

Select Committee Agenda



Stronger Place Select Committee Thursday, 4th November, 2021

You are invited to attend the next meeting of **Stronger Place Select Committee**, which will be held at:

Council Chamber - Civic Offices
on **Thursday, 4th November, 2021**
at **7.00 pm** .

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

Laura Kirman
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors A Lion (Chairman), R Bassett, S Heather, I Hadley, S Heap, J Jennings, C McCredie, R Morgan (Vice-Chairman), R Balcombe, M Owen and J Share-Bernia

SUBSTITUTE NOMINATION DEADLINE: 6.00PM

WEBCASTING NOTICE

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

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

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

1. WEBCASTING INTRODUCTION

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Chairman will read the following announcement:

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

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. APOLOGIES FOR ABSENCE

3. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

4. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

5. NOTES OF PREVIOUS MEETING (Pages 5 - 8)

To agree the notes of the meeting of the Select Committee held on 23 September 2021.

6. TERMS OF REFERENCE & WORK PROGRAMME (Pages 9 - 12)

(Chairman/Lead Officer) The Overview and Scrutiny Committee, 12 Oct 2021, agreed: (a) the revised Terms of Reference, pending the transfer of the key objective of leisure to Stronger Communities; and (b) the work programme excepting item (7), ‘scrutiny of the district wide leisure service development’ which was to be discussed at the next Joint meeting in January 2022.

Members are invited at each Select Committee meeting to review both documents.

7. ESSEX HIGHWAYS UPDATE

(Essex County Council) To provide a verbal update on the activities of Essex Highways. (Cllr Lee Scott).

8. REVIEW OF OFF STREET PARKING TARIFFS (Pages 13 - 28)

(James Warwick, Acting Service Director Contracts) To consider the attached report on the review off street parking tariffs.

9. IMPROVING PAYMENT OPTIONS FOR LEASEHOLDERS (Pages 29 - 52)

(Deborah Fenton, Director Housing and Property) To consider the improving payment options for leaseholders paper.

10. DATES OF FUTURE MEETINGS

To note that future meetings of the Select Committee will be held at 7:00 pm on:

13 January 2022, and
15 March 2022.

11. EXCLUSION OF PUBLIC AND PRESSExclusion:

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
9	Waste and Recycling Collection / Street Cleansing Contract	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 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

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

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

12. WASTE MANAGEMENT CONTRACT/SERVICE OPTIONS (Pages 53 - 66)

(James Warwick, Acting Service Director Contracts) To consider the attached waste management/street cleansing contract paper.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Stronger Place Select Committee	Date:	Thursday, 23 September 2021
Place:	Council Chamber - Civic Offices	Time:	7.00 - 8.05 pm
Members Present:	Councillors A Lion (Chairman), R Morgan (Vice-Chairman), R Bassett, I Hadley, J Jennings, C McCredie, M Owen and H Kane.		
Other Councillors:	Councillors S Kane and J H Whitehouse		
Apologies:	S Heather and R Balcombe		
Officers Present:	L Kirman (Democratic Services Officer), N Dawe (Chief Operating Officer), R Pavey (Service Director (Customer Services)), S Mitchell (PR Website Editor) and R Moreton (Corporate Communications Officer)		

8. **Webcasting Introduction**

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

9. **Substitute Members**

The following substitutions were reported:

Cllr H Kane was substituting for Cllr S Heather.

10. **Declarations of Interest**

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

11. **Notes of the previous meeting**

That the minutes of the meeting held on 22 June 2021 be taken as read and signed by the Chairman as a correct record.

12. **Terms of Reference & Work Programme**

The Select Committee noted the terms of reference and work programme.

13. **Proposed Revised Terms of Reference - Stronger Place Select Committee**

Cllr Lion advised that the proposed revised Terms of Reference (ToR) had been drafted in response to Member comments made in writing and at the meeting of the Stronger Place Select Committee on 22 June 2021. These had been presented to Overview & Scrutiny Chairmen & Vice-Chairmen on 22 July 2021, who commented that the revision was too detailed and noted that Overview and Scrutiny would need to approve any changes to the Terms of Reference.

The Stronger Place Select Committee:

- commended the revisions and the clarity and context that proposed ToR provided.
- noted that there needed to be some flexibility within the ToR.
- noted that some of the infrastructure and sustainability requirements detailed in the ToR would be subject to the Local Plan.
- suggested that presentations from external parties were an essential element of the role of the Select Committee as this would provide information and awareness and allow the committee to comment and influence when appropriate.
- requested that the proposed ToR be presented to Overview and Scrutiny Committee.
- suggested the following items for inclusion in the work programme; the consultation on climate change, leisure, litter across the district, planning processes, enforcement and waste management.
- discussed if Cabinet decisions should be scrutinised or if scrutiny should be earlier to influence decisions. A preference was noted for early scrutiny, when possible.

Members commented that the revised ToR provided clarity that could be beneficial for the other Select Committees and Cabinet. and requested that this be taken to the next Joint Chairs meeting for consideration by the other Select Committees.

Resolved:

The Select Committee agreed that, pending minor revisions, the proposed terms of reference should be commended to Overview and Scrutiny Committee for their comment and approval, and be presented at the next meeting of this Select Committee.

The work programme would be developed and prioritised.

14. Branding of the Ground Floor of the Civic Offices

Rob Pavey, Customer Services Director, outlined the proposed designs and names for the re-branding of the ground floor of the Civic Offices to the Select Committee. This reflected the new community and collaborative purpose of the space and promoted the area as a new destination where EFDC services would work collaboratively with partners to provide wraparound solutions for residents and wider community activity. He emphasised that this was not a proposal to rename the Civic Offices and was for the ground floor of the building. The refurbishment of the Civic Offices had provided an opportunity to review how the building was used, the building had a reduced footprint for EFDC staff and the top floor was occupied on a commercial basis. He described the areas of the ground floor and the flow through these areas and suggested the proximity and integration of the ground floor activity lent itself to a common brand.

It was acknowledged that there was some subjectivity and personal preference in all branding exercises, members had been involved in the iterative design process carried out over the summer and two options were presented: 'The Civic Hub' and 'The Civic'. Partners had been consulted and feedback on a common brand had been positively received. Signage was needed to help all parties signpost services and improve the visitor experience. The signage would have the same coloured floor markings, as floor spots to act as path markers to assist the journey through the building.

