

## **Decision by Portfolio Holder**



**Epping Forest  
District Council**

**Report reference: HSG-005-2018/19**

**Date of report: 10 July 2018**

**Portfolio: Housing – Councillor Syd Stavrou**

**Author: Roger Wilson extension 4419**

**Democratic Services: J. Leither**

**Subject: Lease – Community Hall Premises, Oakwood Hill Estate, Loughton**

### **Decision:**

**(1) That the decision of the Oakwood Senior Citizens Club not to enter into any further lease arrangements between themselves and the Council at the Community Hall Premises, Oakwood Hill Estate, Loughton be noted;**

**(2) That the Council enters into a new lease at the Community Hall Premises, Oakwood Hill Estate, Loughton with the Restore Community Church for a period of five years from 1 October 2018 on similar terms to the former lease referred to in Recommendation (1) above;**

**(3) That the additional clauses set out at Paragraph 8 in the report be included in the new lease requiring the Restore Community Church to meet with certain requirements;**

**(4) That the checking and verification of the suitability of any external organisation using the hall be the responsibility of the Restore Community Church;**

**(5) That the Council assists the Restore Community Church (in the same way as it has with the Oakwood Hill Senior Club since 2012) by:**

**(a) Meeting half of the cost of the fuel bills, up to a maximum contribution of £1,250 per annum, for the Community Hall Premises Oakwood Hill Estate, Loughton;**

**(b) Charging a nominal rent of £132 per annum thereby making an exception to the best consideration under Circular 06/03 of The Local Government Act 1972 in recognition of the services being provided to the local community; and**

**(6) That the Director of Communities be granted delegated authority in the future to renew or vary the lease on the Community Hall Premises, Oakwood Hill Estate, Loughton between the Council and the Restore Community Church on similar terms.**

**ADVISORY NOTICE:**

***A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest.  
A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.***

I have read and approve/~~do not approve~~ (delete as appropriate) the above decision:

Comments/further action required:

Signed: Councillor S-A Stavrou

Date: 10<sup>th</sup> July 2018

*Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:*

None

*Dispensation granted by Standards Committee:*  
Yes/No or n/a

N/A

**Office use only:**

Call-in period begins: 10<sup>th</sup> July 2018

Expiry of Call-in period: 16<sup>th</sup> July 2018

***After completion, one copy of this pro forma should be returned to Democratic Services IMMEDIATELY***

**Reason for decision:**

The Oakwood Senior Citizens Club has worked hard over many years to ensure that the Community Hall on the Oakwood Hill Estate, Loughton has been used to maximum benefit for the older people living on the Estate. However, they have now decided that they no longer wish to continue and therefore are terminating the Lease Agreement. Therefore, the Community Health and Wellbeing Team have approached Restore Community Church who is wanting to take over the management of the hall and enter into a new 5 year lease with the Council under similar terms. Under the new lease, the Restore Community Church will allow the Oakwood Hill Senior Citizens Club (and other local groups) to continue to use the hall at agreed times enabling them to provide various social activities for people living locally. Furthermore, the Council will be able to use the Hall for Resident Association meetings, Local Elections and Civil Emergencies.

**Options considered and rejected:**

1. Not to grant a new lease for 5 years between the Council and the Restore Community Church, on the Community Hall Premises on the Oakwood Hill Estate Loughton.
2. To lease the hall on different terms and/or to a different organisation.
3. Not to grant the Director of Communities delegated authority in the future to renew or vary the lease on the Community Hall on the Oakwood Hill Estate, Loughton between the Council and the Restore Community Church on similar terms.

**Background Report:**

1. The former Greater London Council (GLC) entered into a memorandum of agreement in 1977 with the Oakwood Senior Citizens Club, (The Club) a registered charity, whereby the GLC let the hall on the Oakwood Hill Estate, Loughton to the Club on a weekly tenancy. The freehold of the hall was transferred to the Council on the transfer of GLC estates in 1980.

2. In January 1997 it was agreed that the Council grant a lease to the Club for a period of 5 years. This was due to the Club making a grant application to the National Charities Board, with one of the requirements being that a 5-year lease was in place. They were successful with their application and the grant funded an extension to the hall.

