed that any further development assessments would be undertaken over time by officers of:

- (a) All other garage sites comprising 6 or less garages;
  - (b) Any further garage sites that start to have vacancies with no waiting list; and
  - (c) Any Council-owned land on housing sites considered to be surplus to requirements.
2. At that time it was also agreed that further reports would be submitted to the Cabinet in order to consider whether or not these sites should be added to either the Primary List or Reserve List.
3. In practice, this process could be amended to free up valuable Time for the Cabinet by delegating authority to the Director of Communities to undertake feasibility studies and Viability studies on any new site that may be identified and to present them direct to the Cabinet Committee. These would be presented in the same way as other sites have in the past been presented, whereby local Ward Members are invited to participate in the discussion.
4. Should the Cabinet Committee then agree to proceed with the development site based on the feasibility study as presented, then it would be necessary to seek an amendment to the Cabinet Committee Terms of Reference, where it is currently only able to consider and sign-off development appraisals and financial appraisals for sites previously identified by the Cabinet as having development potential and that could be included within the Council's Housebuilding Programme.
5. It is therefore recommended that a recommendation be made to the Cabinet, through the minutes of this meeting, that:
  - a. the Cabinet delegates authority to the Director of Communities to identify new Council House-building development sites and to undertake feasibility studies and viability studies; and
  - b. the Cabinet Committee Terms of Reference be amended to allow the Cabinet Committee to agree any new development sites that may be added to the House-building programme.

### **Resource Implications**

Any feasibility costs will be met from the existing Capital Programme for Council House-building in the same way it currently is.

### **Legal and Governance Implications**

Housing Act 1985.

### **Safer, Cleaner and Greener Implications**

Since many of the garage sites that will developed are unsightly and attract vandalism and anti-social behaviour, their development for affordable housing should make them safer, cleaner and greener.

### **Consultation Undertaken**

None relevant at this stage. However, Ward Councillors will be consulted on the feasibility studies and Local residents will be consulted on any development proposals by

the Planning and Economic Development Directorate when planning applications are submitted for any proposed developments.

### **Background Papers:**

- Previous report to the Cabinet on development sites in July 2012
- The Cabinet Committee Terms of Reference

### **Risk Management**

There is a comprehensive risk register that has been compiled and is being monitored in respect of the house-building programme. Each risk, where appropriate has a risk mitigation action plan.

With regard to the issues under consideration for this report, the main risk is that the most appropriate Council-owned sites for development are not put forward to the next stage – i.e. to have development and financial appraisals undertaken. This could result in less appropriate sites being developed, less properties being able to be developed through the Council's Housebuilding Programme overall and/or the overall cost of the Housebuilding Programme being higher than necessary.

### **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 the report and is attached at CHB-001-2017/18.

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## **Report to the Council Housebuilding Cabinet Committee**



**Epping Forest  
District Council**

**Report reference:** CHB-005-2017/18

**Date of meeting:** 29 January 2018

**Portfolio:** Housing – Cllr S. Stavrou

**Subject:** Change of Street Name for Queens Road, North Weald Development.

**Responsible Officer:** Paul Pledger – Asst. Director (Housing Property & Development) (01992 564248)

**Democratic Services:** Jackie Leither

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### **Recommendations:**

- 1) That, following a request by North Weald Parish Council, the new development to the rear of 9 - 19 Queens Road, North Weald, previously named Elizabeth Court, be renamed Cyril Hawkins Close; and
- (2) That formal application be submitted to the Director of Neighbourhoods for the above name and numbering change, in accordance with the Council's Street Naming and Numbering Policy.

### **Reasons for Proposed Decision:**

Street naming (or re-naming) of sites to be constructed under the Council House-building Programme is set out in the Terms of Reference as a responsibility for the Council House-building Cabinet Committee.

The Queens Road, North Weald development site has already been agreed by the Cabinet Committee in December 2016 to be named Elizabeth Close. However, the Council has received a request from the North Weald Parish Council to rename the street after the former long-standing Chairman, Cllr Cyril Hawkins, who sadly passed away last year.

### **Other Options for Action:**

To retain Elizabeth Close as the street name for the development, which has already been agreed by the Cabinet Committee.

### **Background**

1. At its meeting in December 2016 the Cabinet Committee agreed to name the new development site at Queens Road, North Weald as Elizabeth Close. However, in November 2017 the North Weald Parish Council formally asked that this name now be formally withdrawn and the site be re-named "Cyril Hawkins Close" after the former long-standing Chairman of the Parish Council who sadly passed away earlier in the year.

2. The Director of Neighbourhoods been consulted informally on the suggested name change, to ensure that it complies with the Council's Street Naming and Numbering Policy. He has confirmed that he has no objections in principle to the proposed name.
3. It is therefore recommended that the Cabinet Committee agrees to the Parish Council's request to rename the development site at Queens Road, North Weald as Cyril Hawkins Close.

### **Resource Implications**

The Housebuilding Programme's existing budget will need to meet the minimal (internal) cost of making the street naming application to the Director of Neighbourhoods.

### **Legal and Governance Implications**

Towns Improvement Clauses Act 1847 (S64 and S65), in conjunction with S21 of the Public Health Amendment Act 1907.

### **Safer, Cleaner and Greener Implications**

None

### **Consultation Undertaken**

As detailed in the main report.

### **Background Papers:**

None

### **Risk Management**

The risks are minimal, other than any reputational damage to the Council if the proposed names are subsequently found/considered to be inappropriate at a later date.

The development has yet to commence on site and as such there are no residents affected by this proposal. Therefore there are no risks identified with this recommendation.

### **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 the report and is attached at CHB-001-2017/18.



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

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