Learning outcomes had been noted from the process which could have had a clearer design brief and better engagement. The costs detailed in the report were maximum costs and included the design, production and installation though the space and the floor markings. The final design was a representation of collaboration and people working together and the name options for consideration were 'The Hub' or 'The Civic Hub'

Members of the Select Committee

- Commented that: residents had raised concerns on the cost of the exercise, acknowledged that rebranding could be expensive and difficult and there had been some level of reassurance that the costs included production and installation costs.
- Acknowledged that there could be a personal preference around the rebranding and as this was subjective there would always be some differences of opinion.
- Discussed the potential names and suggested that 'Civic' related to a city, was not a noun and therefore 'The Civic' was an anomaly; suggested that 'Hub' was more suitable term for an airport; that Forest, or Epping Forest should be included in the name and that Community Hub or Centre would be more suitable, as civic represented 'The Council'. It was noted that a Community Hub, run by a third party, already existed in Loughton. R Pavey advised that the names had been put forward as part of the design brief after an iterative process with some members and senior management, to revisit would add time and money to the project, the term 'hub' was widely used across the county to describe shared spaces that provided a variety of services.
- Remarked that the colours, floor markings would assist people moving through the space and this would be of benefit to people with visual impairment.
- Sought confirmation that there would be a review of the outcomes and success of the collaborative space and were reminded that a six month review formed part of the original proposal, this had been delayed due to the lockdown restrictions imposed by covid, but there would be a report that could be provided to this Select Committee in due course.
- Raised concerns about the staffing levels associated with the welcome space and the impact on other forms of customer service and telephone contact which was already under strain. R Pavey acknowledged the strain on Customer Services detailed that recruitment would assist and in the future other front line services would also be present in the welcome area, the staff would be floor walking when required but would be able to use the reception area to carry out back office duties at quieter periods, and self-service kiosks and visitor registration would also be used.

Cllr Whitehouse requested that logo was not placed on the outside glass case at the Civic Offices as this was used to showcase the Chairman's and Civic events and asked if there would be any non-digital publicity. R Pavey advised that the communication plan included non-digital formats, including conventional media channels, partners and other outlets such as libraries and offices. Cllr Kane confirmed that he and other members had been involved in an iterative process that went backwards and forwards with names and suggested that the space should be promoted with Parish and Town Councils.

The Committee agreed that from the two proposed options before them, 'The Civic Hub' was the preferred option.

Resolved:

The Select Committee considered the re-branding and proposed designs of the Ground Floor of the Civic Offices and agreed that the name 'The Civic Hub' should be recommended to Cabinet for consideration.

15. Dates of Future Meetings

The date of the next meeting was noted as the 13 January 2022.

CHAIRMAN

STRONGER PLACE SELECT COMMITTEE PROPOSED TERMS OF REFERENCE 2021/22

Definition of Stronger “Place” Select (Scrutiny) Committee

To consider Epping Forest District as a physical Place and to scrutinise the direction, policies and projects of the executive that affect the spatial and infrastructure requirements of the Epping Forest District.

The Committees Areas of Responsibility (Scope)

To consider the impact on customers, residents, businesses and visitors to our District, and to respond to consultation activities.

Sources of Information

Epping Forest DC Corporate Plan 2018-2023

Local Plan Submission Version, including Main Modifications.

Departmental Business Plans

Cabinet Corporate Aims and Objective 2021/22

Cabinet Work Programme 1 July to 31 October 2021

Key Objectives

1. To develop a work programme each year that effectively scrutinises the areas of responsibility outlined above.
2. To engage in policy review and development, with a focus on improvement and how this can be best achieved.
3. To consider any matter referred by the Overview and Scrutiny Committee, Cabinet or a Portfolio Holder and to make recommendations as appropriate.
4. To establish working groups and task and finish panels to undertake any activity within the terms of reference.
5. To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers to help develop policy.
6. To engage with the community and encourage community engagement.
7. District Wide Management Contracts and provide scrutiny of services that are not performing to standard and develop proposals for their improvement.
8. To monitor and review relevant projects and associated closure and benefits reports.

To provide scrutiny for the following corporate projects:

1. Local Plan Delivery, Infrastructure Delivery Plan, S106 Agreements, associated parking
2. Epping Centre Development - St. Johns Road
3. North Weald airfield development (including master-planning)

4. Council Housebuilding
5. Economic growth, skills and employment
6. District Wide Waste Management Provision

To have overview of the green agenda – helping to inform policy and future proofing the Place.

To maintain an awareness of the impact of relevant external policies and partners.

**Stronger Place Select Committee
Work Programme 2021/22**

Stronger Place Corporate Programme Alignment focuses on corporate objectives and our response to Covid-19 recovery.

No.	Item	Deadline	Progress and Comments	Member /Officer	Programme of Meetings
1	Harlow and Gilston Garden Town (HGGT) – Transport Strategy	tbc	To seek partner Committee endorsement?		22 Jun 2021 23 Sept 2021 4 Nov 2021 15 Mar 2022 C
2	Local Plan	tbc	Update on Main Modifications		
3	Branding of the Ground Floor of the Civic Offices	23 Sept 2021	COMPLETED		
4	PAH & Whipps Cross	13 Jan 2022	External Presentations to inform of status of development and impact on EFDC		
5	Waste Management	4 Nov 2021	Contract/service options and retender	J Warwick	
6	Off-Street Car Park Tariff Review	4 Nov 2021		J Warwick	
6	Littering	tbc	Consider littering across the District		
7	District Wide Leisure Services Development		Further to discussion at O & S 12 Oct 2021 (minute no 47 and 49) this item will be discussed at the next joint meeting in January 2022.		
8	Town Centre Progress Report	13 Jan 2022			
9	Public Transport services including Taxis.	15 Mar 2022			
10	Traffic control, Cycle Lanes, Electric Scooters. Electric charging	15 Mar 2022			
11	Highways.	tbc			
12	Country Care	tbc			
13	Land Drainage	tbc			
14	Flooding and SuDS	tbc	Dependency on several agencies: Environment Agency/Highway		
15	Tree Preservation.	tbc			

16	Climate Change		Considered by O & S		
17	Enforcement	13 Jan 2022			
18	Essex Highways	4 Nov 2021	External update form ECC Portfolio Holder		



Report to Select Committee

Date of meeting: 04 November 2021

Portfolio: Parking Services Portfolio (Councillor Sam Kane)

Subject: Review of Off-Street Car Parks Tariff

Officer contact for further information: James Warwick

Democratic Services Officer: Laura Kirman

1.0 Recommendations/Decisions Required

1.1 To consider the attached report and provide comment on the proposed review of car parking tariffs in Council owned off-street car parks for consideration by Cabinet.

1.1.1 Parking Charges;

- The existing tariffs of £0.20 for 30 minutes, £0.80/£0.90 for up to 1 hour and £1.60/£1.80 for up to 2 hours to be increased by £0.20 across the District. The principle of differential tariff between car parks to be retained.
- To retain the tariffs for stays above 2 hours.
- To extend full tariff on Saturday to apply to all car parks across the District.
- To extend 1 hour free parking on Sunday to 2 hours across the District and increase all day £1.00 charge to £2.00.
- To remove daily 1 hour free charging in Civic Offices Car Park (Sunday free allowance will remain) in consistency with other District car parks.
- To agree full tariffs to be introduced in Beaumont Park Drive Car Park, with a view to exploring satisfactory resolutions for demand.
- To retain free weekend and Bank Holiday parking during the month of December.
- To continue free parking for Blue Badge holders and motorbikes.