3. Under subsequent leases over the last 10 years, additional conditions have been added with the full agreement and support of the Club to enable the hall to be used more widely by different groups reaching out to local residents of all ages. This included a clause allowing the hall to be used for meetings, one evening each month, by the Oakwood Hill Estate Residents Association (OHERA), allowing the Council to use the hall for a Rest Centre should any civil emergency occur and also for any consultation days and for various events organised by the Community Health and Wellbeing Team. Under the terms of the lease, the Club pays to the Council an annual nominal rent.

4. In addition, a local organization "Restore Community Church" (Restore) previously known as Vineyard Church, who have a proven track record for providing a number of initiatives for the benefit of the local community have been using the facility.

5. Prior to the expiry of the lease in 2017, discussions took place between officers and the Club. At that time, the Club requested that the new lease be for a shorter period of one year to enable them to review annually their ability to commit to managing the hall particularly as the number of activities increase. The Housing Portfolio Holder agreed that the lease be renewed for a shorter term of further year from August 2017.

6. It was further agreed that Community Health and Wellbeing Team will continue to be responsible for checking and verification of the suitability of any external organisation using the hall and that the Director of Communities be granted delegated authority in the future to renew the lease on the Oakwood Hill Estate Hall, Loughton between the Council and the Club on similar terms.

7. Now that the one-year lease is about to expire, officers have again had discussions with the Club. They have confirmed that they wish to terminate the lease ( by serving a Notice terminating the tenancy pursuant to Section 27 of the Landlord and Tenant Act 1954) with the Council and not enter into any further formal arrangements. However, when a suitable alternative organisation is identified they would wish to continue using the hall on certain days in order that they can continue with some social activities for older people locally.

8. Officers were already aware of the interest of Restore (referred to at Paragraph 4 above) who would like to enter into a new lease between themselves and the Council under similar terms to the lease held by the Club. The lease would be for a 5 year term and be outside of the Landlord and Tenant Act 1954 with a mutual third year break option which gives either party the opportunity to break the lease with 6 months' notice and also as outside of the Act, avoids the Council having to automatically renew at the end of the term on the same terms. If agreed, the new lease would permit the following organisations to use the Premises:

- Allowing the Club (the previous leasees) to use the hall for on Mondays, Tuesdays, Thursdays and Fridays between 1pm and 5pm and every third Saturday between 9am and 5pm to organise social activities, predominantly for older residents of the Oakwood Hill Estate, Loughton
- Allowing the Council to use the hall for Resident Association Meetings, Elections and Civil Emergencies
- Allowing the Council's Community Health and Well-being Team to use the hall for a maximum of twenty-six days each calendar year between the hours of 8.30am and 7.30pm

9. The Housing Portfolio Holder is asked to note Circular 06/03: "Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than best consideration than can reasonably obtained". The purpose of the Circular is to remove the requirement for authorities to seek specific consent from Government for any disposal of land where the difference between the unrestricted value of the interest to be disposed of and the consideration accepted is £2,000 000.

Under the terms, consent is not required for the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area.

10. Although the Council considers the purpose for which the land is to be disposed could achieve between £3,000 and £5,000 per annum on the open market, by making an exception by the disposal, by way of a leasehold interest, it will achieve the promotion of improvement of social well-being to the location and surrounding areas and therefore is able to meet with the requirements of Circular 06/03. Furthermore, the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 and therefore removes the need to seek Secretary of State approval. It is therefore suggested that a small nominal rent is appropriate. It should also be taken into account that if Restore were not to manage the facility, then this would result in a significant amount of officer time in overseeing the arrangements at the hall.

11. It should be noted that the Council has given support to Restore in the past when they rented a leasehold shop premises at 68 The Broadway, Debden, Loughton at a reduced rate in order to support their charitable work in the local community.

12. The Housing Portfolio Holder is asked to agree that the Council enters into a new lease at the Community Hall Premises, Oakwood Hill Estate, Loughton with Restore for a period of five years from October 2018 on similar terms to the lease with the Club to include its use by the other local groups and organisations set out at Paragraph 8 above. Furthermore, that the checking and verification of the suitability of any external organisations using the hall be undertaken by Restore and that the Council assists them (in the same way as it has with the Oakwood Hill Senior Club since 2012) by meeting half of the cost of the fuel bills, up to a maximum contribution of £1,250 per annum, and by charging a nominal rent of £132 per annum making an exception to the best consideration under circular 06/03 of The Local Government Act 1972 due to the services being provide to the local community.

13. It is also suggested that the Director of Communities be granted delegated authority in the future to renew or vary the lease on the Community Hall Premises, Oakwood Hill Estate, Loughton between the Council and Restore on similar terms.