1.1.2 Permits & Season Tickets;

- To increase first residents permit charge from £50.00 to £55.00 per annum, in line with on-street charges.
- Introduction of business and residents permits in Cornmill Car Park (Waltham Abbey) and business permits in Oakwood Hill East Car Park (Loughton).
- Season Tickets 5% discount to be retained and prices to be adjusted in line with proposed parking charges.

1.1.3 To agree proposed operational hours of 08:00-18:00 in all car parks for consistency.

1.1.4 To agree implementation of changes in tariff to commence in Q1 2022

2.0 Report

2.1 Background

2.1.1 The purpose of the proposed report is to review the charging regime in EFDC off-street car parks, which has not increased since 2015, to ensure parking charges are sustainable to support the operation of car parks and to assist with budget pressures as a result of Covid-19 that have impacted maintenance and enhancement works.

- 2.1.2 Epping Forest District Council (EFDC) operate 22 off-street car parks in the Epping Forest District area. The car parks are located in key population areas and/or commuter towns of Buckhurst Hill, Debden, Epping, Loughton, Ongar, Waltham Abbey and Roydon.
- 2.1.3 Epping Forest District Council review off-street parking tariffs periodically to ensure the charging regime is at an appropriate level across the District that do not undermine the vitality of our town centre economies. The last tariff review was conducted in 2018 and the decision to retain tariffs was applied (formerly reviewed in 2015) and a linear hourly tariff structure for stays above 2 hours was introduced. Inflation has risen by approximately 2.16% pa (approximately 13% total) since 2015.
- 2.1.4 The Covid-19 pandemic has resulted in significant financial pressures on the Council's budget and income. Current data suggest parking income is circa 80% of pre-pandemic levels, with occupancy of short stay car parks recovering well, but long-stay car parks remain affected. Further financial pressures are expected with the Cottis Lane & Bakers Lane Car Parks redevelopment projects.
- 2.1.5 A benchmarking assessment has been conducted to understand how current tariffs compare with charges in Epping (on-street and other off-street car parks) and neighbour local authorities (see Appendix A). EFDC off-street car park charges appears to be in the lower range for up to 2 hour stays, whereas tariff band charges for over 2 hours is above average. A cost-benefit analysis assessment and consultation has been undertaken with RTA Associates to propose a sustainable charging structure, balancing parking requirements and the needs of car park users.

2.2 Existing & Proposed Off-Street Parking Charges

Table 1: Existing Tariff Structure

	<i>Epping, Loughton & Buckhurst Hill</i>	<i>Waltham Abbey and Ongar</i>
Mon-Fri		
Up to 30 min	£0.20	£0.20
Up to 1 hour	£0.90	£0.80
Up to 2 hours	£1.80	£1.60
Up to 3 hours	£3.00	£3.00
Up to 4 hours	£4.00	£4.00
Up to 5 hours	£5.00	£5.00
6 hours +	£6.00 (Long Stay) / £10.00 (Short Stay)	£6.00 (Long Stay) / £10.00 (Short Stay)
Sat		
Up to 1 hour	Full Tariff / Free*	Full Tariff / Free*
1 hour +	Full Tariff / £1.00*	Full Tariff / £1.00*
Sun		
Up to 1 hour	Free	Free
1 hour +	£1.00	£1.00

*Saturdays 1 hour free - £1.00 all day tariff is applicable to Burton Road, Burton Road South, Civic Offices, Bakers Lane, Smarts Lane, Traps Hill, Pleasance, Cornmill and Darby Drive Car Parks.

NB: 30-minute stays are cash only.

Table 2: Proposed Tariff Structure

	<i>Epping, Loughton & Buckhurst Hill (A)</i>	<i>Waltham Abbey and Ongar (B)</i>
Mon-Fri		
Up to 30 min	£0.40	£0.40
Up to 1 hour	£1.10	£1.00
Up to 2 hours	£2.00	£1.80
Up to 3 hours	£3.00	£3.00
Up to 4 hours	£4.00	£4.00
Up to 5 hours	£5.00	£5.00
6 hours +	£6.00 (Long Stay) / £10.00 (Short Stay)	£6.00 (Long Stay) / £10.00 (Short Stay)
Sat		
Saturday	Full Tariff	Full Tariff
Sun		
Up to 2 hours	Free	Free
2 hours +	£2.00	£2.00

- 2.3.1 The proposed tariff structure recommends the following changes (highlighted above):
- £0.20 increase in tariff bands up to 2 hours stay and to retain tariffs above 2 hours which has not incurred any price changes since 2015.
 - Full tariffs on Saturdays to be retained and apply to all car parks for consistency, and to align with other parking in Epping and neighbouring authorities generally.
 - Increase free parking on Sundays for up to 2 hours (ticket required) and increase all day tariff to £2.00.
- 2.3.2 The modelling assumes the proposed increases will not affect car park occupancy rates. This is supported by British Parking Association and Government research that there is no clear relationship between car parking charges and footfall levels.
- 2.3.3 The Council are aware of its legal obligations when setting charges, however it is recognised that the proposed changes are essential with increasing operational and maintenance costs, and to accommodate future enhancements, providing a high quality service. The proposed charges will remain in the lower range within charging in Epping and competitive with neighbouring local authorities. With the exception of Sundays, we are not proposing any changes to stays over 2 hours to ensure costs remain reasonable to support businesses and local traders.
- 2.3.4 It is suggested to retain differential tariffs across the towns served by London Underground (Epping, Loughton and Buckhurst hill) and Waltham Abbey and Ongar.
- 2.3.5 It is recommended that free parking for Disabled Badge holders and motor bikes is to be continued. It is also recommended that free weekend and Bank Holiday parking during the month of December is also continued, as this assists the change in increasing footfall during the Christmas period.
- 2.3.6 The proposed tariff structure is estimated to generate an additional gross income of £340,000.00 (£40,000 would need to be deducted in year 1 from this to satisfy legal duties in changing Traffic Regulation Order, consultations, advertisements and replacing notice boards and signs in car parks). This based on modelling, with assumptions including the same car park usage and that the car parks will achieve pre-Covid occupancy levels. Cottis Lane Car Park has been excluded from this modelling.
- 2.3.7 At present, EFDC off-street car parks have different operational hours of 08:00-18:00, 08:30-17:30 and 09:00-18:00. Uniform operational hours of 08:00-18:00 is recommended across all

car parks and during these hours the car parks will be subject to parking enforcement. Parking outside these hours will be free for all car park users.

2.4 Beaumont Park Drive Car Park, Roydon

2.4.1 Beaumont Park Drive Car Park, Roydon is the only free Council owned car park in the District. The provision of free parking is not sustainable, considering cost of running the car park, including maintenance and future car park enhancements. It is recommended for the Council to introduce parking tariffs (tariff structure B) to meet the cost of the provision and maintenance by the Council of the car park and create consistency across the District.

2.4.2 The Council is mindful of the user groups that make use of Beaumont Car Park (primarily the local school which has its own car park, business and residents) and it is prudent to explore satisfactory resolutions of demand through measures such as residents permits, business permits and no enforcement during school pick up/drop off times.

2.4.3 Introducing charges in Beaumont Park Drive is estimated to generate an additional gross income of £35,000 per year.

2.5 Permits and Season Tickets

2.5.1 It is recommended that off-street parking permit costs are aligned with on-street permit costs, see Table 3 (proposed changes are highlighted).

Table 3: Proposed Permit Changes.

	<i>On-Street</i>	<i>Off-Street</i>	
		<i>Existing</i>	<i>Proposed</i>
Residents Permit (per annum)			
First Resident Permit (per property)	£55.00	£50.00	£55.00
Business Permit (per annum)			
Oakwood Hill East Car Park (1 st permit)	£48.00	n/a	£48.00
Oakwood Hill East Car Park (2 nd permit)	£80.00	n/a	£80.00

2.5.2 It is advised to utilise Cornmill Car Park (Waltham Abbey) by providing business and resident permits, and Oakwood Hill East (Loughton) by providing business permits to satisfy the local demand and create additional use for the car park. The number of permits and extent of properties/businesses to be included within the schemes are to be explored.

2.5.3 Where season tickets are available in car parks, prices will be adjusted in accordance to the revised tariff charges, which is a reduction of 5% of all day parking charge over a month.

2.6 EV Charging

2.6.1 EFDC are partnering with InstaVolt Ltd to install 2 x rapid Electric Vehicle (EV) charging stations at Oakwood Hill East Car Park (Loughton) by the end of 2021. Providing public EV charging in Oakwood Hill will support key EFDC policies of reducing road transport emissions, helping meet the Interim Air Pollution Mitigation Strategy for a 10% conversion of cars to Ultra Low Emission Vehicles by 2025 and working towards becoming a carbon-neutral district by 2030. EV drivers will be required to pay parking charges, as per industry standard.

2.6.2 The Parking Team are investigating the prospect of introducing discounts for EV drivers in all EFDC car parks, which will include an online process for drivers to register for the discount and subsequent validation. Further work is necessary to explore the process and resources

required to be able to implement EV discounts.

3.0 Reason for Decision

- 3.1 To review the current charging regime in EFDC off-street car parks which has not increased since 2015 and to ensure the charges are sustainable to support the operation and maintenance demand of car parks.
- 3.2 To generate additional income for the Council to assist with the financial pressures as a result of Covid-19. Financial pressures have impacted the programme of maintenance and enhancement works of the car parks.

4.0 Options Considered and Rejected

- 4.1 The do-nothing or delay option would not address the requirement to ensure car parking charges are appropriate and would not contribute to the Council's budget objectives.
- 4.2 The option to increase in line inflationary across all tariffs will result in charging higher rates for above 2 hours than neighbouring authorities and may adversely impact occupancy rates, hence is not deemed sustainable.

5.0 Consultation Undertaken

- 5.1 Consultation has been undertaken with RTA Associated for the validation of parking and estimated income modelling. Members have been consulted on the tariff charge options.
- 5.2 A statutory consultation will be carried out in accordance with requirements under the Road Traffic Regulation Act 1984.

6.0 Resource Implications

- 6.1 The changes to the tariff structure will require a statutory consultation, advertisement and Traffic Regulation Order (TRO) to be formally made and introduced under the Road Traffic Regulation Act 1984. North Essex Partnership (NEPP) will be commissioned to carry out the associated necessary legal and technical work.
- 6.2 Changes to car park signs, replacing notice boards and system upgrades will also be required to implement the tariff changes.
- 6.3 A budget of £40,000 is required to implement the tariff changes, which could be deducted from the additional income.

7.0 Legal and Governance Implications

- 7.1 Under the Road Traffic Regulation Act 1984, any changes to car parking charges will require a Traffic Regulation Order and will be advertised. Any objections and observations will be formally considered and reported to the Select Committee and Cabinet Board.

8.0 Safer, Cleaner, Greener Implications

- 8.1 Installation of EV charging points will provide charging opportunity in the District and assist in EV uptake, contributing to reduce carbon emissions and improve air quality.
- 8.2 The Council is committed to improve air quality in the District and the proposed tariff charges may encourage car park users to use more sustainable modes of transport. Car park users unable to make different transport choices may benefit from reduced overall demand which maximises the turnover of spaces.

9.0 Background Papers – None

10.0 Risk Management

- 10.1 There is a risk around the modelling assumptions and until the new tariff is implemented, it would not be possible to ascertain if the income assumption will be realised or not. Subject to the implementation of the proposed tariffs, the financial/occupancy data will be monitored to ensure any adverse impact can be corrected. Members need to be aware that there is a risk element to the change in tariff structures should members of the public fail to meet demand then any loss of income would need to be absorbed by the relevant accounts.

11.0 Equality Impact Assessment

- 11.1 The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. The equality information is provided as an Appendix for the consideration of this report.

Appendix A – Benchmarking, Off-Street Car Parks Tariff Review

Key	
	<i>Below Existing EFDC Tariff</i>
	<i>Above Existing EFDC Tariff</i>

Table A1: Epping Parking Charges

	<i>EFDC Off-Street</i>	<i>EFDC On-Street</i>	<i>City of London</i>	<i>TfL</i>
Mon-Fri				
Up to 30 min	£0.20	£0.40 - £0.60	n/a	£6.00 - £7.50
Up to 1 hour	£0.80 / £0.90	£1.00 - £1.30	£1.50	
Up to 2 hours	£1.60 / £1.80	£1.70 - £2.20	£2.50	
Up to 3 hours	£3.00	£3.80 - £4.20	£4.00	
Up to 4 hours	£4.00	£3.80 - £6.00	£4.00	
Up to 5 hours	£5.00		£6.00	
6 hours +	£6.00 / £10.00			
Sat				
Up to 1 hour	Full Tariff / Free	Full Tariff	Full Tariff	£3.00 - £6.00
1 hour +	Full Tariff / £1.00			
Sun				
Up to 1 hour	Free	Full Tariff	Full Tariff	£3.00 - £6.00
1 hour +	£1.00			

For illustrative purposes only.