**Resource Implications:**

Use of housing-owned community hall under the lease for a nominal rent of £132 per annum.

**Legal and Governance Implications:**

Housing Act 1985

**Safer, Cleaner and Greener Implications:**

None

**Consultation Undertaken:**

Consultation with the Oakwood Hill Senior Citizens' Club Committee who unanimously support the Recommendation that the Council enters into a new lease with Restore.

**Background Papers:**

Current Lease 2017-2018

<p><b>Initialed as original copy by Portfolio Holder:</b></p>
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**Risk Management:**

Should a new lease not be entered into between the Council and Restore this would result in the Council taking over the full management of the hall which may result in the need for additional staff resources.

**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.

**Key Decision Reference (Y/N):**

No

# Equality Impact Assessment

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

## Section 1: Identifying details

Your function, service area and team: Community Development & Housing Operations

If you are submitting this EqlA on behalf of another function, service area or team, specify the originating function, service area or team: N/A

Title of policy or decision: Lease – Community Hall Premises, Oakwood Hill Estate, Loughton

Officer completing the EqlA: Roger Wilson Tel: Extension 4419 Email: rwilson@eppingforestdc.gov.uk

Date of completing the assessment: 26 June 2018

## Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>New decision to grant a new lease</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): What outcome(s) are you hoping to achieve (i.e. decommissioning or commissioning a service)?</p> <p>To continue the functioning and management of Oakwood Hill Community Hall, Loughton</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"><li>• service users – Oakwood Hill Community Hall will continue to provide events and activities for local residents under the new arrangements</li><li>• employees - None</li><li>• the wider community or groups of people, particularly where there are areas of known inequalities – continued community access to the premises to provide support to the local community</li></ul> <p>Will the policy or decision influence how organisations operate?</p> <p>No</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>N/A</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, e.g. service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.0

### Reference Material

Oakwood Hill Estate is located within the Loughton Alderton Ward. I have researched information available for that ward and the EFDC area as a whole.

#### [Epping Forest Tenant Census 2014 report](#)

Over half of all tenants responded to the tenant census

##### Age profile of by ward – Loughton Alderton Ward

- 18.8% are aged 45-54
- 15.6% are aged 35-44
- The median age is 57yrs
- 17.3% are aged 65-74
- 10.9% are aged 25-34

##### Disability

###### Page 26 – Summary of disability by ward

- 32.4% of tenant households with at least one person with a disability
- 27.9% of ward has a disability

##### EFDC District

- 30.2%% stated they had a disability
- 34% of households contained at least one person who had a disability

##### Age/gender

###### Page 39 – Household size by ward

- 43% - one
- 13.3% - three
- 4.2% - five
- 25.4% - two
- 12.3% - four
- 1.7% - six or more

###### Page 45 – In receipt of housing benefit by ward

- 76.1% of household with at least one person claiming housing benefit
- 73.1% yes
- 26.9% no

##### Sexual orientation

57% of all tenants responded stating –

- 62.2% were heterosexual
- 26% did not state their sexuality
- 0.6% were gay or bisexual
- 10% did not specify

#### [ONS Subnational population projections for England 2012 – based on 2011 Census](#)

#### [ONS Census Data 2011](#)



ONS Data for  
Epping.xlsx



**Age:**

- Census shows that 22.3% of the Epping Forest District population is aged 65 years and over and life expectancy is increasing;
- Report shows a 5% population growth rate for the Epping Forest District;

**ONS EFDC Area Age Structure**

- 45-59 years – 21%
- 65-74 years – 9.2%
- 30-44 years – 20.5%
- 75-84 years – 6.2%

**Race**

- 85.2% -White; English/Welsh/Scottish/Northern Irish/British
- 2.4% - Asian/Asian British; Indian
- 1.1% - White; Irish

**Religion or belief**

Of the EFDC Population

- Christian - 61.8%
- Buddhist – 0.3%
- Hindu – 1.4%
- Jewish – 3.2%
- Muslim – 1.9%
- Sikh – 1%
- Other religion – 0.3%
- No religion –22.5%
- Do not wish to disclose – 7.6%

<https://www.nomisweb.co.uk/reports/lmp/ward2011/1140853460/report.aspx?town=alderton>