Table A2: Neighbouring Local Authorities Off-Street Car Parks Comparison

	EFDC	Broxbourne	Brentwood	East Herts	Harlow	Redbridge	Waltham Forest	Uttlesford	Braintree
Mon-Fri									
Up to 30 min	£0.20	n/a	Free	Free	n/a	n/a	n/a	£0.40 - £0.50	n/a
Up to 1 hour	£0.80 / £0.90	£1.10	£1.00	£0.80	Free	£1.45 - £1.85	£1.30 - £2.50	£0.60 - £0.70	£1.00
Up to 2 hours	£1.60 / £1.80	£2.00	£2.00	£1.60	£0.85 - £1.65	£2.15 - £3.15	£2.50 - £4.00	£1.00	£2.00
Up to 3 hours	£3.00	£2.80	£3.00	£2.20	£1.75 - £1.95	£3.00 - £4.50	£3.50 - £5	£1.20	£2.00
Up to 4 hours	£4.00	£3.80	£4.00	£2.90	£2.75 - £3.60	£3.70 - £10.20	£8.00	£2.00	£3.00 - £3.50
Up to 5 hours	£5.00	£5.10	£5.00	£3.60	£2.40 - £2.50			£3.00 - £6.00	
Up to 6 hours +	£6.00 / £10.00		£6.60 / £8.00	£4.40	£6.20 - £7.75			£3.50 - £4.70	
Sat									
Up to 1 hour	Full Tariff / Free	Full Tariff	Full Tariff	Full Tariff	2 hours free	Full Tariff	Full Tariff	Full Tariff	Full Tariff / £0.50-£1.00
1 hour +	Full Tariff / £1.00*				£1.25 2 hours+				Full Tariff / £0.50-£1.00
Sun									
Up to 1 hour	Free	Free	£1.00	Free	2 hours free	Full Tariff	Full Tariff	Free	Full Tariff / £0.50-£1.00
1 hour +	£1.00				£1.25 2 hours+				Full Tariff / £0.50-£1.00

For illustrative purposes only.

Equality Impact Assessment

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

Section 1: Identifying details

Your function, service area and team: Leisure and Car Parking Team - Contracts.

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: Off-Street Car Parks Tariff Recommendations

Officer completing the EqlA: Amelia Hoke Tel: 0199256 4442 Email: adhoke@eppingforestdc.gov.uk

Date of completing the assessment: 16 October 2021

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? Change to an existing service/function that already exists and is being reviewed.</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): To agree proposed EFDC off-street car parking tariff charges which has not increased since 2015, to support the operation and maintenance demand of car parks.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? Revision of tariff structures in all Council owned off-street car parks.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>The decision does not affect employees. The decision does affect service users and the wider community or groups of people.</p> <p>Will the policy or decision influence how organisations operate? No.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources? 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? Yes. EV considerations support the Climate Change Action Plan and EFDC Interim Air Pollution Mitigation Strategy and will therefore directly contribute to reduce carbon emissions across the District and improve air quality.</p>

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

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

3.1	<p>What does the information tell you about those groups identified? Some elderly car park users or users with disabilities may find the tariff changes complex to follow with regards to reading and understanding the tariff boards. Tariff increases may present adverse effects for low socioeconomic status households.</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>A full public consultation process will be undertaken as part of the formal legal process to change a Traffic Regulation Order.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>N/a.</p>

Section 4: Impact of policy or decision

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

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Adverse. Some users of this group may have difficulty in understanding the new tariff changes. May not be able to afford the proposed tariff change.	M
Disability	Adverse. Some users of this group may have difficulty understanding the new tariff changes. May not be able to afford the proposed tariff change.	M
Gender	Neutral.	L
Gender reassignment	Neutral.	L
Marriage/civil partnership	Neutral.	L
Pregnancy/maternity	Neutral.	L
Race	Neutral.	L
Religion/belief	Neutral.	L
Sexual orientation	Neutral.	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 checked="" type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
Some user groups may not understand the tariff changes.	Making the new changes and tariffs clear to all users by: <ul style="list-style-type: none"> - Updating tariff boards and signs - Issuing notices in advance to inform car park users when the changes will be implemented. 	TBC
Some user groups may not be able to afford the proposed tariff increases.	These user groups may be eligible to receive free public transport or Blue Badges which mitigate impact of changes to the tariff structure. The proposed tariff has been considered carefully and is in line with parking charges in Epping and neighbouring local authorities. A formal public consultation process will be undertaken before any changes are implemented.	TBC

Section 7: Sign off

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

Signature of Head of Service: J.Warwick

Date: 25/10/21

Signature of person completing the EqIA: A.Hoke

Date: 14/10/21

Advice

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

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**Report to Stronger Place
Select Committee**

Date of meeting: 4th November

Portfolio: Housing and Property (Cllr Holly Whitbread)

Subject: Improving Payment Options for Leaseholders

Officer contact for further information: Deborah Fenton - 07988860412

Democratic Services Officer: Laura Kirman 01992 564243

Recommendations/Decisions Required:

To consider the attached report and make recommendations to Cabinet in relation to:

- (1) The Council review its current Corporate Debt Policy to allow increased payment terms for leaseholders.**
- (2) That approval is given to:**
 - (a) offer a menu of payment options for resident leaseholders and for non-residential leaseholders who do not sublet more than one EFDC leasehold property where the property is owned by individuals.**
 - (b) approve that any repayment plan for a sum of £12,500 or above to be secured as a voluntary charge on the property. The administration cost associated with this should be borne by the applicant and will be in the region of £150.**
 - (c) agree to an interest rate for leasehold payment options based on 0.25% above the average Council lending rate for the previous year for the above.**
 - (d) delegate authority to Director for Housing & Property to consider any applications from leaseholders on the grounds of extreme hardship to vary the length of repayment periods.**
 - (e) delegate authority to the Director for Housing & Property in consultation with the Cabinet Member for Housing and Community the ability to agree payment plans on a project by project basis where leaseholders estimated bills are likely to be in excess of £12,500**

Report:

It is well understood that properties have a finite life cycle. In order to maximise the life span of our blocks, it is vital that we carry out regular improvement works. The process of improving blocks is worked out using life cycles, there is an industry average for all components for buildings. Our residential assets are reaching the point where major investment is required. Choosing not to invest would lead to a situation where the asset could become dangerous. Furthermore, lead to a disintegration of quality of life for our residents.

EFDC understands the financial strain which can be experienced by leaseholders who have to contribute to the cost of the works. As such it is important that this be considered, and steps be put in place to assist leaseholders with options for payment. A detailed report on improving payment options for the Leaseholders is attached as Appendix A

The proposals put forward in the options report (Appendix A) have been benchmarked with similar organisations, the approach lends itself to a fair compromise in terms of funding the works and giving leaseholders the opportunity to pay over an extended period.

Reason for decision:

A number of estates are now requiring major investment. This work needs to be carried out in order to improve both the living environment for tenants and leaseholders, in addition protect and prolong the life of the asset

Options considered and rejected:

The option was considered to not introduce payment options, this was rejected as it would lead to financial hardship

Consultation undertaken:

The Finance Team have been consulted and are in agreement. Subject to comments from this committee the proposal will be discuss with the resident panel before being presented to Cabinet

Resource implications:

Capital funding is required for any future projects, this has been factored into the business plan

Legal and Governance Implications:

This proposal meets with all requirements

Safer, Cleaner, Greener Implications:

Improving our estates will have a positive impact on the safety of residents, furthermore the improvements will include greener alternatives

Background Papers:

None

Impact Assessments:

Attached

Risk Management:

Projects of this nature are developed and managed under a project management system which includes risk management

Epping Forest District Council

IMPROVING PAYMENT OPTIONS FOR LEASEHOLDERS

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OVERVIEW

EFDC have in the region of 446 blocks of flats throughout the District (ongoing development may increase this in the future). Many of the flats contained within these blocks have been sold under the Right to Buy Scheme and the purchasers have therefore become leaseholders.

In line with the terms of the lease the Council as the Freeholder are responsible for keeping the structure of the building and communal areas in a good state of repair and redecoration.

The leaseholder is responsible for paying a proportion of the cost in respect of any such works undertaken, following statutory consultation under Section 20 of the Landlord and Tenant Act 1985 (As amended by the Commonhold and Leasehold Reform Act 2002).

Leaseholders are required to pay their proportional charges in the year in which the Major Works take place. Estimated charges are payable in 12 monthly instalments from April to March each year with the actual account being raised and sent the following September.

The Council operate a 30-year plan which shows expected life cycle of building elements. In previous years Major Works programmes were carried out on an element by element basis over multiple financial years as and when necessary such as roof covering replacement, replacement windows, external repair and redecoration, resurfacing to walkways, communal electrics etc.

The Council now wish to consider its options with regards to how they manage Major Works programmes to their blocks.

There are many areas within the District which require improvements and a Major Works programme would have a positive impact, however, to achieve this the blocks contained within these areas will require many elements of Major Works to be carried out under one such scheme.

The Council have a vision to regenerate the areas and create places where people want to live, whilst considering the financial implication to their leaseholders.

1. EXECUTIVE SUMMARY

- 1.1. The Council currently offers a limited range of payment options to its leaseholders to assist them in making their contributions towards Major Works. This report reviews the payment options available and proposes improvements to these payment options to make it more affordable to leaseholders and therefore easier and more cost effective for the Council to collect Actual charges incurred.

2. RECOMMENDATIONS

The Council review its current Corporate Debt Policy to allow increased payment terms for leaseholders.

Current Corporate Debt Policy as shown on the table below;

Value	Terms (from date of invoice)
Debts below £500	No more than 3 months
Debts below £1,500	No more than 6 months
Debts below £2,500	No more than 9 months
Debt above £2,500	No more than 12 months

- 2.1. That approval is given to offer the following menu of payment options for resident leaseholders and for non-residential leaseholders who do not sublet more than one EFDC leasehold property where the property is owned by individuals¹.

Major Works Proposed Repayment Plan

Invoiced amount	Interest free period available	Interest bearing period available	Total repayment period
> £7,500 < £12,500	36 Months	48 months	84 months
> £12,500 < £17,500	48 months	60 months	108 months
> £17,500	48 months	72 months	120 months

- 2.2. To approve that any repayment plan for a sum of £12,500 or above to be secured as a voluntary charge on the property. The administration cost associated with this should be borne by the applicant and will be in the region of £150.
- 2.3. To agree to an interest rate for leasehold payment options based on 0.25% above the average Council lending rate for the previous year for the above.
- 2.4. To delegate authority to the Director for Housing & Property to consider any applications from leaseholders on the grounds of extreme hardship to vary the length of repayment periods.
- 2.5. To delegate authority to the Director for Housing & Property in consultation with the Cabinet Member for Housing the ability to agree payment plans on a project by project basis where leaseholders estimated bills are likely to be in excess of £12,500

¹ i.e. the options will not be available properties owned by a company, trust or similar vehicle

3. REASONS FOR DECISION

- 3.1. Waiting for a potentially large Major Works invoice can cause significant stress to a leaseholder and the additional payment options will help them to reach suitable repayment arrangements as soon as possible.
- 3.2. The proposals are likely to improve collection rates by giving leaseholders more options, as well as reducing the need for legal action. This will increase cash flow and benefit the Housing Revenue Account.
- 3.3. Interest rates have been very low for many years and charging a reduced rate will assist leaseholders to pay the capital sum as quickly as possible.
- 3.4. The options are likely to reduce disputes by improving affordability. This will benefit the Council by reducing the number of cases that escalate to the Courts and the financial and reputational risk that comes with that.

4. PROPOSAL AND ISSUES

- 4.1. The Council has 1082 leaseholders. 611 are resident owner-occupiers and 471 are non-resident. The non-resident leaseholders are likely to be subletting but may also be absent for some other reason such as work commitments.
- 4.2. Our leases oblige the council, as landlord, to keep the buildings in a reasonable state of repair and decoration. Under the leases the Council can recover a contribution towards cost of this work from the leaseholders.
- 4.3. Work may include, roof repairs/replacement, window repairs/renewal, external repairs and redecorations, communal electrics, etc. The larger projects, which are carried out to blocks or estates, are known as Major Works. The leaseholders in those blocks and/or estates are consulted before work starts². Once the final account is received and the work has been signed off by the Contracts Officer the Major Works costs are applied to leasehold accounts for payment of their contribution³. Actual Accounts to include such works are sent to leaseholders in September of each year.
- 4.4. The Council follows The Mandatory Reduction Directions for social landlords (councils or housing associations) which came into force in England on 12 August 2014. The Mandatory Reduction Directions limit the amount of service charges recoverable from leaseholders of social landlords, who occupy their flat or house as their only or principal home. Within any 5-year period, the maximum a landlord can recover is limited to £15,000 within London and £10,000 outside London. This applies to the cost of repair, maintenance or improvement undertaken with assistance from a programme such as Decent Homes Backlog Funding, where the application for assistance was made on or after 12 August 2014.

² Very occasionally emergency work may be done without consultation

³ Estimated payments are requested from the leaseholder in the financial year the works take place with the final demand for payment/invoice being raised and sent in the following September.