**Age/pregnancy/maternity/dependents  
Economical inactivity – Loughton Alderton Ward**

- 23.6% economically inactive (692)
- 4.4% long-term sick or disabled (129)
- 4.4%- retired (128)
- 6% looking after home or family (177)
  - 10.4% - females (158)
  - 4.6% - males (19)
- 6.8% - students (200)
- 4.4% long-term sick or disabled (129)

<https://www.nomisweb.co.uk/census/2011/ks102ew>

**Age**

Population by ward – 2011 - Total – 4526

0-4 years – 311	16-17 years – 107	<b>45-59 years – 869</b>	90 years and over - 44
5-7 years – 177	18-19 years – 119	60-64 years – 240	<i>Mean age 38.1 years</i>
8-9 years – 109	20-24 years – 327	65-74 years – 336	<i>Median age 37 years</i>
10-14 years – 277	25-29 years – 304	75-84 years – 226	
15 years – 50	<b>30-44 years – 961</b>	85-89 years – 71	

**[SHMA:population projections](#)****Age**

- 5.14: Natural growth of the population has exceeded 300 over the 2001-2011 periods in Loughton.
- An ageing population and a shrinking labour force

## Existing events

### Age/pregnancy/maternity/dependents/carers

- Mother and toddler group utilise the hall one half day each week
- Senior Citizens events

### [Impact of an ageing population study](#)

#### Age/Disability

- 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.
- It is evidenced that good physical and mental health are essential to living longer and having a better quality of life.

### [oneppingforest Loughton Alderton](#)

#### Age/disability

- 2001 National Census showed a ward population of 4456 and in 2007 it had grown to 4511.
- Page 12: First table shows the southern ward (which covers Oakwood Hill) to have a greater level of health deprivation/disability. (e.g. a LSOA with an income rank of 2 would be considered more deprived than an LSOA with an income rank of 25 and they scored 3)

3 LSOAs	North	East	South
IMD national rank (out of 32482)	17934	14541	5988
IMD local rank (out of 78)	32	21	1
Income	28	16	2
Employment	24	23	1
Health Deprivation/Disability	38	15	3
Education, Skills & Training	29	17	2
Barriers to Housing & Services	37	45	11
Crime & Disorder	17	11	2
Living Environment	42	31	18

Source: Indices of Deprivation 2007 - Department for Communities and Local Government, 2007

**Initialed as original copy by  
Portfolio Holder:**

<p><b>3.1</b></p>	<p><b>What does the information tell you about those groups identified?</b></p> <ul style="list-style-type: none"> <li>• The EFDC area has an ageing population that is forecasted to grow in numbers as life expectancy increases - with an ageing population is the increased number of age related disabilities;</li> <li>• 43% of the Loughton Alderton Ward has a household of one – social isolation could be an issue;</li> <li>• A successfully ‘Mother and Toddler Group’ is held weekly , along with Senior Citizen events;</li> <li>• The Council’s Community and Wellbeing Team organises and holds community events along with the Oakwood Hill Senior Citizens Club.</li> </ul> <p>All of the above protected characteristics (age young and old), persons with a disability, pregnancy/maternity, carers/dependents) will benefit from the events held at this venue as it will improve: -</p> <ul style="list-style-type: none"> <li>• Mental and physical health and wellbeing;</li> <li>• Social communication;</li> <li>• Community integration/breaking down barriers;</li> <li>• Provide accessible activities that those with a disability can access, enriching a person’s life and improving awareness of other’s needs.</li> </ul>
<p><b>3.2</b></p>	<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> <p>Yes – the Oakwood Hill Senior Citizens Club fully support the Recommendations in the report.</p>
<p><b>3.3</b></p>	<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> <p>n/a</p>

## Section 4: Impact of policy or decision

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

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Positive – opportunities to expand/provide new activities and events for this group	M/H
Disability	Positive – opportunities to expand/provide new activities and events for this group	M/H
Gender	Neutral	
Gender reassignment	Neutral	
Marriage/civil partnership	Neutral	
Pregnancy/maternity	Positive – opportunities to expand/provide new activities and events for this group	M/H
Race	Neutral	
Religion/belief	Neutral	
Sexual orientation	Neutral	

## Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If <b>'YES'</b> , 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.
None	None	N/A

## Section 7: Sign off

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

Signature of Director of Communities Alan Hall	Date: 2 July 2018
Signature of person completing the EqlA: Roger Wilson	Date: 26 June 2018

### 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, even after a consultation has been undertaken.