Payment of current major works invoices

- 4.5. Each leasehold property has two service charge accounts which are managed separately. The Ongoing Service Charge Account covers items such as grounds maintenance and communal lighting. The second account is solely for Major Works charges and therefore these costs are easily identifiable.
- 4.6. During the first five years of a right to buy lease major works charges are limited to the amounts detailed in the offer notice issued prior to purchase. The offer notice contains details of possible works and an estimate of the cost. The limitation applies to the sum listed plus an allowance for inflation. The offer notice details the maximum that can be charged; and Any major works completed outside this five-year period are fully chargeable
- 4.7. The Council's Invoices require payment on demand with the first reminder sent out on day 28.
- 4.8. Although all leaseholders usually receive notices before any works start to warn them of the impending bill, many leaseholders find it extremely difficult to raise enough funds to settle the full invoice within 21 days as the lease requires. So, the Council already offers some payment options.
- 4.9. The current options which are available to all leaseholders are set out below:

Current Corporate Debt Policy as shown on the table below;

Value	Terms (from date of invoice)
Debts below £500	No more than 3 months
Debts below £1,500	No more than 6 months
Debts below £2,500	No more than 9 months
Debt above £2,500	No more than 12 months

• **Mandatory service charge loans (S450A Housing Act 1985):** an interest-bearing loan with set criteria and only available to the Right to Buy leaseholder for the first 10 years of the lease.

- 4.10 If the leaseholder is unable to pay the invoice/demand for payment in the time frame referred to in the Council Debt Policy, then further payment terms will be considered by the Corporate Debt Team on the completion of an income and expenditure form. This agreement is then reviewed every 6 months.

Proposed additional interest free & interest-bearing instalment options

- 4.11. The Council wants to help Leaseholders make affordable payments towards their Major Works. This will avoid increasing the level of homelessness in the district⁴ or breaking up established communities by forcing residents to seek cheaper housing options elsewhere.
- 4.12. For this reason, a tiered payment period is proposed depending on the size of the invoice, with an interest free and an interest-bearing period:

Major Works Proposed Repayment Plan

Invoiced amount for Major Works Programmes	Interest free period available	Interest bearing period available	Total repayment period
> £7,500 < £12,500	36 months	48 months	84 months
> £12,500 < £17,500	48 months	60 months	108 months
> £17,500	48 months	72 months	120 months

- 4.13. Access to the above payment plans will be open to residential leaseholders. This payment plan will also be available to non-residential leaseholders who do not sublet more than one EFDC leasehold property where the property is owned by individuals⁵.
- 4.14. To further safeguard the Council's interests, Payment Plans in excess of £12,500 will be secured by a charge on the property with the cost of placing the charge being borne by the leaseholder.
- 4.15. These proposals compare favourably with those offered by other local authorities as set out in Appendix B.
- 4.16. In the interest of Leaseholders, the length of the Major Works Repayment Plan has been limited. Council properties require maintenance work on a cyclical basis of, on average, every 7 years. By limiting the repayment period, we are encouraging Leaseholder to pay for repair works before they happen again.
- 4.17. Some leaseholders can have very difficult financial circumstances, so the report asks for authority to be delegated to the Director of Finance & Resources to authorise variations to the repayment periods for leaseholders in cases of hardship.

⁴ As sometimes when the mortgagee adds the bill to the leaseholders existing balance, they become unable to keep up repayments and fall into arrears

⁵ i.e. the options will not be available properties owned by a company, trust or similar vehicle.

- 4.18. The report also recognises that on occasion Major Work may be required that results in a very large bill and asks for authority to approve specific payment terms on a project by project basis for any invoices in excess of £12,500 to be delegated to the delegate authority to the Lead Director for Housing & Property in consultation with the Cabinet Member for Housing.

Proposed changes to the interest rate

- 4.19. The proposal is to charge a lower amount of interest on all Major Works debt for residential leaseholders and for non-residential leaseholders who do not sublet more than one EFDC leasehold property where the property is owned by individuals⁶. The proposed interest rate is 0.25% above the average Council lending rate for the previous year on the loan period to be reviewed annually.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The Council has a fiduciary duty to collect debts due to it. These additional payment options are designed to maximise efficient debt collection.
- 5.2. The extended interest-free proposal will only be available to qualifying leaseholders within the parameters set within par 4.10. It will bring benefits such as improved affordability and reduced disputes.
- 5.3. The Council could choose to not adopt the extended repayment periods but, this is likely to increase collection costs as the Council having to pursue payment via the debt recovery process and ultimately the Court.
- 5.4. The Council could choose not to reduce interest rates for Major Works, but this will result in longer repayment periods.

6. CONSULTATION

- 6.1. These extended options are proposed following conversations with leaseholders who were concerned about paying invoices following residents' meetings in respect of Limes Farm Regeneration Project.

7. EQUALITY IMPLICATIONS

- 7.1. The new extended interest-free repayment options, the greater flexibility in repayment periods and the reduced interest rate is expected to have a positive impact on vulnerable leaseholders (in receipt of state pensions, disabled leaseholders receiving state benefits, those on maternity leave who may have reduced income and any low-income households which are likely to include BME and single parent households).
- 7.2. The interest-free option accommodates conditions of a Sharia-compliant loan.

⁶ i.e. the options will not be available properties owned by a company, trust or similar vehicle.

8. LEGAL IMPLICATIONS

- 8.1. The Council has a fiduciary duty to recover all debts owed to it. By making the proposed payments options available to leaseholders the Council is, in effect, giving loans to the leaseholders on concessionary terms. Sections 450A and 450B of the Housing Act 1985 give the Council power to make loans secured by a mortgage on the property but as there is no security these "loans" can be made further to the Localism Act 2011.
- 8.2. Section 1 of the Localism Act 2011 provides a general power of competence for local authorities and replaces the "well-being" powers from the Local Government Act 2000. It gives local authorities the same power to act that an individual generally has and provides that the power may be used in innovative ways. The only restriction is that there must be no statutory prohibition against the proposed action.
- 8.3. Section 3 of the Local Government Act 1999 requires the Council as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".
- 8.4. Offering and continuing the payment options detailed in this report can be seen as an efficiency measure as the Council may not have to expend resources in chasing late payments.

9. FINANCIAL IMPLICATIONS

- 9.1 It is anticipated that as a result of the additional options being offered will have a positive impact on collection.
- 9.2 There will also be an additional revenue stream in the form of administration fee in the cases of repayment plan for a sum of £12.5k and above that will cover the cost of placing charges on properties giving the Council more security over the collection of debt.

10. IT IMPLICATIONS

- 10.1. The ability to manage payment plans, income recovery and the interest calculation is dependent on a system with a proven track record of delivering on these requirements. The leasehold accounts are managed via OHMS however collection of Actual Accounts are managed in the Corporate Debt Team so their systems will need to be tested to ensure that the functionality is present. Any replacement system must be tested to ensure that the functionality is available.

Appendix A – Benchmarking Data

Organisation	Offer prompt payment discounts	How is it calculated?	Payment options available to subletting leaseholders?	Offer interest free repayment options	How long?	Offer any interest-bearing repayment options?	Interest rate	How long?
Barnet Homes	Yes	2.5% if paid within 28 days	No	Yes	First two years	Yes	?	<ul style="list-style-type: none"> • £5k to £7,5k – 3 years • £7,5k to £15k – 5 years • £15k and above – 10 years.
Brent	Yes	5% if the invoice paid in full within 28 days	Yes	Yes	Up to 24 months	Yes	7.20%	3 years - 10 years
Camden	Yes	5%	No	Yes	<ul style="list-style-type: none"> • Less than £5k up to 12 months • Over £5k up to 24 months • Over £10k up to 36 months • Over £15k up to 48 months • Over £20k up to 60 months 	No	n/a	n/a
City West Homes	No	n/a	Yes, only up to 2 years instalments	Yes	Up to 24 months	Yes	?	3-5 years
Greenwich	Yes	n/a	Yes	Yes	24 months pending the final account, the instalment arrangement is then reviewed.	Yes	3% above the	Once the final account is available leaseholders have an additional 10 months to pay. Any balance due after

							base rate	this period may be subject to interest
Hackney	Yes	5%	Yes	Yes	<ul style="list-style-type: none"> • £0-£300 6 months • more than £300 12 months 	Yes	4.50%	<ul style="list-style-type: none"> • £1k or more 24 monthly instalments (if the debt is cleared within 12 months the interest is removed) • Above £5k 36 months (if the debt is cleared within 12 months the interest is removed) • Above £10k 60 months (if the debt is cleared within 12 months the interest is removed)
Hammersmith & Fulham	Yes	2.5% of the invoiced amount	Yes, in some cases where the leaseholder only sublets one property	Yes	3 years	Yes	5.50%	5 years, where the first three years are interest free
Harrow	Yes	2.5% if paid within 6 weeks of invoice date	Yes	Yes	Up to 48 months depending on the value of the invoice.	No	n/a	n/a
Havering	Yes	1.50%	No	Yes	<ul style="list-style-type: none"> • £250-£1500 12 months • £1,501-£3,000 24 months • £3,001-£5,000 36 months • £5,001-£10,000 60 months 	Yes	4%	7 years, the first 5 years interest free for invoice in excess of £10,000

Hillingdon	No	n/a	Yes, maximum 12 months to subletters whereas resident leaseholders can extend	Yes	Usually 12 months for all (residential or subletting leaseholders) or 36 months subject to income and expenditure checks for residential leaseholders	Yes	3.72%	3 to 10 years with interest, subject to legal charge on property
Homes for Haringey	Yes	5%	Yes, a maximum of 36 months	Yes	72 months maximum	Yes	5.19%	Up to 120 months with strict conditions
Islington	Yes	5%	Yes, they can spread payments over 24 months interest free	Yes	36 months for resident leaseholders and 24 months for non-resident	Yes	Bank of England Base Rate	<ul style="list-style-type: none"> • Less than £10k 5 years • More than £10k 10 years
KCTMO	Yes	2.50%	Yes	Yes	<ul style="list-style-type: none"> • Under £2,500 up to 12 months interest free • £2,500 to £4,999 up to 24 months interest free • £5,000 to £7,499 up to 36 months interest free • £7,500 to £9,999 up to 48 months interest applied to year 4 • Over £10k up to 60 months interest applied to years 4 and 5 only 	Yes	2% above the NatWest base rate	<ul style="list-style-type: none"> • 7,500 to £9,999 up to 48 months interest applied to year 4 • Over £10k up to 60 months interest applied to years 4 and 5 only Plus legal costs of £500 as a legal charge will be placed against the property until full settlement of debt.

Lewisham Homes	No	n/a	No, but they have the option to pay up to 10 monthly instalments	Yes	<ul style="list-style-type: none"> • Up to £3k 24 months • More than £3k 36 months 	Yes	5.63%	Any period over the initial interest free period up to 10 years
Redbridge	No	n/a	12 monthly instalments on some bills. Longer timeframes may be available on completion of an income and expenditure form	Yes	<ul style="list-style-type: none"> • Up to £1,500 12 months • £1,500 to £5k 24 months • £5k and above 36 months 	No	n/a	n/a
Southwark	No	n/a	Yes, must pay in accordance with the lease (12 months)	Yes	<ul style="list-style-type: none"> • Under £7,200 36 months • Over £7,200 48 months • May consider up to 72 months interest-free repayments for particularly large invoices 	Yes, Discretionary Service Charge Loan	1.5% above the NatW est base rate	Up to 25 years
Sutton Housing	No	n/a	Yes	Yes	<ul style="list-style-type: none"> • £0-£100 28 days • £100 - £600 12 months (minimum payment of £50 per month) • £600 or over up to 2 years (minimum payment of £50 per month) 	Yes	4.50%	<ul style="list-style-type: none"> • £1,500 - £4,999 up to 3 years (minimum payment of £50 per month) • £1,500 and over up to 10 years (minimum payment of £50 per month) • £3,000 and over Charge placed on property

Tower Hamlets Homes	Yes	5% over £1k	Yes, for invoices over £1,999	Yes	2 years for invoices over £1k	Yes	?	<ul style="list-style-type: none"> • Over £2k first two years interest free and then 3 years interest bearing • Over £10k first two years interest free and then 3-10 years interest bearing
Waltham Forest	Yes	<£10k 1.5% and >£10k 2.5%	No	Yes	<ul style="list-style-type: none"> • Up to £1.5k payable over 12 months • Between £1.5k - £2.5k payable over 18 months • Between 2.5k to £5k payable over 24 months • Over 5k payable over 36 months 	No	n/a	n/a

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Equality Impact Assessment

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

Section 1: Identifying details

Your function, service area and team: **Housing and Property**

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: **NA**

Title of policy or decision: Payment options for leaseholders

Officer completing the EqIA: **Deborah Fenton** Tel: 079888 60412 Email: **dfenton@eppingforestdc.gov.uk**

Date of completing the assessment: 27/10/21

Section 2: Policy to be analysed

2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? yes
2.2	Describe the main aims, objectives and purpose of the policy (or decision): Improving payment options for Leaseholders What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? Agreement of the options
2.3	Does or will the policy or decision affect: <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? No Will the policy or decision influence how organisations operate? No
2.4	Will the policy or decision involve substantial changes in resources? No
2.5	Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes? Stronger communities

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

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

3.1	What does the information tell you about those groups identified? NA
3.2	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?.
3.3	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: N/A

Section 4: Impact of policy or decision

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

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral – the paper is for information only and will not impact on any groups	L
Disability	As above	L
Gender	As above	L
Gender reassignment	As above	L
Marriage/civil partnership	As above	L
Pregnancy/maternity	As above	L
Race	As above	L
Religion/belief	As above	L
Sexual orientation	As above	L

Section 5: Conclusion

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

Section 6: Action plan to address and monitor adverse impacts

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

Section 7: Sign off

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

Signature of Head of Service: Deborah Fenton

Date:27/10/21

Signature of person completing the EqlA: Deborah Fenton

Date: 27/10/21

Advice

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

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

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